

**This is a consolidated copy of the following bylaws:**

- 1. Village of Belcarra Dog Control Bylaw 279, 1998**
- 2. Village of Belcarra Dog Control Amendment Bylaw 300, 2000**

**This consolidation is prepared for convenience only. Individual copies of the above bylaws may be obtained by contacting the Village Office.**

## **VILLAGE OF BELCARRA**

### **BYLAW NO. 279, 1998**

**Being a Bylaw to provide for the control of dogs within the Boundaries of Belcarra**

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**WHEREAS** pursuant to Section 707 of the Municipal Act, R.S.B.C. 1996, the Council of the Village of Belcarra may provide for the impounding of dogs, the operation of a pound, regulate and fix fines and provide for the adoption or destruction of dogs impounded where fines have not been paid.

**NOW THEREFORE** the Council of the Village of Belcarra in open meeting assembled **ENACTS AS FOLLOWS:**

#### **PART 1 – TITLE**

1. This bylaw may be cited as “Belcarra Dog Control Bylaw No. 279-1998”.

#### **PART 2 – INTERPRETATION**

2. For the purpose of this bylaw, the following words and terms shall have the meaning hereby assigned to them, with appropriate changes in number or gender as required by the context:

“administrator” shall mean the Administrator of the Municipality, or a person appointed by Council.

“Council” shall mean the Council of the Village of Belcarra;

“dangerous dog” shall mean any dog which:  
a) has killed or injured a dog or domestic animal; or  
b) has a known propensity, tendency or disposition to attack, without provocation, other domestic animals, dogs or humans; or  
c) attacks or aggressively pursues a person, dog or domestic animal.

“dog” shall mean any dog apparently over the age of **four months** and including male and female species;

**PART 2 – INTERPRETATION, Contd.**

“dog shelter”	shall mean any erection, house, kennel, building or structure in which dogs are kept or harboured;
“enclosure”	shall mean a fence or structure up to a maximum of 1.8 metres (6 feet) in height, forming or causing an enclosure suitable to prevent the entry of young children and suitable to confine a dangerous dog. Such enclosure shall be securely enclosed and locked and designed with secure sides, top and bottom and shall be designed to prevent the animal from escaping from the enclosure.
“impounded”	shall mean seized, delivered, received or taken into the Pound or into the custody of the Poundkeeper pursuant to this bylaw;
“incurable disease”	shall mean any disease, sickness, injury or mutilation, which could inevitably result in death, including but not limited to, rabies;
“keeping”	shall mean owning, possessing, having the care, custody or control of, or harbouring;
“municipality”	shall mean the Village of Belcarra;
“nuisance dog”	shall mean a dog deemed to be a nuisance, upon receipt of a written complaint, stating the dog disturbs the quiet, peace, enjoyment or comfort of the surrounding neighbourhood, through acts of persistent barking and howling; or through acts of aggressive behaviour.
“officer”	shall mean any person appointed by Council as a bylaw enforcement officer or building inspector and includes any police officer;
“owner”	shall mean any person: (a) who owns, is in possession of or has the care, custody or control of a dog; and (b) who harbours or allows a dog to remain about their house, land or premises;
“pound”	shall mean the building or enclosure designated by the Council as a place for the impoundment of animals pursuant to this bylaw;
“poundkeeper”	shall mean the person appointed by Council as the poundkeeper for the Municipality under this bylaw and includes any assistant poundkeeper or any delegate of the poundkeeper;
“running at large”	shall mean in reference to a “dangerous dog” who is not secured on a leash to its owner or his agent.

### **PART 3 – NUMBER OF DOGS**

- 3.1` No one person, or more than one person, shall keep, harbour or have more than three dogs over the age of four months on any parcel of real property in any area of the municipality.

### **PART 4 – NUISANCE DOGS**

- 4.1 (a) For the purpose of this section a nuisance dog, upon receipt of a second nuisance complaint, shall be considered in breach of this bylaw.
- (b) No person shall own or keep a nuisance dog unless at all times the dog is confined indoors, or controlled in a manner as not to allow the dog to become a nuisance to the community.

### **PART 5 – DANGEROUS DOGS**

- 5.1 (a) No person shall own or keep a dangerous dog unless it is confined indoors, or confined in a securely enclosed and locked dog shelter constructed to prevent the escape of the dangerous dog and constructed so as to prevent the entry of unauthorised persons.
- (b) A dog shelter for a dangerous dog shall have secure sides and a secure top and if it has no bottom secured to the sides, the sides must be imbedded in the ground to a minimum depth of one foot.
- (a) No owner, possessor or harbourer of a dangerous dog shall permit, suffer or allow the dog to be on any streets or in any public place or any other place that is not owned or controlled by that person unless the dog is muzzled to prevent it from biting another animal or a human.
- (b) It shall not be lawful for any person to own any diseased or dangerous dog within the Municipality unless the same shall be sufficiently secured, so as to prevent it from endangering the safety of any person or other animal and a Judge of the Provincial Court may, upon application and upon being satisfied that a dog has killed or injured or is likely to kill or injure a person or a domestic animal, order that the dog be killed in a manner prescribed by the Order.
- (c) No person shall allow a dangerous dog to run at large within the confines of the municipality.

### **PART 6 – THE POUND**

- 6.1 The Pound is hereby established which shall be the Coquitlam Shelter of the B.C.S.P.C.A., Vancouver Regional Branch.

## **PART 7 – THE POUNDKEEPER**

7.1 The Poundkeeper for the Municipality shall be the Coquitlam Shelter of the B.C.S.P.C.A., Vancouver Regional Branch.

### Duties of the Poundkeeper

7.2 Upon receiving a specific complaint from the municipality about a nuisance dog that is in breach of bylaw, the Poundkeeper may be instructed to inform the dog owner that the dog has been deemed to be a nuisance and may be in breach of municipal bylaws.

7.3 Upon receiving a specific complaint from the municipality about a dangerous dog running at large, the Poundkeeper shall impound the dog.

7.4 Upon receiving a specific complaint from the municipality about a nuisance dog running at large, the Poundkeeper shall impound the dog.

7.5 Upon impounding a dog, the poundkeeper shall, within a reasonable period of time, inform the owner that the dog has been impounded.

7.6 Where the owner of an impounded dog is unknown to the poundkeeper, the poundkeeper shall:

- (a) cause a notice of impoundment to be posted on the notice board at the main entrance to the Municipal Hall and at the Pound; and
- (b) may cause a notice of impoundment to be published in the local newspaper.

7.7 The notice referred to in this bylaw shall include a description of the dog which has been impounded and shall specify the place where, and the time when the dog will be sold or destroyed if not previously reclaimed, which time shall be not less than seven clear days after the date on which the notice was published or posted.

7.8 Where the Poundkeeper posts the notice in accordance with this bylaw, he shall be deemed to have informed the owner of the impounded dog as required by this bylaw.

7.9 The Poundkeeper shall retain any impounded dog for a period of 4 days and if such dog is not reclaimed within the 4 days, the Poundkeeper may at his discretion:

- (a) allow its adoption by any person by means of a sale or auction; or
- (b) destroy the dog.

### Impoundment Fees

7.10 The owner of any impounded dog may reclaim the dog at any time prior to its sale or destruction by paying the following fees to the Pound;

- (a) an impounding fee of \$100.00 for the first offence, \$200.00 for the second offence and \$500.00 for the third or subsequent offence; and
- (b) maintenance costs of \$75.00 per day or portion of a day that the dog has been at the pound.

Destruction of Diseased Dogs

7.11 The Poundkeeper may at the end of the holding period as set out in this bylaw, destroy any dog suffering from an incurable disease.

Destruction of Dangerous Dogs

7.12 Where the Poundkeeper or officer finds a dog attacking or dangerously pursuing a person or a domestic animal, he may destroy the dog, if necessary to prevent injury.

Prohibitions

7.13 No person shall take or rescue or attempt to take or rescue any dog that is in the lawful custody of the Poundkeeper.

7.14 No person shall resist or interfere with the Poundkeeper in the performance of any duties under this bylaw.

**PART 8 – PENALTY**

8.1 Every person who contravenes or violates any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any provision of this bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and, upon summary conviction therefore, shall be liable to a fine of not more than the maximum fine provided by the Offence Act.

**READ A FIRST TIME THIS 1<sup>st</sup> DAY OF JUNE, 1998**

**READ A SECOND TIME THIS 1<sup>st</sup> DAY OF JUNE, 1998**

**READ A THIRD TIME THIS 22<sup>nd</sup> DAY OF FEBRUARY 1999**

**ADOPTED BY THE MUNICIPAL COUNCIL THIS 8<sup>th</sup> DAY OF MARCH, 1999**

**CERTIFIED CORRECT**

Ralph Drew

MAYOR  
R. E. Drew

Moira McGregor

ADMINISTRATOR  
Moira A. McGregor

I hereby certify this to be a true and correct copy of bylaw No. 279, 1998 at adoption.

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