



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: June 13, 2005
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Meeting Date: July 14, 2005

TO: Standing Committee on Planning and Environment

FROM: Chief License Inspector

SUBJECT: New Animal Control By-Law and Amendments to the License By-Law and Noise Control By-Law

RECOMMENDATION

- A. THAT Council approve a new Animal Control By-Law for immediate implementation as discussed in this report, including new provisions regulating dogs and the conditions in which dogs may be kept, increased penalties and fines, cost recovery for Animal Control Services, other miscellaneous administrative changes and the general modernization of the By-Law.
- B. THAT Council formally request the Province to amend the Vancouver Charter to permit amendments to the Animal Control By-Law that cannot be implemented under existing Vancouver Charter authority as discussed in this report, including identification of, and setting higher fees and fines for, vicious dogs.
- C. THAT Council approve in principle the prohibition of inhumane rodeo activities and practices in the City as discussed in this report and instruct staff to report back concerning the appropriate amendments to City By-Laws.
- D. THAT Council approve an amendment to the License By-law which prohibits guard dogs from patrolling on public property, interfering with police or other emergency incidents and chasing suspects on property that the dog is not securing.

- E. THAT Council instruct the Mayor to send a letter to the Solicitor General requesting the Province look at the development of training standards and corresponding monitoring and enforcement measures for security guard dogs.
- F. THAT the regulation of barking dogs be moved from the Noise Control By-Law to the Animal Control By-Law.
- G. THAT Council instruct staff to consult with the General Manager of the Parks Board with a view to ensuring that animal control measures under the Animal Control By-Law and the Parks Control By-Law are consistent.
- H. THAT Council authorize the Director of Legal Services to bring forward a new Animal Control By-Law generally as set out in the draft by-law attached as Appendix A;

AND THAT Council authorize the Director of Legal Services to bring forward the appropriate by-law amendments to the License By-law generally as set out in the draft by-law attached as Appendix B;

AND FURTHER THAT Council authorize the Director of Legal Services to bring forward the appropriate by-law amendments to the Noise Control By-Law generally as set out in the draft by-law attached as Appendix C.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the above recommendations noting that these recommendations respond to public and staff concerns regarding the treatment of animals and enforcement of regulations. The proposed fee changes are consistent with the Animal Control Services Strategic Plan, adopted by Council in May 2004.

COUNCIL POLICY

The Vancouver Charter empowers the City to establish a pound and to regulate the keeping of dogs and other animals. Pursuant to this power, the City has enacted the Animal Control By-Law.

PURPOSE AND SUMMARY

The purpose of this report is to seek Council's approval for a new Animal Control By-Law and amendments to the License By-Law and Noise Control By-Law relating to dogs. Council is also requested to consider prohibiting inhumane rodeo activities and practices.

The report presents two categories of changes with respect to the Animal Control By-Law. The first category contains by-law changes that can be implemented now under existing Vancouver Charter authority. These include implementing tighter regulations for dogs and new regulations around inappropriate dog behaviour and the conditions in which dogs may be kept; ensuring cost recovery for Animal Control Services; increasing penalties and fines for by-law breaches; making other miscellaneous changes and generally modernizing the By-Law.

The second category contains proposed by-law changes that require amendments to the Vancouver Charter. These include micro-chipping and establishing higher fees for vicious dogs.

The report also addresses an amendment to the License By-Law which would prohibit the deployment of guard dogs onto public property. With no formal training standards for security guard dogs in the Province, obedience and response of these dogs is called into question. Ensuring that guard dogs remain on the private property they patrol will eliminate any possible disruption to the deployment of properly trained Police Service Dogs and interference with members of the public.

Finally, on January 18, 2005, Council requested staff to provide a memorandum on whether the City currently bans rodeos and if not, whether the staff report on Animal Control could include consideration of the possibility of banning rodeos. Although there has not been a rodeo held in Vancouver for quite some time, rodeos are not specifically banned in the City. Therefore, Council is asked in this report to consider the prohibition of inhumane rodeo practices/activities which physically manipulate animals not normally aggressive, provoking these animals into displaying irrational and dangerous behaviour for the benefit of the viewing audience.

BACKGROUND

In May 2004, Council approved the Animal Control Services Strategic Plan. Endorsement of the Plan demonstrated a desire to address existing internal and external issues facing Animal Control Services with a focus on dog owner accountability and eventual self-sustaining licensing and enforcement. The Plan unfolds over a five year period and presents a number of actions to address key issues, challenges and opportunities facing the operation and to achieve a higher level of licensing compliance and increased revenue in each successive year.

A key action scheduled for the first year of the Plan is a comprehensive update of the Animal Control By-Law. The Animal Control By-Law was first drafted in the 1950s at a time when services and public expectations were significantly different from today. It has remained relatively unchanged over the years with the exception of an amended provision dealing with the threat of identified "vicious" dogs in 1987. As a result, the By-law fails to address many of the current dog-related issues faced by Animal Control Services and the general public. These issues include the conditions in which dogs may be kept; dog owner responsibility and accountability; insufficient control

mechanisms for vicious dogs and inappropriate and unsafe dog behaviour; and insufficient fines for certain by-law breaches.

In recent years, the City has also received complaints concerning other animal issues unrelated to dogs. These issues involve the inhumane treatment of animals used in some rodeo activities and the deployment of guard dogs on public property. The Animal Control By-Law specifically sets regulations with respect to animals but cannot ban businesses or regulate their activities. Therefore, other by-law mechanisms must be employed to address and adequately resolve these animal concerns.

Council's approval of the Animal Control Services Strategic Plan in May 2004 included a commitment that further to a comprehensive update of the Animal Control By-Law, staff would report back on all recommended changes. This report addresses the proposed changes to the Animal Control By-law as well as changes to the Noise Control By-Law and License By-Law to address dog barking and the guard dog issue. An update report on the status of the actions completed in the Animal Control Services Strategic Plan to date will be brought forward later this year.

DISCUSSION

The goal of the Animal Control By-Law update is to address regulatory deficiencies pertaining to various dog-related issues identified by staff both in the Animal Control Services Strategic Plan (May 2004) and the "Dangerous Dogs: Protection Strategy" report (February 2005). As part of the Animal Control By-Law update, staff has conducted a comprehensive review of the Animal Control By-Law in relation to vicious dog by-laws in other Canadian and American cities. This review reveals a number of regulations and enforcement methods that may improve public safety around dogs, dog owner responsibility and accountability and the workings of Animal Control Services.

Furthermore, staff reviewed the inhumane treatment of rodeo animals and the deployment of guard dogs on public property. The guard dog issue may be addressed through an amendment to the License By-Law and the prohibition of inhumane rodeo activities may be addressed through future amendments, either to the License by-Law or the Business Prohibition By-Law.

A legal analysis of the proposed regulations and enforcement methods under the Animal Control By-Law with respect to authority under the Vancouver Charter reveals two general categories of by-law amendments. The first category includes by-law amendments that could be implemented now under existing authority. The second category includes by-law changes that require a Charter amendment from the Province. Both groups of by-law amendment categories are detailed below.

GROUP 1: BY-LAW AMENDMENTS TO BE IMPLEMENTED NOW

This group of by-law amendments can be implemented now under existing Vancouver Charter authority.

Minimum Care Standards for Dogs

Certain minimum standards of care for dogs are to be established. These regulations will require everyone who keeps a dog to ensure that dog is provided with sufficient potable water, food, shelter and sufficient exercise to maintain the dog in good health. The new By-Law will also prevent dogs from being confined in an enclosed space, including a car without adequate ventilation, and require that dogs be securely confined while being transported in an open vehicle. These provisions are consistent with by-law provisions in a number of other municipalities. A proposed minimum fine of \$250 is proposed for contravention.

Inappropriate Dog Behaviour and Dog Owner Accountability

The proposed new Animal Control By-Law is to include five new provisions regulating certain inappropriate dog behaviours and dog owner accountability concerns. These provisions and corresponding minimum fines for contravention are shown in the following table:

New By-Law Regulation	Proposed Minimum Fine for Contravention
Dog upsetting or breaking into refuse container	\$250
Dog riding unsecured in open truck bed	\$250
Dog barking or howling	\$250
Failing to confine/isolate dog with communicable disease	\$250
Failing to provide sufficient enclosure to maintain dog in good health	\$250

Increased Penalties and Fines

Currently, the maximum fine for every person who commits an offence against the By-Law is \$2000. The current minimum fines for by-law breaches, listed in the table below, range from \$25 to \$200. These fines have remained the same for a long period of time and fail to provide a significant penalty. Therefore, they do not encourage compliance with the by-law. It is recommended that the existing fines be adjusted to allow for a higher minimum as outlined in table below.

Existing By-law Regulation	Existing Minimum Fine	Increased Minimum Fine
Failing to muzzle vicious dog	\$200	\$500
Failing to keep vicious dog securely confined	\$200	\$500
All other by-law breaches	\$25	\$250

Cost Recovery for Animal Control Services

The proposed new Animal Control By-Law will include a requirement for the complete recovery of all costs incurred by Animal Control Services. This includes a standard per diem rate charged for standard care and the recovery of actual charges for extraordinary expenses such as veterinary care. An example of a standard care situation is an impounded dog left abandoned at the Animal Control facility by its owner. The new regulation will allow the City to recover all expenses for the care of the dog from the owner while at the facility. As the care of an impounded vicious dog requires greater staff time and attention, and therefore greater cost to the City, the maintenance cost to the owner of a vicious dog would be higher.

Other Miscellaneous Changes in the New Animal Control By-Law

A. Stagger Dog License Expiry Dates throughout the Year

Currently, every owner of a dog over three months of age must purchase a dog license at the beginning of the year. The City provides a grace period to March 1st and if the dog license is purchased after March 1st, then a \$10 penalty is applied. It is recommended that a new staggered dog license renewal system be implemented wherein dog license expiry dates are staggered throughout the year by the geographic areas indicated in Schedule A of the draft Animal Control By-Law in Appendix B. Much of the current administrative workload during the first three months of the year is a direct result of the existing calendar renewal system. A staggered renewal system will help to eliminate the heavy volumes in the first three months of the year by spreading the existing workload out more evenly throughout the year.

B. Regulation of Barking Dogs be moved from Noise Control By-Law to new Animal Control By-Law

Currently, the Noise Control By-Law contains a provision aimed at barking dogs which cause a disturbance. As this regulation is enforced by Animal Control Officers, it is more appropriate to include it in the Animal Control By-Law rather than the Noise Control By-Law.

C. Exclude Reference to Specific Breeds of Dog in "Vicious Dog" definition

During Council's consideration of the "Dangerous dogs: Protection Strategy" report in February 2005, many speakers were opposed to breed specific legislation designating certain dog breeds as vicious. In this report, "vicious dog" refers to a dog with a history or known propensity for very aggressive behaviour toward people or other domestic animals. It was felt that most dogs could be kind and loyal pets if raised in a caring and loving home environment. Singling out pit bull breeds under the existing "vicious dog" definition is regarded as unfair, discriminatory and unnecessary. In the past, the City has never found it necessary to rely upon the breed specific part of the vicious dog definition to deal with vicious dog issues. Therefore, the exclusion of a reference to specific breeds in the definition is recommended.

D. Expand Section 6.1 of the By-Law to include all Certified Assistance Dogs

Currently, Section 6.1 of the By-Law requires the owner or the person having the care of a dog, except for a Guide Dog in the company of a blind person, to remove any excrement deposited by the dog into a refuse container. It is recommended that the exception in this section be expanded to include those individuals who are physically disabled and require the assistance of a Service Dog.

E. Ensure Consistency between Animal Control By-Law and Parks Control By-Law

Presently, Animal Control Officers enforce the use of off-leash parks and dogs chasing wildlife/fowl in City parks/beaches under both the Animal Control By-Law and the Parks Control By-Law. It is recommended that the Animal Control By-Law be reviewed to achieve consistency with the Parks Control By-Law. Staff will report back on this issue once discussions have been held with the Parks Board.

Prohibit Guard Dogs from working on Public Property

Presently, all municipal Police Service Dogs in the Province are certified under the British Columbia Police Service Dog Standards which cover all facets of police dog training including tracking; criminal apprehension; area, building and evidence searches; obedience; and agility. To remain in service, police dogs must be continuously trained and pass the British Columbia Police Service Dog Standards validations on an annual basis.

There are no similar formalized standards for the training, deployment and validation of security guard dogs in the Province. For this reason, the capability, degree of force and obedience of security guard dogs is called into question in the following instances:

- When security guard dogs and their handlers interfere in police incidents where Police Service Dogs are deployed;
- When the deployment of security guard dogs compromises public safety on both private and public property.

In the long term, formal province-wide training standards similar to those for police service dogs are needed to resolve the issues created by security guard dogs. This requires legislative action from the provincial government. Province-wide guidelines, standards and validation processes for security guard dogs will ensure all dogs used for security purposes have at least a standard basic level of training. Furthermore, it will ensure that effective monitoring and enforcement measures are in place and all security companies adhere to the training standards. Staff recommends that Council formally request such action from the Province.

In concert, it is also necessary to amend the License By-law to prohibit the deployment of all guard dogs onto public property (City parks, streets and sidewalks). This will prevent guard dogs from patrolling on public property, interfering with police or other emergency incidents and chasing suspects on property that the dog is not securing.

Possible Prohibition of Inhumane Activities and Practices used in Rodeos

The City has been approached by certain individuals and organizations requesting that rodeos be banned from the City of Vancouver. On January 18, 2005, Council specifically requested that staff report back on whether there is a ban on rodeos in the City and if not, whether consideration could be given to the possibility of banning rodeos. Although there has not been a rodeo held in the City for quite some time, there are certain cruel and inhumane practices used in rodeos that Council may want to ensure never take place in Vancouver.

Opponents of rodeos believe that although certain rodeo events are promoted as exercises of human skill and courage in conquering untamed animals, they are nothing more than manipulative displays of human domination over animals for entertainment. Many animals used in rodeos are physically manipulated, through electric prods, spurs and bucking straps, to display irritable and frenzied behaviour/actions for the benefit of the viewing audience. In particular, the flank, bucking strap or rope used to make horses and bulls buck are clinched around their abdomens causing the animals to buck vigorously to relieve themselves of the torment.

On the other hand, rodeo supporters indicate that rodeos are valid entertainment and owners and operators take the welfare of the animals into account. They argue that the animals are well taken care of and any physical manipulation required to make the animals perform is only temporary, causing no permanent damage.

Staff believe that although certain rodeo events and attractions, such as racing and barrel competitions, cause no harm to the animals involved, other events treat animals as captive performers receiving harsh treatment through physical manipulation. For this reason, Council's approval is being sought to prohibit specific inhumane rodeo activities and practices listed and defined in Appendix D. Should Council approve such a prohibition, staff will report back with appropriate by-law amendments.

GROUP 2: BY-LAW AMENDMENTS REQUIRING CHARTER AMENDMENT FROM PROVINCE

This group of by-law amendments cannot be implemented under existing Vancouver Charter authority. Staff recommends that the City formally request the Province to amend the Vancouver Charter as soon as possible to provide sufficient authority for the City to proceed with these amendments.

Micro-Chipping Impounded Dogs

Research undertaken by staff revealed that micro-chipping is an effective means of identifying and tracking for future identification all vicious dogs. Micro-chipping involves the subcutaneous implantation of an electronic identification microchip by a licensed veterinarian at the owner's expense. City by-law provisions could require that, before a license for a vicious dog could be issued, a microchip would have to be implanted and the information be provided to Animal Control Services.

Staff will also continue to investigate other methods of identification including a procedure referred to as retinal imaging. The technology required for retinal imaging, which involves taking a picture of an individual's distinct retina for identification purposes, is still in its infancy and needs to be evaluated once it has evolved further. If other alternate identification methods are eventually found to be feasible, future by-law amendments will be considered.

Staff believes it might be appropriate to request an amendment to the Charter empowering the City to require all dogs, or any particular class of dogs, to be micro-chipped. This would allow the City to differentiate between vicious and other dogs with respect to micro-chipping.

Higher License Fees for Vicious Dogs

A higher license fee for "vicious dogs" would make the owners more accountable for the actions of their pet and allow Animal Control to recover a greater percentage of the cost currently expended to investigate and care for vicious dogs. Currently, however, the Vancouver Charter does not permit different license fees for vicious dogs.

POSSIBLE FUTURE BY-LAW AMENDMENTS

Staff acknowledge that there are additional Animal Control issues requiring attention. These include establishing a minimum age requirement for vicious dog owners, spaying and/or neutering dogs that have been impounded, requiring owners of vicious dogs to take out a liability insurance policy on their pet, display a sign on their property warning of a vicious dog on the premises and notify Animal Control when their dog has died, been sold or given away. It is important to move forward with incremental steps in order to implement the directions in the Animal Control Services Strategic Plan.

Staff will be reporting back on additional issues and the effectiveness of the changes recommended in this report.

FINANCIAL IMPLICATIONS

The new Animal Control By-Law proposes higher penalties and fines and allows Animal Control Services to recover a greater proportion of their operating expenses. Staff will report back to Council with the financial implications of these changes once the new By-Law has been implemented and the results become clear.

CONCLUSION

This report proposes a new Animal Control By-Law and amendments to the License By-Law and Noise Control By-Law.

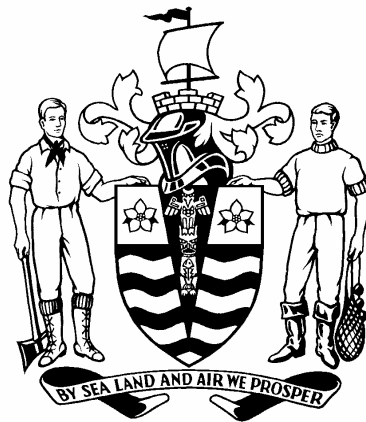
Changes in the new Animal Control By-Law for immediate implementation include new regulations concerning dogs; cost recovery for Animal Control Services; increasing minimum fines for by-law breaches; making other miscellaneous changes and generally modernizing the By-Law. Amendments which require approval from the Province for changes to the Vancouver Charter include micro-chipping and charging higher fees for vicious dogs.

The License By-Law may be amended to prohibit guard dogs from working on public property and the Noise Control By-Law may be amended to transfer the dog barking issue to the Animal Control By-Law. Finally, Council is also requested to consider the prohibition of inhumane rodeo activities and practices.

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APPENDIX A

CITY OF VANCOUVER
BRITISH COLUMBIA



ANIMAL CONTROL BY-LAW NO. _____

ANIMAL CONTROL BY-LAW

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BY-LAW NO. _____

**A By-law to establish a pound and
to license and regulate dogs and other animals**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**SECTION 1
INTERPRETATION**

Name of By-law

1.1 The name of this By-law, for citation, is the "Animal Control By-law".

Definitions

1.2 In this By-law:

"aggressive dog" means:

- (a) a dog with a known propensity, tendency, or disposition to attack without provocation other domestic animals or human beings, or
- (b) a dog which has bitten another domestic animal or human being without provocation;

"Chief License Inspector" means the person appointed by Council as Chief License Inspector;

"dog" means an animal of the canine species regardless of age or sex;

"impound" means to take into custody, confine, and hold;

"keep" means to own, possess, or harbour a dog, cat, or other animal;

"other animal" means any animal except a dog or domestic cat;

"police officer" means a peace officer or constable as provided under the *Police Act* employed by the Vancouver Police Board;

"pound" means buildings, yards, enclosures, and other facilities for holding and disposing of such animals as the Poundkeeper, a police officer, or a person authorized by the Park Board may seize under this By-law or under a by-law enacted by the Park Board;

“Poundkeeper” means the Supervisor of Animal Control or such other person appointed under this By-law to enforce and carry out its provisions, and includes any assistant to the Poundkeeper appointed under this By-law; and

“run at large” , with reference to a dog, means:

- (a) being elsewhere than on the property of the person who keeps the dog, or of a person who has care, custody or control of the dog, and not being under the immediate charge and control of a responsible person, or
- (b) being on a bathing beach or in the water adjacent to a bathing beach whether under the immediate charge and control of a responsible person or not.

Table of contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Schedules

1.4 The schedules attached to this By-law form part of this By-law.

Severability

1.5 A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of this By-law.

SECTION 2 ADMINISTRATION

Establishing the pound

2.1 The city has established and maintained, and will continue to maintain, a pound.

Assisting with by-law enforcement

2.2 The Chief License Inspector may appoint a person to enforce and carry out the provisions of this By-law, and such assistants as the Chief License Inspector may determine.

SECTION 3 DOG LICENCES

No keeping of dog without licence

3.1 A person must not keep a dog that is older than three months unless such person has acquired an annual licence for the dog, and has paid the annual licence fee.

Applying for licence

3.2 A person who keeps a dog must apply to the Chief License Inspector for an annual licence when the person acquires the dog and, after that, on or before the date set out in Schedule A opposite the district in which the person resides.

Paying for licence

3.3 A person who applies for an annual licence to keep a dog must:

- (a) when applying, pay to the city the annual fee specified in Part 1 of Schedule B to this By-law, except that:
 - (i) for the first year such fee is due the Poundkeeper may pro rate the fee for a person who must pay for a licence more than once in a calendar year, and
 - (ii) if the applicant satisfies the Poundkeeper that the applicant has just acquired the dog, the Poundkeeper may pro rate the fee for the first 12 month period; and
- (b) if paying the reduced fee for an altered dog, produce a certificate from a veterinarian to verify such alteration.

Waiving licence fee

3.4 If the Chief License Inspector is satisfied that a dog has been specially trained to guide or assist a person who suffers from a disability, and if such a person applies for a licence to keep the dog, no fee is payable under section 3.3.

Wearing dog tag

3.5 A person who keeps a dog must ensure that the dog at all times wears a collar to which is attached a tag furnished by the Chief License Inspector.

No removing of dog tag

3.6 Except with the authority of the person who keeps the dog, a person must not remove the tag required by section 3.5 from a dog's collar or from elsewhere on the dog's body.

SECTION 4 CONTROL OF DOGS

No running at large

4.1 A person who keeps a dog must not permit, suffer, or allow the dog to run at large.

Leashing dogs

4.2 A person who keeps a dog must not permit, suffer, or allow the dog to be on a street or other public place unless the dog is under the immediate charge and control of a competent person by means of a leash that is not more than 2.5 m long or another by-law allows the dog to be off-leash under certain circumstances.

Muzzling aggressive dogs

4.3 In addition to complying with section 4.2, a person who keeps an aggressive dog must not permit, suffer, or allow the dog to be on a street or other public place or on any other property that such person does not own or control unless such person has muzzled the dog to prevent it from biting another animal or a person, except when the dog is participating in an event sanctioned by the Canadian Kennel Club.

No running at bathing beach

4.4 Despite sections 4.2 and 4.3, a person who keeps a dog must not permit, suffer, or allow the dog to be on a bathing beach or in the water adjacent to a bathing beach.

Securing aggressive dogs on private property

4.5 A person who keeps an aggressive dog must, at all times while the dog is on property owned or controlled by such person, securely confine the dog, 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 or from biting a domestic animal or human being.

Limiting number of dogs

4.6 Except for a person licensed under the License By-law as a kennel keeper, a person must not keep more than three dogs at any one time or at any one place or property in the city.

Confining dogs in heat

4.7 A person who keeps a female dog must confine and house the dog during the period it is in heat.

Confining dogs with communicable diseases

4.8 A person who keeps a dog, and who knows or suspects that the dog has a communicable disease, must:

- (a) isolate the dog, during the period such person knows or suspects that the dog has a communicable disease, in a manner that will prevent further spread of the disease and in a manner prescribed at law;
- (b) seek the assistance of a veterinarian; and
- (c) follow the orders of such veterinarian, the Poundkeeper, and any government officials who have authority to issue such orders.

Removing excrement

4.9 A person who keeps a dog, or a person who has care, custody or control of a dog, except for a service dog in the company of a handler who is physically disabled or a guide dog in the company of a handler who is blind, must immediately remove any excrement deposited by the dog, and deposit it in a suitable refuse container.

Removing excrement from owner's property

4.10 Section 4.9 does not apply to excrement deposited by a dog on property owned by and in the exclusive possession of a person who keeps, or who has care, custody or control, of the dog.

Securing dogs in vehicles

4.11 A person who keeps a dog, or a person who has care, custody or control of a dog, must not keep the dog in a vehicle unless such person secures the dog in a manner that prevents the dog from falling or being thrown out of the vehicle.

Barking or howling

4.12 A person who owns or occupies premises must not permit, suffer, or allow the sound of a barking or howling dog that a person not on the same premises can easily hear and that disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of such person.

Upsetting or breaking into refuse container

4.13 A person who keeps a dog, or a person who has care, custody or control of a dog, must not permit, suffer, or allow the dog to upset or break into a refuse container on a street or other public place.

SECTION 5 KEEPING OF DOGS

Giving basic care to dogs

5.1 A person who keeps a dog, or a person who has care, custody or control of a dog, must give the dog food, water, shelter, and exercise sufficient to maintain the dog in good health.

Tethering dogs

5.2 A person who keeps a dog, or a person who has care, custody or control of a dog, must not tie or fasten a dog to a fixed object by using a choke collar or choke chain or by tying a rope, chain, or cord directly around the dog's neck.

Enclosing dogs

5.3 A person who keeps a dog, or a person who has care, custody or control of a dog, must not confine the dog in an enclosure unless the air ventilation, temperature, and size of the enclosure are sufficient to maintain the dog in good health.

SECTION 6 IMPOUNDMENT OF DOGS

Seizing dogs under this By-law

- 6.1 The Poundkeeper or a police officer may seize a dog:
- (a) in respect of whom the person who keeps a dog does not have a licence;
 - (b) in respect of whom payment of the licence fee referred to in section 3.3 is in arrears;
 - (c) who is not wearing the dog tag referred to in section 3.5;
 - (d) who is on a street or other public place unlawfully including running at large; or
 - (e) who has bitten or who is alleged to have bitten a human being.

Seizing dogs under Park Board By-law

6.2 A police officer or a person authorized by the Park Board who seizes a dog under a by-law enacted by the Park Board may deliver the dog to the Poundkeeper or to the pound.

Delivering dogs without tags

- 6.3 If:
- (a) the Poundkeeper believes that a dog is not wearing the collar and tag required under section 3.5;
 - (b) the Poundkeeper requests the person who keeps the dog, the person who has care, custody and control of the dog, or a person who occupies the property where the dog is situated to produce evidence satisfactory to the Poundkeeper that the dog has a licence and that the licence fee referred to in section 3.3 is not in arrears; and
 - (c) the person referred to in clause (b) fails to produce such evidence;

the Poundkeeper may request delivery of the dog to the Poundkeeper or to the pound, and, immediately upon receipt of that request, the person referred to in clause (b) must deliver the dog to the Poundkeeper or the pound.

Impounding dogs

6.4 Promptly upon receiving a dog under section 6.1, 6.2, or 6.3, the Poundkeeper must impound the dog at the pound, except that, if the Poundkeeper believes the dog is in need of medical care, the Poundkeeper may take the dog to, or leave the dog with, a veterinarian.

Detaining impounded dogs

6.5 The Poundkeeper may detain for:

- (a) 72 hours, a dog impounded under section 6.4; and
- (b) 21 days, a dog who has bitten or who is alleged to have bitten a human being;

after the date and time of impoundment.

Destroying dogs for humane reasons

6.6 Despite section 6.5, if the Poundkeeper believes that an impounded dog is suffering from injury, disease, sickness, or other cause which it is unlikely to survive or from which it is unlikely to recover, and that destroying the dog would be humane, the Poundkeeper may destroy the dog immediately.

Caring for dogs

6.7 The Poundkeeper, as he or she considers necessary and humane, may maintain and care for impounded dogs including the provision of food, water, and shelter, and may arrange for veterinary care and medication.

Disposing of dogs

6.8 After expiry of the 72 hours referred to in section 6.5, or expiry of 72 hours after the 21 days referred to in section 6.5, the Poundkeeper may destroy, or sell by auction or private sale, an impounded dog.

Reclaiming dogs

6.9 At any time before destruction or sale of a dog under section 6.8, the person who keeps the dog may apply to the Poundkeeper to reclaim the dog, and, when applying, must:

- (a) give the Poundkeeper proof of ownership by such person of the dog;
- (b) pay all outstanding charges and fees under this By-law that apply to such dog; and
- (c) pay all outstanding fines or penalties imposed on such person for breach of this By-law.

SECTION 7 REGULATION OF OTHER ANIMALS

Controlling other animals

7.1 A person who keeps an other animal, or a person who has care, custody or control of an other animal, must not permit, suffer, or allow the other animal to be elsewhere than on his or her property unless it is under the immediate charge and control of a competent person.

Seizing other animals under this By-law

7.2 The Poundkeeper or a police officer may seize an other animal who is elsewhere than on property referred to in section 7.1, and who is not under the immediate charge and control of a competent person.

Seizing other animals under Park Board by-law

7.3 A police officer or a person authorized by the Park Board who seizes an other animal under a by-law enacted by the park board may deliver the other animal to the Poundkeeper or to the pound.

Impounding other animals

7.4 Promptly upon receiving an other animal under section 7.2 or 7.3, the Poundkeeper may impound the other animal at the pound.

Detaining impounded other animals

7.5 The Poundkeeper may detain an other animal impounded under section 7.4 for 48 hours.

Notice of detainment

7.6 The Poundkeeper must post, in a conspicuous place at the pound for at least 48 hours, a notice that includes a description of the impounded other animal, and that specifies the place where and time when the Poundkeeper intends to sell the other animal if its owner has not redeemed it.

Caring for other animals

7.7 The Poundkeeper, as he or she considers necessary and humane, may maintain and care for impounded other animals including the provision of food, water, and shelter, and may arrange for veterinary care and medication.

Destroying other animals for humane reasons

7.8 Despite section 7.5, if the Poundkeeper believes that an impounded other animal is suffering from injury, disease, sickness, or other cause which it is unlikely to survive or from

which it is unlikely to recover, and that destroying the other animal would be humane, the Poundkeeper may destroy the other animal immediately.

Disposing of other animals

7.9 After expiry of the 48 hour period referred to in section 7.5, the Poundkeeper may destroy, or sell by auction or private sale, an impounded other animal.

Reclaiming other animals

7.10 At any time before destruction or sale of an other animal under section 7.9, the person who keeps the other animal may apply to the Poundkeeper to reclaim the other animal, and, when applying, must:

- (a) give the Poundkeeper proof of ownership by such person of the other animal;
- (b) pay all outstanding charges and fees under this By-law that apply to such other animal; and
- (c) pay all outstanding fines or penalties imposed on such person for breach of this By-law.

SECTION 8 DISPOSITION SERVICES

Removing carcasses

8.1 If the Poundkeeper learns that the carcass of an animal, except for a skunk, is lying on a street or other public place, the Poundkeeper may remove the carcass.

Delivering carcasses

8.2 A person may deliver to the Poundkeeper the carcass of a dog, cat, or other animal that weighs less than 150 pounds, and request the Poundkeeper to cremate the carcass.

Picking up carcasses

8.3 The Poundkeeper, on request by a person, may pick up the carcass of a dog that weighs less than 150 pounds, and cremate the carcass.

Picking up animals from veterinarians for destruction

8.4 The Poundkeeper, on request by a veterinarian, may pick up the carcass of a dog, cat, or other animal that weighs less than 150 pounds, and cremate it.

**SECTION 9
CHARGES AND FEES**

Charging for impoundment

9.1 A person who keeps a dog or other animal which the Poundkeeper has impounded under this By-law must pay to the city on demand, with respect to that dog or other animal:

- (a) the impound fee set out in Part 2 of Schedule B;
- (b) the daily charge for maintaining the dog or other animal set out in Part 3 of Schedule B; and
- (c) the costs for veterinary care and medication incurred by the Poundkeeper.

Charging fees for services

9.2 A person who keeps a dog or other animal in respect of which the Poundkeeper has performed a service under Section 8 must pay the city on demand the applicable fee set out in Part 4 of Schedule B.

Disposition of surplus

9.3 If a surplus remains after deduction from the sale price of an other animal of unpaid charges and fees under this Section9, the Poundkeeper must pay the surplus to the person who kept the other animal if known to the Poundkeeper and, otherwise to the City Treasurer as funds forfeited to the city.

**SECTION 10
OFFENCES AND PENALTIES
AND ENFORCEMENT**

No removing impounded animals

10.1 A person must not remove, or attempt to remove, from the pound an impounded dog or other animal except as allowed under this By-law.

No interfering with Poundkeeper

10.2 A person must not interfere with, resist, or otherwise obstruct the Poundkeeper, or other person authorized under this By-law, in the performance of his or her duties.

Offences under By-law

10.3 A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;

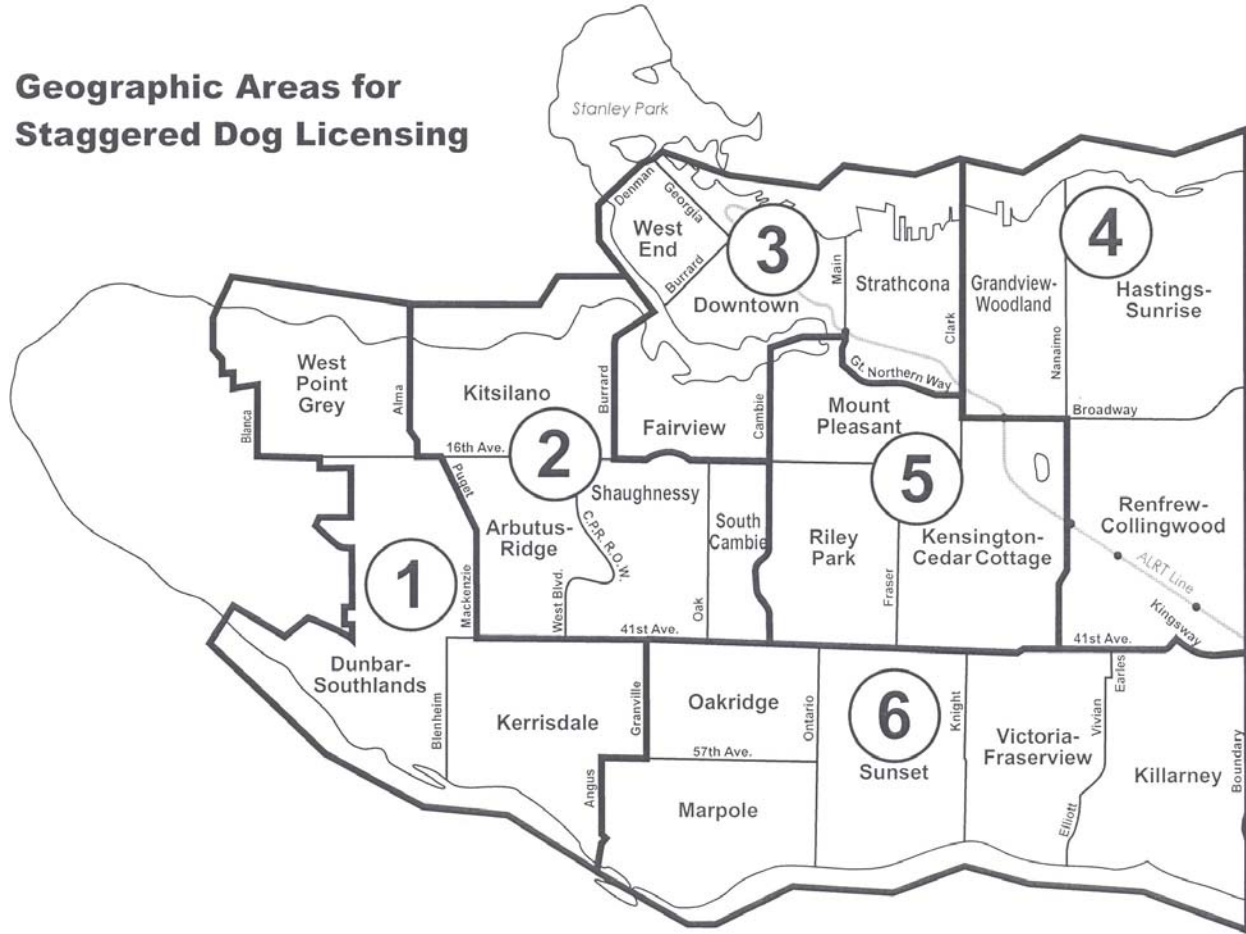
SCHEDULE A TO ANIMAL CONTROL BY-LAW

DOG LICENSE STAGGERED EXPIRY DATES

Dog License Expiry Date	Dog License Geographic Area
September 30 th	Area 1
October 31 st	Area 2
November 30 th	Area 3
March 31 st	Area 4
April 30 th	Area 5
May 31 st	Area 6

(See following page for dog license geographic areas)

Geographic Areas for Staggered Dog Licensing



SCHEDULE B TO ANIMAL CONTROL BY-LAW

Part 1 - License Fees

Unaltered male or female dog	\$64.00
Altered male or female dog	\$35.00
Replacement tag	\$5.00

Part 2 - Impound Fees

Impound of licensed dog	\$75.00
Impound of unlicensed dog	\$150.00
Impound of licensed aggressive dog	\$275.00
Impound of unlicensed aggressive dog	\$350.00
Impound of fowl, other bird, rabbit, or rodent	\$15.00
Impound of reptile or other animal	\$75.00

Part 3 - Maintenance Charges

Maintenance of dog	\$15.00
Maintenance of vicious dog	\$20.00
Maintenance of fowl, other bird, rabbit, or rodent	\$5.00 per day
Maintenance of reptile or other animal	\$25.00 per day

Part 4 - Fees for Services

General cremation under 10 pounds	\$25.00
General cremation 11 to 65 pounds	\$40.00
General cremation 66 to 150 pounds	\$65.00
Private cremation under 10 pounds	\$55.00
Private cremation 11 to 65 pounds	\$70.00
Private cremation 66 to 150 pounds	\$95.00

APPENDIX B

BY-LAW NO. _____

A By-law to amend License By-law No. 4450
regarding guard dogs

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. To the License By-law, after section 16.2, Council adds:

"GUARD DOGS

16.2A A person who owns, possesses or harbours, or who has care, custody or control of, a dog trained to be a security, guard, or patrol dog or to protect persons or property must not permit, suffer, or allow the dog to:

- (a) carry out its duties on a street or other public place;
- (b) interfere with police or other emergency incidents; or
- (c) chase or guard suspects other than on the property the dog is securing or guarding."

2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2005

Mayor

City Clerk

APPENDIX C

BY-LAW NO. _____

A By-law to amend Noise Control By-law No. 6555
to amend the regulation of animal noise

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. Council repeals section 3A of the Noise Control By-law, and substitutes:

“3A. No person being the owner or occupant of any premises shall cause, allow, or permit the cry of an animal or bird which can easily be heard by a person not on the same premises and which disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of that person, except that this section does not apply to dog barking which the Animal Control By-law regulates.”

2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2005

Mayor

City Clerk

APPENDIX D

Certain Inhumane Rodeo Activities and Practices

Activity/Practice	Definition
Rodeo	A public competition or exhibition in which skills such as riding broncos or roping calves are displayed for the viewing public.
Calf Roping/tie-down roping	An event where a person ropes and restrains a calf, with the intention to tie, or attempt to tie, some or all of the calf's legs together.
Goat Tying	An event where a person ties or secures a goat by any means with the intention to tie, or attempt to tie, some or all of the goat's legs together.
Horse Tripping	An event where a person causes, or attempts to cause, a horse to trip and fall to the ground.
Steer busting	An event where a person ropes a steer's horn, and causes, or attempts to cause, the animal to turn over and fall to the ground, with the intention to tie, or attempt to tie, some or all of the animal's legs together.
Steer wrestling	An event where a person moves from a horse onto a steer, and twists the steer's neck, with the intention to cause, or attempt to cause, the steer to fall to the ground.
Use of electric prods or other shocking devices	"Electric prod" means a device that administers volts of electricity to an animal.
Use of bucking strap/flank straps, sticks, whips, wire tie-downs or spurs	<p>Bucking strap/flank strap" means any belt, rope, or other material fastened around an animal's flank area that causes or encourages the animal to buck.</p> <p>Spurs" means any spike or wheel with points attached to a person's shoes, boots or heels.</p> <p>"Wire tie-down" means any cable, cord, or other material tied from the halter or bridle placed around a horse's head and secured to the girth strap or saddle, and which causes the horse to point his/her nose down.</p>
Use of caustic ointments	"Caustic ointments" means substances that cause inflammation, irritation, pain or discomfort when applied.
Use of forcible handling techniques - tail twisting, raking, hitting, poking, kicking & roping	<p>"Tail twisting" means any act of twisting the tail of an animal.</p> <p>"Raking" means the act of moving spurs against and across an animal's body.</p>