



**Animal Control
and Licencing**
Bylaw 1342
Effective 2021 February

CASTLEGAR

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A bylaw pursuant to Sections 47, 48 and 49 of the *Community Charter*, to provide for animal control and licencing in the City of Castlegar.

The Municipal Council of the Corporation of the City of Castlegar in open meeting assembled enacts as follows:

1. DEFINITIONS

1.1. In this bylaw:

AGGRESSIVE BEHAVIOUR includes hostile barking, lunging, snapping, aggressively chasing and pursuing;

AGGRESSIVE DOG means a dog which meets one or more of the following conditions:

- a. an Animal Control Officer has reasonable grounds to believe is likely to cause injury to a person or domestic animal based on repeated aggressive behaviour;
- b. has, without provocation, caused a non-serious injury to a person or another domestic animal while on public or private property;

ALLOWABLE ANIMALS means a non-native animal, whether domesticated or bred in captivity, that is permitted to be owned, rehomed, adopted, bred, displayed, imported, or sold and is limited to cats (*Felis catus*), dogs (*Canis lupus*), domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*), farm animals, freshwater fish, gerbils, guinea pigs, hamsters and small birds (e.g., budgies, canaries, cockatiels, lovebirds);

ANIMAL means any member of the Kingdom Animalia excluding humans;

ANIMAL CONTROL OFFICER means any person appointed by the Council to administer and enforce the provisions of this Bylaw and included Bylaw Enforcement Officers and Peace Officers;

ANIMAL SHELTER MANAGER means any person appointed by the City as the animal shelter manager or any contractor who has entered into an agreement with the City to assume the responsibilities of the animal shelter manager pursuant to this bylaw, and includes the delegates of this person;

AT LARGE means:

with respect to a dog:

- a. in or upon the lands or premises of any person other than the owner of the dog without the consent, express or implied, of that person;
- b. in or upon a public place not prohibited to dogs, or a highway, unless on a leash and under the control of a competent person;
- c. in or upon a public place posted as being prohibited to dogs;
- d. a vicious dog or dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling; and

with respect to other animals means being in or upon:

- a. a highway or a public place; or

- b. the lands or premises of any person, other than the owner, without the consent, express or implied, of that person;

BEES means the insect *Apis mellifera*;

BEEHIVE means a box or receptacle with moveable frames, used for housing a colony of Bees;

BEEKEEPER means a person registered to engage in beekeeping under the Animal Health Act and who owns or controls Bees or Beehive equipment;

BEEKEEPING means the raising of bees by a Beekeeper;

CAT means the domestic cat *Felis catus*;

CATTLE includes horse, mule, swine, sheep, goat, cow, or other animal of the bovine species;

CITY means the City of Castlegar;

COLONY means a queen, brood and accompanying adult Bees;

CONTROLLED ALIEN SPECIES means a non-native wild animal specified in schedules 1-4 of the *Controlled Alien Species Regulation* to the *Wildlife Act*;

COOP means a covered enclosed structure to shelter Hens;

COUNCIL means the duly elected Council of the City of Castlegar;

DANGEROUS DOG means a dog that:

- a. has killed or caused a serious injury to a person; or
- b. an Animal Control Officer has reasonable grounds to believe is likely to kill or cause a serious injury to a person; or
- c. has killed or seriously injured an animal while in a public place or while on private property; or
- d. has previously been deemed a vicious dog; or
- e. as defined in the *Community Charter S.B.C. 2003 c. 26*, as amended;

DANGEROUS DOG ENCLOSURE means a fence or structure at least two (2) metres in height and two (2) metres in width, forming or causing an enclosure suitable to prevent unauthorized entry and suitable to confine a dog in conjunction with other measures taken by the owner. The enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the animal from escaping;

DOG means the domestic dog *Canis lupus*, irrespective of sex or age;

EDUCATIONAL DISPLAY means showing animals to the public for the purposes of encouraging management and conservation of protected wild animals;

ENCLOSURE means a structure forming a pen suitable to confine animal;

EXOTIC ANIMAL means a non-native wild animal, whether bred in captivity or live-captured and imported from outside of Canada;

FARM ANIMAL means any domesticated livestock, poultry or insect that is adapted to British Columbia's climate and is limited to alpacas, cattle, chickens, donkeys, ducks, European rabbits, geese, goats, honeybees, horses, llamas, pigs, quail, sheep and turkeys;

FERAL CAT means a cat that is unsocialized to humans and has a temperament of extreme fear and resistance to contact with humans;

GUARD DOG means a dog that is specifically trained for or used primarily for the purposes of guarding property, including residential, commercial and industrial property;

HEN means a female chicken;

HEN OWNER means a person keeping one or more Hens on a property;

INCURABLE DISEASE includes, without limiting the meaning, rabies, incurable injury, and mutilation which would inevitably result in death;

IDENTIFICATION means:

- a. a collar or tag worn by an animal which includes the name, current address and contact information of the owner;
- b. a traceable tattoo;
- c. a traceable microchip; or
- d. a valid licence tag issued by the City;

IMPOUNDED means seized, delivered, received or taken into the custody of the City or in the custody of the animal shelter manager;

KENNEL means a parcel where more than three (3) dogs are kept;

LEASH means a line, thong, or chain used for the purpose of restraining a dog and which does not exceed 183 centimetres in length and which is made of material of sufficient strength that the dog cannot break it;

LICENCE YEAR means the period from January 1st to December 31st, both inclusive, in any year;

LICENCEE means any person or business entity who obtains a licence to operate and does operate a business that involves providing care for animals, other than a veterinary clinic, including pet stores, animal kennels, animal day-cares, dog walkers and animal groomers;

LIMITED ANIMAL means an exotic animal that is allowed only to be owned, rehomed or adopted and is limited to chinchillas, degus, hedgehogs, invertebrates, medium and large birds (e.g., African grey parrots, Amazon parrots, macaws, peafowl, emus), small reptiles and amphibians under two (2) metres adult size (e.g., certain snakes, bearded dragons, frogs, salamanders), saltwater fish, sugar gliders, water buffalo and zebras;

MUZZLE means a humane basket-style fastening or covering device that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or with the dog's ability to drink;

NEUTER means the sterilization of a male animal by removing of the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

OWNER includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons' house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor;

PARCEL means a lot, block, or other area in which land is held or into which land is subdivided and which is registered under one title, pursuant to the Land Title Act;

PEN means a fully enclosed outdoor space for Hens;

PERMANENT IDENTIFICATION means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner;

PERSON includes and firm or corporation;

POULTRY means domestic fowls, such as chickens, turkeys, ducks or geese, raised for meat or eggs;

POUND means any building or enclosure used by the City from time to time for the purpose of impounding animals;

PUBLIC PLACE means a place which is owned or controlled by a public body and which is open to use by the public, but does not include air space; (*Bylaw 1182*)

SEIZE includes impound and detain;

SERIOUS INJURY means a physical injury to a person or animal that consists of deep punctures, lacerations in more than one direction, broken bones or an injury requiring stitches or cosmetic surgery;

SMALL ANIMALS means domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*, gerbils, guinea pigs, hamster and small birds (e.g., budgies, canaries, cockatiels, lovebirds);

SPAY means the sterilization of a female animal by removal of the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

STREET means a highway 10 m (32.8 ft.) or more in width; (*Bylaw 1322*)

UNLICENCED means that a licence under this bylaw has not been issued for the current year, or having been issued, means that the tag provided for under this bylaw has not been attached in accordance with this bylaw;

VICIOUS DOG means a dog that:

- a. has without justifiable provocation caused a serious injury to a person or animal; or
- b. has a known propensity, tendency or disposition to attack without justifiable provocation; or
- c. has on more than one occasion caused a minor injury to a person or animal; or
- d. has while running at large, aggressively pursued or harassed a person without justifiable provocation, or has demonstrated a propensity, tendency or disposition to do so as deemed by any animal control officer or animal shelter manager.

WILD OR EXOTIC ANIMAL means any native or non-native undomesticated free-ranging animal.

2. DOG LICENCES

- 2.1. No person shall own, keep, possess or harbour any dog over the age of three (3) months in the municipality unless a valid and subsisting licence for the current calendar year has been obtained for the dog.
- 2.2. Upon payment of the appropriate licence fee set out in Schedule "A" to this bylaw, the City shall issue to the owner a dog licence tag which shall be securely fastened to a collar or harness worn by the dog at all times except when the dog is penned up or enclosed on the owner's land and premises.
- 2.3. A dog licence tag shall be worn only by the dog for which it is issued, and is transferable to another dog, or to an owner other than the person to whom the licence was issued provided the City is advised, in writing, of the transfer information and the fee prescribed in Schedule 'B' of this bylaw is paid.
- 2.4. The City may issue a duplicate dog licence tag upon being satisfied by the owner that the original tag issued by the City has been lost or stolen and upon payment of the fee provided in Schedule "B" to this bylaw.
- 2.5. The owner of any licenced dog, within thirty (30) days of the owner's change of address, notify the municipality of the change of address.
- 2.6. The City shall keep records in which shall be recorded the name and address of the owner of each dog for which a licence tag is issued, the date of issuance of the licence tag, the description of the dog, and the licence tag number.

3. CAT REGISTRATION

- 3.1. As of January 1, 2022, no person shall own or keep any cat apparently aged three (3) months or more within the municipality unless such a cat is registered as provided by this Bylaw.
- 3.2. Any owner of a cat must register their cat by:
 - a. submitting a registration application in the form provided by the municipality;
 - b. ensuring that the cat has identification and that the identification information is provided to the municipality.

- 3.3. The municipality shall keep a complete registry of all cats, indicating the dates of registration, the name and description (where relevant, photograph) of each cat, and the name and address of each owner.
 - 3.4. The owner of any registered cat shall, within thirty (30) days of the owner's change of address, notify the municipality of change of address.
 - 3.5. No owner shall permit a cat that is apparently over the age of six (6) months to be at large, unless such cat, if female, is spayed or if a male, is neutered.
4. STANDARD OF CARE
- 4.1. No person shall keep any animal in the municipality 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. food and water receptacles which are clean;
 - c. the opportunity for regular exercise sufficient to maintain the animal's good health, including daily opportunities for social contact with people or animals, to be free of any enclosure and exercised under appropriate control; and
 - d. necessary veterinary care when the animal exhibits signs of pain, injury, illness, suffering, or disease.
 - 4.2. No person may keep an animal which normally resides outside or which is kept outside for extended periods of time, unless the animal is provide with outside shelter:
 - a. Which ensures protection from heat, cold and wet that is appropriate to the animal's weight and type of coat;
 - b. Which provides sufficient shade to protect the animal from the direct rays of the sun at all times;
 - c. Which contains dry bedding that will assist with maintaining normal body temperature; and
 - d. Which is regularly cleaned and sanitized and all excreta removed at least once per day.
 - 4.3. No person may cause, permit or allow an animal:
 - a. To be hitched, tied or fastened to a fixed object in such a way that the animal is able to leave the boundaries of the owner's property; or
 - b. To be hitched, tied or fastened to a fixed object where a choke, prong or shock collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck; or be tethered other than with a collar that is properly fitted to the animal and attached in a manner that will not injure the animal or enable the animal to injure itself by pulling on the tether; or
 - c. To be hitched, tied or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement to the animal; or
 - d. To be hitched, tied or fastened to a fixed object unattended at any time; or

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- e. To be hitched, tied or fastened to a fixed object for longer than four (4) hours within a 24 hour period.
- 4.4. No person shall keep an animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering discomfort or heat or cold-related injury. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.
 - 4.5. No person may transport an animal in a vehicle outside of the passenger compartment or in an uncovered passenger compartment, unless it is adequately confined to a pen or cage, or secured in a body harness or other manner of fastening to prevent it from jumping, falling off the vehicle or otherwise injuring itself.
 - 4.6. No person shall permit an animal to suffer from thermal distress, dehydration, discomfort or exertion causing unnecessary pain, suffering or injury.
 - 4.7. Notwithstanding any other provisions of this bylaw, no person shall:
 - a. Abandon any animal;
 - b. In any way use poison, air pellet guns, bows and arrows, sling shots and the like on any animal;
 - c. Use choke, prong or shock collars or harsh physical or verbal corrections to train or restrain any animal;
 - d. Tease, torment, provoke, punch, kick or choke an animal;
 - e. Cause, permit or allow an animal to suffer; or
 - f. Train or allow any animal to fight.
5. PROHIBITIONS
- 5.1. No person shall keep or permit to be housed any animal or animals, poultry (other than Hens and Bees in accordance with this bylaw) on any land within the city boundaries, except for dogs, cats, small animals, small lizards, turtles and fish.
 - 5.2. No owner of an animal shall permit or cause it to be at large or on a highway in the City.
 - 5.3. No person shall hinder, delay or obstruct the Animal Control Officer or any person or persons lawfully engaged in seizing or conveying any animal, to the pound.
 - 5.4. No person shall keep or harbour any animal except in accordance with the provisions of this bylaw.
 - 5.5. The owner of a female dog in season shall keep her effectively confined on private premises, until she is no longer in season.
 - 5.6. No person shall rescue or remove or attempt to rescue or remove, an animal lawfully in the custody of the Animal Shelter Manager or Animal Control Officer pursuant to this bylaw.
 - 5.7. No person shall keep or allow to be kept on any real property more than a total of three (3) dogs and/or three (3) cats over the age of twelve (12) weeks, and the

reasonable number of small and aquatic animals, unless they are a licenced, veterinary clinic or animal shelter.

- 5.8. If a person is providing temporary care for more than a total of three (3) dogs and/or three (3) cats over the age of twelve (12) weeks, they shall notify the animal control officer with the number and species of animals, reason and estimated length of time they will be provided care.

6. ANIMAL CONTROL OFFICER AND ANIMAL SHELTER MANAGER

- 6.1. The Animal Control Officer and/or the Animal Shelter Manager is hereby authorized to seize and impound unlicenced dogs, cats and other animals which are at large and any dog acting in a vicious or dangerous manner.
- 6.2. The Animal Shelter Manager shall record for that purpose, the following information:
- the number and description of each dog or cat impounded;
 - the description of each other animal impounded;
 - the name of the person who brought or caused the animal to be impounded;
 - the day and the hour on which the animal was received, redeemed, sold or destroyed;
 - the fees paid by the redeeming party;
 - the amount of the proceeds of the sale, if any.
- 6.3. The Animal Shelter Manager and/or the Animal Control Officer may euthanize an animal suffering from an incurable disease, or to prevent unnecessary suffering of the animal.

7. SHELTER STANDARDS AND IMPOUNDMENT

- 7.1. The animal impoundment facility shall ensure all "must" and "unacceptable" statements set out in the *Canadian Standards of Care in Animal Shelters: Supporting ASV Guidelines* are addressed.
- 7.2. The animal shelter manager shall ensure that all animals impounded under this bylaw receive sufficient food, water, shelter, exercise, social interaction and, if necessary, reasonable veterinary attention, and the animals are not mistreated during seizure and impoundment.
- 7.3. During the impoundment period, the animal shelter manager shall provide veterinary care and pain control for an injured or ill impounded animal as may be necessary to sustain its life and relieve distress.
- 7.4. If the Animal Shelter Manager considers that an impounded animal requires:
- a vaccination;
 - flea treatment;
 - worm treatment;
 - examination by a veterinarian; or
 - urgent veterinary care to alleviate any pain or suffering as recommended by a

veterinarian, then the Animal Shelter Manager can cause such care to be provided at the sole cost and expense of the animal's owner.

- 7.5. During or following the impoundment period, the animal shelter manager must, in consultation with a veterinarian, take an animal to a veterinarian for euthanasia, where she/he reasonably believes:
- immediate veterinary treatment cannot prolong the animal's life, or
 - prolonging the animal's life would result in the animal suffering unduly, and;
 - all reasonable efforts to contact the owner of the animal have failed.
- 7.6. Any euthanasia method used in a shelter must quickly induce loss of consciousness followed by death, while ensuring the death is a free from pain, distress, anxiety, or apprehension as possible. The euthanasia method must be reliable, irreversible and compatible with the species, age and health status of the animal. Any agent or method that is unacceptable according to the AVMA Guidelines on Euthanasia is also unacceptable for use in shelters.
- 7.7. The Animal Shelter Manager is entitled to recover from the owner the cost of veterinary care provided while the animal was impounded, in addition to any other fees due to the City for the redemption of the animal.
- 7.8. The owner of an animal impounded pursuant to this bylaw may claim and redeem the animal from the Animal Shelter Manager:
- if the animal is a dog, within 5 days of the dog's impoundment;
 - if the animal is a cat, within 5 days of the cat's impoundment; or
 - for any other animal, within 72 hours of the animal's impoundment;
- by paying to the City the impoundment fee set out in Schedule "B" to this bylaw.
- 7.9. Subject to Section 7.8 of this bylaw, if an impounded animal is not claimed and redeemed within the period of time prescribed under Section 7.8 then the Animal Shelter Manager may, if deemed adoptable, deliver the animal to an animal welfare agency and if deemed unhealthy/sick by a veterinarian, euthanize the animal.
- 7.10. Where a licenced dog or animal wearing sufficient identification is impounded, it shall not be sold, euthanized, or delivered to an animal welfare agency for adoption, prior to the Animal Control Officer or other City employee making all reasonable attempts to notify the owner or by delivering a notice to the owner of the animal at the address shown on the licence application or identification. The notice shall state that if the animal is not claimed:
- if the animal is a dog, within 5 days of the dog's impoundment;
 - if the animal is a cat, within 5 days of the cat's impoundment; or
 - for any other animal, within 72 hours of the animal's impoundment
- then the animal may be transferred to the animal welfare agency for handling, and if deemed unhealthy/sick by a veterinarian may be euthanized.
- 7.11. Where the Animal Control Officer has in any calendar year impounded any animal three (3) times or more, or where the owner of any animal has been convicted of any offence under this bylaw in respect of that animal three (3) times or more in any

calendar year, then the Animal Control Officer may order that the animal be removed from the City within a reasonable period of time, and upon failure of the owner of the animal to comply with the order, the Animal Control Officer may take the Animal into custody and sell, adopt, deliver to an animal welfare agency and if deemed unhealthy/sick by a veterinarian, euthanize the animal.

8. AGGRESSIVE DOGS

- 8.1. If an animal control officer receives a credible complaint that a dog has exhibited aggressive behaviour, that officer may issue the owner of that dog written notice of that complaint, such written notice to include the following:
- a. The date, place and circumstances of the events alleged;
 - b. A warning that if the dog that is the subject of the complaint is found to have exhibited aggressive behaviour again, the dog could be deemed to be an aggressive dog; and
 - c. A copy of the City's Animal Control and Licencing Bylaw.
- 8.2. Where the owner of a dog has received a notice in the form set out in section 8.1 above and an animal control officer receives another credible complaint that the dog has exhibited aggressive behaviour, the dog may be deemed to be an aggressive dog. An animal control officer may issue a written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to aggressive dogs and which deems that dog to be an aggressive dog.
- 8.3. Every owner of an aggressive dog shall:
- a. Secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - b. ensure that the dog is not running at large within the City at any time;
 - c. keep the dog muzzled and on leash when in a designated off-leash area; and
 - d. within fourteen (14) calendar days of receiving notice that their dog is an aggressive dog, ensure the dog has permanent identification and provide the permanent identification information to the City.
- 8.4. An owner, following a period of at least one (1) year from the date stated on the written notice deeming their dog an aggressive dog, may apply to the City for relief from the requirements of Section 8.3 above provided that:
- a. The City has received no further complaints in regards to that dog's aggressive behaviour; and
 - b. Proof and documentation is provided that the owner and the dog have successfully completed a humane, force-free training course, deemed acceptable by an animal control officer as acting reasonably to address the dog's aggressive behaviour.
- 8.5. If a dog displays aggressive behaviour again after relief has been granted, the requirements of Section 8 apply in perpetuity.

9. VICIOUS DOGS

- 9.1. Where a dog meets the definition of a vicious dog, an animal control officer may

issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to vicious dogs and which deems that dog to be a vicious dog.

- 9.2. Every owner of a vicious dog shall:
- a. Secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - b. Ensure that the dog is not running at large within the City at any time;
 - c. Ensure that the dog is not in a designated off-leash area in the City at any time;
 - d. Keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
 - e. Post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a vicious dog on the premises;
 - f. At all times while the vicious dog is on the person's premises, keep the vicious dog securely confined indoors or confined outdoors in an enclosure; and
 - g. Within fourteen (14) calendar days of receiving notice that their dog is a vicious dog, ensure the dog has permanent identification and provide the permanent identification information to the City.

10. DANGEROUS DOGS

- 10.1. Where a dog meets the definition of a dangerous dog, an animal control officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to dangerous dogs and which deems that dog to be a dangerous dog.
- 10.2. The owner of any dog that has been deemed a dangerous dog by written notice may, within fourteen (14) calendar days of issuance of that written notice, request in writing that the animal control officer reconsider the decision. The request for reconsideration must be accompanied by:
- a. Written reasons why the dog is not a dangerous dog; and
 - b. A written assessment of the dog, prepared by a dog behaviour specialist within the last six (6) months.
- 10.3. If the written request for reconsideration referenced is received by the City with the time specified in Section 10.2, the animal control officer may provide the owner and any complainant with an opportunity to make representations regarding the dangerous dog. The bylaw manager may confirm, reverse or amend the decision designating the dog as a dangerous dog and may cancel or modify any restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.
- 10.4. No person shall own or keep any dangerous dog unless the dog is licenced as a dangerous dog with the City by an owner who is over nineteen (19) year of age, who has paid the applicable fee, and who keeps the dog in compliance with Section 10.7.
- 10.5. The owner of a dangerous dog has fourteen (14) days to come into compliance with sections 10.6 and 10.7 of the bylaw, from the date the dog was deemed a dangerous dog.

- 10.6. In order to obtain a licence for a dangerous dog, an owner of a dangerous dog shall supply the following documentation to the City:
- Completion of the dog licence application;
 - Written confirmation from a licenced veterinarian that the dog has been neutered or spayed;
 - Written confirmation from a humane animal trainer approved by the City that the services of such trainer have been retained for the purpose of providing behavioural remediation to the dog;
 - Written confirmation that the owner has obtained a policy of liability insurance specifically covering and damages for injuries caused by the dog in the amount not less than five hundred thousand (500,000) dollars, and covering the twelve (12) months period during which licensing is sought;
 - written confirmation that the dog has permanent identification with the permanent identification information outlined on the application; and
 - payment of the dangerous dog licence fee.
- 10.7. Every owner of a dangerous dog shall:
- secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - ensure that the dog is not running at large within the municipality at any time;
 - ensure that the dog is not in a designated off-leash area in the municipality at any time;
 - keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
 - post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a dangerous dog on the premises;
 - at all times while the dog is on the person's premises, keep the dog securely confined indoors or confined outdoors in an enclosure with a roof and locked entry; and
 - have the dangerous dog photographed and the photo retained at the animal shelter for identification purposes.
- 10.8. The owner of a dangerous dog shall promptly notify the municipality's animal shelter manager if:
- the dog is found to be running at large; or
 - the dog's owner or place of residence changes; or
 - the dog is given away or dies.
- 10.9. If the owner of a dangerous dog is unwilling or unable to comply with the requirements of sections 10.6 and 10.7, the dog may be seized and impounded for a four (4) day holding period, after which the dog may be euthanized.
- 10.10. The owner of a dangerous dog may, within four (4) days of impoundment, request the release of a dangerous dog by submitting to the Animal Shelter Manager a letter providing proof of his or her actions of remediation to the contraventions of this

bylaw. It will be at the discretion of the Animal Shelter Manager whether the owner meets the requirements of the bylaw. The Animal Shelter Manager must provide a written decision within five (5) days to the owner that, a) the dog may be released as the owner meets the requirements of the bylaw, b) the owner has additional time to meet the requirements of the bylaw and an assigned timeline, or c) the dog will be euthanized.

11. GUARD DOGS

11.1. Every owner of a guard dog shall prevent the guard dog from leaving the property of the owner by ensuring:

- a. the guard dog is confined within the premises and these premises are reasonably secure against unauthorized entry;
- b. the premises are completely enclosed by means of a two (2) metre fence constructed in accordance with municipal bylaws and any gates in such fence are reasonably secured against unauthorized entry;
- c. the guard dog is securely confined in an area within the premises that is adequate to ensure that the guard dog cannot escape;
- d. warning signs advising of the presence of a guard dog on the premises are posted, with lettering clearly visible from the lesser of the curb line of the property and fifteen (15) metres from the premises, and posted at each driveway or entranceway to the property and at all exterior doors of the premises; and
- e. before bringing the guard dog onto the premises under control of the owner, notify the animal shelter manager, the Fire Department, the Bylaw Enforcement and Licensing Services Division and the police of the address of the property which the guard dog will be guarding, the approximate hours during which the guard dog will be performing guard duties, the breed, age, sex and licence number of the guard dog and the full names, addresses and telephone numbers of the owner and any other individual who will be responsible for the guard dog.

12. DANGEROUS DOG ENCLOSURE

12.1. No person shall keep a dog in a dangerous dog enclosure unless all of the following requirements are met:

- a. the enclosure shall be a fully enclosed structure with a minimum dimension of two (2) metres in width, by four (4) metres in length and two (2) metres in height from the grade upon which the enclosure is constructed;
- b. the location of the enclosure shall be within a rear yard and shall meet the requirements for an accessory structure contained within the municipality's zoning bylaw, as amended from time to time;
- c. the enclosure shall include an outside shelter that conforms to the Standards of Care section of this bylaw;
- d. if the sides are not secured to the bottom of the enclosure, then the sides shall be embedded into the ground no less than thirty (30) centimetres or as deep as may be necessary to prevent the escape of the dog from the enclosure; and
- e. the enclosure must be regularly cleaned and sanitized and all excreta removed at least once a day.

13. GENERAL

- 13.1. In the event of an outbreak or threatened outbreak in the City of rabies or any other disease affecting dogs or cats which may be transmitted to human beings, the Council may at any time, by resolution, order and direct that:
- a. all dog and or cat owners shall securely tie their dogs and/or cat up, or otherwise effectively confine and prevent them from being at large in the City; and
 - b. all dogs or cats at large, whether licenced or not, shall be taken to the Animal Shelter and kept there until claimed, sold or euthanized.
- 13.2. No person who owns a dog shall permit or cause the dog to cry or bark in a manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity of the place where the dog is kept.
- 13.3. An owner whose dog or cat defecates on another person's property, or on any private property, or on any street, lane, boulevard, pathway, or any other Municipal or public property, or on any property used or reserved as a Park, recreation or cultural area shall forthwith remove the defecated matter.

14. KENNELS

- 14.1. An owner of a kennel shall apply to the City for a kennel licence, and upon payment of the kennel licence fee set out in Schedule "B" to this bylaw and proof of compliance with all other relevant city bylaws, the owner shall be issued a kennel licence and licence tags for each dog kept in the kennel.
- 14.2. A kennel licence is not a substitute for a licence required by the City's Business Licence Bylaw, and does not relieve an owner of a kennel from compliance with that bylaw nor any other relevant bylaw of the City.
- 14.3. No person shall:
- a. permit or cause a dog to be unattended or uncontrolled in an open air run in a kennel between the hours of 9:00 p.m. and 7:00 a.m.;
 - b. allow a dog to run loose in a kennel except in an adequately fenced area;
 - c. permit or cause barking, yelping, howling or other frequent noise to emanate from a kennel.
- 14.4. The owner or operator of a kennel shall:
- a. ensure that all animals in the kennel are under control and are restrained from frequent barking, yelping, howling or making other noises;
 - b. keep the kennel at all times in good repair;
 - c. keep the kennel and the yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
 - d. collect all uneaten food from the kennel daily, wrap it and place it in a garbage can for collection;
 - e. dispose of all manure, dung or refuse and all liquid waste from the kennel in a manner which meets the approval of the Medical Health Officer and the City;
 - f. dispose of all hair clippings and waste paper in a sanitary manner; and

- g. keep the kennel regularly cleaned and disinfected, and free of any offensive or disagreeable odours to the satisfaction of the Medical Health Officer.

15. HENS

15.1. Licensing:

- a. A Hen Owner must obtain a licence from the City to keep Hens. This process includes:
 - i. Completing and submitting a licence form prescribed by the City; and
 - ii. Paying a one-time fee for obtaining a Hen Owner's licence as prescribed in Schedule "A".
- b. The licence is not transferable to another person or property;
- c. There shall be no more than one Hen Owner per property.

15.2. Hen Exemptions:

- a. Properties identified as within a Rural Residential zone in the Zoning Bylaw are exempt from Sections 15.1 to 15.5 of this bylaw.

15.3. Hen Regulations:

- a. A Hen Owner Shall:
 - i. be a resident of the property where the Hens are kept;
 - ii. keep no more than five (5) Hens on any property;
 - iii. only keep Hens four (4) months of age and older;
 - iv. not keep a rooster;
 - v. not permit a Hen within a residential dwelling unit or on a balcony or deck;
 - vi. ensure proper cleaning and animal husbandry is followed at all times;
 - vii. provide a Coop and Pen, with a minimum 0.37 m² Coop space and 0.92 m² Pen space per Hen;
 - viii. ensure the Coop is not visible from the Street;
 - ix. locate the Coop behind the rear face of the Principal Building and no closer to an exterior side lot line than the Principal Building;
 - x. ensure the Coop or related structures comply with the setback requirements for accessory buildings and structures in the City's Zoning Bylaw;
 - xi. construct and maintain each Coop and Pen in such a way that it is secure from other animals and rodents and prevents them from harboring underneath structures or within walls;
 - xii. ensure that each Hen remains at all times in a Coop or Pen and that each Hen is kept within a Coop from sunset to 7:00 a.m.;
 - xiii. ensure the Coop is roofed and provide each Hen with its own nesting box and approximate 15cm perch;
 - xiv. ensure Coops and Pens do not exceed 10 m² floor area or 2 m in height;

- xv. not keep a Hen in a cage unless for the purposes of transport of the Hen;
- xvi. not slaughter, euthanize or bury a Hen on the property;
- xvii. not dispose of a deceased Hen other than by delivering it to a farm, abattoir, veterinarian, or other facility with the ability to lawfully dispose of the carcass;
- xviii. ensure that Coops and Pens are enclosed by an electric fence located a minimum 1m from the Coop and Pen, and that the electric fence and gate:
 - (1) has a minimum of six strands of 12.5 gauge high tensile galvanized wire, with the bottom wire no more than 5 cm from the ground and subsequent wires spaced at an interval of no greater than 25 cm apart, with alternating positive and negative strands, with the top wire no less than 1.1 m from the ground;
 - (2) is programmed to a minimum conduction of 6000 volts to a maximum of 10,000 volts;
 - (3) is grounded using three (3) 16 mm ground rods, 2-3 m deep and spaced at least 3m apart, connected to the negative output terminal of the fence charger by ground clamps; and
 - (4) is braced by corner posts (and guy wires or inside angle braces where necessary) to ensure posts will not bend or pull from the ground when the electric fence wire is pulled to the appropriate tension.
- xix. maintain each Coop and Pen in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
- xx. secure all Hen food storage within a fully enclosed structure;
- xxi. store manure within a fully enclosed structure in a manner that does not generate excessive heat or odour, ensuring that no more than 0.085m³ (3 cubic feet) is stored at a time;
- xxii. not deposit manure in the City recycling or yard waste systems, or the City sewage or storm drain system. Small quantities of manure may be placed in a receptacle for household garbage, but must be contained within a sealed bag;
- xxiii. not sell any manure or meat derived from the hens;
- xxiv. ensure the timely removal of leftover food, trash and manure from each Coop and Pen;

15.4. Notice of Remedy Contravention:

- a. An Animal Control Officer may issue a notice to remedy contravention to a Hen Owner in contravention of Sections 15.1 and 15.3:
 - i. specifying the contravention(s);
 - ii. requiring compliance within a period of time not less than 10 days from the date of notice;
 - iii. notifying the Hen Owner that continued contravention may result in their licence to keep Hens being revoked and a penalty issued in

accordance with the City's Municipal Ticketing Information (M.T.I.) System Bylaw.

15.5. Revocation of Hen Owner's Licence:

- a. An Animal Control Officer may revoke a Hen Owner's licence in relation to:
 - i. noncompliance with a notice issued pursuant to Section 15.4; or
 - ii. any second and subsequent contravention of Sections 15.1 or 15.3;by issuing a licence revocation notice to the licence holder notifying the licence holder that revocation will take effect thirty (30) days from the date of the notice.
- b. A Hen Owner who has received a licence revocation notice may, within fourteen (14) days of issuance of the notice, apply in writing to the Director of Corporate Services to make representations to Council to reconsider revocation of the licence.
- c. Council may resolve to affirm or cancel the licence revocation.
- d. A person who has had their Hen Owner's licence revoked may at the expiry of twelve (12) months from the revocation of the licence, apply to the City for a new licence, advising the City in writing the steps that will be taken to address the issues that resulted in the revocation of the licence.

16. BEES

16.1. Licensing:

- a. A Beekeeper must obtain a licence from the City to keep Bees. This process includes:
 - i. Completing and submitting a licence form prescribed by the City; and
 - ii. Paying a one-time fee for obtaining a Beekeeper licence as prescribed in Schedule "A".
- b. The licence is not transferable to another person or property; and
- c. There shall be no more than one Beekeeper per property.

16.2. Exemptions:

- a. Properties identified as within a Rural Residential zone in the Zoning Bylaw are exempt from Sections 16.1 to 16.5 of this bylaw.

16.3. Beekeeping Regulations:

- a. A beekeeper shall:
 - i. be the registered owner of the property where the Bees are kept or have the permission of the registered owner of the property where the Bees are kept;
 - ii. have a Beekeeper identification number, issued to them by the B.C. Ministry of Agriculture Apiculture Program;
 - iii. only keep Bees on properties zoned for residential use in the Zoning Bylaw that have a minimum area of 370m²;

- iv. not keep Bees on a property zoned for multiple residential use or strata developments;
- v. only locate Beehives behind the rear face of the principal building;
- vi. ensure that the Beehives are situated in accordance with the accessory building setbacks identified in the Zoning Bylaw;
- vii. keep a maximum of four (4) Colonies per parcel. This is typically two (2) colonies and two (2) nucleus colonies. A nucleus colony means a small colony of not more than five (5) removable frames primarily used for rearing and storing queen Bees;
- viii. locate sites at least 25 metres away from any public place, including but not limited to playgrounds, sports fields, churches or schools;
- ix. ensure Beehive entrances are directed away from adjacent residential properties;
- x. take all reasonable measures to prevent and manage swarming or defensive behaviors by the Bees;
- xi. provide a water supply to prevent the Bees from seeking water from other sources;
- xii. ensure Beehives are sited so as to allow a clean flight path of at least 7.5 meters from the front of the Beehives to any property line and to allow at least 3 meters between the side and rear of the Beehive and any property line, except where the hive is:
 - (1) sited behind a solid fence or hedge that is at least 1.8 meters (high in which case the 7.5 meter setback may be reduced to 6 meters and the 3 meters setback reduced to 1 meter; or
 - (2) elevated (eg. on a platform, deck, or rooftop) such that the underside of the Beehive is at least 2.5 meters above the ground level, in which case the 7.5 meter setback may be reduced to 3 meters.
- xiii. ensure that Beehives are enclosed by an electric fence located a minimum 1m from Beehives, and that the electric fence and gate;
 - (1) has a minimum of six strands of 12.5 gauge high tensile galvanized wire, with the bottom wire no more than 5 cm from the ground and subsequent wires spaced at an interval of no greater than 25 cm apart, with alternating positive and negative strands, with the top wire no less than 1.1 m from the ground;
 - (2) is programmed to a minimum conduction of 6000 volts to a maximum of 10,000 volts;
 - (3) is grounded using three (3) 16 mm ground rods, 2-3 m deep and spaced at least 3m apart, connected to the negative output terminal of the fence charger by ground clamps; and
 - (4) is braced by corner posts (and guy wires or inside angle braces where necessary) to ensure posts will not bend or pull from the ground when the electric fence wire is pulled to the appropriate tension.

16.4. Notice of Remedy Contravention:

- a. An Animal Control Officer may issue a notice to remedy contravention to a

Beekeeper in contravention of Sections 16.1 and 16.3:

- i. specifying the contravention(s);
- ii. requiring compliance within a period of time not less than 10 days from the date of notice; and
- iii. notifying the Beekeeper that continued contravention may result in their licence to keep Bees being revoked and a penalty issued in accordance with the City's Municipal Ticketing Information (M.T.I.) System Bylaw.

16.5. Revocation of a Beekeepers Licence:

- a. An Animal Control Officer may revoke a Beekeeper's licence in relation to:
 - i. noncompliance with a notice issued pursuant to Section 16.4; or
 - ii. any second and subsequent contravention of Sections 16.1 or 16.3.
 - (1) by issuing a licence revocation notice to the licence holder notifying the licence holder that revocation will take effect thirty (30) days from the date of the notice.
- b. A Beekeeper who has received a licence revocation notice may, within fourteen (14) days of issuance of the notice, apply in writing to the Director of Corporate Services to make representations to Council to reconsider revocation of the licence.
- c. Council may resolve to affirm or cancel the licence revocation.
- d. A person who has had their Beekeeping licence revoked may at the expiry of twelve (12) months from the revocation of the licence, apply to the City for a new licence, advising the City in writing the steps that will be taken to address the that resulted in the revocation of the licence.

17. EXOTIC PETS AND FARM ANIMALS

- 17.1. A person must only possess allowable animals.
- 17.2. A person is not permitted to sell, breed, import or display any animal, including limited animals, with the exception of allowable animals.
- 17.3. A person who, on the date of the adoption of this bylaw, was keeping any limited animal other than an animal whose ownership in captivity violates existing Provincial or Federal statutes, such as a controlled alien species, may continue to keep that animal under the following conditions until the animal has died or been euthanized:
 - a. The limited animal is kept secure at the owner's premises except for visits to a veterinarian's office; and
 - b. The limited animal is not used in a show, circus or for entertainment or educational purposes.

18. ANIMAL PERFORMANCE, EXHIBITION AND DISPLAY

- 18.1. No person shall operate a circus, public show, exhibition, carnival or other display or performance (the "show"), whether temporary or permanent, in which any animal other than allowable animals are part of or otherwise accompanying the show.
- 18.2. No person shall operate an educational display, whether temporary or permanent,

in which any wild or exotic animal, are on display, travelling with or otherwise accompanying the educational display. Exemptions include:

- a. fish;
- b. marine invertebrates;
- c. raptors, where a permit has been issued through the B.C. *Wildlife Act* Permit Regulation for "Falconry" or "Public Display"; or
- d. the wild or exotic animal is housed at a Global Federation of Animal Sanctuary (GFAS) Verified Sanctuary or wildlife rehabilitation facility permitted by the B.C. *Wildlife Act* Permit Regulation to keep wildlife in captivity.

19. ENFORCEMENT

19.1. The Animal Control Officer is hereby authorized to enter, at all reasonable times, on any property to ascertain whether the provisions of this bylaw are being observed.

20. SCHEDULES

20.1. Schedules 'A', 'B', 'C' attached hereto form part of this bylaw and are enforceable in the same manner as this bylaw.

21. PENALTIES

21.1. A person who contravenes this bylaw commits an offence punishable on summary conviction and is liable to a fine of not less than \$50.00 and not more than \$2,000.00.

22. GENERAL PROVISIONS

22.1. This bylaw may be cited as "Animal Control and Licencing Bylaw 1342".

22.2. Animal Control and Licencing Bylaw 572 and all amendments thereto are hereby repealed.

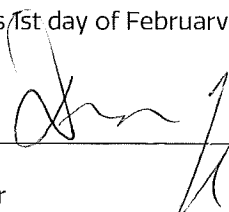
22.3. This bylaw shall come into full force and effect upon final adoption.

READ A FIRST TIME this 18th day of January, 2021.

READ A SECOND TIME this 18th day of January, 2021.

READ A THIRD TIME this 18th day of January, 2021.

ADOPTED this 1st day of February, 2021.



 Dan Rye
 Deputy Mayor



 Tracey Butler
 Director of Corporate Services

Schedule "A"
To City of Castlegar
Bylaw 1342

DOG LICENCE FEES

Dog licence tags are required when a dog reaches the age of one year and fees are payable as follows:

- | | |
|--|--------------------|
| 1. For each neutered male dog, provided a certificate of neutering from a registered Veterinary Surgeon is provided when requested. | \$ 25.00 per year |
| 2. For each spayed female dog, provided a certificate of neutering from a registered Veterinary Surgeon is provided when requested. | \$ 25.00 per year |
| 3. For each male dog. | \$ 75.00 per year |
| 4. For each female dog. | \$ 75.00 per year |
| 5. For each aggressive dog | \$100.00 per year |
| 6. For each vicious dog | \$200.00 per year |
| 7. For each dangerous dog | \$ 500.00 per year |
| 8. Kennel licence | \$55.00 annually |
| 9. If the owner of a dog, not previously licenced in the City of Castlegar, applies for a dog licence after the first day of July, the licence fee shall be reduced by one-half (1/2). | |
| 10. Guide dogs, RCMP or Service dogs are exempt from paying a licence fee. | |
| 11. Transfer for owner holding a valid & current licence from another BC Local Government | \$10.00 |
| 12. Replacement of a lost dog licence tag | \$ 5.00 |
| 13. One time licence fee for Hen Owners. | \$10.00 |
| 14. One time licence fee for Beekeepers. | \$10.00 |

Schedule "B"
To City of Castlegar
Bylaw 1342

IMPOUNDING FEES, PENALTIES AND OTHER CHARGES

1. IMPOUNDING FEES AND PENALTIES

The owner of any dog impounded under this bylaw may reclaim same on application to the Animal Shelter Manager, providing proof of ownership and payment of the following fees:

- | | | |
|------|---|---|
| a. | If the dog is licenced for the current year: | |
| i. | for the first offence | \$ 50.00 |
| ii. | for the second offence in a twelve month period | \$ 100.00 |
| iii. | third offence in a twelve month period | \$ 150.00 |
| b. | If the dog is unlicenced for the current year: | |
| i. | for the first offence | \$ 60.00 plus the
applicable licence fee |
| c. | Maintenance/Sheltering fee | actual cost |

2. OTHER CHARGES

- | | | |
|----|----------------|-------------|
| a. | Euthanization | actual cost |
| b. | Veterinary fee | actual cost |

Schedule "C"
To City of Castlegar
Bylaw 1342

ANIMALS OTHER THAN DOGS
IMPOUNDING FEES AND OTHER FEES PAYABLE

The owner of a cat or any impounded animal other than a dog, may reclaim the same prior to the date of the advertised sale thereof, upon proof of ownership and payment to the Animal Shelter Manager or the City of the following fees for each animal:

- | | | |
|----|------------------------------|--|
| 1. | Impounding fee | \$ 35.00 plus the costs incurred in the collection of such cat or other animal |
| 2. | Maintenance / Sheltering fee | actual cost of detention, plus any other related costs incurred by the Animal Shelter Manager or the City. |