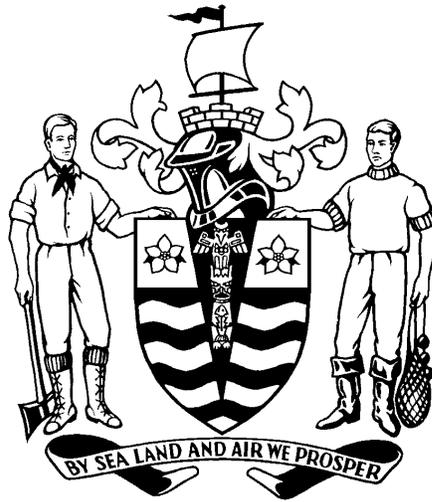


CITY OF VANCOUVER BRITISH COLUMBIA



ANIMAL CONTROL BY-LAW NO. 9150

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to October 19, 2010)

ANIMAL CONTROL BY-LAW

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BY-LAW NO. 9150

A By-law to establish a pound and to license and regulate dogs and other animals

[Consolidated for convenience only,
amended to include By-law No. 10154,
effective October 19, 2010]

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

SECTION 1 INTERPRETATION

Name of By-law

1.1 The name of this By-law, for citation, is the “Animal Control By-law”.

Definitions

1.2 In this By-law:

“aggressive dog” means:

- (a) a dog with a known propensity, tendency, or disposition to attack without provocation other domestic animals or human beings, or
- (b) a dog which has bitten another domestic animal or human being without provocation;

“Chief License Inspector” means the person appointed by Council as Chief License Inspector;

“dog” means an animal of the canine species regardless of age or sex;

“hen” means a domesticated female chicken that is at least four months old;

“impound” means to take into custody, confine, and hold;

“keep” means to own, possess, or harbour a dog, cat, or other animal;

“other animal” means any animal, including any mammal, bird, reptile or amphibian, except a dog or domestic cat;

“police officer” means a peace officer or constable as provided under the *Police Act* employed by the Vancouver Police Board;

“pound” means buildings, yards, enclosures, and other facilities for holding and disposing of such animals as the Poundkeeper, a police officer, or a person authorized

by the Park Board may seize under this By-law or under a by-law enacted by the Park Board;

“Poundkeeper” means the Manager of Animal Control or such other person appointed under this By-law to enforce and carry out its provisions, and includes any assistant to the Poundkeeper appointed under this By-law; and

“run at large”, with reference to a dog, means:

- (a) being elsewhere than on the property of the person who keeps the dog, or of a person who has care, custody or control of the dog, and not being under the immediate charge and control of a responsible person, or
- (b) being on a bathing beach or in the water adjacent to a bathing beach whether under the immediate charge and control of a responsible person or not.

Table of contents

1.3 The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

Schedules

1.4 The schedules attached to this By-law form part of this By-law.

Severability

1.5 A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

SECTION 2 ADMINISTRATION

Establishing the pound

2.1 The city has established and maintained, and will continue to maintain, a pound.

Assisting with by-law enforcement

2.2 The Chief License Inspector may appoint a person to enforce and carry out the provisions of this By-law, and such assistants as the Chief License Inspector may determine.

SECTION 3 DOG LICENCES

No keeping of dog without licence

3.1 A person must not keep a dog that is older than three months unless such person has acquired an annual licence for the dog, and has paid the annual licence fee.

Applying for licence

3.2 A person who keeps a dog must apply to the Chief License Inspector for an annual licence when the person acquires the dog and, after that, on or before the date set out in Schedule A opposite the district in which the person resides.

Paying for licence

3.3 A person who applies for an annual licence to keep a dog must:

- (a) when applying, pay to the city the annual fee specified in Part 1 of Schedule B to this By-law, except that:
 - (i) for the first year such fee is due the Poundkeeper may pro rate the fee for a person who must pay for a licence more than once in a calendar year,
 - (ii) if the applicant satisfies the Poundkeeper that the applicant has just acquired the dog, the Poundkeeper may pro rate the fee for the first 12 month period, and
 - (iii) if the applicant does not pay the annual fee within 30 days after the due date, the applicant must pay an additional \$10.00; and
- (b) if paying the reduced fee for an altered dog, produce a certificate from a veterinarian to verify such alteration.

Waiving licence fee

3.4 If the Chief License Inspector is satisfied that a dog has been specially trained to guide or assist a person who is disabled, and if such a person applies for a licence to keep the dog, no fee is payable under section 3.3.

Wearing dog tag

3.5 A person who keeps a dog must ensure that the dog at all times wears a collar to which is attached a tag furnished by the Chief License Inspector.

No removing of dog tag

3.6 Except with the authority of the person who keeps the dog, a person must not remove the tag required by section 3.5 from a dog's collar or from elsewhere on the dog's body.

SECTION 4 CONTROL OF DOGS

No running at large

4.1 A person who keeps a dog must not permit, suffer, or allow the dog to run at large.

Leashing dogs

4.2 A person who keeps a dog must not permit, suffer, or allow the dog to be on a street or other public place unless the dog is under the immediate charge and control of a competent person by means of a leash that is not more than 2.5 m long or another by-law allows the dog to be off-leash under certain circumstances.

Muzzling aggressive dogs

4.3 In addition to complying with section 4.2, a person who keeps an aggressive dog must not permit, suffer, or allow the dog to be on a street or other public place or on any other property that such person does not own or control unless such person has muzzled the dog to prevent it from biting another animal or a person, except when the dog is participating in an event sanctioned by the Canadian Kennel Club.

No running at bathing beach

4.4 Despite sections 4.2 and 4.3, a person who keeps a dog must not permit, suffer, or allow the dog to be on a bathing beach or in the water adjacent to a bathing beach unless the Parks Control By-law otherwise allows.

Securing aggressive dogs on private property

4.5 A person who keeps an aggressive dog must, at all times while the dog is on property owned or controlled by such person, securely confine the dog, either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping or from biting a domestic animal or human being.

Limiting number of dogs

4.6 Except for a person licensed under the License By-law as a kennel keeper, a person must not keep more than three dogs at any one time or at any one place or property in the city.

Confining dogs in heat

4.7 A person who keeps a female dog must confine and house the dog during the period it is in heat.

Confining dogs with communicable diseases

4.8 A person who keeps a dog, and who knows or suspects that the dog has a communicable disease, must:

- (a) isolate the dog, during the period such person knows or suspects that the dog has a communicable disease, in a manner that will prevent further spread of the disease and in a manner prescribed at law;
- (b) seek the assistance of a veterinarian; and

- (c) follow the orders of such veterinarian, the Poundkeeper, and any government officials who have authority to issue such orders.

Removing excrement

4.9 A person who keeps a dog, or a person who has care, custody or control of a dog, except for a service dog in the company of a handler who is physically disabled or a guide dog in the company of a handler who is blind, must immediately remove any excrement deposited by the dog, and deposit it in a suitable refuse container.

Removing excrement from owner's property

4.10 Section 4.9 does not apply to excrement deposited by a dog on property owned by or in the exclusive possession of a person who keeps, or who has care, custody or control, of the dog.

Securing dogs in vehicles

4.11 A person who keeps a dog, or a person who has care, custody or control of a dog, must not keep the dog in a vehicle unless such person secures the dog in a manner that prevents the dog from falling or being thrown out of the vehicle.

Barking or howling

4.12 A person who owns or occupies premises must not permit, suffer, or allow the sound of a barking or howling dog that a person not on the same premises can easily hear and that disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of such person.

Upsetting or breaking into refuse container

4.13 A person who keeps a dog, or a person who has care, custody or control of a dog, must not permit, suffer, or allow the dog to upset or break into a refuse container on a street or other public place.

SECTION 5 KEEPING OF DOGS

Giving basic care to dogs

5.1 A person who keeps a dog, or a person who has care, custody or control of a dog, must give the dog food, water, shelter, and exercise sufficient to maintain the dog in good health.

Tethering dogs

5.2 A person who keeps a dog, or a person who has care, custody or control of a dog, must not tie or fasten a dog to a fixed object by using a choke collar or choke chain or by tying a rope, chain, or cord directly around the dog's neck.

Enclosing dogs

5.3 A person who keeps a dog, or a person who has care, custody or control of a dog, must not confine the dog in an enclosure unless the air ventilation, temperature, and size of the enclosure are sufficient to maintain the dog in good health.

SECTION 6 IMPOUNDMENT OF DOGS

Seizing dogs under this By-law

6.1 The Poundkeeper or a police officer may seize a dog:

- (a) in respect of whom the person who keeps a dog does not have a licence;
- (b) in respect of whom payment of the licence fee referred to in section 3.3 is in arrears;
- (c) who is not wearing the dog tag referred to in section 3.5;
- (d) who is on a street or other public place unlawfully including running at large; or
- (e) who has bitten or who is alleged to have bitten a human being.

Seizing dogs under Parks Control By-law

6.2 A police officer or a person authorized by the Park Board who seizes a dog under a by-law enacted by the Park Board may deliver the dog to the Poundkeeper or to the pound.

Delivering dogs without tags

6.3 If:

- (a) the Poundkeeper believes that a dog is not wearing the collar and tag required under section 3.5;
- (b) the Poundkeeper requests the person who keeps the dog, the person who has care, custody and control of the dog, or a person who occupies the property where the dog is situated to produce evidence satisfactory to the Poundkeeper that the dog has a licence and that the licence fee referred to in section 3.3 is not in arrears; and
- (c) the person referred to in clause (b) fails to produce such evidence;

the Poundkeeper may request delivery of the dog to the Poundkeeper or to the pound, and, immediately upon receipt of that request, the person referred to in clause (b) must deliver the dog to the Poundkeeper or the pound.

Impounding dogs

6.4 Promptly upon receiving a dog under section 6.1, 6.2, or 6.3, the Poundkeeper must impound the dog at the pound, except that, if the Poundkeeper believes the dog is in need of medical care, the Poundkeeper may take the dog to, or leave the dog with, a veterinarian.

Detaining impounded dogs

6.5 The Poundkeeper may detain for:

- (a) 72 hours, a dog impounded under section 6.4; and
- (b) 21 days, a dog who has bitten or who is alleged to have bitten a human being;

after the date and time of impoundment.

Destroying dogs for humane reasons

6.6 Despite section 6.5, if the Poundkeeper believes that an impounded dog is suffering from injury, disease, sickness, or other cause which it is unlikely to survive or from which it is unlikely to recover, and that destroying the dog would be humane, the Poundkeeper may destroy the dog immediately.

Caring for dogs

6.7 The Poundkeeper, as he or she considers necessary and humane, may maintain and care for impounded dogs including the provision of food, water, and shelter, and may arrange for veterinary care and medication.

Disposing of dogs

6.8 After expiry of the 72 hours referred to in section 6.5, the Poundkeeper may destroy, or sell by auction or private sale, an impounded dog.

Reclaiming dogs

6.9 At any time before destruction or sale of a dog under section 6.8, the person who keeps the dog may apply to the Poundkeeper to reclaim the dog, and, when applying, must:

- (a) give the Poundkeeper proof of ownership by such person of the dog;
- (b) pay all outstanding charges and fees under this By-law that apply to such dog; and
- (c) pay all outstanding fines or penalties imposed on such person for breach of this By-law.

SECTION 7 REGULATION OF ANIMALS

Controlling other animals

7.1 A person who keeps an other animal, or a person who has care, custody or control of an other animal, must not permit, suffer, or allow the other animal to be elsewhere than on his or her property unless it is under the immediate charge and control of a competent person.

Prohibition against keeping certain domestic animals

7.2 A person must not keep in any area, temporarily or permanently, any horses, donkeys, cattle, swine, sheep, goats, ducks, geese, turkeys, pheasants, quail, or other poultry or fowl, except that this prohibition does not apply to:

- (a) keeping hens, subject to sections 7.15 and 7.16;
- (b) areas in which the Zoning and Development By-law allows the keeping of such animals;
- (c) licensed pet shops or kennels;
- (d) slaughter houses; or
- (e) the exceptions set out in section 7.4.

Prohibition against keeping certain exotic or wild animals

7.3 A person must not keep in any area, temporarily or permanently, any animal listed in Schedule C to this By-law, except as permitted by section 7.4.

Exceptions to prohibitions

7.4 The prohibitions set out in sections 7.2 and 7.3 do not apply to:

- (a) the Vancouver Animal Control Shelter;
- (b) premises operated by The British Columbia Society for the Prevention of Cruelty to Animals;
- (c) a veterinary hospital under the control of a veterinarian registered as a member of the British Columbia Veterinary Medical Association;
- (d) premises operated by an institution of education for research, study, or teaching purposes;
- (e) premises operated by the Vancouver Police Department; or

- (f) an aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums.

Prohibition against keeping excessive numbers of certain animals

7.5 A person must not keep in any area, temporarily or permanently, at any one time, more than:

- (a) six, in aggregate, hamsters, guinea pigs, tame mice, chinchillas, cats, rabbits, and other small animals and reptiles including snakes, not referred to in Schedule C;
- (b) 12, in aggregate, registered homing pigeons, canaries, budgerigars, parrots, parakeets, and exotic birds of all species, except that a person who has obtained permission from Council to keep an aviary may have a greater number of such birds in or about the premises designated in the permit;
- (c) four hens, in aggregate, on any one parcel despite the number of dwelling units permissible on that parcel.

Housing for animals

7.6 In addition to the other requirements of this By-law, the owner of any animal, bird, or reptile must provide for its housing in a suitable manner, and must maintain such housing in a clean and wholesome state appropriate for the particular animal, bird, or reptile.

Seizing other animals under this By-law

7.7 The Poundkeeper or a police officer may seize an other animal who is elsewhere than on property referred to in section 7.1, and who is not under the immediate charge and control of a competent person.

Seizing other animals under Parks Control By-law

7.8 A police officer or a person authorized by the Park Board who seizes an other animal under a by-law enacted by the park board may deliver the other animal to the Poundkeeper or to the pound.

Impounding other animals

7.9 Promptly upon receiving an other animal under section 7.7 or 7.8, the Poundkeeper may impound the other animal at the pound.

Detaining impounded other animals

7.10 The Poundkeeper may detain an other animal impounded under section 7.9 for 48 hours.

Caring for other animals

7.11 The Poundkeeper, as he or she considers necessary and humane, may maintain and care for impounded other animals including the provision of food, water, and shelter, and may arrange for veterinary care and medication.

Destroying other animals for humane reasons

7.12 Despite section 7.10, if the Poundkeeper believes that an impounded other animal is suffering from injury, disease, sickness, or other cause which it is unlikely to survive or from which it is unlikely to recover, and that destroying the other animal would be humane, the Poundkeeper may destroy the other animal immediately.

Disposing of other animals

7.13 After expiry of the 48 hour period referred to in section 7.10, the Poundkeeper may destroy, or sell by auction or private sale, an impounded other animal.

Reclaiming other animals

7.14 At any time before destruction or sale of an other animal under section 7.13, the person who keeps the other animal may apply to the Poundkeeper to reclaim the other animal, and, when applying, must:

- (a) give the Poundkeeper proof of ownership by such person of the other animal;
- (b) pay all outstanding charges and fees under this By-law that apply to such other animal; and
- (c) pay all outstanding fines or penalties imposed on such person for breach of this By-law.

Registration of hens

7.15 A person must not keep a hen unless that person first registers with the city:

- (a) electronically by:
 - (i) accessing the city's animal control computer website at <http://vancouver.ca/animalcontrol>,
 - (ii) accessing the link from that website to the on-line registry at <http://vancouver.ca/commsvcs/licandinsp/animalcontrol/chicken/index.htm>,
 - (iii) reading the information on keeping hens at the on-line registry site,
 - (iv) completing the application at the on-line registry site including the following mandatory fields:
 - (A) the date,
 - (B) the person's name, address and postal code,

- (C) confirmation that the person resides on the property where he or she will be keeping hens,
- (D) confirmation that the person has read the information referred to in clause (iii), and
- (v) submitting the application to the on-line registry site; or
- (b) by requesting, by telephone to 311, the mailing to that person of the information on keeping hens and an application form, and by:
 - (i) reading such information,
 - (ii) completing the application including the mandatory fields referred to in subsection (a)(iv), and
 - (iii) submitting the completed application to the city;

and such person must promptly update, and provide to, the city any information given when any change occurs.”

Keeping of hens

7.16 A person who keeps one or more hens must:

- (a) provide each hen with at least 0.37 m² of coop floor area, and at least 0.92 m² of roofed outdoor enclosure;
- (b) provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;
- (c) provide and maintain, in each coop, at least one perch, for each hen, that is at least 15 cm long, and one nest box;
- (d) keep each hen in the enclosed area at all times;
- (e) provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;
- (f) maintain each hen enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
- (g) construct and maintain each hen enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
- (h) keep a food container and water container in each coop;
- (i) keep each coop locked from sunset to sunrise;

- (j) remove leftover feed, trash, and manure in a timely manner;
- (k) store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency;
- (n) keep hens for personal use only, and not sell eggs, manure, meat, or other products derived from hens;
- (o) not slaughter, or attempt to euthanize, a hen on the property;
- (p) not dispose of a hen except by delivering it to the Poundkeeper, or to a farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of hens lawfully; or
- (q) not keep a hen in a cage.

SECTION 8 DISPOSITION SERVICES

Removing carcasses

8.1 If the Poundkeeper learns that the carcass of an animal, except for a skunk, is lying on a street or other public place, the Poundkeeper may remove the carcass.

Delivering carcasses

8.2 A person may deliver to the Poundkeeper the carcass of a dog, cat, or other animal that weighs less than 150 pounds, and request the Poundkeeper to cremate the carcass.

Picking up carcasses from private persons

8.3 The Poundkeeper, on request by a person and payment of the fee set out in Schedule B, may pick up the carcass of a dog that weighs less than 150 pounds, and cremate the carcass.

Picking up carcasses from veterinarians

8.4 The Poundkeeper, on request by a veterinarian, may pick up the carcass of a dog, cat, or other animal that weighs less than 150 pounds, and cremate it.

SECTION 9 CHARGES AND FEES

Charging for impoundment

9.1 A person who keeps a dog or other animal which the Poundkeeper has impounded under this By-law must pay to the city on demand, with respect to that dog or other animal:

- (a) the impound fee set out in Part 2 of Schedule B;
- (b) the daily charge for maintaining the dog or other animal set out in Part 3 of Schedule B; and
- (c) the costs for veterinary care and medication incurred by the Poundkeeper.

Charging fees for services

9.2 A person who keeps a dog or other animal in respect of which the Poundkeeper has performed a service under Section 8 must pay the city on demand the applicable fee set out in Part 4 of Schedule B.

Adoption fees

9.3 A person who wishes to adopt an animal from the pound must pay the applicable fee set out in Part 5 of Schedule B.

SECTION 10 OFFENCES AND PENALTIES AND ENFORCEMENT

No removing impounded animals

10.1 A person must not remove, or attempt to remove, from the pound an impounded dog or other animal except as allowed under this By-law.

No interfering with Poundkeeper

10.2 A person must not interfere with, resist, or otherwise obstruct the Poundkeeper, or other person authorized under this By-law, in the performance of his or her duties.

Offences under By-law

10.3 A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this By-law; or
- (c) suffers or allows any other person to fail to comply with an order, direction, or notice given under any provision of this By-law;

is guilty of an offence against this By-law, and liable to the penalties imposed under this Section 10.

Fine for offence

10.4 Every person who commits an offence against this By-law is punishable on conviction by a fine of not less than \$250.00 and not more than \$2,000.00 for each offence.

Fine for continuing offence

10.5 Every person who commits an offence of a continuing nature against this By-law is liable to a fine not exceeding \$50.00 for each day such offence continues.

Fines for particular offences

10.6 Despite the minimum fine referred to in section 10.4 of this By-law, a person who commits an offence against:

- (a) section 4.3 or 4.5 of the By-law is liable to a fine of not less than \$500.00 for each offence; or
- (b) section 4.4, 4.6, 4.7, 4.11, or 4.13 of the By-law is liable to a fine of not less than \$125.00 for each offence.

SECTION 11 REPEAL AND ENACTMENT

Repeal

11.1 This By-law repeals By-law No. 7528.

Force and effect

11.2 This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 1st day of November, 2005

"Larry Campbell"

Mayor

"Syd Baxter"

City Clerk

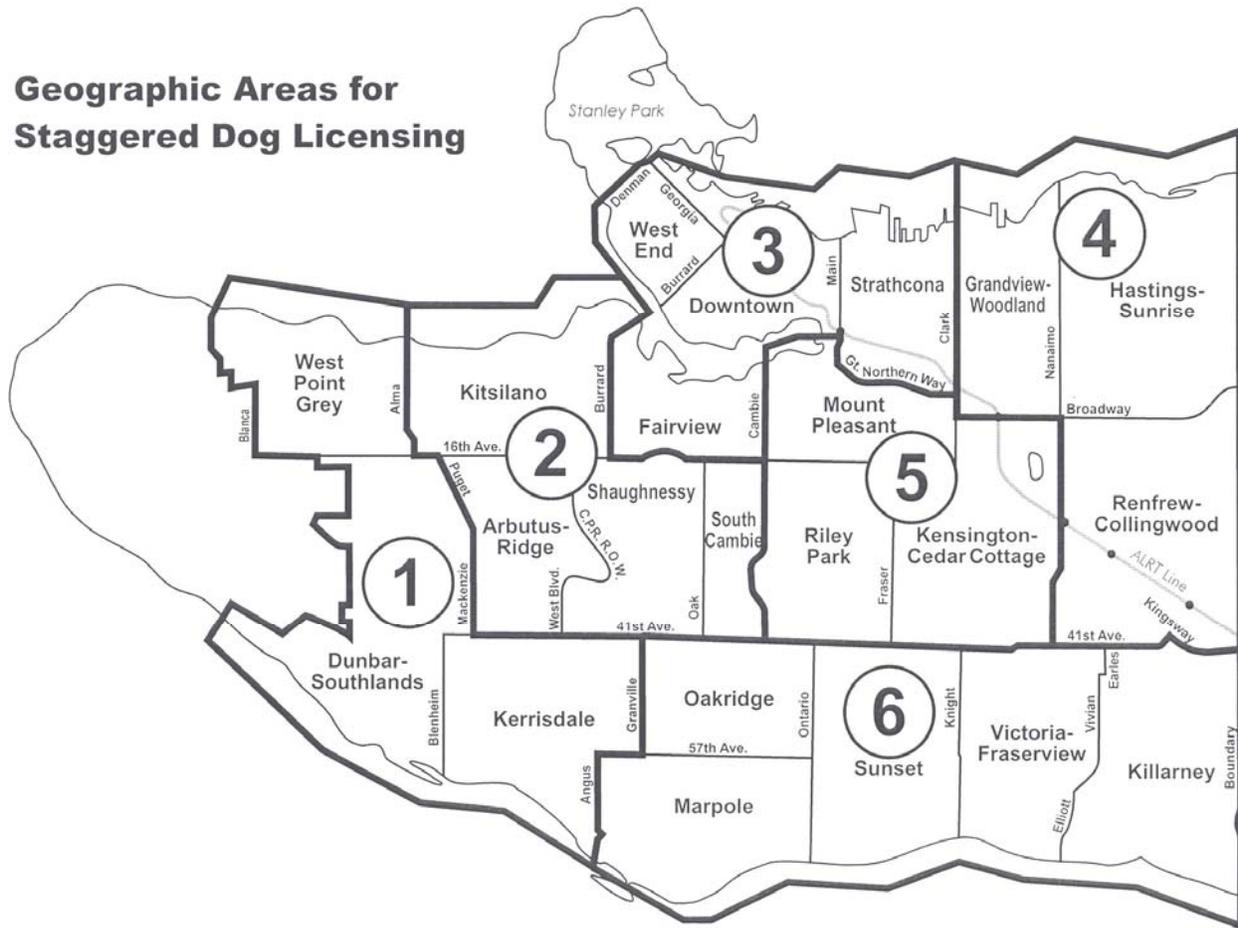
SCHEDULE A

DOG LICENCE STAGGERED EXPIRY DATES

Dog Licence Expiry Date	Dog License Geographic Area
September 30 th	Area 1
October 31 st	Area 2
November 30 th	Area 3
March 31 st	Area 4
April 30 th	Area 5
May 31 st	Area 6

(See following page for dog license geographic areas)

Geographic Areas for Staggered Dog Licensing



Year 2011 Animal Control Fees and Charges

SCHEDULE B

Part 1 - License Fees

Unaltered male or female dog	\$70.00
Altered male or female dog	\$37.00
Replacement tag	\$5.00

Part 2 - Impound Fees

Impound of licensed dog	\$80.00
Impound of unlicensed dog	\$160.00
Impound of licensed aggressive dog	\$295.00
Impound of unlicensed aggressive dog	\$375.00
Impound of fowl, other bird, rabbit, or rodent	\$16.00
Impound of reptile or other animal	\$80.00

Part 3 - Maintenance Charges

Maintenance of dog	\$21.00 per day
Maintenance of aggressive dog	\$26.00 per day
Maintenance of fowl, other bird, rabbit or rodent	\$5.00 per day
Maintenance of reptile or other animal	\$27.00 per day
Exotic Bird (Amazon Parrot; African Grey; Cockatoo; Conure; Lorikeet and Macaw)	\$15.00 per day

Part 4 - Fees for Services

General cremation under 10 pounds	\$27.00
General cremation 11 to 65 pounds	\$51.00
General cremation 66 to 150 pounds	\$82.00
Private cremation under 10 pounds	\$59.00
Private cremation 11 to 65 pounds	\$92.00

Private cremation 66 to 150 pounds	\$123.00
Cost to pick-up animal under 150 pounds for cremation	\$26.00
Cremation Urn	\$22.00
Part 5 - Adoption Fees	
Dog up to 7 years of age	\$257.00
Dog 7 or more years of age and Dog with on-going medical conditions	\$77.00
Ferret	\$53.00
Rabbit, chinchilla and hedgehog	\$27.00
Guinea pig	\$16.00
Parakeet and Lovebird	\$16.00
Budgie and Finch	\$10.00
Pigeon and Dove	\$5.00
Farm Poultry (chicken, rooster, duck)	\$5.00
Mouse, rat, hamster, gerbil and degu	\$5.00

SCHEDULE C

PROHIBITED ANIMALS

Canids including coyotes, foxes, jackals, and wolves but excluding domestic dogs	Hyenas
Crocodylians including alligators and crocodiles	Ursids including bears
Felids including lions and tigers but excluding domestic cats	Reptiles and snakes classified as venomous, whether or not they have venom glands
Green anaconda (<i>Eunectes murinus</i>), yellow anaconda (<i>Eunectes notaeus</i>), reticulated python (<i>python reticulatus</i>), African rock python (<i>python sebae</i>), Burmese python (<i>python molurus bivittatus</i>), Indian python (<i>python molurus molurus</i>), or amethyst python (<i>morelia amethystina</i>)	