



VILLAGE OF
VALEMOUNT

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Village of Valemount

Animal Bylaw

No. 700, 2013

VILLAGE OF VALEMOUNT
ANIMAL BYLAW NO. 700, 2013

A Bylaw to provide for the regulation, control and licensing of dogs and other animals
within the Village of Valemount

WHEREAS it is deemed necessary that a new Animal Bylaw be established for the Village of Valemount;

NOW THEREFORE the Council of the Village of Valemount, in open meeting assembled, enacts as follows:

1. Title

- 1.1 This bylaw may be cited for all purposes as the "Village of Valemount Animal Bylaw No. 700, 2013."

2. Repeal

- 2.1 Bylaw No. 667, 2011, Animal Regulation, Control and Licensing, and all amendments thereto, are hereby repealed.

3. Definitions

- 3.1 Refer to Schedule A of this bylaw.

4. License Tag Requirements and Administration

- 4.1 No person shall own or keep any dog aged three months or more within the municipality unless such dog is licensed as provided by this bylaw.
- 4.2 Every person applying for a license for a neutered or spayed dog shall present written certification from a licensed veterinarian or a sworn statement that the dog has been neutered or spayed.
- 4.3 The owner of a dog shall obtain an annual license for such dog by paying the fee in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.

- 4.4 The owner shall ensure that any dog taken off of the owner's property shall cause the animal to wear around the neck a collar to which shall be attached the current license tag issued for that dog by the Village.
- 4.5 The license fee for any dog that is moved with its owner into the Village or that is newly acquired by its owner may be pro-rated for the first year of licensing.
- 4.6 Dogs that are trained and are required as a guide for assistance to a disabled person shall be licensed, but the license fee shall be waived for such dogs.
- 4.7 When a license or a license tag is lost or destroyed, the person whom the original license was issued may be issued a replacement tag for the fee set out in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.
- 4.8 The Village shall keep a complete registry of all licensed dogs, indicating the dates of registration, the name and description of each dog and the name and address of each owner.
- 4.9 Fees paid for a dog license are not refundable.
- 4.10 Where the owner of a dog in respect of which a license has been issued under this Bylaw ceases to be the owner, the license shall be cancelled.

5. Registration of Cats

- 5.1 The Village may keep a complete registry of all cats, indicating the dates of registration, the name and description of each cat, and the name and address of each owner.
- 5.2 If the Village keeps a registry pursuant to Section 5.1, no person shall own or keep any cat aged three months or more within the Village unless such cat is registered as provided by this bylaw.
- 5.3 If the Village keeps a registry pursuant to Section 5.1, the owner of any registered cat shall, within thirty days of owner's change of address, notify the Village of such change of address.

6. Animal Control – Responsibility of Owners

- 6.1 An owner shall ensure his or her animal does not “run at large” within the municipality.
- 6.2 Notwithstanding Section 6.1 of this Bylaw, a dog is not required to be on a leash while in a designated off-leash area.
- 6.3 If an animal defecates on any public property or private property of its owner, the owner shall remove such defecate immediately.
- 6.4 An owner shall ensure his or her animal does not vocalize excessively or in any manner which might reasonably disturb any person.
- 6.5 An owner having custody of a female animal in heat shall confine the animal during the ovulation period.
- 6.6 No owner of an animal shall permit his or her animal to, without provocation:
 - a. Chase, bite or attack any person or domesticated animal, or
 - b. Cause damage to any property.
- 6.7 An owner of any dog that is lawfully not on a leash pursuant to Section 6.2 of this Bylaw shall:
 - a. Keep the dog under control by verbal command at all times, and
 - b. Ensure that the dog does not cause injury to any person or other animal or damage any property.
- 6.8 No person shall own more than four (4) animals within the Village of Valemount.
- 6.9 No owner shall keep his or her animal in an unsanitary environment.
- 6.10 For the purposes of Section 6.9 of this bylaw, an environment is considered unsanitary when it contains objects that may cause injury to any person or animal or where it contains an accumulation of fecal matter,

odour, insect infestation, rodent attractants, or other conditions which endanger the health of any person or animal, or which disturbs or are likely to disturb the enjoyment, comfort or convenience of any person or animal.

- 6.11 No person shall operate or carry on a pony ride, petting zoo or circus exhibition or show unless a letter signed by a member of the British Columbia Veterinary Medical Association certifying that the animals are in good health is received by the Village Office at least one month prior to the day of the proposed performance.
- 6.12 No person shall permit any bovine species to be housed, pastured or maintained on any land within the Village unless an exception is provided in the Village of Valemount Zoning Bylaw, which may change from time to time.
- 6.13 An animal that is fed or sheltered for 72 hours or more shall be deemed to be harboured and the person feeding the dog or animal will be considered the owner.
- 6.14 No owner or occupier of a dwelling unit shall harbor or keep or allow to be kept in the dwelling unit more than four (4) animals over the age of 4 months unless they are temporarily caring for another animal for a period not to exceed 30 days.
- 6.15 A kennel shall not be permitted within the Village unless an exception is provided in the Village of Valemount Zoning Bylaw, which may change from time to time, and is on Village Property for the sole purpose of temporarily retaining the animals so as to properly enforce this Bylaw.

7. Animal Care – Responsibility of Owners

- 7.1 The owner shall ensure his or her animal is provided with:
 - a. Clean potable drinking water and food of sufficient quality to allow for healthy growth and the maintenance of healthy body weight;
 - b. Food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;

- c. The opportunity for regular exercise sufficient to maintain good health, including daily opportunities to be free of a confined area and exercised regularly under appropriate control; and
 - d. Necessary veterinary care when such animal exhibits signs of pain, injury, illness or suffering.
- 7.2 An owner shall not keep an animal which normally resides outdoors, or which is kept indoors for extended periods of time, unless such animal is provided with an outdoor shelter:
 - a. Which has a total area that is at least twice the length of the animal in all directions and that also allows the animal to turn around freely and adopt normal resting postures;
 - b. Which ensures protection from heat, cold and dampness that is appropriate to the weight and type of protective outer coat of such animal;
 - c. Which provides sufficient shade to protect the animal from the direct rays of the sun at all times; and
 - d. Which is regularly cleaned and sanitized, and removal of excreta daily.
- 7.3 No person may cause an animal to be hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.
- 7.4 No person may cause an animal to be hitched, tied or fastened to a fixed object for longer than 6 hours within a 24 hour period.
- 7.5 No person may cause an animal to be confined in an enclosed space or vehicle, including a car, without adequate ventilation. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.
- 7.6 No person may transport an animal in a vehicle outside the passenger compartment or in an uncovered passenger compartment unless it is adequately confined or unless it is secured in a body harness or other

manner or fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.

8. Seizure and Impoundment

- 8.1 When seizure or impoundment of an animal is necessary, the Bylaw Enforcement Officer shall:
 - a. Impound an animal;
 - b. Make all reasonable efforts to determine the identity of the owner of an animal and to inform such person that the animal has been impounded, whether the animal is living or dead; and
 - c. Shall provide the owner (if known) with a notice of impounding the animal, the notification form of which shall be provided by the Village and may be updated from time to time. If the owner is not known, the notification form and/or information may be posted on the Village website and on relevant municipal bulletin boards.
- 8.2 Any animal impounded shall be provided with the basic animal care provisions described in this bylaw and with requirements set out in *A Code of Practice for Canadian Kennel Operations* (Canadian Veterinary Medical Association, 2007).
- 8.3 The animal shall remain impounded for a minimum of 72 hours (not including the date of impoundment, Sundays or Statutory Holidays), unless the animal is claimed by its rightful owner. If not claimed within that time the animal shall become the property of the municipality and may:
 - a. Be adopted for such price that as has been established, unless the animal is a dangerous dog; or
 - b. After reasonable attempts have been made to place the animal, may be euthanized by a certified veterinary by lethal injection of a barbiturate approved by the British Columbia Veterinary Medical Association.
- 8.4 During the impoundment period, the Bylaw Enforcement Officer may euthanize, by lethal injection of a barbiturate approved by the British

Columbia Veterinary Medical Association, any animal deemed to be seriously ill or injured for humane reasons and in prior consultation with a veterinarian, if all reasonable efforts to contact the owner of the animal have failed.

8.5 During the impoundment period, the Bylaw Enforcement Officer shall:

- a. Provide such veterinary care for an injured or ill impounded animal as may be necessary to sustain its life; and
- b. Be entitled to recover from the owner, the cost of veterinary care provided while the animal was impounded, in addition to any other fees due to the municipality for redemption of the animal.

8.6 In order to obtain the release of an impounded animal during the impoundment period as stipulated in Section 8.3, the owner shall:

- a. Provide proof of ownership of the animal;
- b. License or Register the animal with the municipality; and
- c. Pay to the municipality:
 - i. Any applicable fines as per the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw, which may change from time to time.
 - ii. Per diem animal care and housing fees as identified in the Village of Valemount Fees and Charges Bylaw, which may change from time to time; and
 - iii. Any costs incurred due to veterinary services rendered during the impoundment period.

8.7 Where the owner of an animal has been determined and all reasonable efforts to contact such owner have been made, but the owner does not claim the animal, he or she shall be responsible for payment to the municipality the fees described the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw, the Village of

Valemount Fees and Charges Bylaw, and any costs incurred due to veterinary services rendered during the impoundment period.

9. Dangerous Dog Licensing

(Also refer to Section 47 Special Powers in Relation to Dangerous Dogs for Municipalities by the *Community Charter*)

- 9.1 No person shall own or keep any dangerous dogs unless such dog is licensed as a dangerous dog with the municipality by an owner who is over the age of eighteen (18), and who has paid the applicable fee indicated in the Village of Valemount Fees and Charges Bylaw, which may change from time to time.
- 9.2 In order to obtain such license, an owner of a dangerous dog shall supply the following documentation to the municipality:
 - a. Written confirmation from a licensed veterinarian that such dog has been neutered;
 - b. Written confirmation from an approved animal trainer that the services of such trainer have been retained for the purpose of providing behavioral remediation to such dog;
 - c. Written confirmation that the owner has obtained a policy of liability insurance specifically covering any damages for injuries caused by such dog in an amount not less than five hundred thousand dollars (\$500,000), and covering the twelve month period for when the licensing is sought. This policy shall contain a provision requiring the community to be notified by the insurance company of any cancellation, termination or expiration of the policy.
- 9.3 When such dog is off property of the owner, the owner shall ensure that it is properly fitted with a muzzle and on a leash not longer than one meter and that it is under control of a responsible person over the age of eighteen (18).
- 9.4 When such dog is on the property of the owner, the owner shall ensure it is either securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent it from escaping and to prevent the entry of any person not intended to access such dog. Such pen or

structure shall comply with Section 7.2 of this bylaw, and shall not be within one meter of the property line or within three meters of a neighbouring dwelling until.

- 9.5 The owner of such a dog shall display a sign declaring in legible writing and with recognizable symbol that the dog is dangerous at each entrance to the property and building in which such dog is kept. This sign must comply with the Village of Valemount Sign Bylaw, which may change from time to time.
- 9.6 The owner of such dog shall promptly notify the Village if the dog is found to be "running at large."
- 9.7 If the owner of a dangerous dog is unwilling or unable to comply with the requirements of this section, said dog shall be seized and impounded for a fourteen day holding period, after which the dog may be euthanized by a Certified Veterinary, by lethal injection of a barbiturate approved by the British Columbia Veterinary Medical Association.
- 9.8 The owner of a dangerous dog must complete an application for release of a dangerous dog, the application form of which shall be provided by the Village and may be updated from time to time.

10. Prohibited Animals

10.1 Except as provided in 10.2 of this bylaw, no person shall:

- a. Breed,
- b. Posses,
- c. Exhibit for entertainment or educational purposes, or
- d. Display in public
- e. Either on a temporary basis or permanent basis, any prohibited animal listed in Schedule B of this Bylaw.

10.2 Section 10.1 does not apply to:

- a. The premises of a (local government) facility used for keeping impounded animals;
- b. The premises of any police department;
- c. The premises of a veterinarian licensed by the British Columbia Veterinary Medical Association, providing the veterinarian is providing temporary care for a prohibited animal;
- d. Premises that keep prohibited animals for which a valid permit is in place pursuant to the Wildlife Act;
- e. Premises that keep animals for educational and research purposes, which are accredited by the Canadian Council for Animal Care.
- f. When a local society or organization receives permission, in writing, from the Village to hold a special event in the community.
- g. When an owner of a horse, mule, donkey or ass temporarily enters Village boundaries from time to time in the course of riding on or behind their horse, mule, donkey or ass for personal enjoyment. Said owner shall clean up after their horse, mule, donkey or ass and shall ensure that their horse, mule, donkey or ass does not obstruct pedestrian/vehicular traffic.

11. Prohibitions

- 11.1 A person shall not remove, or attempt to remove, from the pound an impounded animal except as allowed under this bylaw.
- 11.2 No person may interfere with, resist, or otherwise obstruct the Bylaw Enforcement Officer, or other person authorized under this bylaw, in the performance of his or her duties.

12. Offense and Penalty

- 12.1 No person shall do any act or permit any act or thing to be done in contravention of this bylaw.

12.2 Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this by-law, or who fails to do any act or thing required by this by-law, shall be deemed to have committed an offence against this by-law and:

- a. Shall be liable to any conditions set out in the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw; or
- b. Shall be liable, upon summary conviction, to the penalties provided under the Offence Act; or
- c. Any combination of the above.

12.3 Each day that an offence against this bylaw continues may be deemed a separate and distinct offence.

12.4 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

13. Severability

13.1 If any portion of this bylaw is declared ultra vires by the Court of Competent Jurisdiction, that portion shall be deemed to be severed from the bylaw to the extent that the remainder of the bylaw shall continue in full force and effect.

Read a First Time this	13th day of August, 2013
Read a Second Time this	13th day of August, 2013
Read a Third Time this	24th day of September, 2013
Reconsidered and Adopted this	8th day of October, 2013



Mayor, Andru McCracken



Corporate Officer, Anne Yanciw

Certified to be a true copy of the Bylaw 700, 2013 as adopted by Council Resolution _____, dated ____ day of ____, 2013.

VILLAGE OF VALEMOUNT
ANIMAL BYLAW NO. 700, 2013

Schedule A: Definitions

In this Bylaw, unless the context otherwise requires:

"Animal" means any member of the Kingdom Animalia excluding humans.

"Bylaw Enforcement Officer" means a person designated as a Bylaw Enforcement Officer, as per the Village of Valemount Bylaw Notice Enforcement and Dispute Adjudication System Bylaw, which may change from time to time

"Bovine Species" means for the purpose of this bylaw a horse, donkey, swine, mule, llama, emu, ostrich, ass, sheep, goat, cow or other animal of the bovine species.

"Cat" means a male or female domesticated cat.

"Council" means the Mayor and Council for the Village of Valemount.

"Dangerous Dog" means any dog to which any of the following applies:

- a. That has killed a human being or domesticated animal while on or off the owner's property;
- b. That has bitten or injured a human being or domesticated animal without provocation while on or off the owner's or caretaker's property;
- c. That is attack trained;
- d. That is kept for the purpose of security or protection, whether residential, commercial or industrial, of persons or property; or
- e. That has shown the disposition or tendency to be threatening or aggressive.

"Dog" means a male or female domesticated dog.

"Highway" means any highway, street, road or public alleyway.

"Inspector" means a person designated by the municipality to be responsible for enforcing this bylaw, except where otherwise provided.

"License" means a license issued for the current year meaning January 1st to December 31st in any year.

"Licensing Officer" means a person appointed by the municipality for the purpose of processing and issuing licenses under this bylaw.

"Muzzle" means a device which covers or secures the mouth of an animal and is designed to prevent it from biting.

"Neutered" means the sterilization of a female animal by removing the ovaries or of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

"Owner" means any person, partnership, association or corporation that owns, possesses or has control, care or custody over an animal.

"Person" includes any corporation, partnership, or party and the heirs, executors, administrators and other legal representatives of such person to whom the context can apply according to law.

"Police Officer" means a member of the Royal Canadian Mounted Police.

"Pound" means a facility designated by the municipality, which is used for temporary housing and care of animals that have been impounded pursuant to the bylaw.

"Prohibited Animal" means an animal of any species listed in Schedule "B" of this bylaw, including animals that are hybrid of these species.

"Running at Large" means an animal that is not on the property of the owner and not on a leash and/or under the control of a person responsible.

"Unlicensed Dog" means any dog for which the license fee for the current year has not been paid to the Village and to which a current tag, issued by the Village is not attached.

"Village" means the Corporation of the Village of Valemount.

"Wildlife" means wildlife as defined by the BC Wildlife Act and/or other animals indigenous to Canada whose ownership in captivity violates Provincial or Federal statutes.

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Schedule B: List of Prohibited Animals

1. All non human primates
2. All felidae, except the domestic cat
3. All canidae, except the domestic dog
4. All ursidae, bears
5. All proboscidea, elephants
6. All marsupials
7. All edentates, anteaters
8. All xenartha, such as sloths, armadillos and tamanduas
9. All monotremata, spiny anteater and platypus
10. All venomous or poisonous reptiles and amphibians
11. All ungulates, bison, domestic breeds of cows, goat, pig, horse, mule, donkey, ass, llama, and alpaca, except where indicated in the bylaw it is permissible.
12. All hyenidae, hyenas
13. All hyracoidean, hyraxes
14. All erinaceidae and tenrecs
15. All mustelidae, skunks, weasels, otters, wild ferrets, except the domestic ferret
16. All procyonidae, raccoons, coatimundis
17. All viverridae, civets and genets
18. All herpestidae, mongoose
19. All rodentia, except the hamster, gerbil, guinea pig, domestic mouse, and domestic rat
20. All chiroptera, bats, colugos, flying lemurs, and scandentia, treeshrews
21. All birds, domestic quail, pheasant, hen, pigeon, duck, goose turkey and rooster, except the budgie, cockatiel, lovebird, finch, and canary and other birds where in the Village of Valemount bylaw it is permissible.