

**TOWN OF PRINCETON  
BYLAW NO. 782, 2006**

A bylaw to regulate the keeping of dogs and other animals within the Town of Princeton

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The Council of the Town of Princeton, in open meeting assembled, enacts as follows:

**PART 1: TITLE**

1. This Bylaw may be cited for all purposes as “Animal Control Bylaw, No. 782, 2006”.

**PART 2: DEFINITIONS, INTERPRETATION AND APPLICATION**

2. In this Bylaw

“**animal**” means a domestic mammal, bird or reptile but does not include a human;

“**Animal Control Officer**” means a person appointed by Council as an animal control officer, and includes a peace officer and the Poundkeeper;

“**at large**” means

- (i) a dog, while not secured on a leash by a competent person, in or upon a highway or public place or in or upon the lands or premises of any person other than the owner of the dog without the express or implied consent of that person; or
- (ii) an animal other than a dog, in or upon a highway or public place or in or upon the lands or premises of any person other than the owner of the animal without the express or implied consent of that person;

“**Council**” means the municipal council of the Town;

“**licence year**” means that period from January 1 to December 31 in any year;

“**owner**” means any person

- (i) to whom a licence has been issued pursuant to this Bylaw,
- (ii) who owns, is in possession of, or has the care and control of any animal, or
- (iii) who harbours, shelters, permits or allows any animal to remain on or about land or premises that the owner owns or occupies;

**“peace officer”** includes the Town’s bylaw enforcement officers, members of the Royal Canadian Mounted Police and any other person employed for the preservation and maintenance of the public peace;

**“Poundkeeper”** means any person appointed by the Town as the Poundkeeper or any contractor who has entered into an agreement with the Town to assume the responsibilities of the Poundkeeper pursuant to this Bylaw, and includes the deputy, assistants and employees of the Poundkeeper;

**“public place”** includes any highway and any real property owned, held, operated or administered by the Town;

**“seize”** includes impound and detain;

**“unlicenced dog”** means any dog over the age of eight weeks that is not licenced by the Town or is not wearing a valid and subsisting licence tag;

**“Town”** means the Town of Princeton;

**“vicious dog”** means

- (i) a dog which, according to the records of the Town or the Poundkeeper, has killed or injured an animal or a human or which has, without provocation, aggressively chased or threatened a human,
  - (ii) a dog which, to the knowledge of its owner, has killed or injured an animal or a human or which has, without provocation, aggressively chased or threatened a human,
  - (iii) a dog specifically bred for fighting or training purposes, or
  - (iv) a dog with a known tendency, propensity or disposition to attack animals or humans without provocation.
3. Words or phrases defined in the *Community Charter* and the *Local Government Act*, and the regulations to those Acts have the same meaning in this Bylaw unless otherwise defined in this Bylaw.

### **PART THREE: DOG LICENCES**

4. No person shall own, keep, possess or harbour any dog over the age of eight weeks unless a valid and subsisting licence for the current licence year has first been obtained for that dog pursuant to this Bylaw.

5. The requirement under section 4 does not apply to a dog that is kept in the Town for a total of less than one month in a calendar year and which is not permitted, suffered or allowed to be at large in the Town.
6. If a dog is required to be licenced pursuant to this Bylaw, the owner of the dog shall apply to the Town for a licence on the form prescribed by the Town for a licence application and shall pay the licence fee set out in Schedule “A” to this Bylaw. Upon receipt of the application and payment of the prescribed fee, the Town shall issue a numbered dog licence and corresponding licence tag for that licence year.
7. Every licence and corresponding licence tag issued by the Town under this Bylaw expires on the 31<sup>st</sup> day of December in the calendar year in which it was issued, and thereafter ceases to be a valid and subsisting licence.
8. The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the dog by a collar, harness or other suitable device.
9. Every licence and corresponding licence tag issued pursuant to this Bylaw is valid only in respect of the dog for which it was issued, as described on the licence application, and is not transferable to another dog unless
  - (a) the owner of the dog for which the licence and corresponding licence tag have been issued sells or ceases to be the owner of that dog,
  - (b) the owner acquires a different dog within the same licence year, and
  - (c) the owner surrenders his or her original licence and corresponding licence tag to the Town and pays the transfer licence fee set out in Schedule “A” to this Bylaw.
10. The owner of a dog for which a valid and subsisting licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the Town that the original licence tag has been lost or stolen and upon payment of the replacement licence tag fee set out in Schedule “A” to this Bylaw.
11. Where this Bylaw provides for a reduced annual licence fee for a dog that is neutered or spayed, the owner’s licence application shall be accompanied by a certificate or letter signed by a qualified veterinarian indicating that the dog has been neutered or spayed.

**PART FOUR: VICIOUS DOGS**

12. An owner of a vicious dog must not:
- (a) permit, suffer or allow the dog to be in any public place or at large unless the dog is muzzled, on a chain or leash not exceeding two (2) meters in length, and under the immediate care and control of a competent person skilled in animal control; or
  - (b) keep the dog on premises owned or controlled by such person unless the dog is securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of any unauthorized person and adequately constructed to prevent the dog from escaping.

**PART FIVE: ANIMAL CONTROL REGULATIONS AND PROHIBITIONS**

13. An owner or occupier of premises shall not permit, suffer or allow more than two dogs over the age of eight weeks to be kept or harboured on such premises without first having applied for and obtained a business licence for a veterinarian, animal breeder, animal shelter or animal clinic as per Town of Princeton Trades and Business Bylaw No. 555, 1991.
14. No owner of a dog shall permit, suffer or allow the dog to:
- (a) bark or howl excessively where such barking or howling causes or tends to cause annoyance to persons in the neighbourhood or vicinity;
  - (b) be at large in the Town; or
  - (c) be in a public place unless the dog is kept on a leash, chain or tether not exceeding two (2) meters in length and the dog is under the immediate care and control of a competent person.
15. If an animal defecates on a highway or public place, the person having care, custody or control of the animal shall immediately remove the excrement and dispose of it in a sanitary manner.
16. No person other than the owner of an animal shall remove any form of identification on or affixed to the animal.
17. A person who finds and takes possession of an animal at large in the Town shall immediately notify the Poundkeeper and, upon request, shall release or deliver the animal to the Poundkeeper.

**PART SIX: PREVENTION OF CRUELTY TO ANIMALS**

18. No person shall keep any animal in the Town unless the animal is provided with:
- (a) clean, potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;
  - (b) sanitary food and water receptacles;
  - (c) the opportunity for periodic exercise sufficient to maintain the animal's good health;
  - (d) necessary veterinarian care when the animal exhibits signs of pain, suffering, or disease; and
  - (e) a clean and sanitary shelter of sufficient size to allow the animal to turn about freely and stand, sit and lie in a normal position.
19. An Animal Control Officer may seize any animal suffering from an incurable disease and may destroy the animal upon certification of the animal's condition by a licenced veterinarian.

**PART SEVEN: ESTABLISHMENT OF POUND AND POUNDKEEPER**

20. The land and premises located at 199 Harold Avenue, Princeton, BC are hereby established as the Town's pound.
21. The Animal Control Officer is hereby appointed as the Poundkeeper.
22. The Poundkeeper shall maintain records that include:
- (a) a description of every animal seized under this Bylaw, including a dog's licence number, if any, and the date and time each animal is received by the pound;
  - (b) the name of every person taking or sending any animal to be impounded;
  - (c) the date and time each impounded animal is redeemed, sold, destroyed, or otherwise disposed of by the Poundkeeper;
  - (d) the name of every person redeeming any animal and the amount paid by that person;
  - (e) the name of every person purchasing any impounded animal and the amount paid by that person; and

- (f) the amount of impoundment and maintenance fees, costs, and charges connected with each impounded animal.
23. No person shall take or release any animal from the pound without the consent of the Poundkeeper.

**PART SEVEN: SEIZURE AND IMPOUNDMENT**

24. An Animal Control Officer may seize:
- (a) any unlicensed dog;
  - (b) any vicious dog not muzzled or secured in accordance with section 12;
  - (c) any animal found to be at large; and
  - (d) any animal on unfenced land and not securely tethered or contained.
25. An Animal Control Officer shall immediately convey any animal seized and liable to impoundment under this Bylaw to the pound.
26. The Poundkeeper shall ensure that all animals seized pursuant to this Bylaw receive sufficient food, water, shelter, and if necessary, reasonable veterinarian care, and that animals are not mistreated while seized or impounded.
27. Where an animal is seized pursuant to this Bylaw, the Poundkeeper shall make reasonable effort to identify and notify the owner of the animal of the fact that the animal has been seized and that the animal will be sold, destroyed or otherwise disposed of by the Poundkeeper after the expiration of seventy-two (72) hours from the date the animal was seized unless the animal is redeemed before that time.
28. Where the owner of an animal that has been seized pursuant to this Bylaw is not known to, and cannot reasonably be identified by, the Poundkeeper, the Poundkeeper shall cause notice of the seizure to be posted on the public notice boards at the pound. Such notice shall set out the particulars of the seized animal, the date of seizure, and shall state that the animal will be sold, destroyed, or otherwise disposed of by the Poundkeeper after the expiration of seventy-two (72) hours from the date of the notice unless the animal is redeemed before that time.
29. An owner of an animal seized pursuant to this Bylaw, or any person authorized in writing on the owner's behalf, may redeem the animal at any time prior to its sale, destruction or disposal under this Bylaw upon:

- (a) delivery to the Poundkeeper of evidence satisfactory to the Poundkeeper of ownership of the animal;
  - (b) payment of the impoundment and maintenance fees, costs, and charges incurred in respect of the seizure and boarding of the animal, as set out in Schedule "B" to this Bylaw; and
  - (c) payment of the current licence fee if the animal is required to be licenced pursuant to this Bylaw and is not already licenced.
30. Where an animal that has been seized pursuant to this Bylaw has not been redeemed, the Poundkeeper may, after the expiration of the notice periods established in this Bylaw, offer the animal for sale or adoption.
31. Where the Poundkeeper is unable or considers it undesirable to effect the sale or adoption of an animal that has been seized pursuant to this Bylaw, or where a seized animal has been offered for sale or adoption but has not been sold or adopted, the Poundkeeper shall destroy or otherwise dispose of the animal.

#### **PART EIGHT: INSPECTIONS**

32. An Animal Control Officer may enter onto any property at any reasonable time for the purpose of ascertaining whether the regulations and requirements of this Bylaw are being observed.
33. No person shall hinder, delay or obstruct in any manner, directly or indirectly, an Animal Control Officer from carrying out the duties and powers of an Animal Control Officer under this Bylaw.

#### **PART NINE: OFFENCES AND ENFORCEMENT**

34. Every person who violates any provision of this Bylaw, or who permits, suffers or allows any act to be done in violation of any provision of this Bylaw, or who neglects to do anything required to be done by any provision of this Bylaw, commits an offence punishable upon summary conviction and is subject to a fine not less than \$250 and not more than \$10,000.00.
35. Each day that a violation exists or is permitted to exist is deemed to be a separate offence against this Bylaw.
36. This Bylaw may be enforced my means of a ticket in the form prescribed for the purpose of section 264 of the *Community Charter*.
37. Pursuant to section 264(1)(b) of the *Community Charter*, Animal Control Officers are designated to enforce this Bylaw.

- 38. Pursuant to section 264(1)(c) of the *Community Charter*, the words or expression in Column 2 of Schedule “C” to this Bylaw designate the offence committed under the Bylaw section number appearing in Column 1 opposite the respective words or expression.
- 39. Pursuant to section 265(1)(a) of the *Community Charter*, the fine amount in Column 3 of Schedule “C” to this Bylaw is the fine amount that corresponds to the section number and words or expression set out in Columns 1 and 2 opposite the fine amount.
- 40. Council hereby delegates the authority to refer any disputed tickets to the Provincial Court to the Town’s Chief Administrative Officer and to Animal Control Officers.

**PART NINE: SEVERABILITY AND REPEAL**

- 41. If a court of competent jurisdiction finds any part, section or subsection of this Bylaw to be invalid or unenforceable, the impugned part, section or subsection shall be severed from the remainder of the Bylaw and the remainder of the Bylaw shall remain valid and in force.
- 42. Town of Princeton Animal and Pest Control By-law No. 558, as amended, is hereby repealed.

READ A FIRST TIME this 20<sup>th</sup> day of November 2006

READ A SECOND TIME this 20<sup>th</sup> day of November 2006

READ A THIRD TIME this 20<sup>th</sup> day of November 2006

ADOPTED this 4<sup>th</sup> day of December, 2006

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER



**Schedule "A"  
Licence Fees**

<b><u>Classification</u></b>	<b><u>Licence Fee</u></b>
Spayed or Neutered Dog	\$10.00
Unspayed or Unneutered Dog	\$30.00
Vicious Dog	\$300.00
Duplicate or Transfer Licence	\$5.00

**Schedule “B”  
Impoundment and Boarding Fees**

Dog (not vicious)—first impoundment	\$75.00 plus the appropriate licence fee if the dog is unlicensed
Dog (not vicious)—second and each successive impoundment	\$125.00 plus the appropriate licence fee if the dog is unlicensed
Vicious Dog—first impoundment	\$250.00 plus the appropriate licence fee if the dog is unlicensed
Vicious Dog—second and each successive impoundment	\$375.00 plus the appropriate licence fee if the dog is unlicensed
Cat—first impoundment	\$15.00
Cat—second and each successive impoundment	\$25.00
Bird	\$15.00
Hoofed animal	\$175.00
Any other animal	\$75.00

**Boarding Fees**

In addition to the above impoundment fees, the owner redeeming an animal from impoundment shall pay for each 24 hour period (or portion thereof) that the animal is impounded, a boarding and maintenance fee as follows:

Dog (not vicious)	\$10/day
Vicious dog	\$15/day
Cat	\$10/day
Bird	\$10/day
Hoofed animal	\$25/day
Any other animal	\$15/day

**Schedule "C"**  
**Fine Schedule**

<b>Description of Offence</b>	<b>Section #</b>	<b>Amount of Fine</b>
Unlicensed dog	4	\$75.00
Fail to affix licence tag	8	\$50.00
Unmuzzled vicious dog	12(a)	\$500.00
Unconfined vicious dog	12(b)	\$500.00
More than two dogs	13	\$150.00
Excessive barking	14(a)	\$100.00
Dog at large	14(b)	\$100.00
Dog off leash	14(c)	\$100.00
Leaving excrement	15	\$100.00
Remove identification	16	\$50.00
Fail to surrender animal at large	17	\$100.00
Fail to provide water or food	18(a)	\$500.00
Fail to provide clean receptacles	18(b)	\$150.00
Fail to provide exercise	18(c)	\$500.00
Fail to provide medical care	18(d)	\$500.00
Fail to provide shelter	18(e)	\$500.00
Unlawful removal of animal	23	\$500.00
Obstruction	33	\$300.00