

VILLAGE OF LIONS BAY

Bylaw No. 376, 2006

A BYLAW OF THE VILLAGE OF LIONS BAY PROVIDING FOR THE LICENCING, REGISTRATION AND IMPOUNDING OF DOGS

WHEREAS the Council may, pursuant to Division 6 Parts 47 – 49 of the Community Charter, provides for the control and licensing of dogs and for the establishment and collection of licence fees; and

WHEREAS the Municipal Council of the Village of Lions Bay deems it expedient to regulate the keeping of dogs within the Village of Lions Bay 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 Village of Lions Bay in open meeting assembled enacts as follows:

DEFINITIONS

1. In this Bylaw:

ANIMAL: Means an animal of the species canine.

DOG: Means an animal of the species canine that is over or apparently over the age of six (6) months.

OWNER: In respect of any dog, includes every person who possesses or harbours a dog or who has control, care or custody of it.

POUND: Shall mean the building or enclosure designated as such by the Village.

POUND KEEPER: Shall mean the person or persons appointed from time to time by the Council as the Pound Keeper, or the authorized agent of any corporation or society with whom the Village has an agreement to act as the Pound Keeper.

RUNNING AT LARGE: Means a dog that is not under control by being:

- i) on the property of its owner or of another person who has care and control of the dog; or
- ii) restrained by the use of a leash in direct and continuous charge 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.

LICENCES

2. (a) Any person who owns or harbours a dog within the boundaries of the Village of Lions Bay shall not later than the 15th day of January in each year pay to the Village of Lions Bay a licence fee as per Schedule attached:

(b) On payment of such licence fee at the Village office, a plate having stamped thereon, Village of Lions Bay, the licence number corresponding with the number under which the dog is registered in the records of the Village of Lions Bay, and the licence year, will be issued.

- (c) Where a licence plate is lost or destroyed it may be replaced for a nominal fee, as per schedule attached, by application to the Village office.
- 3. Any licence issued by the Village of Lions Bay shall be valid for the calendar year for which the licence is issued and shall expire on December 31st of that same year.
- 4. No person shall own, keep, harbour or have in his possession any dog unless a licence therefore, under this Bylaw, has first been obtained.

RUNNING AT LARGE

- 5. No person shall allow a dog to run at large within the Village.
- 6. The licence plate shall at all times while the animal is off the premises of its owner be attached to the neck of the dog by a collar or strap.
- 7. Any dog found roaming or running at large or found in areas designated "No Dogs Allowed" may be liable to be captured and impounded and the owner may be subject to a fine as per Schedule Attached
- 8. It shall be an offence under this Bylaw for any person or owner to allow his dog to leave or deposit faeces on any public or private property other than the property of the owner unless the owner immediately removes or buries such faeces on other than private or well-travelled public property.
- 9. Dogs must be on a leash at all times while on a highway or on public property except for designated dog walks as established by Council that will enable owners to allow their dogs "off – leash". The owners must be in continuous and direct control of their dogs, and shall be responsible for the actions of their dogs.
- 10. (a) Dogs shall not be allowed onto the school grounds, Lions Bay public beaches or beach accesses at any time unless specifically designated and signed that dogs are allowed.
(b) Dogs may be off leash in areas clearly so designated by signage.
(c) Dogs are not permitted off leash in any catchments area for the Municipal water supply.

IMPOUNDMENT

- 11. It shall be lawful for the Pound Keeper and any person or persons duly authorized by the Council of the Village of Lions Bay to impound any dog running at large in the Village of Lions Bay contrary to the provisions of this Bylaw.
- 12. (a) If the dog is duly licenced with a current Village of Lions Bay dog licence attached to the dog, an attempt shall be made on the day the dog is picked up to notify the owners. If this cannot be done, the Village or its representative shall notify the designated enforcement agency to take the dog. The Village shall not be responsible for any harm to the dog, failure to recover the dog, or the fact that said dog is disposed of by the designated enforcement agency.
(b) The system of warning(s) and/or fines payable to the Village of Lions Bay are in addition to any charges incurred through or imposed by the designated enforcement agency.
(c) All of the above fines are due and payable immediately. All above fines shall be doubled if said dog does not have a current Village of Lions Bay dog licence. These fines are in addition to any charges imposed by the designated enforcement agency.
(d) From the initial moment of impoundment to eventual release to its owner/authorized representative or disposal, the Village of Lions Bay and/or its representatives or employees are not responsible for any harm, injury, sickness, or loss occurring to said dog.

KENNELS

13. Every person who owns or possesses or harbours more than two (2) dogs at or about the same premises within the village boundaries of Lions Bay shall be deemed to keep a kennel.
14. No person shall keep a kennel within the Village of Lions Bay.

INCURABLE DISEASES

15. Notwithstanding any other provision of this Bylaw, if it is found that any dog is suffering from any injury, disease or sickness or from any other cause, the Pound Keeper may, at his discretion, contact the SPCA and will respond to any recommendation made for the disposition of the animal.

GENERAL

16. Every person who offends against or violates any of the provisions of this Bylaw or who suffers or permits anything to be done in contravention or violation of any of the provisions of this Bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw shall be deemed to have committed an offence under this Bylaw and shall be liable on summary conviction to a fine for each and every offence and costs.
17. If any section, subsection or clause of this Bylaw is held by a Court of competent jurisdiction to be invalid, it shall be severed and the remainder shall be deemed to be valid as if adopted without the invalid section, subsection or clause.
18. The Administrator of the Village is hereby authorized to enter at all reasonable times upon any property within the Village which is subject to any of the regulations of this Bylaw in order to ascertain whether such regulations are being obeyed and the Pound Keeper is hereby empowered to act in the place of the Administrator for the foregoing purposes.

TO PROHIBIT BARKING DOGS

19. 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.

TO PROHIBIT CRUELTY TO ANIMALS

20. (a) No person may keep any animal unless the animal is provided with
 - i) clean potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - ii) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
 - iii) The opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and
 - iv) necessary veterinary medical care when the animal exhibits signs of pain or suffering.
- (b) No person may keep any animal which normally reside outside or which is kept outside for short to extended periods of time, unless the animal is provided with outside shelter
 - i) to ensure protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelters must provide sufficient space to allow any animal the ability to turn about freely and to easily stand, sit and lie in a normal position;
 - ii) at least 1 1/2 times the length of the animal and at least the animal's length in width, and at least as high as the animal's height measured from the floor to the

- highest point of the animal when standing in a normal position plus 10%;
 - iii) in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times; and
 - iv) any pen and run area must be regularly cleaned and sanitized and all excreta removed at least once a day.
- (c) No chaining or tethering of unattended dogs.
21. The Village of Lions Bay Bylaw No. 209, 298, 315 and 372 are hereby repealed.
22. This Bylaw may be cited as the Village of Lions Bay Dog Bylaw No. 376, 2006.

READ A FIRST TIME this 17th day of July, 2006.

READ A SECOND TIME this 17th day of July, 2006.

READ A THIRD TIME this 17th day of July, 2006.

ADOPTED this 5th day of September, 2006.

Mayor

Administrator

**Certified a true copy of
Bylaw No. 376 as adopted.**

Administrator

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THE LICENCING, REGISTRATION AND IMPOUNDING OF DOGS**

Licence Fees

Spayed or neutered dog	\$ 25.00
Not spayed or neutered dog	\$ 40.00
Replacement tag	\$ 10.00

By Law Violations

Running at large	\$ 75.00
Off leash in prohibited area	\$ 50.00
In a dog prohibited area	\$ 50.00
Failure to pick up faeces or failure to dispose of	\$ 50.00
Failure to Licence a dog	\$ 50.00 plus cost of new Licence
Keeping more than two dogs (Kennel)	\$ 100.00
Chaining a dog on too short a leash Or leaving a dog unattended	\$ 50.00
Any dog fined which is not licenced	Fines double from above.