



Last Update:
April 2007

ANIMAL CONTROL

Bylaw No. 7771, 2005

ANIMAL CONTROL BYLAW NO. 7771, 2005 **Adopted: September 19, 2005.**
(Repeals: Animal Control Bylaw No. 5527, and all its amendments)

Amendment Bylaw No. 7857, 2006

Adopted: April 30, 2007-09-14

REPEALED

CITY OF PRINCE GEORGE

BYLAW NO. 7771

A Bylaw of the City of Prince George to provide for the licensing and control of animals within the City.

Amendments

WHEREAS Council may regulate, prohibit and impose requirements in relation to animals further to sections 8(3)(k), 47, 48 and 49 of the *Community Charter*, including bylaw enforcement and related matters further to sections 260 – 275 of the *Community Charter*;

NOW THEREFORE the Municipal Council of the City of Prince George in open meeting assembled, **ENACTS AS FOLLOWS:**

1. SHORT TITLE

This Bylaw may be cited for all purposes as the "Animal Control Bylaw No. 7771, 2005".

2. DEFINITIONS

Animal includes a Dog, rabbit, Poultry, cat, and Farm Animals.

At Large means being elsewhere than on the lands or premises of the Owner of the Animal, and is not under the immediate control of a responsible person, and with respect to a Dog, not on a Leash.

City means the City of Prince George.

Council means the Municipal Council of the City of Prince George.

Dangerous Dog is as defined in the *Community Charter*, as amended from time to time, and includes a Restricted Dog.

Dog means an Animal of the species canine that is over the age of four months, and includes a Dangerous Dog of any age.

Enclosure means a fence or structure of at least two point four (2.4) metres (six (6) feet) in height forming or causing confined area suitable to prevent the entry of young children and suitable to confine the Dog enclosed.

Farm Animal means a domesticated animal normally raised or kept for food, milk or as a beast of burden and, without limiting the foregoing, includes cattle, donkeys, goats, horses, mules, oxen, buffalo, sheep, fallow deer, and swine.

- Impounded** means seized, delivered, received or taken into the Pound or the custody of the Pound Keeper.
- Kennel** is as defined in the City's Zoning Bylaw.
- Kennel Licence** means a licence issued by the City to any person who Keeps four (4) or more Dogs on a parcel of land.
- Keep** means lodge, possess harbor, board, bring upon or feed on a regular basis, on a parcel of land.
- Leash** means a chain or other material of sufficient strength that does not exceed two point four (2.4) metres [six (6) feet] in length and that is suitable for control of the Dog it is used for.
- Licence** means a Licence issued by the City and paid for the current Licensing Year.
- Licence Tag** which includes a licence number.
- Licensed Dog** means a Dog that is wearing either on its collar or harness, a Licence Tag.
- Licensing Year** means that time period between January 1st and December 31st inclusive, in each and every year.
- Owner** means any person who Keeps an Animal.
- Poultry** includes domestic fowl, ducks, geese and turkeys.
- Pound** means the premises used to Keep and maintain Animals pursuant to this Bylaw and includes any vehicle used by the Pound Keeper.
- Pound Keeper** means the Pound Keeper, and includes animal control officers, bylaw enforcement officers and assistants, and contract veterinarians as employed or appointed by Council.
- Restricted Dog** means a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier, an American Staffordshire Terrier or a crossbreed of any of the aforementioned breeds.
- Unlicensed Dog** means a Dog which does not have affixed to a collar securely fastened about the Dog's neck, or to a harness securely fastened about the Dog, a Licence Tag issued under this Bylaw or a similar bylaw of any other local government.

Zoning Bylaw means the "City of Prince George Zoning Bylaw No. 7850, 2007", as amended from time to time. **BL7857**

3. CITY POUND AND THE POUND KEEPER

3.1 The Council authorizes, by resolution:

- (a) the establishment, maintenance, operation and relocation of a Pound; and
- (b) the appointment of Pound Keepers.

3.2 The Pound Keeper may impound and detain an Animal delivered to the Pound and may furnish it with sufficient food, water and shelter.

4. IMPOUNDMENT AND MAINTENANCE OF ANIMALS

4.1 The Pound Keeper may seize and impound:

- (a) any Animal which is At Large;
- (b) any Unlicensed Dog;
- (c) any Animal that is, in the opinion of the Pound Keeper, suffering unreasonably.

4.2 Impounded Animals shall be kept in the Pound for a minimum period of seventy-two (72) hours, unless claimed by the Owner after payment of all related fees and charges.

4.3 If an impounded Animal is not claimed within the seventy-two (72) hour period and fees and fines in respect of that Animal are unpaid, the Pound Keeper may, on the expiration of this period, destroy, sell, or otherwise dispose of the Animal.

4.4 The Pound Keeper, upon receiving a certificate from a veterinarian that an Impounded Animal is suffering from an infectious or contagious disease, may immediately destroy that Impounded Animal.

4.5 The Pound Keeper is authorized to destroy any Animal, who, in the opinion of the Pound Keeper, is suffering unreasonably.

4.6 The Pound Keeper must maintain a log book, which shall record the description of every Dog Impounded, the time and location of the impoundment, the fees owing and the manner of disposal.

4.7 A person must not:

- (a) break open a Pound, or in any manner directly or indirectly aid or assist in breaking open a Pound;

- (b) enter a Pound without the Pound Keeper's permission;
- (c) take or release an impounded Animal without the Pound Keeper's permission and without paying all fees, charges and penalties associated with the impounded Animal.

4.8 A person must not hinder, delay, or obstruct a Pound Keeper or a person lawfully engaged in impounding an Animal or taking an Animal to the Pound for impounding.

4.9 The impoundment and maintenance fees for Animals required by this Bylaw are listed in the attached Schedule "C-1" of the "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004", as amended from time to time.

5. KENNELS

5.1 No person may Keep four (4) or more Dogs at any one time on any parcel of land in the City unless that person has obtained a Kennel Licence, and paid all related fees.

5.2 All Kennels must maintain Dogs in a clean, secure and humane manner.

5.3 A Kennel Licence is not a substitute for a Business Licence.

5.4 The Kennel Licence fees under this Bylaw are listed in the attached Schedule "C-1" of the "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004".

6. DOG LICENSING

6.1 No person shall own or Keep an Unlicensed Dog.

6.2 The Owner of a Dog shall make application for a Dog Licence immediately upon becoming Owner of the Dog and on or before the first (1st) day of January in each calendar year, and pay the required fees.

6.3 No Dog Licence shall be issued to or in the name of any person under the age of eighteen (18) years.

6.4 The Licence Tag for which Dog the Licence was obtained must at all times be fastened to a collar or harness worn by that Dog.

6.5 Where the Licence Tag has been lost, destroyed or mutilated, the Dog Owner shall acquire for the remainder of the current Licensing Year a replacement Licence Tag, upon producing proof of purchase of a valid Dog Licence and upon payment of a prescribed fee.

6.6 Where an Owner of a Licensed Dog has a change of address within the City, the Owner shall promptly notify the City.

- 6.7 The Licence fees under this Bylaw are listed in the attached Schedule "C-1" of the "City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004".

7. DOG REGULATIONS AND RESTRICTIONS

- 7.1 The Owner of a Dog must not permit or allow their Dog:

- (a) to be At Large;
- (b) to chase, attack, or bite a person or an Animal;
- (c) to howl or bark excessively where such howling or barking disturbs or is likely to disturb persons in the neighbourhood or vicinity.

- 7.2 (a) The leashing requirement of section 7.1(a) does not apply in the case of a Dog, other than a Dangerous Dog, in an area designated by the Director of Leisure Services for the City to be an Off-Leash/Under Control Area pursuant to Parks and Open Space Bylaw No. 7370, 2002, as amended from time to time subject to the requirements of that Bylaw. The Dog must nevertheless remain under the immediate control of a responsible person.
- (b) Section 7.1(a) does not apply in the case of a Dog actively engaged in an organized dog trial, show, competition or exhibition provided the Dog is under the immediate control of a responsible person.

- 7.3 The Owner of a Dog must immediately remove and dispose, in a waste container or by other sanitary means, any fecal matter deposited by such Dog.

- 7.4 The Owner of a female Dog shall at all times when the Dog is in heat keep it securely confined in a building or Enclosure.

8. ADDITIONAL PROVISIONS FOR DANGEROUS DOGS

- 8.1 The provisions of this section are in addition to any other regulations or requirements of this Bylaw or other bylaws, but where there is conflict, the more restrictive provision shall apply.

- 8.2 A person may cause or allow a Dangerous Dog owned by that person:

- (a) to be on a highway or in a public place only if the Dangerous Dog is
 - (i) firmly held on a Leash,
 - (ii) firmly held by a person competent to restrain the Dangerous Dog, and
 - (iii) muzzled by a properly fitted humane device.

- (b) to be on private land, or in a private building or structure, only with the consent of the occupier of that property and only if muzzled by a properly fitted humane device.
 - (c) to be on the Owner's land only in a building or Enclosure.
- 8.3 The Pound Keeper may take a Dangerous Dog that is in a place prohibited under subsection 8.2 for impoundment.
- 8.4 The Owner of a Dangerous Dog must
 - (a) display at each entrance to the parcel of land which, and the building or structure in which, the Dog is kept, a sign,
 - (i) containing the word "WARNING" measuring at least six (6) cm high and twenty (20) cm wide,
 - (ii) containing the phrase "DANGEROUS DOG ON PREMISES" measuring at least two (2) cm high and twenty-five (25) cm wide,
 - (iii) containing a realistic picture, measuring at least fourteen (14) cm high and fourteen (14) cm wide, or other realistic illustration of the same size, showing the head of a Dog with bared teeth,
 - (iv) that is posted so that it cannot be easily removed,
 - (v) that is visible and capable of being read from the nearest sidewalk, street, or lane, if any;
 - (b) within two (2) working days of selling or giving away the Dangerous Dog, provide the City with the name, address and telephone number of the Dangerous Dog's new Owner;
 - (c) advise the City within two (2) working days of the death of the Dangerous Dog and provide a veterinarian's certificate of death; and
 - (d) advise the City immediately if the Dangerous Dog is At Large, or has bitten or attacked a person or Animal.
- 8.5 No person may deface or remove a sign that is required to be posted under subsection 8.4(a).

9. REGULATIONS AND RESTRICTIONS OF OTHER ANIMALS

9.1 The Owner of any Farm Animal, poultry or rabbit shall not permit, suffer or allow that Animal to:

- (a) stray, trespass or be unlawfully At Large on a highway or other public place;
- (b) stray or trespass on private property;
- (c) graze on unfenced land unless securely tethered or contained; or
- (d) be kept on any parcel of land or property other than in accordance with the City's Zoning Bylaw.

10. OFFENCES AND PENALTIES

10.1 This Bylaw may be enforced,

- (a) by an Information laid in accordance with the *Offence Act*;
- (b) by means of a ticket under the *Community Charter*; or
- (c) both of the above noted methods (a) and (b).

10.2 With respect to enforcement further to a ticket under the *Community Charter*, the fines outlined in Schedule "A" shall apply.

10.3 With respect to enforcement further to the *Offence Act*,

- (a) the maximum fine for all offences is Ten Thousand Dollars (\$10,000.00).
- (b) the minimum fine for a contravention of "Dangerous Dog" related offences that result in injury to a human or another Animal is a fine of Two Thousand Dollars (\$2,000.00).
- (c) the minimum fine for a contravention of "Dangerous Dog" related offences that do not result in injury to a human or another Animal is a fine of:
 - (i) Five Hundred Dollars (\$500.00) for a first contravention,
 - (ii) Seven Hundred, Fifty Dollars (\$750.00) for a second contravention, or
 - (iii) One Thousand Dollars (\$1,000.00) for a third or subsequent contravention.
- (d) the minimum fine for any other offence is:

- (i) the fine outlined in Schedule "A" for a first contravention, and
 - (ii) double the fine outlined in Schedule "A" for a second or subsequent contravention.
- (e) the minimum fine may be reduced by voluntary payment within fourteen (14) days of an offence notice by fifty percent (50%) for a first time offence.

10.4 All escalating fines apply to the Owner of a Dog or Dangerous Dog and apply regardless of whether previous contraventions were for different Dogs or Dangerous Dogs.

10.5 Except as otherwise provided in this Bylaw, or the City of Prince George Ticket Information Utilization Bylaw No. 5422, 1990, and amendments thereto, any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carryout or perform any duty or obligation imposed by this Bylaw shall be liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000.00).

11. INSPECTION

11.1 The Pound Keeper may enter upon any property in accordance with the *Community Charter* and this Bylaw.

12. MISCELLANEOUS

12.1 This Bylaw comes into force on the date of its adoption.

12.2 A Dog that is validly Licensed under "Animal Control Bylaw No. 5527, 1991", at the time when this Bylaw comes into effect is considered to be validly Licensed under this Bylaw until that Licence expires.

12.3 "Animal Control Bylaw No. 5527, 1991", and amendments thereto, are hereby repealed.

READ A FIRST TIME THIS THE 12th DAY OF September , 2005.

READ A SECOND TIME THIS THE 12th DAY OF September , 2005.

READ A THIRD TIME THIS THE 12th DAY OF September , 2005.

All Three readings passed by a **majority** decision of Members of City Council present and eligible to vote.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS THE **19th** DAY OF **SEPTEMBER, 2005**, BY A **UNANIMOUS** DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

Colin Kinsley
MAYOR

Don Schaffer
CLERK

REPEALED

For fees and charges, please refer to Schedule "C-1", of the, "City of Prince George Comprehensive, Fees and Charges Bylaw No 7557, 2004".

**SCHEDULE "A"
ANIMAL CONTROL BYLAW
FINE SCHEDULE**

<u>Description of an Offence</u>	<u>Section #</u>	<u>Amount of Fine</u>
Breaking open a Pound	4.7(a)	500.00
Unlawful entry into a Pound	4.7(b)	100.00
Release of Impounded Animal	4.7(c)	500.00
Obstruction of Pound Keeper	4.8	100.00
Unlicenced Kennel	5.1	1,000.00
Improper maintenance of Kennel	5.2	250.00
Keeping Unlicenced Dog	6.1	100.00
Fail to display Licence Tag	6.4	50.00
Fail to replace Licence Tag	6.5	50.00
Fail to advise of change of address	6.6	25.00
Dog At Large	7.1(a)	100.00
Dog Attack	7.1(b)	1,000.00
Dog barking excessively	7.1(c)	100.00
Fail to remove Dog feces	7.3	100.00
Fail to restrain Dog in Heat	7.4	250.00
Dangerous Dog improperly in a public place	8.2(a)	500.00
Dangerous Dog on private land without consent of occupier	8.2(b)	500.00
Dangerous Dog not in building or Enclosure	8.2(c)	500.00
Fail to erect Dangerous Dog sign	8.4(a)	250.00
Fail to advise of Dangerous Dog's new Owner	8.4(b)	100.00
Fail to advise of death of Dangerous Dog	8.4(c)	50.00
Fail to advise of Dangerous Dog attack	8.4(d)	750.00
Deface or remove Dangerous Dog sign	8.5	100.00