



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 1020

A Bylaw to establish and regulate a Pound and to regulate the keeping of certain animals in the City

WHEREAS under the provisions of Sections 870 and 981 of the "Municipal Act; R.S.B.C., 1960, and Amendments thereto, the Council is given broad powers to regulate or prohibit the keeping of certain animals within the Municipality.

AND WHEREAS it is considered both desirable and expedient to establish a Pound and to regulate the operations of the said Pound, and to regulate the keeping of certain animals within the Municipality;

NOW THEREFORE the Municipal Council of the Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

- I.*** For the purposes 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:
- (a) "City" shall mean the municipal area comprised within the boundaries of the City of Port Coquitlam or The Corporation of the City of Port Coquitlam as the context may require;
 - (b) "Dog" shall mean any dog apparently over the age of four months and including male or female of the species;
 - (c) "Male Dog" shall mean any dog of the male sex and any female dog certified as "spayed" by any qualified veterinary surgeon;
 - (d) "Poundkeeper" shall mean the person or body corporate appointed from time to time under this Bylaw for the purpose of enforcing and carrying out the provisions of this Bylaw, and shall include any assistant poundkeeper appointed as such;
 - (e) "Owner" shall mean and include any person who owns or has in his possession, a dog, or any person harboring or allowing a dog to remain about his house, and/or premises;
 - (f) "Cattle" shall be deemed to include any horse, stallion, mule, bull, steer, goat, ram, sheep, boar, swine or cattle of any kind, or any geese, ducks, fowls or domestic poultry, and rabbits;

- (g) "Run at large" shall mean in reference to an animal, that it is not upon the premises of its owner and is not under the immediate care and supervision of its owner or its agent, and in the case of dogs, shall mean that the dog is not secured on a leash to its owner or its agent whilst off the property of its owner;
- (h) "Dangerous Dog" means a dog which:
 - (i) has a known propensity, tendency, or disposition to attack persons or other animals;
 - (ii) has aggressively pursued, attacked, or bitten a person or another animal; or
 - (iii) has been trained for or is owned, possessed, or harbored primarily or in part for the purpose of dog fighting;
- (i) "Enclosure" means a fence or structure at least 1.8 metres in height suitable to confine a dangerous dog and prevent the entry of young children.

ESTABLISHMENT OF A POUND

- 2. (a) A Pound is hereby established on premises situate in the Municipality of Coquitlam, in the Province of British Columbia, and more particularly known and described as: Lots One and Two of Legal

Subdivision Five (5), Section Thirteen (13) of Township Thirty-Nine (39), Plan 24751, New Westminster District, and the Council hereby appoints the British Columbia Society for the Prevention of Cruelty to Animals as Poundkeeper thereof.

- (b) A two rate structure is hereby established for the use of the incinerator, under the control of the Poundkeeper, used for pathological waste disposal, in that commercial users who have their businesses located in the City shall pay Ten (10) Cents per pound and non-resident commercial users (those whose businesses are not located in the City), shall pay Fifteen (15) Cents per pound for waste disposed.

CONTROL OF DOGS

- 3. Every person owning or having the custody, care or control of any dog shall keep such dog from running at large.
- 4. (a) Every person owning or having the custody, care or control of any dog shall keep such a dog from trespassing upon private property whether running at large or upon a leash.

- (b) Every person owning or having the custody, care, or control of any dog shall not allow or suffer such dog to leave or deposit manure, dung, feces, or excrement on any public place or private property other than the property of the owner unless the owner shall immediately take steps to remove such manure, dung, feces, or excrement and dispose of the same in a sanitary manner."
- 5. Any person having custody of any bitch in heat shall confine the animal during the whole period of heat in such a manner that its presence is not a nuisance to persons residing in the adjacent area.
- 6. (a) It shall not be lawful for any person to own any diseased or dangerous dog within the City unless the same shall be kept sufficiently secured, so as to prevent it from endangering the safety of any person or other animal, and it shall be lawful for the Justice of the Peace or Magistrate before whom any person shall be convicted for a breach of this section, to order that any such dangerous or diseased dog shall be destroyed, and the costs of destroying and disposing of such a dog, may be collected as if the amount were a fine imposed upon summary conviction, from the owner thereof, in addition to any fine or cost which may lawfully be imposed upon such a person.
- (b) No person who owns or keeps a dangerous dog shall permit or allow the dog to be on any highway or in any public place or any other place that is not owned or controlled by that person, unless the dog is on a leash and muzzled to prevent it from biting another animal or a human.
- (c) Every person who owns or keeps 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 and under the control of a competent person not less than 16 years of age, or outdoors in an enclosure that is kept locked at all times except when the dog is being placed in or taken from the enclosure."

LICENCING OF DOGS

- 7. No person shall keep or have in his possession, within the City any dog over six months of age, unless a licence therefore, pursuant to the provisions of this Bylaw, has been obtained.
- 8. The owner of every dog shall annually, for each calendar year on or before the first day of March, in each year, or so soon thereafter as such a dog shall attain the age of six months, cause the same to be registered, numbered, described, and licenced for that year in the office of the Pound or the City Treasurer and shall cause the dog to wear around its neck, a leather or metal collar to which shall be attached a metal tag, which shall be impressed or stamped with the number corresponding to the number of licence and the figures indicating the year for which such licence was paid.

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- 9. Every licence shall be distinguished by a number and a record shall be kept of all licences issued and for the purpose of identification, a general description of the dog, in respect of which such licence was issued.

10. Every applicant for licence shall be accompanied by a licence fee payable as follows:

- (1)
 - (a) For each neutered male dog or spayed female dog a fee
for calendar year 2005 of \$24.00
for calendar year 2006 of \$28.00
for calendar year 2007 and thereafter of \$32.00.
 - (b) For each unneutered male dog or unspayed female dog a fee
for calendar year 2005 of \$60.00
for calendar year 2006 of \$70.00
for calendar year 2007 and thereafter of \$80.00.
 - (c) For each kennel, which a person shall be considered to have if he
possesses four or more dogs, in lieu of the individual fees in parts (a) and
(b) above, a fee of \$100.00
- (2)
 - (a) Every person applying for a licence for a neutered male dog or spayed
female dog shall, in order to obtain the said licence, present a certificate in
writing from a licenced and qualified veterinarian certifying that the said
dog is neutered or spayed.
 - (b) Upon presenting a certificate in writing from a licenced and qualified
veterinarian certifying that the dog is too old or physically unable to
reproduce offspring or undergo the necessary surgery in order to neuter or
spay the said dog, an applicant for a licence shall be entitled to obtain a
licence for the said dog upon payment of the required fee for a spayed or
neutered dog notwithstanding that the said dog is not spayed or neutered
as the case may be.
 - (c) Every person who has obtained a licence for an unneutered male dog or
unspayed female dog and paid therefore the fee specified therein shall,
before the expiration of the licence period and within six months of the
purchase of the licence, upon presenting a certificate in writing from a
licenced and qualified veterinarian certifying that the dog for which the
said licence was issued has been neutered or spayed, be entitled to a
refund of one-half the difference between the fee charged for a spayed or
neutered dog and the fee charged for a dog which is not spayed or
neutered.
- (3) For licences applied for after March 1st, of each year, a \$15.00 penalty fee will
be assessed in addition to the fees prescribed in Section 10(1), provided that such
a penalty will not apply where:
 - (a) the dog for which the licence is sought achieved the age of six (6) months
within 30 days of the application date;

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- (b) satisfactory evidence is provided to confirm that the Owner only
established residency in the City within 30 days of the application date; or

satisfactory evidence is provided to confirm that the dog for which the licence is sought was acquired by the Owner within 30 days of the application date.

- 11.* No person shall keep or own, or have in his possession, or harbor in the City, any dog, unless it has been taxed or licenced as aforesaid, and a tag has been obtained therefore as provided.
- 12.* Every person received a tag as provided shall cause the same to be securely attached to the dog, in respect of which it has been issued, by means of a collar fastened about the neck of such a dog.
- 13.* Any person who, without authority, removes such metal tags from any dog, shall be guilty of a breach of this bylaw.
- 14.* Any person who has obtained a tag as provided in the bylaw, and has lost the same, may so often as such tag is lost, apply to the Treasurer or the Poundkeeper, for another in place of the one so lost, and upon production of proof of such loss to the satisfaction of the Treasurer or Poundkeeper he may issue to such person applying therefore a duplicate or other tag upon payment by such person of a fee of Five Dollars.
- 15.* Every licence issued pursuant to this bylaw shall expire on the thirty-first day of December, next following the date on which such licence takes effect.
- 16.* There shall be issued with each licence, a metal tag which shall be impressed or stamped as set forth in this bylaw.
- 17.* Where the owner of a dog in respect of which a licence is issued under this bylaw, sells or otherwise ceases to be the owner of the dog, the licence shall in respect of that dog become cancelled.

SEIZURE OF DOGS

- 18.* The Poundkeeper or any police constable may seize any dog found running at large in the City, elsewhere than on the premises of the owner, and such person shall forthwith, after making such seizure, deliver such dog to the Poundkeeper to receive such dogs and retain the same for a period of forth-eight hours unless it be sooner reclaimed as hereinafter provided.
- 19.* The Poundkeeper, may, where he has reason to believe that a dog for which the licence or tax for the current year has not been paid, or a dog which does not have attached to him a metal tag for the current year, as hereinbefore provided, has taken refuge on any premises, request the occupant of such premises to satisfy him such tax or licence has been paid, and to exhibit such tag attached to such dog, or to deliver forthwith, the dog

to him, and where any dog is found to be on such premises, as aforesaid, any occupant who fails or refuses to exhibit such tag, or fails, neglects, or refuses to deliver such dog

on request, or who resists or interferes with such Poundkeeper, in seizing such dog, shall be deemed to be guilty of an infraction of this bylaw.

20. When complaint is made to the Poundkeeper that a dog is diseased, he shall investigate the same, and if he is satisfied that such complaint is well founded, shall request the owner to such dog to destroy the same or to keep it in confinement on his own premises; and in case of non-compliance of the owner with such request, the Poundkeeper may seize the dog and impound the same and within forty-eight hours of such impounding shall apply to the Judge of the Provincial Court for a warrant to destroy such dog.
21. The Poundkeeper shall give or send to the owner of such dog, a written notice of his intention to apply for the said warrant at least twenty-four hours prior to the said application being made, and an opportunity shall be given to the said owner to show cause why such warrant should not be granted and the Judge of the Provincial Court may instead of granting such warrant, take from the said owner, an undertaking to keep the said dog in confinement and may order the said owner to pay the Poundkeeper the expenses of seizing and maintaining the said dog.
22. In the event the Poundkeeper, being unable to give any notice herein referred to, at the address, if any, appearing on the register hereinbefore mentioned, relating to such dog, or in the event of the address of the owner of such dog not being traceable on the said register, such notice may be given by inserting it in one issue of a daily newspaper circulating in that area, and such notice shall appear at least twenty-four (24) hours before the application is heard, and it shall have the same force and effect as if given to the said owner personally.
23. It shall be lawful for the Poundkeeper or any police constable or any other person duly authorized by the Poundkeeper to destroy at once, a diseased dog found at large.
24. During the period of its detention in the pound, every impounded dog shall be supplied with sufficient quantity of food and water, and, if such dog is not reclaimed within forty-eight hours of it being impounded, it shall be the duty of the Poundkeeper to destroy such dog or to sell the same to any person, by auction or private sale.
25. (a) The owner of any unlicensed dog impounded under this bylaw may reclaim his dog upon application to the Poundkeeper and upon proof of ownership and upon payment of the licence fee for the current year and the expenses he incurred in impounding and maintaining such dog, as follows:
 - (i) Pound fee of \$75.00 for first impoundment;
 - (ii) Pound fee of \$75.00 for second impoundment;

- (iii) Pound fee of \$100.00 for third impoundment; and
- (iv) Pound fee of \$200.00 for each subsequent impoundment.

- (b) The owner of any licenced dog impounded under this bylaw may reclaim his dog upon application to the Poundkeeper and upon proof of ownership and the expenses incurred in impounding and maintaining such dog, as follows:
 - (i) Pound fee of \$75.00 for first impoundment;
 - (ii) Pound fee of \$75.00 for second impoundment;
 - (iii) Pound fee of \$100.00 for third impoundment; and
 - (iv) Pound fee of \$200.00 for each subsequent impoundment.
- (c) The owner of any dangerous dog impounded under this Bylaw may reclaim his dog upon application to the Poundkeeper and upon proof of ownership and upon payment of the licence fee for the current year, if the licence fee has not been paid, and the expenses incurred in impounding and maintaining such dog, as follows:
 - (i) Pound fee of \$250.00 for first impoundment;
 - (ii) Pound fee of \$500.00 for second impoundment;
 - (iii) Pound fee of \$1,000.00 for each subsequent impoundment.
- (d) A custodial fee of \$10.00 per day or part thereof in which a dog is detained in the pound.
- (e) The owner of any unlicenced dog, or any dog running at large will be subjected to a fine of \$50.00.

26. It shall be the duty of the Poundkeeper to keep a record in which he shall enter, with reference to each dog impounded, the date and hour of impounding, the description of the dog, the name of the person from whom seized, and the manner in which such dog is disposed of and such record shall be open to inspection by the municipalities employing the Poundkeeper or their appointed agents.

CATTLE

27. No person shall allow any cattle to run at large within the City.

28. It shall be lawful for the Poundkeeper or any other person to impound any cattle running at large within the Municipality and it shall be the duty of the Poundkeeper to detain the same, until the owner or owners thereof shall have paid the following sums together with any expenses incurred in the seizing and impounding of the cattle:

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For impounding stallions, horses, donkeys, bulls, cows, heifers, goats, rams, sheep, swine, and mules, \$35.00 each.

For geese, ducks, fowl, domestic poultry, and rabbits, \$10.00 each.

29. Whatever cattle are impounded under this bylaw it shall be the duty of the Poundkeeper, with whom they are impounded, daily to furnish the same with food, water, and shelter during the whole time the same continue to be impounded and for so doing he shall be entitled to demand and receive from the owner, the following allowance over and above the impounding fees above specified:

For stallions, horses, donkeys, bulls, cows, heifers, goats, rams, sheep, swine, and mules, \$20.00 per day or part day.

For geese, ducks, fowl, domestic poultry, and rabbits, \$2.50 per day or part day.

30. In the case of milk cows, being impounded, the Poundkeeper shall at least twice in each day, milk each cow and for so doing the Poundkeeper shall be entitled to keep the milk so obtained for his own use.

31. In all cases where the Poundkeeper has impounded any cattle pursuant to the provisions of this bylaw, he shall maintain such animal at the pound for a period of ninety-six hours and the owners thereof upon proof of ownership may redeem the same by paying the charges of the Poundkeeper as set out under this bylaw together with additional expenses incurred by the Poundkeeper in the apprehension or care of such animal, and the penalty imposed if any, and should each animal not be claimed at the end of the ninety-six hour period, it shall be lawful for the Poundkeeper to cause such animal to be sold or destroyed and after deducting his own charges if any and the costs of any such sale, he shall pay the surplus if any to the owner if ascertained, and if the owner be not ascertained to pay the same to the Treasurer of the City.

32.(a) Any Poundkeeper who impounds or confines any of the animals hereinbefore mentioned under this bylaw, and neglects or refuses to find, provide and supply the same with good and sufficient food water, and shelter, as hereinbefore provided, shall be subject to the penalties imposed by this bylaw, and to immediate dismissal.

OTHER ANIMALS

(b) No person shall keep:

- (a) any venomous snakes; nor
- (b) more than four other snakes; nor
- (c) a total of more than four rats, mice or other rodents

on any parcel of land in the City, other than on premises licenced as a pet shop or on school premises.

(c) Repealed.

ENFORCEMENT

33. Every person who violates any of the provisions of this Bylaw or who permits any act or thing to be done in contravention or in 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, or who does any act which violates any of the provisions of this Bylaw shall be guilty of an offense punishable on summary conviction and shall be liable to a fine of not more than \$2,000.00 or to imprisonment for not more than six months, or to both, the penalties being enforced and the fines and costs being recoverable upon summary conviction in the manner provided by the offense Act R.S.B.C. 1979, c. 305 as amended.

34.(1) For a contravention of any of the provisions of this bylaw, an information maybe laid and a Summons issued by means of a ticket in accordance with the procedure set out in Section 11A(2) to (9), inclusive, of the "Summary Conviction Act" and the provisions of that Section shall apply thereto.

(2) The ticket shall be composed of the following:

- (a) Information
- (b) Summons
- (c) Report of Conviction

each of which shall be in the form set out in Schedules "A", "B", and "C" respectively, which said Schedules are hereto annexed and made part of this bylaw.

35. The following bylaws are hereby repealed:

- (a) Bylaw No. 589 cited as the "City of Port Coquitlam Pound Bylaw, 1958";
- (b) Bylaw No. 703 cited as the "City of Port Coquitlam Pound Bylaw, 1958 Amendment Bylaw, 1962";
- (c) Bylaw No. 873 cited as the City of Port Coquitlam Pound Bylaw, 1958 Amendment Bylaw No. 873, 1967";
- (d) Bylaw No. 842 cited as the "City of Port Coquitlam Dog Tax and Control Bylaw No. 842, 1967";
- (e) Bylaw No. 855 cited as the "City of Port Coquitlam Dog Tax and Control Bylaw, No. 842, 1967 Amendment Bylaw No. 855, 1967";
- (f) Bylaw No. 951 cited as the "City of Port Coquitlam Dog Tax and Control Bylaw No. 842, 1967 Amendment Bylaw, 1969, No. 951".

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36. This Bylaw may be cited for all purposes as the "City of Port Coquitlam Pound and Animal Regulation Bylaw, 1970, No. 1020".

Read a first time by the Municipal Council this 16th day of November, 1970.

Read a second time by the Municipal Council this 16th day of November, 1970.

Read a third time by the Municipal Council this 16th day of November, 1970.

Reconsidered, finally passed and adopted by the Municipal Council of The Corporation of the City of Port Coquitlam this 23rd day of November 1970.

"J.M. CAMPBELL"

Mayor

"R.A. FREEMAN"

City Clerk

N.B. Schedules "A", "B", and "C", being the ticket referred to in Section 34 is available from the Clerk's Office on request.

Record of Amendments

<u>BYLAW NO.</u>	<u>AMENDED SECTION</u>	<u>BYLAW NO.</u>	<u>AMENDED SECTION</u>
1175	25, 34, & Sch. A	1695	1, 7, 8, 10, 25
1232	1, 7, 25	1705	10(3)
1250	25, 29	1871	33
1267	1, 34, Sch. A	2059	10, 25
1309	25, Sch. A	2105	4A
1355	10, 34, Sch. A	2392	32A, 33
1402	3	2445	1
1450	10, 25, 28, 29	2466	32B (enact)
1503	10	2536	32B (repeal)
1694	2A	2676	1(h), 6A, 6B, 20, 23, 25
		3082	7, 8, 10(1)(a)(b)©,10(2), 10(3)(a)(b)(c), 14, 25(a)(b) (c)(d), 28, & 29
		3248	10, (2)(a)(b)(c), 25 (e)
		3293	10 (1a)(1b)(3)
		3459	10 (1a)(1b)(3), 25(a)(i),25(b)(i), 25(d) (Sept. 2005)