

City of Revelstoke

CONSOLIDATED FOR CONVENIENCE

ANIMAL CONTROL AND LICENSING BYLAW NO. 1758

**(CONSOLIDATED COPY – Includes Amendments
Enacted by Bylaw No. 1839, 2016 and 2034)**

CONSOLIDATED FOR CONVENIENCE

All persons making use of this consolidated version of City of Revelstoke Ticket Information Utilization Bylaw No. 1780 are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaw must be consulted for all purposes of interpreting and applying the law.

Sub sections of the original bylaw and/or amendments which have been repealed have not been included in this consolidation.

CITY OF REVELSTOKE

BYLAW NO. 1758

Being a Bylaw to Licence and Regulate Dogs and Other Animals and to
Establish a Municipal Pound

NOW THEREFORE the Council of the City of Revelstoke, in open meeting assembled, enacts as follows:

1. INTERPRETATION

In this Bylaw:

ANIMAL	means domestic animal, pet and includes dogs, cats, cattle, poultry and rabbits.
ANIMAL CONTROL OFFICER	means the person or persons from time to time appointed by Council as the Municipal Animal Control Officer, and for the purposes of seizure and impoundment of animals includes a Bylaw Enforcement Officer.
AT LARGE	means: (A) <u>with respect to a dog:</u> (i) 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; or (ii) in or upon a public place or a highway, unless on a leash and under the control of a competent person. (B) <u>with respect to other animals:</u> (i) in or upon a highway or a public place, or (ii) in or upon the lands or premises of any person, other than the owner of the animal, without the consent, express or implied, of that person.
BYLAW ENFORCEMENT OFFICER	means the person or persons appointed by the Council as Bylaw Enforcement Officer from time to time, and includes a Peace Officer.
CAT	means an animal of the feline species, apparently over the age of six months.
CATTLE	includes horse, mule, swine, sheep, goat, cow or other animal

of the bovine or equine species.

Amended
Bylaw No.
2034

COOP

means an enclosed hut that provides shelter for a brood of hens.

COUNCIL

means the Municipal Council of the City of Revelstoke.

DOG

means an animal of the canine species, apparently over the age of six months.

Amended
Bylaw No.
2034

HEN

means a domesticated female chicken.

HEN

means an outdoor area that is fenced in to prevent hens from wandering and predators from entering.

ENCLOSURE

KENNEL

means a facility or premises where four or more dogs are kept, trained, cared for, bred, treated, hospitalized or boarded for remuneration or for the purposes of sale.

LEASH

means a line, thong, or chain used which does not exceed 183 centimetres (6 feet) in length for the purpose of restraining a dog, 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

MUNICIPALITY

means the City of Revelstoke

OWNER

means a person over the age of sixteen years who keeps or harbours an animal.

POULTRY

means chickens, pigeons, turkeys, geese, ducks, pheasant, partridge, quail and includes both the male and the female species.

POUND

means a municipal pound established pursuant to this Bylaw.

PUBLIC PLACE

means a municipal pound established pursuant to this Bylaw.

Amended
Bylaw No.
2034

ROOSTER

means a male domestic fowl; a cock.

VICIOUS DOG

means:

- (A) any dog with a known propensity, tendency, or disposition to attack without provocation other animals or humans;
- (B) any dog which has bitten another animal or human without provocation; or
- (C) a Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, American Staffordshire Terrier and any dog of mixed breeding which includes any of those breeds.

2. GENERAL REGULATIONS

- A. No person shall keep or harbour any dog or other animal except in accordance with the provisions of this Bylaw.
- B. No owner of a dog or other animal shall permit or cause it to be at large in the Municipality.
- C. Subject to section(s) 2F & 2G, the length of a leash may be increased to 4.6 metres (15 feet) in Residential and Industrial areas within the City on public property. Subject to section(s) 2F & 2G, off leash areas are provided as shown on Schedule "1" to this Bylaw.
- D. No person shall keep or harbour more than three dogs and no more than three cats at any residence, unless that person has obtained a Business License for the operation of a kennel, pursuant to City of Revelstoke Business License and Regulation Bylaw No. 1503.
- E. No owner of a vicious dog shall permit the dog to be on a highway or in a public place or any other place that is not owned or controlled by that person unless the dog is leashed and muzzled to prevent it from biting another animal or human.
- F. The owner of a vicious dog shall, at all times while the dog is on the premises of that owner, keep the dog securely confined within a building or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping.
- G. The owner of a female dog in heat shall keep the dog on a leash at all times, unless the dog is confined within a building or kennel.
- H. No person shall hinder, delay or obstruct the Animal Control Officer or any person or persons lawfully engaged in seizing or conveying any dog or other animal to the pound.
- I. No person shall rescue or attempt to rescue an animal impounded pursuant to this Bylaw.
- J. No owner of 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.
- K. An owner whose dog or animal defecates on another person's property, on a highway, public place or owners private property shall forthwith remove the defecated matter and dispose of it in a lawful manner.

3. DOG LICENCES

Amended
Bylaw No.
2034

A. No person shall keep or harbour a dog on or after the commencement of a licence year without obtaining from the Municipality a licence for the dog and paying the applicable licence fee set out in the Fees and Charges Bylaw. A reduced fee for a neutered or spayed dog shall only be applicable if the owner provides a veterinarian's certification that the dog has been neutered or spayed.

B. Upon payment of the appropriate licence fee, the Municipality 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 or enclosed on the owner's land and premises.

Amended
Bylaw No.
2034

C. A dog licence shall be fastened only to the dog for which it is issued. A dog licence is not transferable to another dog, but may be transferred to a new owner upon payment of a transfer fee provided in Fees and Charges Bylaw.

Amended
Bylaw No.
2034

D. The Municipality may issue a duplicate dog licence tag upon being satisfied by the owner that the original tag issued by the Municipality has been lost or stolen and upon payment of the duplicate licence tag fee provided in the Fees and Charges Bylaw.

E. A dog licence may be issued upon the application of a person under the age of sixteen years if the application is accompanied by a written consent of the parent or guardian of the applicant, and in that case the parent or guardian is deemed to be the owner of the dog for the purposes of this Bylaw and the licence shall be issued to the parent or guardian.

F. The Municipality shall keep a record in which shall be recorded the name and address of the owner of each dog for which a licence is issued, the date of issuance of the licence tag, the description of the dog, and the licence number. It is the owner's responsibility to notify the City of any address or phone number changes to a valid licence.

4. MUNICIPAL POUND

A. The Municipal Pound is established at premises located at 1200 Victoria Road East, Revelstoke, B.C.

B. The Animal Control Officer is authorized to seize and impound at the Municipal Pound unlicensed dogs, and dogs and other animals which are unlawfully at large, dogs and other animals which are on unfenced land and not securely tethered or contained, and for this purpose a dog is unlicensed if it does not have fastened to it a licence tag for the current licence year.

- C. The authority to seize and impound dogs and other animals, conferred by this Bylaw upon the Animal Control Officer may be exercised by a Bylaw Enforcement Officer.
- D. The Animal Control Officer shall record in a book kept for that purpose, the following information:
 - (i) a description and when licensed and bearing a licence tag, the licence number of, each dog impounded;
 - (ii) a description of each other animal impounded;
 - (iii) the name of the person who brought or caused the animal to be impounded;
 - (iv) the day and the hour on which the animal was impounded, redeemed, sold or destroyed.
 - (v) the fees paid by the redeeming party;
 - (vi) the amount of the proceeds of the sale, if any.
- E. The owner of a dog or other animal impounded pursuant to this Bylaw may redeem it from the pound at any time within three days of the time of its' impoundment by paying to the Animal Control Officer the Impoundment Fees set out in the Fees and Charges Bylaw, together with a licence fee if the impounded animal is an unlicensed dog. For the purposes of this section and Section 4F, neither the day of impoundment nor the day of redemption shall be considered one of the three days.
- F. Subject to Section 4E of this Bylaw, if an impounded dog or other animal is not claimed and redeemed within three days of the date of its' impoundment, then the Animal Control Officer may destroy the animal, sell or relocate it for a mutually agreed upon amount.
- G. If a licensed dog is impounded, it shall not be sold or destroyed without first delivering notice to the owner of the dog at the address shown on the licence application. The notice shall state that if the dog is not claimed within the time specified in Section 4E the dog may be sold, destroyed or relocated.
- H. Despite Sections 4E and 4F, the Animal Control Officer may destroy any dog or other animal suffering from an incurable disease, including without limitation, rabies.

Amended Bylaw No. 2034

5. KENNELS

- A. No person shall operate a kennel within the City of Revelstoke without first obtaining a business licence pursuant to Bylaw No. 1503, 1995.

- B. No person shall:
- (i) 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.;
 - (ii) allow a dog to run loose in a kennel except in an adequately fenced area;
 - (iii) permit or cause barking, yelping, howling or other frequent noise to emanate from a kennel.
- C. The owner or operator of a kennel shall:
- (i) ensure that all dogs in the kennel are under control and are restrained from frequent barking, yelping, howling or making other noises;
 - (ii) keep the kennel at all times in good repair;
 - (iii) keep the kennel and the yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
 - (iv) collect all uneaten food from the kennel daily, wrap it and place it in a garbage can for collection;
 - (v) dispose of all manure, dung, or refuse and all liquid wastes from the kennel in a lawful manner;
 - (vi) dispose of all hair clippings and waste paper in a sanitary manner; and
 - (vii) keep the kennel regularly cleaned and disinfected, and free of any offensive or disagreeable odours to the satisfaction of the Medical Health Officer.

6. HENS

Amended
Bylaw No.
2034 (6)

- A. No person shall own, keep or possess any poultry, except for hens in areas designated for that use in the City's Zoning Bylaw, as amended from time to time. Hens are permitted in conjunction with a single family dwelling.
- B. An Owner who engages in hen-keeping must:
- (i) be the registered owner of, and reside at, the property where the hens are kept or obtain written permission from the property owner;
 - (ii) keep no more than five hens on the property;
 - (iii) possess a valid hen-keeping license with the Municipality by completing and submitting a registration form and an application form issued by the Municipality.

- (iv) supply a Hen Enclosure at least 0.9 square metres (9.69 square feet) per hen with any combination of vegetated and bare earth located in a fenced rear yard and/or side yard of the property;
- (v) not attach the Hen Enclosure to the Owner's dwelling;
- (vi) not situate the Hen Enclosure within 5 metres (16.4 feet) of a neighbouring dwelling's window or doors;
- (vii) ensure the Hen Enclosure is covered entirely on all sides and the top;
- (viii) provide at least one Coop at 0.5 square metre (5.38 square feet) per hen of floor area and no more than 2 metres (6.56 feet) in height, within or connected to the Hen Enclosure. The Coop must contain one perch and one nest box for each hen;
- (ix) ensure that the maximum size of the Coop and Hen Enclosure combined is 7.5 square metres (80.73 square feet) in area.
- (x) provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust-bathing and roosting;
- (xi) maintain each Hen Enclosure in good repair and keep the enclosure in sanitary condition, free from vermin and obnoxious smells and substances;
- (xii) take steps to reduce wildlife attractants by ensuring feed is enclosed in an airtight container outside of the Hen Enclosure. Store such containers in a location not accessible by wildlife or other animals;
- (xiii) eggs are only for personal consumption and not for resale;
- (xiv) not slaughter a hen on the property or release into the wild; and
- (xv) not bury a hen on the property.

C. Roosters shall not be kept within the Municipal boundary.

7. ENFORCEMENT

- A. The Bylaw Enforcement Officer and the Animal Control Officer are hereby authorized to enter, as per City Policy/Procedures, at all reasonable times, on any lot to ascertain whether the provisions of this Bylaw are being observed.
- B. The Bylaw Enforcement Officer and the Animal Control Officer are hereby authorized to declare any dog vicious, which the Bylaw Enforcement Officer or the Animal Control Officer has reasonable grounds to believe, is likely to kill or seriously injure a person or animal.

- C. This bylaw is designated under the provisions of Section 264 of the Community Charter as a bylaw that may be enforced by means of a ticket in the form prescribed, and in accordance with this Bylaw.

8. SCHEDULES

Amended
Bylaw No.
2034 (8)

- A. Schedule "1", forms a part of this Bylaw and are enforceable in the same manner as this Bylaw.

8. SHORT TITLE

- A. This Bylaw may be cited for all purposes as "City of Revelstoke Animal Control and Licensing Bylaw No. 1758".

9. REPEAL

- A. That City of Revelstoke Animal Control and Licensing Bylaw No. 1564, City of Revelstoke Animal Control and Licensing Amendment Bylaw No. 1589, City of Revelstoke Animal Control and Licensing Amendment Bylaw No. 1631 are hereby repealed in their entirety.

READ A FIRST TIME THIS 12th DAY OF JULY, 2004

READ A SECOND TIME THIS 12th DAY OF JULY, 2004

READ A THIRD TIME THIS 12th DAY OF JULY, 2004

ADOPTED THIS 9th DAY OF AUGUST, 2004

Director of Corporate Administration

Mayor

Certified a true copy this ____ day of _____, ____.

SCHEDULE 1

Amended
Bylaw No.
2034
Schedule 1

