

# DISTRICT OF NORTH SAANICH



## BY-LAW NO. 751

CONSOLIDATED FOR CONVENIENCE ONLY

DECEMBER 1998

### A BY-LAW TO REGULATE THE KEEPING OF ANIMALS WITHIN THE DISTRICT OF NORTH SAANICH

The amending by-laws which have been consolidated into “District of North Saanich Animal Control By-law (1993)”, “A by-law to regulate the keeping of animals within the District of North Saanich” are as follows:

896, 932, 942, 990, 1184, 1188, 1250, 1291, 1339, 1346

as of February 17, 2014

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#### DISTRICT OF NORTH SAANICH ANIMAL CONTROL BY-LAW NO. 751 CONSOLIDATION

This consolidation of the District of North Saanich Animal Control By-law and amendments has been prepared exclusively for the use of the District of North Saanich for convenience only.

The District of North Saanich does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original By-laws.

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# DISTRICT OF NORTH SAANICH

## BY-LAW NO. 751

A BY-LAW TO REGULATE THE KEEPING OF ANIMALS WITHIN THE DISTRICT OF NORTH SAANICH.

WHEREAS it is deemed expedient to regulate the keeping of animals within the District of North Saanich and to provide for the fixing, imposing and collecting of licence fees from the issuance of licences to any person who owns, possesses or harbours any dog;

NOW THEREFORE the Municipal Council of the District of North Saanich, in open meeting assembled, enacts as follows:

### 1. DEFINITIONS

1.1 In this By-law, unless the context otherwise requires:

"Agent" means any organization or body so appointed from time to time by Council;

"Animal" means an animal that is

- (a) tame or kept, or that has been and is being sufficiently tamed or kept, to serve some purpose for the use of man;  
and
- (b) includes rabbits, goats, sheep, swine, horses, cattle, poultry kept for the purpose of providing meat or eggs, fur-bearing animals as defined in the "Fur Farm Act";

"Animal Control Officer" means the person or persons appointed from time to time by Council for the purpose of administering this By-law, and includes any assistant or any person appointed by council or the Agent to assist in carrying out the provisions of this By-law;

"Bee" means Apis Mellifica or Apis Mellifera kept in an apiary which is registered under the provisions of the Bee Act;

"Bird" includes a bantam, ornamental bird, pigeon, dove, show bird and any type of poultry;

"Breeding Kennel" means a parcel where dogs and/or cats are kept, trained, cared for and bred;

"Boarding Kennel" means a parcel where dogs and/or cats are kept, trained, cared for, bred and/or boarded;

**BL 1184** "Cat" means both male and female of the species felis domesticus apparently over six (6) months;

**BL 1188** "Cat Care Facility" means a parcel where up to twenty cats are kept, cared for and boarded under the supervision of a Veterinarian who resides on the property;

**BL 1291** "Coop" means a structure containing poultry constructed and sited in accordance with this bylaw and the Zoning Bylaw;

"Council" means the Municipal Council of the District of North Saanich;

"District" means the District of North Saanich;

**BL 932** "Dangerous Dog" means:

- (a) a dog that has without provocation bitten or attacked a person or domestic animal either on public or private property;
- (b) a dog that has, in a menacing or terrorizing manner, approached any person in an apparent attitude of attack upon a highway or other public place;
- (c) a dog owned or harboured primarily or in part for the purpose of dog fighting, or a dog trained for dog fighting; or
- (d) a dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or humans.

"Dog" means any animal of the canine species;

"Equine" means of or belonging to the family Equidae, and includes horses, asses, donkeys and mules;

"Farm Animal" means a domesticated animal normally raised for food, milk, or as a beast of burden and without limiting the generality of the foregoing, includes:

Cattle	Horses	Swine	Ostriches
Sheep	Goats	Mules	
Donkeys	Asses	Oxen	

"Fur-bearing Animal" means any animal kept or raised for the purpose of commercial fur production and without limiting the generality of the foregoing, includes:

Fox	Mink	Marten
Nutria	Skunk	Fisher
Chinchilla		

"Guide Dog" means a dog used by a blind or hearing impaired person to assist that person to avoid hazards, and includes a dog for which a certificate has been issued under the "Blind Persons Rights Act" R.S.B.C. 1979 c.29;

"Highway" includes any street, road, lane, bridge, viaduct, and any other way open to the use of the public, but does not include a private right-of-way on private property;

"Impounded" means seized, delivered, received or taken into the Pound or in the custody of the Animal Control Officer or Agent as provided for herein;

"Masculine" or "Singular" means, wherever the masculine or singular are used in this indenture, the same shall be construed as meaning the feminine or the plural or the body corporate, or politic where the context or the parties hereto so require;

"Ornamental Bird" means any bird which is normally kept in a cage or aviary, primarily as a show or decorative bird and not for food or egg production and without limiting the generality of the foregoing, includes:

Canaries	Budgies	Cockatoos
Mynah Birds	Ornamental Pheasants	Parrots

"Municipality" means the District of North Saanich or the area within the Municipal boundaries thereof as the context may require;

**BL 1184** "Owner" means the possessor or harbourer of an animal and includes a person who provides care or sustenance to a cat for a period of sixty (60) days or longer;

"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;

**BL 1184** "Person" has the same meaning as in the *Interpretation Act*;

"Pigeon" means all birds of the species Columbidae, including doves;

"Police Dog" means any dog owned by an accredited Police Force and trained to assist Police on investigations;

**BL 1291** "Poultry" means all birds or fowl normally raised for food or egg production and without limiting the generality of the foregoing, includes:

Chickens (including Bantams)	Turkeys
Geese	Ducks
Guinea Fowl	Pheasant
artificially reared Grouse	Quail
Partridge	Ptarmigan
Roosters (male poultry over the age of six months)	

"Pound" means any building or enclosure or place established for impounding animals under the provisions of this By-law;

"Public Beach" means any public land located within fifteen (15) metres of any lake, or between low water mark and fifteen (15) metres beyond high water mark of any body of salt water, but does not include any private lands or any lands included in any highway;

**BL 1184** "Recognized Registering Organization" means Cat Fanciers' Association (CFA), American Cat Fanciers' Association (ACFA), The International Cat Association (TICA) or Canadian Cat Association (CCA);

**BL 1291** "Residential Zone" means parcels within the Single Family Residential Zones

(R-Zones) of the District of North Saanich Bylaw No. 1255, as amended from time to time”;

"Rodent" means all forms of rodent (except those defined as fur-bearing animals in this By-law) kept as pets and without limiting the generality of the foregoing, includes:

Rabbits	Guinea Pigs
Hamsters	White Mice

"Show Bird" means a bird primarily kept for display purposes and not normally housed in cages or aviaries, and not primarily used for food or egg production;

**BL 1184**

"Sterilized" in relation to an animal means spayed or neutered by a veterinarian, as evidenced by a certificate signed by that veterinarian or by an animal adoption agency;

"Treasurer" means Treasurer of the District of North Saanich;

"Unlicensed Dog" means any dog for which the licence for the current year has not been paid as provided herein;

**BL 1184**

"Veterinarian" means a person licensed to practice veterinary medicine in the Province of British Columbia;

"Zone" means any zone established under the Zoning By-law of the District of North Saanich.

- 1.2 (a) For the purposes of this By-law, an animal is deemed to be "running at large" if it is on land which is not owned or occupied by the owner of the animal;
- (b) For the purposes of this By-law, an animal shall not be deemed to be "running at large" if it is:
- (i) on the property of its owner or of another person who has the care and control of the animal; or
  - (ii) under the direct and continuous control of a person who is competent to control it; or
  - (iii) securely confined within an enclosure, or
  - (iv) securely fastened so that it is unable to roam.

**BL1339**

- (c) For the purpose of this By-law, a vicious animal is deemed not to be under the direct and continuous control of a person.

## **2. CATS**

**BL 1184** 2.1 No owner or occupier of a parcel shall cause or permit the keeping or harbouring on the parcel of more than three cats.

**BL 1184** 2.2 No owner or occupier of a parcel in the District shall own or harbour a cat that

has not been sterilized by a veterinarian, unless the cat is registered with a Recognized Registering Organization.

- BL 1184** 2.3 If a cat that is not sterilized has been impounded, it shall be released to the owner upon payment of the applicable fees prescribed in Schedule B.
- BL 1184** 2.4 An Animal Control Officer, after payment of the prescribed impoundment fee in Schedule B, shall refund the fee if the Animal Control Officer is provided, within 30 days after payment, with a certificate from a veterinarian verifying the sterilization of the cat.
- BL 1184** 2.5 The owner of a cat is exempted from a requirement in this bylaw to sterilize the cat if the owner obtains and produces to the Animal Control Officer a letter signed by a veterinarian stating either that the cat should not be sterilized because of advanced age or that surgical procedures, including sterilization, present a risk to the cat because of the specific health issues
- 2.6 No person shall operate a cat breeding or boarding facility unless the facility is a permitted use under the zoning by-law and a cat breeding or boarding licence has been issued.
- 2.7 A cat breeding or boarding facility shall not be permitted on a parcel which is less than 1 hectare (2.47 acres) in area.
- BL 1188** 2.8 Shelters used for breeding or boarding of cats shall be located at least 15 metres (50 feet) from any parcel boundary. The distance to one only interior lot line may be reduced to 10 metres for a cat care facility.
- BL 1188** 2.9 Notwithstanding section 2.8, a cat care facility shall not be permitted on a parcel which is less than 0.35 hectares in area.
- 2.10 The operator of the cat breeding or boarding facility shall reside on the parcel on which the facility is to be located.
- 2.11 An applicant for a cat breeding or boarding facility shall submit the following information to the municipality:
- (a) a plan of the parcel on which the facility is to be located showing the dimensions of the parcel, the location of all shelters to be used in the facility operations and their setbacks from all parcel boundaries;
  - (b) the legal description and area of the parcel on which the facility is to be located;
  - (c) the zone in which the subject parcel is located;
  - (d) the maximum number of animals to be kept on the parcel;
  - (e) a description of the facilities used to house and contain the animals.
- 2.12 Before issuing a cat breeding or boarding facility licence, the Municipality may request its Animal Control Officer to visit the parcel on which the kennel is to be located to verify the information submitted by the applicant is correct and to ensure that the facilities provided for housing, sanitation and confinement of the animals is sufficient for their good health and well being.

- 2.13 Any recommendations made by the Animal Control Officer arising from the inspection made under Subsection 2.7 may be included as a condition of issuance of the licence.
- 2.14 Prior to issuance of a cat breeding or boarding facility licence, the applicant shall pay the annual licence fee prescribed in Schedule 'A'.
- 2.15 A cat breeding or boarding facility licence is not transferable to another person nor to another parcel.

### **3. DOG KENNELS**

- 3.1 No person, being the owner or occupier of a parcel, shall cause or permit the keeping or harbouring on that parcel, more than three (3) dogs over the age of six (6) months without holding a valid Kennel Licence issued under this By-law.
  - 3.2 No person holding a valid Kennel Licence shall cause or permit the keeping or harbouring on a parcel more dogs than is permitted under the terms of his Kennel Licence over the age of six (6) months.
  - 3.3 No person being the owner or occupier of a parcel shall use the parcel as a kennel for the keeping, training, caring, breeding or boarding of dogs unless that operation is a permitted use under the Zoning By-law, and the appropriate Breeding Kennel Licence or Boarding Kennel Licence has been issued.
  - 3.4 Breeding Kennel Licences shall only be issued to persons who are engaged solely in the breeding of dogs, and whose dog or dogs are registered with a bona fide Kennel Club.
  - 3.5 No person shall use a parcel as a breeding or boarding kennel unless there is a dog exercise area fenced in such a manner that the dog or dogs cannot escape the confines of the exercise area.
- BL 896***
- 3.6 Shelters, runs, barns and kennels being used for the commercial boarding or breeding of dogs shall be located a minimum of 15 metres (50 feet) from any parcel boundary.
  - 3.7 The kennel operator shall reside on the parcel on which the kennel is located.
  - 3.8 A breeding or boarding kennel shall not be permitted on a parcel which is less than 1 hectare (2.47 acres) in area.
  - 3.9 Subsection 3.8 shall not apply to a person who, on the date of adoption of this by-law, held a valid kennel licence applicable to a parcel less than 1 hectare (2.47 acres) in area.
  - 3.10 An applicant for a breeding or boarding kennel licence shall submit the following information to the municipality:

- (a) a plan of the parcel on which the kennel is to be located showing the dimensions of the parcel, the location of all shelters, runs, barns and kennels to be used in the kennel operations and their setbacks from all parcel boundaries;
  - (b) the legal description and area of the parcel on which the kennel is to be located;
  - (c) the zone in which the subject parcel is located;
  - (d) a copy of documentation indicating that the applicant is a member in good standing of the Canadian Kennel Club;
  - (e) the maximum number of animals to be kept on the parcel; and
  - (f) a description of the facilities used to house and contain the animals.
- 3.11 Before issuing a kennel licence, the municipality may request its Animal Control Officer to visit the parcel on which the kennel is to be located to verify the information submitted by the applicant is correct and to ensure that the facilities provided for housing, sanitation and confinement of the animals is sufficient for their good health and well being.
- 3.12 Any recommendations made by the Animal Control Officer arising from the inspection made under subsection 3.11 may be included as a condition of issuance of the licence.
- 3.13 Prior to issuance of a kennel licence, the applicant shall pay the annual licence fee prescribed in Schedule 'A'.
- 3.14 A kennel licence is not transferable to another person nor to another parcel.

#### **4. LICENSING DOGS**

- 4.1 The owner of a dog shall obtain a licence for the calendar year January 1 to December 31 in accordance with this By-law on or before the 31st day of January in each year for each dog owned by him over the age of six (6) months provided, however, that if he becomes the owner of such a dog after the 31st day of January in any year, he shall obtain a licence.
- 4.2 The licence shall be issued by the District of North Saanich or the Agent or such other person as may be appointed from time to time, and applications for licences may be made to the District or the Agent or to any other person duly authorized to receive same.
- 4.3 Every licence shall be distinguished by a number, and a record shall be kept by the District of all licences issued and, for the purpose of identification, a general description of the dog in respect of which such licence was issued.
- BL 896***
- 4.4 Every application for a licence shall be accompanied by an annual licence fee payable to the District as prescribed in Schedule 'A'. Dog License Fees owing after July 31 of the licensing year shall be reduced by half.
- 4.5 Notwithstanding Subsection 4.4, a licence shall be issued free of charge for a dog which has been neutered or spayed during the 12-month period



immediately preceding the application for a licence, provided that not more than one free licence shall be issued for any one dog.

4.6 Before issuing a licence for a spayed or neutered dog, the issuer of the licence may require the owner to furnish proof that the dog has been spayed or neutered.

**BL 896**

4.7 If the license fee due and owing as at January 1 of the licensing year has not been paid by February 28<sup>th</sup>, the owner of any dog not so licensed shall pay a late application penalty as set out in Schedule 'A'.

4.8 Notwithstanding Subsection 4.5, the total dog licence fees payable by any person who operates a kennel shall be as prescribed in Schedule 'A' for all dogs owned by him.

4.9 No Licence fee shall be charged for police dogs and guide dogs.

4.10 Every licence issued under this By-law shall be for the calendar year in which the licence is issued and shall expire on the 31st day of December next following the date on which the licence takes effect. There shall be issued with each licence a tag which shall be impressed or stamped with a number corresponding to the number of the licence and with figures denoting the year in which the licence expires.

4.11 The owner of every dog licensed pursuant to this By-law shall cause the dog to wear the licence tag.

4.12 If the ownership of a licensed dog changes hands, the new owner may apply for a new licence at no cost provided that the old licence tag and receipt are surrendered to the District of North Saanich.

4.13 Any person holding a valid and subsisting licence for any dog under the By-law of any municipality or of a regional district who takes up residence within the District of North Saanich may make application for a free licence for the remainder of the year, provided that the dog's current licence tag and receipt are surrendered to the Animal Control Officer. This provision shall not apply to any person who has obtained the licence in a municipality or other regional district while residing within the District of North Saanich.

4.14 No person shall remove from a dog the licence tag issued for that dog under this By-law, except with the authority of the owner of the dog.

**5. FARM ANIMALS**

5.1 No person shall keep or harbour any farm animal except an equine on any parcel of land zoned Residential, unless said parcel is at least 4000 square metres in area. Where a parcel has an area of more than 4000 square metres, but less than 8000 square metres, one farm animal may be kept. Where a parcel exceeds 8000 square metres, two farm animals may be kept.

5.2 No person shall keep or harbour an equine on any parcel of land zoned Residential, unless said parcel is at least 3400 square metres in area. Where a parcel has an area of at least 3400 square metres, but less than 6000 square metres, two animals of the equine family may be kept. Where a parcel exceeds 6000 square metres, four animals of the equine family may be kept.

**BL 1291**

5.3 No person shall keep or harbor any farm animal on land situated in the following zones:

Multiple Family Residential 1	RM-1
Multiple Family Residential 2	RM-2
Local Commercial	C-1
Restaurant Commercial	C-2
Golf Course Commercial	C-3
Professional Office	C-4
Light Industrial	CS-1
Commercial Wharf	M-1
Commercial Marina 1	M-2
Commercial Waterfront	M-3
Commercial Marina 2	M-4
Non-Commercial Marine 1	M-5
Non-Commercial Marine 2	M-6
Marine Pub	M-7
Community Use	P-1
Public Assembly	P-2
Park	P-4

**6. RODENTS**

6.1 Rodents may be kept on any parcel of land subject to the following conditions:

- (a) they must not be permitted to run at large and must be confined to the property of their owner.
- (b) they shall not be kept in any building, structure, pen or enclosure that does not have the minimum clearance from property lines required for buildings in the zone in which the parcel of land is located.

**7. FUR-BEARING ANIMALS**

7.1 No parcel of land within the Municipality may be used for the raising of fur-bearing animals.

**8. WILD ANIMALS**

8.1 No person shall keep or harbour any wild animal on any parcel of land in the Municipality unless such person is the holder of a valid permit under the Wildlife Act.

8.2 Wild animals may be kept on any parcel of land subject to the following conditions:

- (a) they must not be permitted to run at large and must be confined to the property of their owner.
- (b) they shall not be kept in any building, structure, pen or enclosure that does not have the minimum clearance from property lines required for buildings in the zone in which the parcel of land is located.

**9. POULTRY**

**BL 1291** 9.1 No person shall keep more than the number of head of poultry specified in the following table in a Residential Zone:

1,115 m <sup>2</sup> (12,000 sq. ft.) to 4,047 m <sup>2</sup> (one acre)	10 head
over 0.4 ha (one acre) up to 8,094 m <sup>2</sup> (two acres)	20 head
over 8,094 m <sup>2</sup> (two acres)	30 head

**BL 1291** 9.2 No person shall keep or harbour any poultry on land situated in the following zones:

Multiple Family Residential 1	RM-1
Multiple Family Residential 2	RM-2
Local Commercial	C-1
Restaurant Commercial	C-2
Golf Course Commercial	C-3
Professional Office	C-4
Light Industrial	CS-1
Commercial Wharf	M-1
Commercial Marina 1	M-2
Commercial Waterfront	M-3
Commercial Marina 2	M-4
Non-Commercial Marine 1	M-5
Non-Commercial Marine 2	M-6
Marine Pub	M-7
Community Use	P-1
Public Assembly	P-2
Park	P-4

**BL 1291** 9.3 Despite any other provision in this bylaw, this bylaw does not limit the maximum number of poultry that can be kept on parcels within the Agricultural Land Reserve.

**BL 1291** 9.4 Roosters are not permitted in a Residential Zone, except one rooster may be kept on parcels over 7,028 m<sup>2</sup> (1.75 acres) and only if there are hens in the same coop.

**BL 1291** 9.5 A coop must:

- (a) provide at least .37 m<sup>2</sup> (4 ft<sup>2</sup>) of *coop* floor area per each head of poultry;
- (b) be no larger than 9.2 m<sup>2</sup> (100 ft<sup>2</sup>) in floor area;
- (c) provide a minimum of .92 m<sup>2</sup> (10ft<sup>2</sup>) of roofed outdoor enclosure;
- (d) be no more than 2 m (6.5 ft.) in height;
- (e) be sited and setback no less than 7.6 m from all property lines;

- (f) provide and maintain at least one perch that is at least 15 cm long for each head of poultry;
- (g) provide and maintain at least one nest box for each head of poultry; and
- (h) be secured from sunset to sunrise, with poultry kept within.

**BL 1291** 9.6 Roosters must be kept in a secure coop overnight, from sunset to sunrise, in a manner that eliminates any light intrusion and prevents early morning crowing.

**BL 1291** 9.7 In addition to other provisions in this bylaw, coops must be kept in a clean and sanitary fashion to:

- (a) prevent the accumulation of waste or any other noxious substance,
- (b) deter the presence of vermin; and
- (c) ensure that waste products do not enter any watercourse.

**BL 1291** 9.8 Existing trees and hedges along adjacent boulevards and property lines must be retained as buffer zones where poultry are kept.

**BL 1291** 9.9 Properties that have a coop and lack vegetative buffers are encouraged to plant a vegetative buffer to provide privacy screening.

**BL 1291** 9.10 Nothing in this bylaw shall be construed to permit the keeping of poultry when such activity is prohibited by statutory or private covenants, conditions or other restrictions governing the use of property.

## **10. ORNAMENTAL BIRDS**

10.1 Ornamental birds may be kept on any parcel of land within the Municipality provided that they are housed and enclosed at all times on the parcel on which they are kept.

10.2 Structures or enclosures required for housing of ornamental birds are subject to the regulations applicable to accessory buildings in the zone on which they are kept.

## **11. PIGEONS**

11.1 No person shall keep more than twenty-five pair of pigeons on any parcel of land.

## **12. SHOW BIRDS**

12.1 No person shall keep or harbour any show birds on any parcel or land unless the same are housed and enclosed at all times on the parcel on which they are kept.

**13. BEES**

13.1 No person shall place any hive or other device for the housing of bees on any parcel of land unless the said hive or device is located at least 20 feet from any property line, except where such hive or device for the housing of bees is used in conjunction with the operation of a greenhouse.

**14. ESTABLISHMENT OF POUND**

14.1 The establishment, maintenance and operation of facilities for the impounding of animals at such place or places and upon such premises as the Council may by Resolution from time to time determine is hereby authorized.

14.2 The District of North Saanich may from time to time appoint an Animal Control Officer and may enter into a contract with any persons or body to provide for poundkeeping services.

**15. IMPOUNDING ANIMALS**

15.1 The authority to seize and impound animals conferred by this By-law upon the Animal Control Officer may be exercised by a Peace Officer or a By-law Enforcement Officer.

15.2 The Animal Control Officer is hereby authorized to seize and impound unlicensed dogs, and dogs and other animals which are at large.

15.3 The owner of any animal impounded pursuant to the provisions of this By-law may reclaim such animal on application to the District of North Saanich or its Agent during normal working hours prior to the animal's sale or destruction on proof of ownership and on payment of the fees and charges prescribed in Schedule 'B'. No unlicensed dog may be released from the Pound without the purchase of a valid licence.

15.4 The Animal Control Officer may destroy any animal which has been found "at large" and which, upon examination by a licenced veterinarian, is found to be suffering from an incurable disease or injury.

***BL 896***

15.5 Subject to Subsection 15.6 of this By-law, if an impounded animal is not claimed within ninety-six (96) hours of the time of its impoundment, the Animal Control Officer or the Agent may destroy the animal or sell it.

15.6 If an impounded farm animal is not claimed within ninety-six (96) hours of the time of its impoundment, the Animal Control Officer may sell the animal, provided that he has notified the owner or that he has advertised in a locally-distributed newspaper the fact that the animal has been impounded and will be offered for sale. The proceeds of the sale of such animals, after deduction of impoundment fees and advertising costs, shall be returned to the owner; however, if the owner cannot be found within ninety (90) days of the time of impoundment, the proceeds shall be returned to general municipal revenue.

**16. NOTICE OF IMPOUNDING**

16.1 If the owner of any impounded animal is known to the Animal Control Officer, the Animal Control Officer shall forthwith notify the owner by telephone of the impoundment, or mail the form set out in Schedule 'C' of this By-law.

**17. GENERAL**

***BL 942***

- 17.1 (a) No owner of an animal shall suffer or permit such animal to "run at large" as defined in Section 1.2 of this By-law.
- (b) No person shall own or harbour a "Dangerous Dog" as defined in Section 1.1 of this By-law except as provided for in Section 17.2.

***BL 932***

- 17.2 (a) Every owner, possessor or harbourer of a dangerous dog shall, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors 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.
- (b) No person shall cause, suffer or permit any dangerous dog owned by him to be on a highway or in any public place, unless the dangerous dog is firmly held on a leash not exceeding 2.4 m in length and held by person competent to restrain the dog and which dog is muzzled by a properly fitted humane devise.
- (c) No person shall cause, suffer or permit any dangerous dog owned by him to be on any private lands and premises without the consent of the occupier of such lands and premises and when on such lands and premises the dangerous dog shall be confined as set out in subsection (a) or leashed and muzzled as set out in subsection (b) of this Section.
- (d) The owner of a dangerous dog shall display at each entrance to the property and building in or upon which the dog is kept a sign substantially in the form attached hereto as Schedule "E" to this bylaw, which sign shall be posted so that it cannot be removed easily by passers-by and will be visible and capable of being read from the sidewalk, street or lane, if any.
- (e) No person shall deface or remove a sign required to be posted under this Section.
- (f) The owner of a dangerous dog shall:
- (i) within two working days of selling or giving away the dog, provide the Poundkeeper with the name, address and telephone number of the new owner;
  - (ii) advise the Poundkeeper within two days of the death of the dog and provide a Veterinarian's certificate of the death; and
  - (iii) advise the Poundkeeper forthwith if the dog is loose or has bitten or attacked any person or domestic animal.
- (g) The Poundkeeper may impound any dangerous dog found to be in a place or in circumstances prohibited by this Section.
- 17.3 Every owner of a female dog in "heat" shall confine the same or cause it to be confined in a secure building or enclosure so that it cannot come in contact

with other dogs.

- 17.4 (a) 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.
- (b) Except in an Agricultural/Rural Zone, no person shall keep, harbour or permit, allow or suffer to be kept or harboured on any property owned, occupied or controlled in any way by such person any animal which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood in which the animal is kept or harboured or of persons in the vicinity of such animal.

**BL 1346**

- 17.5 (1) An owner shall ensure his or her animal is provided with:
- (a) clean potable drinking water and food of sufficient quantity and quality to allow for healthy growth and the maintenance of healthy body weight;
  - (b) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
  - (c) the opportunity for regular exercise sufficient to maintain good health, including daily opportunities to be free of a confined area and exercised regularly under appropriate control; and
  - (d) necessary veterinary care when such animal exhibits signs of pain, injury, illness or suffering.
- (2) An owner shall not keep an animal which normally resides outdoors, or which is kept outdoors for extended periods of time, unless such animal is provided with an outdoor shelter that provides the following:
- (a) a total area that is at least twice the length of the animal in all directions and that also allows the animal to turn around freely and adopt normal resting postures;
  - (b) protection from heat, cold and dampness that is appropriate to the weight and type of protective outer coat of such animal;
  - (c) sufficient shade to protect the animal from the direct rays of the sun at all times; and
  - (d) is regularly cleaned and sanitized, and removed of excreta daily.
- (3) No person may cause an animal to be 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.
- (4) No person shall keep any animal hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time.
- (5) No person may cause an animal to be confined in an enclosed space or vehicle, including a car, without adequate ventilation. 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.

- (6) No person may transport an animal in a vehicle outside the passenger compartment or in an uncovered passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.
- 17.6 The Animal Control Officer may enter upon property on which animals are kept at any reasonable hour and may inspect any animal and the facilities for housing the same in order to ascertain whether the regulations contained in this By-law are being obeyed.
- 17.7 During the period May 1st to September 30th inclusive, horses are not permitted on a public beach.
- 17.8 No person shall operate or carry on a public show, exhibition, carnival or performance in which animals are required to fight.
- 17.9 No person shall use a leg-hold trap or snare within the boundaries of the District of North Saanich.

***BL 932***

- 17.10 Every dog owner shall provide forthwith, upon demand made by the Animal Control Officer, truthfully and fully, the following information:
  - (a) the owner's name;
  - (b) the number of dogs owned or kept by the owner, their breed, sex and general description(s);
  - (c) the place where such dogs are kept; and
  - (d) whether the dogs are currently licensed.

***BL990***

- 17.11 In the event that a dog or dogs defecates in or upon any park or public lands within the District of North Saanich, the owner, possessor or harbourer of the dog or dogs shall be responsible for the immediate clean up and removal of feces deposited by the dog or dogs.

**18. PENALTY**

- 18.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this By-law.
- 18.2 Notwithstanding any other provision of this By-law, where the Animal Control Officer has reasonable grounds to believe that an owner is not complying with any provision of this By-law, he may give a written or verbal warning.
- 18.3 Any person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction to the penalties prescribed by the Offence Act, provided that the minimum penalty is not less than fifty dollars (\$50.00) for a first offense, and for each subsequent offense to a minimum penalty of not less than one hundred dollars (\$100.00).



18.4 The penalties imposed under Subsection 9.3 hereof shall be in addition to and not in substitution for any other penalty or remedy imposed by this By-law.

18.5 A separate offence shall be deemed to be committed upon each day during and in which a contravention of this By-law occurs or continues.

**19. NOTICE OF OFFENCE**

19.1 The Animal Control Officer may, if he has reason to believe that an offence has been committed against this By-law, complete and leave with the alleged offender or at the address of the alleged offender an "Offence Notice" in the form attached to this By-law as Schedule 'D', indicating a voluntary penalty equal to the minimum penalty for such offence.

19.2 Penalties will be reduced by \$25.00 if payment is received at the Municipal Hall not later than seven (7) calendar days after the offence notice was issued.

19.3 If payment of such voluntary penalty is made to the District of North Saanich or the Agent before an information has been sworn and a summons has been issued pursuant to the Offence Act, then no prosecution shall be instituted in respect of such offence.

**20. SEVERANCE**

20.1 If a Section, Subsection, sentence, clause or phrase of this By-law is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this By-law.

**21. SCHEDULES**

21.1 Schedules 'A' to 'E' inclusive are attached hereto and form part of this By-law.

**22. CITATION**

22.1 This By-law may be cited as "District of North Saanich Animal Control By-law (1993)".

**23. REPEAL**

23.1 By-law No. 145, being "District of North Saanich Animal Control By-law (1973)" and all amendments thereto are hereby repealed except insofar as they repeal any other By-law.

READ A FIRST TIME the 3rd day of May, 1993.

READ A SECOND TIME AS AMENDED the 3rd day of May, 1993.

READ A THIRD TIME the 3rd day of May, 1993.

RECALLED TO THIRD READING AND READ A THIRD TIME AS AMENDED the 21st day of June, 1993.

RECALLED TO THIRD READING AND READ A THIRD TIME AS AMENDED the 12th day of July, 1993.

RECONSIDERED, FINALLY PASSED AND ADOPTED the 26th day of July, 1993.

\_\_\_\_\_  
"M. Chazottes"

MAYOR

\_\_\_\_\_  
"Joan E. Schill"

CLERK

**DISTRICT OF NORTH SAANICH**

**ANIMAL CONTROL BY-LAW NO. 7 5 1**

***BL 896***

**SCHEDULE 'A'**

Every application for a license under Sections 2, 3 and 4 of this by-law shall be accompanied by the following license fee:

1.	<u>DOG LICENCE FEES</u>		<u>After July 31</u>
(a)	Female Dog (not spayed)	\$ 30.00	\$15.00
(b)	Female Dog (spayed)	\$ 20.00	\$10.00
(c)	Male Dog (not neutered)	\$ 30.00	\$15.00
(d)	Male Dog (neutered)	\$ 20.00	\$10.00
(e)	Late Application Penalty	\$ 5.00	
(f)	Replacement of license tag	\$ 5.00 (unless defective)	
2.	<u>KENNEL LICENCE FEES</u>		
(a)	Breeding Kennel (dogs or cats)	\$ 60.00	
(b)	Boarding Kennel (dogs or cats)	\$120.00	

**DISTRICT OF NORTH SAANICH**  
**ANIMAL CONTROL BY-LAW NO. 7 5 1**

**SCHEDULE 'B'**  
**IMPOUNDMENT FEES**

The owner of any animal impounded pursuant to the provisions of this By-law may reclaim such animal on payment of the following fees and charges:

1. DOGS

(a)	First impoundment fee	\$ 50.00
(b)	Second impoundment fee	\$ 75.00
(c)	Third and subsequent impoundment fee	\$100.00
(d)	Maintenance and sustenance charge for each 24-hour period or part thereof that the dog has remained in the pound	\$ 8.00

**BL 1184**

2. CATS

Non-Sterilized Cat Impoundment Fees

(a)	First impoundment fee	\$150.00
(b)	Second impoundment fee	\$200.00
(c)	Third and subsequent impoundment fee	\$250.00
(d)	Maintenance and sustenance charge for each 24-hour period or part thereof that the cat has remained in the pound	\$ 5.00

Sterilized Cat Impoundment Fees

(e)	Impoundment fee	\$ 15.00
(f)	Maintenance and sustenance charge for each 24-hour period or part thereof that the cat has remained in the pound	\$ 5.00

3. FARM ANIMALS

(a)	Impoundment fee	\$ 50.00
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- (b) Maintenance and sustenance charge for each 24-hour period or part thereof that the animal has remained in the pound \$ 10.00
- (c) Transportation fees required to impound farm animals

4. RODENTS, POULTRY, BIRDS

- (a) Impoundment fee \$ 5.00
- (b) Maintenance and sustenance charge for each 24-hour period or part thereof that the animal has remained in the pound \$ 3.00

**DISTRICT OF NORTH SAANICH**

**SCHEDULE 'C'**

**NOTICE OF IMPOUNDMENT**

**(Section 16, By-Law No. 751)**

TO:

TAKE NOTICE that pursuant to the provisions of the "District of North Saanich Animal Control By-law (1993)",

(Description of Animal or Animals Impounded)

was (or were) impounded in the Pound kept by the undersigned at  
\_\_\_\_\_ on \_\_\_\_\_ the \_\_\_\_\_ day  
of \_\_\_\_\_, 19 \_\_\_\_, at the hour of \_\_\_\_\_ a.m./p.m.

AND FURTHER TAKE NOTICE that unless within four (4) days after the date of this notice you appear at the Pound and release the animal(s) so impounded by the payment of the lawful fees and charges, the same will be destroyed or sold as provided in the said By-law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Animal Control Officer

SCHEDULE 'D'  
DISTRICT OF NORTH SAANICH  
**ANIMAL CONTROL BY-LAW NO. 751**

A cash register impression constitutes an official Receipt for amount shown. A dishonoured cheque invalidates this receipt.

OFFENCE NOTICE

DISTRICT OF NORTH SAANICH  
ANIMAL CONTROL BY-LAW

TO: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TAKE NOTICE THAT IT IS ALLEGED THAT YOU HAVE COMMITTED AN OFFENCE BY CONTRAVENING SECTION \_\_\_\_\_ OF THE 'ANIMAL CONTROL BY-LAW' IN THE DISTRICT OF NORTH SAANICH.

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

PLACE OF ALLEGED OFFENCE: \_\_\_\_\_

DETAILS OF ANIMAL: \_\_\_\_\_

NATURE OF ALLEGED OFFENCE

- |       |  |       |  |
|-------|--|-------|--|
| _____ | Allowing dog to run at large or not under effective control. | _____ | Harbouring more than three dogs over the age of six months without a valid kennel licence. |
| _____ | Keeping or having in possession unlicensed dog.              | _____ | Allowing dog to be off leash where it is required to be on leash.                          |
| _____ | Owning a vicious or habitually noisy dog.                    | _____ | Other violation.   |

\_\_\_\_\_  
( Indicated penalty )

\$

\_\_\_\_\_  
Signed for Poundkeeper

PLEASE READ THE REVERSE SIDE

