

## TOWN OF GOLDEN

### BYLAW NUMBER 1157

Being a bylaw of the Town of Golden to regulate the keeping, care and licensing of animals in the Town of Golden

**WHEREAS** the Council of the Town of Golden deems it desirable to regulate the keeping, care and licensing of animals;

**NOW THEREFORE** the Council of the Town of Golden, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This bylaw may be cited for all purposes as: "Animal Control Bylaw Number 1157, 2005."

#### **DEFINITIONS**

2. In this bylaw:

**ANIMAL** means any farm animal, dog, cat, rodent, fur-bearing animal or wild animal.

**ANIMAL CONTROL OFFICER** means an animal control officer under the *Community Charter*.

**BUILDING** means any structure used or intended for supporting or sheltering any use or occupancy.

**CAT** means a member of the species *felis*.

**DANGEROUS DOG** means a dangerous dog as defined in the *Community Charter*.

**DOG** means a member of the species, *canine*.

**GUIDE DOG** means a dog as defined in the *Guide Animal Act*, R.S.B.C. 1996, c.177 and a puppy being trained to become a guide dog.

**KENNEL** means premises where a dog or dogs are kept for the purposes of breeding and sale, and which is currently registered with the Canadian Kennel Club.

**LEASH** means a device of leather, metal, nylon, rope or similar material, no more than 2 metres in length that may be affixed to the dog's collar or harness, and of sufficient strength and design to remain securely affixed to the dog's collar or harness to restrain the dog.

**LICENSE** means a metal tag issued by the Town of Golden to function as a dog license.

**MUZZLED** means fitted with a device placed over the mouth of a dog that is of sufficient strength and design to prevent the dog from biting any person or other animal, while allowing the dog to adequately breathe through its mouth.

**OWNER** means a person:

- (a) to whom a license for a dog has been issued a license under this bylaw;
- (b) who owns, is in possession of, or has the care or control of an animal;
- (c) who harbours, shelters, permits or allows an animal to remain on or about that person's land or premises;
- (d) who is the custodial parent or legal guardian of a child under the age of 18 years who owns, is in possession of, or has the care or control of an animal.

**POLICE CANINE DOG** includes a dog that is being used to assist one or more peace officers in the performance of their official duties, a dog trained under the Canadian Avalanche Rescue Dog Association (CARDAs) and a dog trained to be used in search and rescue situations.

**POUND** means a facility identified by the Town of Golden as the location where impounded animals are held.

**RUN AT LARGE** means a dog or dogs

- a) not on the owner's property;
- b) not in direct and continuous charge of the person who is competent to control it;
- c) not securely confined within its enclosure; or
- d) not securely fastened so that it is unable to roam.

**SENIOR** means anyone 65 years of age or older.

## **GENERAL PROVISIONS**

3. No person shall keep or harbour any animal except in accordance with this bylaw.
4. The Town of Golden Bylaw Enforcement Officer and Building Inspector are designated the animal control officers.
5. The animal control officer is authorized to enter at all reasonable times on any property in the Town of Golden to ascertain whether the provisions of this bylaw are being complied with.
6. Any person may seize a dog that is on his property and detain the dog so that the Animal Control Officer may impound it at the request of that person.
7. No person may hinder, delay or otherwise interfere with the animal control officer engaged in the execution of his duties under this bylaw, including but not limited to releasing or attempting to release an animal impounded under this bylaw or otherwise in the care of the animal control officer, harbouring an animal to avoid capture or impoundment by the animal control officer, or refusing to identify himself or herself on request of the animal control officer.

## **BASIC STANDARDS OF CARE**

8. It is an offence for any person to keep a dog or cat that is not provided with:
  - a) clean potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
  - b) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
  - c) the opportunity for periodic exercise sufficient to maintain good health;
  - d) necessary veterinary medical care when the animal exhibits signs of pain or suffering.
9. It is an offence for any person to keep a dog or cat which normally resides outside, or which is kept outside for short to extended periods of time,

unless the animal is provided with outside shelter:

- a) to ensure protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelters must provide sufficient space to allow any animal the ability to turn about freely and to easily stand, sit and lie in a normal position;
- b) in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times;
- c) any pen and run area must be regularly cleaned and sanitized and all excreta removed at least once a day.

10. No person may:

- a) cause a dog or cat to be hitched, tied or fastened by any rope, chain or cord that is directly tied around the animal's neck or to a choke collar;
- b) willfully release, tease, torment or wound a dog or cat.

11. No person may cause a dog or cat to be confined in an enclosed space, including a car, without adequate ventilation.

## **CONTROL OF DOGS**

12. No owner may allow a dog to run at large.

13. No person may keep more than three dogs over the age of four months on any parcel of land, except:

- a) a person who operates a kennel for the purpose of breeding dogs and operates under a name currently registered with the Canadian Kennel Club;
- b) a person who operates a veterinary business on a parcel zoned for that use.

14. Every owner must:

- (a) keep the dog confined so that it cannot escape while it is on the owner's premises;
- (b) keep the dog fitted with a collar or harness to which is affixed the dog's current dog tag;

- (c) keep a dog on a leash when in the areas designated as mandatory leash areas, which are as follows:
    - i) the lands bounded by 10<sup>th</sup> Avenue N. (Highway 95,) the Kicking Horse River, and 7<sup>th</sup> Street N.;
    - ii) on the Highway 95 bridge crossing the Kicking Horse River;
    - iii) Cenotaph Park;
    - iv) on both sides of 10<sup>th</sup> Avenue S., to the CP Rail overpass;
    - v) on the Rotary Trail system from the pedestrian bridge to the campground.
  - (d) keep the dog within eyesight, under immediate charge and effective control when in an area not designated as a mandatory leash area;
  - (e) not leave a dog tied up or fastened to a traffic sign, post, parking meter or other object unattended in the area bounded by 10<sup>th</sup> Avenue N. (Highway 95,) the Kicking Horse River and 7<sup>th</sup> Street south, at Cenotaph park, or on both sides of 10<sup>th</sup> Avenue S. (Highway 95) to the CP rail overpass;
  - (f) keep all dogs carried in the rear of an open vehicle on a leash or harnessed so that the dog is securely kept in the vehicle and unable to reach beyond the sides of a vehicle.
15. Every owner must ensure that:
- (a) the dog does not aggressively pursue or harass a person;
  - (b) the dog does not kill or injure another animal or person.
16. Every owner of a dog that is in estrus (heat) must:
- (a) keep the dog securely confined indoors, or within a building or enclosure that will prevent the escape of the dog or the entry of another dog when the dog is on private property;
  - (b) keep the dog on a leash and in the control of a competent person when the dog is in a public place.
17. No owner may permit a dog to cry, howl or bark for more than 3 minutes in a 15 minute period in such a way that the noise is audible outside the parcel where the dog or dogs are kept.

18. No owner may allow the dog to leave or deposit excrement in any place or property other than the parcel where the dog resides unless the owner takes immediate steps to remove such excrement and dispose of it in a sanitary manner, except that the provisions of this section do not apply to a guide dog.

## **DANGEROUS DOGS**

19. Every owner of a dangerous dog must:
  - (a) keep the dog securely confined either indoors or in an enclosure capable of preventing entry of young children and adequately constructed to prevent the dog from escaping while the dog is on the owner's property;
  - (b) keep the dog effectively muzzled and secured on a leash while the dog is not on the owner's property;
  - (c) notify the Town within 1 week of any change in address, which involves relocation of the dangerous dog.
20. Every owner of a dangerous dog must:
  - (a) post warning signs that give clear notice of the dog's presence to anyone visiting the property, the notice sign to be visible from the parcel line or 50 feet, whichever is closer, such sign to have minimum dimensions of 30.5 cm (12 inches) X 30.5 cm (12 inches); and
  - (b) if the property on which the dangerous dog is located is not a single family residence, on all exterior doors of the place of residence of the dog.
21. The owner of a dangerous dog must complete an application for release of a dangerous dog, the form of which is attached as Schedule B to this bylaw.

## **LICENSING OF DOGS**

22. Every owner must purchase a license issued by the Town of Golden for every dog over the age of 4 months on or before the first business day in January in the current calendar year, except that any person operating a kennel must purchase a kennel license only.
23. Every dog license must be affixed to the collar or harness of the dog at all times while the dog is not on the property where the dog resides.

24. The fees for licenses are payable in accordance with the amount specified in Schedule A.
25. An owner of a dog deemed dangerous must provide that information to the Town upon presenting himself or herself at the Town of Golden office for the purpose of purchasing a license.
26. An owner who moves into the Town of Golden must, within 14 days of arrival, purchase a license for the dog from the Town of Golden.
27. An owner who acquires a dog with a license from the Town of Golden must transfer the license within 14 days of such acquisition.
28. Licenses are non-refundable.

## **IMPOUNDMENT**

29. Where any dog is found with or without a Town of Golden dog license for the current calendar year attached to its collar or harness, or running at large, or on any highway or public place identified as a mandatory leash area as required in this bylaw, the animal control officer may seize the dog and place it in the pound.
30. The animal control officer will attempt to identify, locate and contact the owner of a dog impounded as soon as is practical after the impoundment.
31. Upon impoundment of a dog, the animal control officer will, on a form provided by the Town of Golden, record the date, time and location of the impoundment, dog tag license number, if any, description of the dog, owner's name, address and phone, and any other information that the animal control officer deems necessary to assist in identifying the dog or describing its behaviour, including its propensity toward aggressive behaviour.
32. The owner of any dog that is not a dangerous dog that has been impounded may have the dog released into his custody upon payment of all fees associated with the licensing, if the dog is not licensed, impoundment and other fees as may be applicable as specified in Schedule A to this bylaw and in the "Town of Golden Municipal Ticket Information Utilization Amendment Bylaw Number 1162, 2005."
33. If the animal control officer is unable to locate the owner of a dog, or if the owner is unwilling or unable to pay the required impoundment fee, the dog may be kept in the pound for a maximum of 3 days, after which time the animal control officer may find a suitable home for the dog or euthanize the dog.

**CATS**

34. No person shall keep or harbour more than three cats over the age of four months on any parcel of land within the Town of Golden.

**POLICE CANINE DOG EXEMPTION**

35. The provisions of this bylaw do not apply to guide dogs under the *Guide Animal Act* and police canine dogs.

**FEES**

36. Fees for infractions of this bylaw and impoundment are contained in Schedule B.

**PENALTY**

37. Every person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of 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 commits an offence and is liable upon conviction to a penalty of not more than \$5,000 together with the cost of prosecution.
38. Each day that a violation of the provisions of this bylaw exists or is permitted to exist constitutes a separate offence.

**SEVERABILITY**

39. If any portion of this bylaw is found invalid by a decision of a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

**REPEAL**

41. The "Dog Control Bylaw Number 712, 1987" is repealed.
42. The "Dog Control (Amendment) Bylaw Number 926, 1994" is repealed.



READ A FIRST TIME THIS THE 17<sup>th</sup> DAY OF May, 2005.

READ A SECOND TIME THIS THE 17<sup>th</sup> DAY OF May, 2005.

READ A FIRST TIME, as amended, THIS THE 21<sup>st</sup> DAY OF June, 2005.

READ A SECOND TIME, as amended, THIS THE 21<sup>st</sup> DAY OF June, 2005.

READ A THIRD TIME THIS THE 21<sup>st</sup> DAY OF June, 2005.

All three readings passed by a unanimous decision of members of Town Council present and eligible to vote.

ADOPTED THIS THE 12<sup>th</sup> DAY OF July, 2005, BY A UNANIMOUS DECISION OF ALL MEMBERS OF TOWN COUNCIL PRESENT AND ELIGIBLE TO VOTE.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CORPORATE OFFICER

**SCHEDULE A  
LICENSE FEES**

License fees for each year are:

	Regular fee January 1 – January 31	Regular fee February 1 – June 30	Regular fee July 1 – December 31	Senior's fee January 1 – January 31	Senior's fee February 1 – June 30	Senior's fee July 1 – December 31
Neutered male or spayed female dog	\$13.00	\$15.00	\$10.00	\$6.50	\$7.50	\$5.00
Intact male or female dog	\$28.00	\$30.00	\$15.00	\$14.00	\$15.00	\$7.50
Replacement license / tag	\$5.00	\$5.00	\$5.00	\$2.50	\$2.50	\$2.50
Transfer of license	No charge	No charge	No charge	No charge	No charge	No charge
Guide dog	No charge	No charge	No charge	No charge	No charge	No charge
Police canine dog	No charge	No charge	No charge	No charge	No charge	No charge
Dangerous dog	\$100	\$100	\$100	\$100	\$100	\$100
Kennel	\$50	\$50	\$50	\$50	\$50	\$50

Other fees:

Boarding fees are \$15 per day or part thereof while impounded.

An impoundment fee of \$300 applies to a dangerous dog upon impoundment.

**SCHEDULE B**

**APPLICATION FOR RELEASE OF A DANGEROUS DOG**

**Town of Golden**  
810 9<sup>th</sup> Avenue S.  
PO Box 350  
Golden, BC V0A 1H0

**APPLICATION FOR RELEASE OF A DANGEROUS DOG**

a. I, \_\_\_\_\_, of \_\_\_\_\_  
(name of owner) (address of owner)

in the Town of Golden, BC, hereby apply for the release of:

Breed: \_\_\_\_\_ Dog's name: \_\_\_\_\_

Colour: \_\_\_\_\_ Sex: \_\_\_\_\_

Age: \_\_\_\_\_ Dog License Number: \_\_\_\_\_

b. I am the owner of the dog.

c. I am aware and have been informed that the dog is a dangerous dog within the meaning of the *Community Charter*. I am aware of the responsibility and potential liability that rests with me in keeping or harbouring the dog. The dog will be kept at:

\_\_\_\_\_  
(the "property")

d. In consideration of the release of the dog to me, I hereby acknowledge, covenant and agree with the Town of Golden that:

- a. I will keep the dog effectively secured, while not on the property;
- b. I will keep the dog muzzled while not on the property;
- c. I will keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing entry of young children and adequately constructed to prevent the dog from escaping, while the dog is on the property;
- d. I will notify the Town within 1 week of any change of address that involves the relocation of the dangerous dog and amend the property information in this agreement accordingly;
- e. I will post warning signs on the property as required in the Town's bylaws in effect from time to time;
- f. I will save harmless and indemnify the Town of Golden, its Bylaw Enforcement Officer, and any of its officers, employees, agents and elected or appointed officials from and against all actions, causes of action, proceedings, claims, demands, losses, damages, costs and expenses whatsoever and by whomsoever brought in any way arising from or caused by the release of the dog to me or the keeping or the harbouring of the dog by me, and without limiting the generality of the foregoing, for any personal injury or death inflicted on any other animal or any person by the dog or any damage to property caused by the dog.

e. I submit the sum of \$ \_\_\_\_\_ in payment of all license and impounding fees payable by me to the Town of Golden under the Town's bylaws.

\_\_\_\_\_  
(Name of witness)

\_\_\_\_\_  
(Signature of owner)

\_\_\_\_\_  
(Signature of witness)

\_\_\_\_\_  
(Date)