

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4420

A Bylaw of the Corporation of the City of Dawson Creek to regulate, prohibit, and impose requirements in relation to animals in the City of Dawson Creek.

WHEREAS pursuant to the *Community Charter*, the Council of the City of Dawson Creek has the authority to regulate, prohibit, and impose requirements in relation to animals;

NOW THEREFORE the Council of the Corporation of the City of Dawson Creek, in open meeting assembled, enacts as follows:

SECTION 1 - TITLE

- 1.1 This Bylaw may be cited for all purposes as the **“CITY OF DAWSON CREEK ANIMAL RESPONSIBILITY BYLAW NO. 4420, 2019”**.

SECTION 2 - DEFINITIONS

- 2.1 In this Bylaw:

“Actual cost” means the amount invoiced to the City by a veterinarian, retailer or other supplier or contractor for the goods and services provided;

“Aggressive dog” means any dog, whatever its age, which:

- a. has attacked, bitten, or caused injury to a person or animal on public or private property that is inside or outside the City, or has demonstrated a propensity, tendency, or disposition to do so;
- b. is a dangerous dog as defined by the *Community Charter*; or
- c. has been trained for, or is owned for, the purpose of dog fighting.

“Animal” means any domestic animal, including livestock;

“Animal Control Officer” means a municipal employee, officer or agent designated by Council to administer the provisions of this Bylaw;

“At large” means

- a. in or upon a highway or public place or in or upon the lands or premises of any person other than the owner of the animal without the express or implied consent of that person and not on a leash which is under the control of a person responsible.
- b. Despite the foregoing, a dog shall not be “At large” if the dog is:
 - i. under the charge and control of a police officer, police constable, or other person employed for the preservation and maintenance of the public peace, an officer, or a person having the powers of a customs and excise officer when performing a duty in the administration of the *Customs Act* or the *Excise Act*, an officer or member of the Canadian Forces, or a duly licensed and qualified security guard while in the course of performing lawful duties; or

- ii. contained within an area that is designated by Council resolution as an off leash area.

“BCSPCA” means the British Columbia Society for the Prevention of Cruelty to Animals;

“Bite” means wound to the skin causing it to bruise, puncture, or break;

“City” means the City of Dawson Creek;

“Colony” means a structure which houses a hive and its equipment and appurtenances, including comb, honey, pollen and brood;

“Council” means the Council of the City of Dawson Creek;

“Hen” means an adult female domesticated fowl of the species *gallus gallus domesticus*;

“High-risk dog” means any dog, whatever its age, that has:

- a. aggressively pursued or threatened a person or animal, while running at large either inside or outside the City’s boundaries; or
- b. demonstrated a propensity, whether within the City’s boundaries or elsewhere, to attack or injure a person or animal without provocation;

“Injury” includes any injury resulting in broken bone or bones, disfiguring lacerations, sutures or cosmetic surgery;

“Intact animal” means an animal that has not been spayed or neutered;

“Keep” includes own, possess, harbour, or have care and control;

“Large animals” means horses, cows or similar sized animals;

“Leash” means a device, or use of a device, made of metal, nylon or other similar strong material no more than three (3) meters in length and of sufficient strength and design to restrain the size and strength of a dog for which it will be used, or a retractable lead not exceeding eight (8) metres in length when fully extended, cannot be used for a dog that has been declared dangerous. One end must remain securely affixed to a collar or harness securely attached to the animal with the other end held by a person capable of controlling the dog at all times.

“Licence” means the form of written legal permission, granted by the City authorizing a person to keep or have an Animal within the boundaries of the City;

“Licensee” means the person or persons named on a Licence;

“Licence tag” means the metal tag issued by the City for attachment to a collar or harness to identify a licenced dog or cat.

“Livestock” includes:

- a. horses, mules, donkeys, camels, llamas, alpacas, sheep, pigs (including potbellied pigs) and goats;
- b. domestically reared or kept deer, reindeer, moose, elk and bison;
- c. farm-bred fur bearing animals, including foxes and mink;
- d. animals of the bovine family;

- e. animals of the avian class including turkeys, ducks, geese, emus, ostriches, pheasants and roosters and capons, but excluding hens; and
- f. all other animals that are kept for agricultural purposes other than bees.

“Muzzle” means a device:

- a. of adequate strength and design;
- b. that fits over the mouth of a dog;
- c. that cannot be removed by the dog; and
- d. prevents the dog from biting.

“Nucleus colony” means a small colony of not more than five (5) removable frames primarily used for rearing and storing queen bees;

“Nuisance animal” means an animal:

- a. that has been seized three times within the previous twelve (12) months for running at large;
- b. whose owner has been found liable to pay a fine or penalty under a Bylaw Notice Violation or municipal ticket as a result of the animal running at large three times within a twelve (12) month- period;
- c. for which three instances of running at large within the previous (12) months has resulted, on each occasion, of the animal either being seized or the owner being found liable to pay a fine or penalty under a bylaw notice violation or municipal ticket information; or
- d. that has caused damage to the property of anyone other than its owner, including but not limited to: getting into or turning over garbage containers, damaging gardens, flowers and vegetables;

but does not include an aggressive dog, a high-risk dog or an animal for which none of the circumstances described in (a), (b), (c) and (d) have occurred after a reclassification under Section 6 or Section 7 of this Bylaw.

“Owner” means any natural person or body corporate:

- a. who is named as the owner of the animal in a Licence;
- b. who has possession or custody of the animal, either temporarily or permanently; or
- c. who harbours the animal, or allows the animal to remain on his premises.

“Poundkeeper” means the person or organization appointed by Council to operate a pound and includes the deputy, assistants and employees of the poundkeeper;

“Small animals” means birds, reptiles, rabbits, ferrets or similar sized animals.

SECTION 3 - APPLICATION

3.1 Section 10.1 does not apply to livestock that is kept on properties that are:

- a. Designated as part of the agricultural land reserve under the *Agricultural Land Commission Act*;
- b. Classified as a farm under the *Assessment Act*; or
- c. Zoned to allow agricultural, intensive agricultural, paddock, or stable uses.

SECTION 4 - DOG AND CAT LICENCES

- 4.1 No person will keep any dog or cat in the City unless a valid licence for the current year has been obtained from the Poundkeeper under this Bylaw on or before February 1st in the calendar year.
- 4.2 If a person becomes the owner of a dog or cat after February 1st in any year, that person must apply for a licence and pay the designated fee within seven (7) days of becoming the owner of the animal.
- 4.3 A person may apply for a dog or cat licence using the form prescribed by the Poundkeeper and accompanied by a licence fee in the amount set out in Schedule "A" of this Bylaw. Upon receipt of the application and payment of the prescribed fee, the Poundkeeper will issue to the applicant a numbered dog licence and assign a:
 - a. licence tag;
 - b. tattoo number; or
 - c. microchip number.
- 4.4 Every dog and cat licence issued under this Bylaw expires on the 31st day of December in the calendar year in which the licence is issued.
- 4.5 The owner of a dog or cat is responsible to ensure that the dog or cat has permanent identification:
 - a. in the form of veterinary administered legible tattoo, microchip, or corresponding licence tag number; or
 - b. In the form of a licence tag affixed on the dog or cat by a collar, harness, or other suitable device except where the owner has a certificate from a qualified veterinarian that the dog or cat cannot, due to sickness, injury or disease, comfortably wear a collar, harness or other suitable device.
- 4.6 Every licence and corresponding licence tag issued under this Bylaw is valid only in respect of the dog or cat for which it was issued, as described on the licence application, and is not transferable to another animal.
- 4.7 No person except the owner of the animal will remove from the animal the licence tag issued for that animal under this Bylaw unless authorized to do so from the owner.
- 4.8 The owner of a dog or cat for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the Poundkeeper that the original licence tag has been lost or stolen and upon payment of the replacement fee set out in Schedule "A" of this Bylaw.
- 4.9 In the event of a change in ownership of a dog or cat for which a licence and corresponding licence tag have been issued under this Bylaw, the new owner of the dog or cat must notify the Poundkeeper of the change of ownership of the dog or cat within seven (7) days following the change in ownership, unless the dog is a high-risk dog, in which case notification must be completed within three (3) business days.
- 4.10 The owner of a licenced dog or cat must, within thirty (30) days of the owner's change of address, notify the Poundkeeper of the change, unless the dog is a High-risk dog, in which case, notification must be completed within seven (7) business days.

- 4.11 Where this Bylaw provides for a reduced licence fee for a dog or cat that is neutered or spayed, the licence application for the dog or cat shall be accompanied by a certificate from a qualified veterinarian indicating that the dog or cat is in fact neutered or spayed.
- 4.12 All dog or cat licence fees payable under this Bylaw are non-refundable.
- 4.13 If a person:
- a. owns or keeps any combination of dogs and cats that number greater than two (2) at that person's residence; and
 - b. commits three (3) contraventions of this Bylaw within a twelve (12) month period;
- the Poundkeeper or Animal Control Officer will provide documentation to the City who may then impose an animal number restriction on the person by delivering written notice of the restriction to that person.
- 4.14 A person subject to an animal number restriction must not keep a combination of dogs and cats that number more than two (2) at that person's residence, except as part of a licenced kennel or veterinary clinic.

SECTION 5 - CONTROL OF ANIMALS

- 5.1 No owner will permit the owner's animal to be At large in the City.
- 5.2 The owner of an intact animal, other than livestock, must at all times keep the animal securely confined within a building, enclosure or carriage bag capable of preventing the animal's escape and the entry of other animals.
- 5.3 The owner of an animal will, at all times when the animal is on the owner's property, keep the animal securely confined on the property by keeping the animal indoors, or within a fenced area sufficient to prevent the animal from leaving the property.
- 5.4 No owner of an animal will permit the animal to create a noise, such as howling or barking, in the City if which noise disturbs or is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the public.
- 5.5 The owner of an animal must immediately remove and dispose of, in a waste container or by other sanitary means, any fecal matter deposited by the animal on any public place, park or private property.
- 5.6 The owner of an animal must, at all times when the animal is in the rear of an open vehicle on any highway or public place, keep the animal on a leash or other suitable device so as to prevent the animal from reaching beyond the sides of the vehicle.
- 5.7 An owner shall not allow or direct the owner's animal to attack, chase, or threaten a person or another animal.

SECTION 6 - NUISANCE ANIMALS

- 6.1 If the Poundkeeper or an Animal Control Officer identifies an animal as being a nuisance animal, he or she may provide the owner with written notice that the animal has been designated a nuisance animal.

- 6.2 An owner of an animal designated as a nuisance animal must obtain a nuisance animal licence for the current year and pay the applicable licence fee set out in Schedule "A". If the Owner of the animal has already paid for a licence for the current year, the owner shall pay the difference between the licence fee previously paid and the fee for a Nuisance Animal Licence.
- 6.3 If an owner fails to obtain a Nuisance Animal Licence within 14 days of receiving written notice that the Poundkeeper or an Animal Control Officer has designated the owner's animal as a nuisance animal, the animal shall be deemed to be unlicensed.
- 6.4 An owner may apply to the Poundkeeper to reclassify a nuisance animal any time after December 31st of the second consecutive year in which the animal has been the subject of a Nuisance Animal Licence and the Poundkeeper may grant a reclassification if the nuisance animal has not been at large within the preceding twelve (12) months.

SECTION 7 – HIGH-RISK DOGS

- 7.1 The owner of a High-risk dog must not permit the High-risk dog to be in a public place unless the dog is firmly held by a person competent to restrain the dog on a leash not exceeding 2 metres or 6.6 feet.
- 7.2 A person may allow a High-risk dog to be in areas of private lands or premises that are exclusively owned or occupied by that person as long as the dog is securely confined:
- a. indoors; or
 - b. in a rear yard and inside a pen, enclosure or fenced area that:
 - i. is adequately constructed to prevent the dog from escaping;
 - ii. is locked to prevent casual entry by another person; and
 - iii. has been inspected and approved by an Animal Control Officer.
- 7.3 The owner of a High-risk dog must immediately advise an Animal Control Officer or the Poundkeeper if the dog is loose or has bitten or attacked any person or animal.
- 7.4 If the Poundkeeper or an Animal Control Officer identifies a dog as being a High-risk dog, he or she may provide the owner with written notice that the dog has been designated a High-risk dog.
- 7.5. An owner of a dog designated as a High-risk dog must obtain a High-risk Dog Licence for the current year and pay the applicable licence fee set out in Schedule "A". If the Owner of the dog has already paid for a licence for the current year, the owner shall pay the difference between the licence fee previously paid and the fee for a High-risk dog.
- 7.6 If an owner fails to obtain a High-risk Dog Licence within 14 days of receiving written notice that the Poundkeeper or an Animal Control Officer has designated the owner's dog as a High-risk dog, the dog shall be deemed to be unlicensed.
- 7.7 An owner may apply to the Poundkeeper to reclassify a High-risk dog any time after December 31st of the second consecutive year in which the animal has been the subject of a High-risk Dog Licence and the Poundkeeper may grant a reclassification, at the Poundkeeper's discretion, if the High-risk dog has not been at large within the preceding twelve (12) months and has not exhibited High-risk behaviour during that period.

SECTION 8 - AGGRESSIVE DOGS

- 8.1 If the Poundkeeper or an Animal Control Officer identifies a dog as being an Aggressive dog, he or she will provide documentation to the City who may provide the owner with written notice that the dog has been designated an Aggressive dog.
- 8.2. An owner of a dog designated as an Aggressive dog must obtain an Aggressive Dog Licence for the current year and pay the applicable licence fee set out in Schedule "A". If the Owner of the dog has already paid for a licence for the current year, the owner shall pay the difference between the licence fee previously paid and the fee for an Aggressive dog.
- 8.3 If an owner fails to obtain an Aggressive Dog Licence within 14 days of receiving written notice that the Poundkeeper or an Animal Control Officer has designated the owner's dog as an Aggressive dog, the dog shall be deemed to be unlicensed.
- 8.4 The owner of an Aggressive dog must not permit the Aggressive dog to be in a public place or on any private lands and premises in the City unless the dog is:
- a. firmly held, by a person competent to restrain the dog, on a leash not exceeding 2 metres or 6.6 feet; and
 - b. properly fitted with a humane basket muzzle that allows the dog to pant and drink.
- 8.5 A person may allow an Aggressive dog to be in areas of private land or premises that are exclusively owned or occupied by that person as long as the dog is securely confined:
- a. indoors;
 - b. on an enclosed deck that is no less than three (3) metres above ground level and sufficient to prevent the dog's escape; or
 - c. in a rear yard and inside a pen, enclosure or fenced area that:
 - i. is adequately constructed to prevent the dog from escaping;
 - ii. is locked to prevent casual entry by another person; and
 - iii. has been inspected and approved by an Animal Control Officer.
- 8.6 At any time when the Aggressive dog is not securely confined as outlined above, or is being transferred from one form of confinement to another, the dog must be leashed, securely muzzled, and under the care and control of a competent person as outlined under this Section.
- 8.7 The owner of an Aggressive dog must:
- a. allow an Animal Control Officer or the Poundkeeper to photograph the dog, on demand;
 - b. immediately advise an Animal Control Officer or the Poundkeeper if the dog is loose or has bitten or attacked any person or animal;
 - c. microchip and or tattoo the dog and provide the City with the microchip or tattoo information;
 - d. within fourteen (14) days of receiving written notice that the dog has been designated an Aggressive dog, post a warning sign at each entrance to the premises containing the dog in a location that is clearly visible by any person accessing the premises.
- 8.8 The City may, on one occasion only, supply an owner of an Aggressive dog with a warning sign at the City's cost.
- 8.9 A warning sign may only be removed:
- a. upon the death of the Aggressive dog, if the owner has provided an Animal Control Officer or the Poundkeeper a veterinarian's certificate of death;

- b. upon the relocation of an Aggressive dog, if the owner has provided an Animal Control Officer or the Poundkeeper a letter indicating where the dog now resides and with whom; or
 - c. in the event that Council rescinds the Aggressive dog designation after a reconsideration under Section 19.
- 8.8 The Poundkeeper and Animal Control Officers are designated as Animal Control Officers for the purposes of Section 49 of the *Community Charter*.
- 8.9 The owner of an Aggressive dog may deliver such a dog for immediate surrender and destruction in the interest of public safety to the Animal Control Officer or the Poundkeeper.
- 8.10 If an Aggressive dog is surrendered for destruction, the Poundkeeper may waive the animal destruction fee.

SECTION 9 - ANIMALS GENERALLY

- 9.1 No person will keep an animal suffering from an infectious or contagious disease on any parcel of land in the City unless the animal is kept securely confined within a building or enclosure capable of preventing the animal's escape and the entry of other animals and is under veterinary care for that disease.
- 9.2 No person will keep any animal in the City unless the animal is provided with:
- a. clean, potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;
 - b. sanitary food and water receptacles;
 - c. the opportunity for periodic exercise sufficient to maintain the animal's good health;
 - d. clean bedding material and an area maintained at an appropriate temperature and condition to prevent the animal from suffering discomfort; and
 - e. the necessary veterinarian care when the animal exhibits signs of pain, suffering, or disease.
- 9.3 No person will keep any animal outside unless the animal is provided with shelter, of sufficient size to allow the animal to turn about freely, stand, sit, and lie in a normal position, so as to:
- a. ensure protection of the animal from heat, cold, and wetness appropriate to the animal's weight and type of coat; and
 - b. provide sufficient shade to protect the animal from the direct rays of the sun.
- 9.4 No person will keep any animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering discomfort or a heat injury.
- 9.5 No person will keep any animal hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus or where a rope or cord is tied directly around the animal's neck.
- 9.6 No owner will leave any tethered animal unattended or unsupervised.

SECTION 10 – LIVESTOCK

- 10.1 Subject to Section 3.1, no person shall keep any livestock within the boundaries of the City.

SECTION 11 - SEIZURE AND IMPOUNDMENT

- 11.1 An Animal Control Officer may seize and impound:
- a. any animal that has not been licensed in accordance with this Bylaw;
 - b. any animal unlawfully at large on a highway or in a public place;
 - c. any animal straying or trespassing on private property; or
 - d. any animal on unfenced land and not securely contained:
 - i. after an attempt to contact the owner and/or safely confine the animal to the property identified on the animal's license.
- 11.2 Where the owner of an animal which has been seized and impounded under this Bylaw is known to, or can be identified by the Animal Control Officer, the Animal Control Officer will notify the owner, by telephone or by mail addressed to the last known address of the owner, of the fact that the animal has been seized and impounded under this Bylaw and that the animal will be adopted, destroyed or otherwise disposed of by the Poundkeeper after three (3) days from the date the notice was received by the owner unless, in the meantime, the animal is reclaimed. For the purpose of this Bylaw, notice by mail will be deemed to be received by the owner after expiration of seven (7) days from the date the notice was mailed.
- 11.3 Where the owner of an animal which has been seized and impounded under this Bylaw is not known to, and cannot be identified by the Animal Control Officer, the Animal Control Officer will post a notice of the seizure and impoundment on the public notice board at the pound. Such notice will set out particulars of the impounded animal, the date of seizure and impoundment of the animal, and that the animal will be adopted, destroyed, or otherwise disposed of by the City after five (5) days from the date of the notice unless, in the meantime, the animal is reclaimed.
- 11.4 An owner of an animal seized and impounded under this Bylaw, or any person authorized in writing on the owner's behalf, may reclaim the impounded animal at any time prior to its adoption, destruction, or disposal under this Bylaw upon:
- a. delivery to the Poundkeeper of evidence satisfactory to the Poundkeeper of ownership of the impounded animal;
 - b. payment of the fees, costs, and charges incurred in respect of the seizure and impoundment of the animal as set out in Schedule "B" to this Bylaw; and
 - c. payment of the applicable current licence fee if the impounded animal is required to be licensed pursuant to this Bylaw and is not licensed.
- 11.5 Where an animal that has been seized and impounded under this Bylaw has not been reclaimed, the Poundkeeper may, after the expiration of the notice periods established under this Bylaw, offer the impounded animal for adoption.
- 11.6 Where the Poundkeeper is unable, or considers it undesirable, to effect the adoption of an animal that has been seized and impounded under this Bylaw, or where an impounded animal has been offered for adoption but has not been adopted, the Poundkeeper may destroy or otherwise dispose of the animal.
- 11.7 An Animal Control Officer may seize any animal suffering from an incurable disease or life-threatening injury and destroy that animal upon certification of the animal's condition by a licensed veterinarian.

- 11.8 Subject to Section 8.10, if an animal is destroyed pursuant to this bylaw, the owner of animal must pay to the City the animal destruction fee set out in Schedule "B" to this Bylaw.

SECTION 12 – DUTIES OF POUNDKEEPER

- 12.1 The Poundkeeper shall manage and operate facilities at which animals seized under this Bylaw may be impounded.
- 12.2 The Poundkeeper must maintain records which include:
- a. a description of every animal seized and impounded under this Bylaw and the date and time each animal was received by the Poundkeeper;
 - b. the name of the person or persons taking or sending any animal to be impounded;
 - c. the date and time each animal impounded was reclaimed, sold, destroyed, or otherwise disposed of by the Poundkeeper;
 - d. the name of every person redeeming any animal and the amount paid by such person;
 - e. the name of every person purchasing any impounded animal and the amount paid by such person; and
 - f. the amount of impoundment and maintenance fees, costs, and charges connected with each impounded animal.

SECTION 13 - KENNEL LICENCES

- 13.1 No person will operate a kennel in the City unless that person holds a kennel licence issued under this Bylaw. Issuance of a kennel licence does not exempt a person from the obligation to obtain a City of Dawson Creek business licence.
- 13.2 A person may apply for a kennel licence by completing the form prescribed for that purpose by the City. Upon receipt of the completed application, the City will issue a kennel licence to the applicant.
- 13.3 Every kennel licence issued under this Bylaw expires on the 31st day of December in the calendar year in which the licence is issued.
- 13.4 A kennel licence is not transferable to a different person or different property than it was originally issued.
- 13.5 The Animal Control Officer or the City may cancel, suspend or refuse to issue a kennel licence for non-compliance with this Bylaw.

SECTION 14 - KENNEL OPERATIONS

- 14.1 Every kennel must consist of a fully enclosed building and facilities constructed, installed and maintained in accordance with the following provisions:
- a. every cage or pen must provide at least 2.3 square metres of floor space for each dog and be of sufficient height to permit each animal kept therein to allow each animal to turnabout freely, stand, sit, and lie in a normal position;
 - b. there must be an outdoor exercise area large enough to allow each animal being kept to break into a trot;
 - c. the building must be constructed and maintained so as to allow natural light and ventilation to be introduced into the interior of the building by windows, skylights or a combination thereof; and

- d. the building and facilities must be constructed and maintained so as to prevent the escape of any animal being kept.
- 14.2 No owner or operator of a kennel will cause or permit:
- a. more than one animal to be kept in a cage or pen unless the cage or pen is of sufficient size and height to permit each animal kept therein to move freely and easily;
 - b. animal exhibiting dangerous behaviour or dominance aggression to be kept with other animals;
 - c. animals under the age of four (4) months of age to be kept with adult animals other than their female parent; and
 - d. animals under treatment for a communicable disease or suspected of harbouring a communicable disease to be kept with other animals.
- 14.3 Every owner or operator of a kennel must at least once daily clean and sanitize the kennel of animal excrement.
- 14.4 Every owner or operator of a kennel must ensure all animals are fully vaccinated and must obtain a certificate or proof of vaccination from the owner upon receipt of the animal at the kennel.

SECTION 15 – BACKYARD HEN KEEPING LICENSES

- 15.1 No person will keep any hens within the boundaries of the City unless that person is engaging in backyard hen keeping and holds a valid and subsisting hen licence under this Bylaw.
- 15.2 A person may apply for a backyard hen licence by completing the form prescribed for that purpose by the City and paying the licence fee in the amount set out in Schedule “A” of this Bylaw. Upon receipt of the application and payment of the prescribed fee, the City will issue a numbered backyard hen permit to the applicant.
- 15.3 If any person becomes the owner of backyard hens, that person must apply for a licence and pay the applicable licence fee within seven (7) days of becoming the owner of backyard hens.
- 15.4 Every backyard hen licence is valid only for the owner of the backyard hens to whom it was issued.
- 15.5 The Animal Control Officer or the City may cancel, suspend or refuse to issue a backyard hen licence issued pursuant to this Bylaw if the backyard hen licence holder fails to comply with the provisions of this Bylaw.
- 15.6 All backyard hen licence fees payable under this Bylaw are non-refundable.

SECTION 16 – BACKYARD HEN KEEPING

- 16.1 A person who engages in backyard hen keeping must:
- a. be the registered owner or obtain permission from the registered property owner of the property where hens are kept, and reside at the property where the hens are kept;
 - b. keep no more than six (6) hens per parcel of land;
 - c. keep hens in a run that:
 - i. is fenced on all sides in a manner that will keep predators from entering and hens from escaping;
 - ii. provides at least 1 square metre of covered outdoor space per hen;
 - iii. is less than 2.4 metres in height;
 - iv. is sited at least 2.0 metres from any parcel line and located to the rear of the front face of the principal building; and
 - v. has a ground surface comprised of material that is clean, non-toxic, biodegradable, readily available, and easily replaceable, and which is well maintained.
 - d. provide at least one (1) coop that:
 - i. is kept clean and monitored for suitable cleanliness daily;
 - ii. is sited at least 2.0 metres from the rear or side parcel line where there is no lane. For clarity, no setback is required from the rear parcel line for coops less than 1 square metre in size where there is a lane;
 - iii. provides at least 0.5 square metres of coop floor area per hen; and
 - iv. provides and maintains at least one perch that is at least 15 centimetres long per hen and at least one nest box per four hens that is large enough for the hen to turn around and sit.
 - e. provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health with consideration of the temperature fluctuations from winter through summer;
 - f. not keep the hen in a cage;
 - g. be attentive to biosecurity procedures recommended by the Canadian Food and Inspection Agency;
 - h. remove all leftover feed, trash and manure in a timely manner;
 - i. store manure in a fully enclosed structure, and store no more than one (1) cubic metre of manure at any time;
 - j. remove all manure not used for composting or fertilizing;
 - k. only keep hens for personal use, and not sell eggs, manure, meat or other products derived from hens; and
 - l. not slaughter, or attempt to euthanize, or bury a hen within City limits, unless at an authorized facility.

SECTION 17 – BEEKEEPING LICENSES

- 17.1 No person will keep bees in the City unless that person holds a valid and subsisting beekeeping licence for the beekeeping under this Bylaw.
- 17.2 A person may apply for a beekeeping licence by completing the form prescribed for that purpose by the City and paying the licence fee in the amount set out in Schedule “A” of this Bylaw. Upon receipt of the application and payment of the prescribed fee, the City will issue a numbered beekeeping licence to the applicant.
- 17.3 Every beekeeping licence is valid only for the beekeeper to whom it was issued.
- 17.4 An Animal Control Officer may cancel, suspend or refuse to issue a beekeeping licence if the beekeeping licence holder fails to comply with the provisions of this Bylaw.
- 17.5 A beekeeping licence fee payable under this Bylaw is non-refundable.

SECTION 18 – BEEKEEPING REGULATIONS

- 18.1 A person who engages in beekeeping must:
 - a. be registered as a beekeeper under the Bee Regulation, B.C. Reg. 3/2015 and amendments thereto;
 - b. be the registered owner of the property where bees are kept or have written permission from the registered owner of the property where the bees are kept;
 - c. have the apiary registered under the Bee Regulation, B.C. Reg. 3/2015 and amendments thereto;
 - d. adhere to good management practices and maintain bees in a condition that will reasonably prevent swarming and aggressive behavior;
 - e. provide adequate water for the bees to prevent the bees from seeking water in neighbouring swimming pools, birdbaths, ponds or other community bodies of water;
 - f. keep a maximum of four (4) colonies per parcel, subject to the regulations outlined in this Bylaw. This is typically two (2) colonies and two (2) nucleus colonies;
 - g. locate all colonies at the rear of the front face of the principal dwelling;
 - h. locate all colonies in such a way as to avoid concentrated bee flight on neighbouring properties; and
 - i. comply with one of the following requirements in order to ensure the appropriate bee flight path:
 - i. the entrance to any colony will be facing away from neighbouring properties and be located in a backyard which has a continuous fence or hedge that is 1.8 metres or more in height; or
 - ii. if installed on an elevated platform (deck, rooftop, etc.), any colony entrance will be situated 2.5 metres or more above ground level.

SECTION 19 – COUNCIL RECONSIDERATION

- 19.1 A person may request that the Council reconsider:
- a. an animal number restriction;
 - b. a nuisance animal designation;
 - c. a high-risk dog designation
 - d. an aggressive dog designation;
 - e. a refusal, suspension or cancellation of a kennel licence;
 - f. a refusal, suspension or cancellation of a hen licence; or
 - g. a refusal, suspension or cancellation of a bee licence;

made under this Bylaw, by sending the City's Corporate Officer written notice of the request, after which the Corporate Officer will add the request to the agenda of the next convenient meeting of Council.

SECTION 20 – ENFORCEMENT

- 20.1 This Bylaw may be enforced by bylaw notice under Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended or replaced from time to time, or by municipal ticket under Municipal Ticket Information System Bylaw No. 4278, 2016 as amended or replaced from time to time.
- 20.2 No person will do any act or suffer or permit any act to be done in contravention of this Bylaw.
- 20.3 No person will obstruct or impede a Poundkeeper or an Animal Control Officer in performance of their duties, including any entry onto property as authorized by Section 16 of the *Community Charter*.
- 20.4 Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.
- 20.5 A person who contravenes any provision of this Bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.
- 20.6 Any penalty or remedy imposed pursuant to this Bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SECTION 21– ADMINISTRATIVE

- 21.1 If any provision of this Bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this Bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
- 21.2 Schedule "A – Licence Fees" and Schedule "B – Impoundment Fees and Penalties" and Schedule "C – Aggressive Dog Sign" are attached to this Bylaw and form part of this Bylaw.
- 21.3 The following Bylaws and all amendments thereto are hereby repealed:
- a. City of Dawson Creek Animal Responsibility Bylaw No. 4122, 2011.

READ a first time this 22nd day of July, 2019.

READ a second time this 22nd day of July, 2019.

READ a third time this 22nd day of July, 2019.

ADOPTED this 12th day of August, 2019.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4420 cited as "CITY OF DAWSON CREEK ANIMAL RESPONSIBILITY BYLAW NO. 4420, 2019".

Cindy Fisher
Deputy Corporate Officer

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

Dale Bumstead – Mayor

Cindy Fisher – Deputy Corporate Officer

SCHEDULE A**LICENCE FEES**

Annual licence fee for a spayed or neutered dog	\$20.00
Annual licence fee for an intact dog	\$50.00
Annual fee for a nuisance animal	\$75.00
Annual fee for a high-risk dog	\$100.00
Annual fee for an aggressive dog	\$150.00
Replacement dog licence tag	\$5.00
Annual Hen Keeping Licence Fee	\$20.00
Annual Bee Keeping Licence Fee	\$20.00
Annual licence for a spayed or neutered cat without tattoo or microchip	\$50.00
Annual licence for a spayed or neutered cat with tattoo or microchip	\$5.00
Annual licence fee of an intact cat	\$200.00
Notes regarding cats: <ul style="list-style-type: none"> - The license fee receipt for a spayed or neutered cat without tattoo or microchip may be presented to a partner Veterinarian Clinic as payment to microchip the cat in respect for which it was issued, as described on the license application, and not transferable to another cat. - The license fee receipt for an unneutered or unspayed cat may be presented to a partner Veterinarian Clinic as payment to neuter or spay and tattoo the cat in respect for which it was issued, as described on the license application, and not transferable to another cat 	

SCHEDULE B**SEIZURE AND IMPOUNDMENT FEES**

Seizure and impoundment of any licensed dog or cat	\$50.00 + \$15.00/day
Seizure and impoundment of any unlicensed dog or cat	\$100.00 + \$15.00/day
Seizure and impoundment of a Nuisance animal	\$150.00 + \$15.00/day
Seizure and impoundment of a High-risk dog	\$200.00 + \$20.00/day
Seizure and impoundment of an Aggressive dog	\$270.00 + \$20.00/day
Seizure and impoundment of small animals	\$25.00 +\$15.00/day
Seizure and impoundment of large animals	\$50.00 + Actual cost of boarding
Repeat impoundment surcharge payable in addition to the impoundment fee if the dog or cat was impounded less than six months after a previous impoundment	\$125.00
For veterinary attention provided to an impounded animal	Actual cost
For food provided to an impounded animal	Actual cost
Animal Destruction Fee (including cremation)	Actual cost

SCHEDULE C

AGRESSIVE DOG SIGN

WARNING

**AGGRESSIVE
DOG
ON
PREMISES**

**ANIMAL RESPONSIBILITY
BYLAW # 4420**

