



**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**“Dog Tax and Regulation Bylaw, 2010, No. 8113”**

**CONSOLIDATED FOR CONVENIENCE – November 7, 2016**

Amendment Bylaw, 2012, No. 8246	Schedule A
Amendment Bylaw, 2016, No. 8458	Schedule A
Amendment Bylaw, 2016, No. 8506	Dog Licence Fee Structure Change and Update, and Housekeeping Revisions

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8113

### **A bylaw to provide for the control and licensing of dogs within the City of North Vancouver**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

#### **TITLE**

1. This Bylaw shall be known and cited for all purposes as “**Dog Tax and Regulation Bylaw, 2010, No. 8113**”.

#### **DEFINITIONS**

2. In this bylaw, unless the context otherwise requires:

**Agents** when used with reference to issuance of dog licenses means those persons other than the City, who may, from time to time, be authorized by the City to sell dog licenses.

**Animal** means a mammal, bird or reptile, but does not include human.

**Animal Control Officer** for the purposes of this bylaw shall mean an employee of the City authorized by City Council to enforce the provisions of this bylaw and includes a Bylaw Enforcement Officer.

**Assistance Dog** means a Guide Animal, as defined in the Guide Animal Act of British Columbia and amendments thereto, trained or in training as a practical companion for a person who lives with a disability and whilst acting in that capacity.

**At Large** when used with reference to a Dog or Puppy means being elsewhere than on the Premises and not secured, on a leash, to a competent person except when within the confines of a park classified as “Permitted Off Leash” in Schedule “A” of this bylaw.  
*[Bylaw 8506, November 7, 2016]*

**Bylaw Enforcement Officer** means any person designated as a Bylaw Enforcement Officer pursuant to the Bylaw Notice Enforcement Bylaw, 2005, No. 7675 or any person designated as the enforcement officer pursuant to the Ticket Information Utilization Bylaw, 1992, No. 6300 and includes the Poundkeeper and Animal Control Officer.

**City** means the Municipality of The Corporation of the City of North Vancouver.

**Collector** means the Collector of The Corporation of the City of North Vancouver and may include any person being so authorized by City Council.

**Dog** shall mean any animal of the zoological family “canidae” over the age of four (4) months.

**Domestic Animal** means an animal that is:

- a) tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for the use of people, and
- b) designated by order of the Lieutenant Governor in Council to be a domestic animal.

**Impounded** means seized, delivered, received or taken into the Pound or in the custody of the Poundkeeper.

**Kennel** means any building or structure for the accommodation of four (4) or more dogs together with any fenced animal runs.

**Kennel License** means a business license issued for the keeping or harbouring of four (4) or more dogs in a kennel.

**License** means a license issued by the City for a dog.

**Muzzled** means a humane device placed over the muzzle of a dog which prevents that dog from biting persons or other animals.

**Own** includes the ownership, custody, control, possession, keeping or harbouring of any Dog or Puppy within the City. *[Bylaw 8506, November 7, 2016]*

**Owner** includes a person who owns, or has in their custody, or under their control, keeps, or harbours, any Dog or Puppy within the City. *[Bylaw 8506, November 7, 2016]*

**Park or Parks** shall mean all lands and improvements within the area defined in Schedule "A" of the "Parks Regulation Bylaw, 1996, No. 6611" whether or not they are dedicated parks.

**Park Classification** Parks within the City have been classified into three categories as shown on Schedule "A" describing conditions of access of dogs to City parks and recreation areas.

**Police Officer** for the purposes of this bylaw shall mean, a member of the Royal Canadian Mounted Police or any person sworn as a Bylaw Enforcement Officer and employed by the City for the enforcement of its bylaws.

**Pound** means any building or enclosure established or designated as a Pound by the City or any real property contracted by the City for the purpose of sheltering animals.

**Poundkeeper** means the Animal Control Officer appointed for the purpose of enforcing and carrying out the provisions of this bylaw.

**Premises** means the place, property, residence, land or address of the Owner of a Dog. *[Bylaw 8506, November 7, 2016]*

**Property** means any real property, building, vehicle, trailer, or boat.

**Public Place** includes but is not limited to any highway, street, boulevard, park, plaza or other real property owned, held, operated, or administered by the City, or by a school district located in the City.

**Puppy** shall mean any animal of the family “canidae” of the age of four (4) months or younger.

**Secure Structure** means an enclosed area erected on the Premises that confine a Vicious Dog so that it is unable to bite or aggressively pursue another animal or a person and includes a pen as described in Section 11. f) of this bylaw. *[Bylaw 8506, November 7, 2016]*

**Unlicensed Dog** means any dog for which the license fee for the current year has not been paid or any dog which is not wearing a license tag for the current year.

**Veterinarian** means a veterinarian licensed by the Veterinary Medical Association of British Columbia.

**Vicious Dog** means a Dog or Puppy which has been declared vicious by the Poundkeeper, Animal Control Officer or Police Officer as defined herein, and includes:

- a) any Dog or Puppy with a known propensity, tendency or disposition to attack without provocation either domestic animals or humans; or
- b) any Dog or Puppy which has, without provocation, bitten another domestic animal or human; or
- c) any Dog or Puppy that the Animal Control Officer or Police Officer has reasonable grounds to believe is likely to kill or seriously injure a person or other animal; or
- d) any Dog or Puppy which is owned primarily, or in part, for the purpose of dog fighting or has been or is being trained for dog fighting; or
- e) any Dog or Puppy which has been declared a “vicious or dangerous dog” in any other municipality in British Columbia;

*[Bylaw 8506, November 7, 2016]*

## **ANNUAL LICENSE FEES, REGULATIONS AND OFFENCES**

3. Every Owner of a Dog shall hold a valid Licence for each Dog he owns and shall procure the same by making application to the Collector and supplying the following information: the name, breed, colour, and sex.

Such Licence, when issued, is valid and subsisting for the current calendar year and the Licence fee is due and payable on the first business day of January in each year.

When a Dog or Puppy has been declared vicious, an Owner shall provide proof of liability insurance specific to the Dog or Puppy before a Licence may be issued for a Vicious Dog.

*[Bylaw 8506, November 7, 2016]*

4. Where an Owner has a valid dog licence issued by another municipality, including the City of Vancouver, on surrender of such Licence to the Collector and payment of \$5.00, he shall receive a replacement Licence for the current year.

A reduced fee for replacement of a Licence issued in another municipality shall not apply to a Dog declared vicious or dangerous in another municipality and the full Licence amount shall apply to such Dog.

Every Owner shall pay to the Collector an annual Licence fee as follows:

the sum of \$30.00 for every Dog; or  
the sum of \$200.00 for a Vicious Dog.

Except, that in the case of an Assistance Dog to which a Licence shall, upon application, be issued without charge.

PROVIDED that the Licence fee shall be fifty (50) percent of the annual amount in cases where an owner provides proof to the satisfaction of the Collector that the Dog, on or after September 1<sup>st</sup> in the current year, reached the licensing age of four (4) months, or was brought into the City of North Vancouver from outside the Province of British Columbia.

*[Bylaw 8506, November 7, 2016]*

5. A duplicate license tag may be obtained from the Collector upon payment of \$5.00.

### **KENNEL REGULATIONS AND OFFENCES**

6.
  - a) Any kennel and run area must be regularly cleaned and sanitized and all excreta removed at least once a day.
  - b) No kennel shall be permitted within fifty (50) metres of any dwelling house, church, school or public building, other than that occupied by the owner of a kennel duly licensed by the City.
7. No person shall keep or maintain a kennel without first having applied for and obtained a kennel license. The application for such license shall be accompanied by the sum of sixty (\$60.00) dollars, which shall be in addition to any other fee provided for by this bylaw.

### **DUTIES OF COLLECTOR**

8. Upon payment of the annual license fee, the Collector shall issue to the owner a numbered license tag stamped for the current year. The owner shall ensure that the tag, during its currency, is worn continuously by the dog so licensed.
9. The Collector shall maintain a record of all licenses issued showing the names and addresses of the owners, the dates of the issuance of the licenses, the description and license number of the dogs licensed and license fees paid.

### **GENERAL PROHIBITIONS AND OFFENCES**

10. It shall be an offence under this bylaw:
  - a) to own any dog for which a license has not been issued for the current year;
  - b) to own any dog which is not wearing a license tag for the current year;
  - c) for an Owner to allow or suffer their Dog to be At Large in the City; *[Bylaw 8506, November 7, 2016]*
  - d) for any person to remove the current license tag from any dog found to be at large;

- e) for an Owner to fail to ensure that a Dog, or a Vicious Dog, does not:
  - (i) bite a person, whether on the property of the *Owner* or not;
  - (ii) injure a person, whether on the property of the *Owner* or not;
  - (iii) aggressively harass, stalk or chase a person or animal; or *[Bylaw 8506, November 7, 2016]*
  - (iv) bite another animal.
  
- f) for an Owner of a Vicious Dog:
  - (i) to permit, suffer or allow the Vicious Dog to be on any highway, or on any public place or any other place, that is not owned or controlled by the Owner, unless the Vicious Dog is Muzzled, leashed and under the direct control of a person who is at least 16 years old, and has the physical ability and experience to completely control the Vicious Dog; or
  - (ii) to permit, suffer or allow the Vicious Dog to be outside a dwelling situated on the Premises, unless the Vicious Dog is:
    - (a) Muzzled and leashed, or
    - (b) contained in a building, or in a Secure Structure.

*[Bylaw 8506, November 7, 2016]*
  
- g) for any person to own a diseased dog unless the said dog shall be securely fastened in such place and in such manner that the said dog shall not endanger the safety of any person or other animal;
  
- h) for any person to keep or harbour more than three (3) dogs on any property owned or occupied by the Owner without first having obtained a kennel license;
  
- i) for owners to allow their dogs and/or puppies, other than an Assistance Dog to enter parks contrary to the classification as shown in Schedule "A";
  
- j) for an Owner to fail to immediately remove and dispose in a waste container, or by other sanitary means, any excrement deposited by a Dog, whom he or she Owns, in any place other than the Premises. *[Bylaw 8506, November 7, 2016]*

## **CRUELTY TO ANIMALS REGULATIONS AND OFFENCES**

- 11. a) No person may keep any dog unless the dog is provided with:
  - (i) 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;
  - (ii) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
  - (iii) an area that is regularly cleaned by having all excreta removed at least once a day;
  - (iv) the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control;
  - (v) necessary veterinary care when the Dog exhibits signs of pain, suffering or distress.
  
- b) No person may keep any Dog which normally resides outside, or which is kept outside for short to extended periods of time, unless the Dog is provided with adequate outside shelter as follows:

- (i) to ensure protection from heat, cold and wet, that is appropriate to the Dogs weight and type of coat there shall be sufficient space within the shelter to allow the Dog the ability to turn about freely and to easily stand, sit and lie in a normal position.
  - (ii) the shelter shall be at least 1-1/2 times the length of the Dog and at least the Dogs full length in width, and at least as high as the Dogs height measured from the floor to the highest point of the Dog, plus ten (10) percent, when the Dog is standing in a normal position;
  - (iii) the shelter shall be located in an area providing sufficient shade to protect the Dog from the direct rays of the sun at all times.
- c) No person may cause an Dog to be hitched, tied, fastened or tethered by any rope, chain or cord that is directly tied around the dogs neck onto a choke collar.
- d) No person may cause a Dog to be confined in an enclosed space, including a car, without providing adequate ventilation.
- e) No person may transport a Dog in a vehicle outside the passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of securing which is adequate to prevent the Dog from falling or jumping from the vehicle or otherwise injuring itself.
- f) No person may keep a Dog in a pen unless all of the following requirements are met:
- (i) the pen shall be a securely locked structure with a minimum dimension of two (2) metres (6'7") in width, by four (4) metres (13'2") in length, and two (2) metres (6'7") in height from the grade upon which the pen is constructed;
  - (ii) placement of the pen shall meet the siting requirements for an accessory structure contained within the City of North Vancouver, Zoning Bylaw, 1995, No. 6700 and amendments thereto;
  - (iii) the pen shall also include an outside shelter as defined in 11. b) of this bylaw; [*Bylaw 8506, November 7, 2016*]
  - (iv) the pen shall have sides of wire mesh and a roof or top sufficiently secured to the sides so as to prevent the escape of the Dog and to prevent the unauthorized entry of a person;
  - (v) if the sides are not secured to the bottom of the pen, then the sides shall be embedded into the ground no less than thirty (30) cm (12"), or as deep as may be necessary to prevent the escape of the Dog from the pen;
  - (vi) the floor of the pen shall consist of an impervious flooring material such as landscaping paving slabs or concrete, that shall prevent the escape of the Dog from the pen;
  - (vii) the pen and run area must be regularly cleaned and sanitized and all excreta removed at least once a day;
  - (viii) a pen that is confining a *Vicious Dog* shall contain a sign, in writing and symbol, that the pen contains a Vicious Dog and similar signs shall be clearly displayed at each entrance to the property indicating that a Vicious Dog is located on the property

## **DISEASED DOGS**

12. When the Animal Control Officer becomes aware that a dog is suffering from an incurable disease, as a result of which the dog is suffering pain or debilitation, he shall investigate the same and, if a veterinary examination demonstrates the dog will be suffering if untreated, he shall order the owner to have the dog treated or destroyed. If the owner fails to comply with the said order, the Animal Control Officer may seize such dog and impound the same and, after ninety-six (96) hours of such impounding, he may destroy the dog.

## **SEIZURE AND IMPOUNDING FEES, REGULATIONS AND OFFENCES**

13. The Poundkeeper, Animal Control Officer or any Police Officer may seize any Dog or Puppy found in the City:
  - a) At Large;
  - b) on any school lands or school building administered by the Board of School Trustees for School District No. 44 (North Vancouver);
  - c) elsewhere than on the Premises and not wearing a license tag; or
  - d) on unfenced land of the Premises and not securely tethered or contained.

and such Poundkeeper, Animal Control Officer or Police Officer shall, after making such seizure, deliver such Dog or Puppy to the Pound to be Impounded and it shall be the duty of the Poundkeeper to ensure the retention of the Dog for a period of ninety-six (96) hours unless it be sooner reclaimed.

*[Bylaw 8506, November 7, 2016]*

14. The Poundkeeper, Animal Control Officer or Police Officer, where he has reason to believe that a dog, for which the license fee for the current year has not been paid or which is not wearing a license tag or which has been seen running at large, contrary to the provisions of this bylaw, and has taken refuge on any unfenced property, may seize such dog and may request the occupant of such property to satisfy him that such license fee has been paid and that the dog is wearing a license tag, or to deliver such dog to him for impounding.
15. The Poundkeeper, Animal Control Officer or Police Officer may enter, at all reasonable times, upon any property subject to the provisions of this bylaw to ascertain whether the provisions of this bylaw are being observed.
16. During the period of its detention in the Pound, the Poundkeeper will ensure that the dog is provided sufficient quantity of food and water and if such dog is not reclaimed within ninety-six (96) hours of its being impounded, the Poundkeeper will offer to sell the dog by auction, private sale or adoption and to pay the proceeds from the sale to the City. In the event the dog is not sold or adopted, the Poundkeeper or other such person authorized by the Poundkeeper, may destroy the dog.
17. Subject to the provisions of any other section of this Bylaw, the owner of an impounded dog may be served with Bylaw Notice(s) or Municipal Ticket Information(s) in addition to the impoundment of the dog. The owner of an impounded dog may reclaim the same on application to the Animal Control Officer and on proof of ownership and the payment of the fees and expenses incurred in impounding and maintaining such dog as follows:



- a) Pound Fees: (Excluding vicious dog)      Thirty dollars (\$30.00) for a licensed dog, first time impounded in a licensing year;  
 Sixty dollars (\$60.00) for a licensed dog, second time impounded in a licensing year;  
 One Hundred Dollars (\$100.00) for a properly licensed dog, third time impounded in a licensing year.
- One Hundred and Fifty Dollars (\$150.00) for an unlicensed dog.
- Pound Fees: (Vicious dog)      Two Hundred Dollars (\$200.00), first time impounded in a licensing year;  
 Five Hundred Dollars (\$500.00), second time impounded in a licensing year;  
 One Thousand Dollars (\$1,000.00), third and subsequent impoundments in a licensing year.
- b) Maintenance Costs:      Ten dollars (\$10.00) per day or part thereof, after the first day, for the period a dog (except a vicious dog) is impounded;  
 Thirty Dollars (\$30.00) per day or part thereof, after the first day, for the period a *Vicious Dog* is impounded.
18. The Animal Control Officer may waive any or all of the fees and costs levied pursuant to Section 17 for any Dog or Puppy that is Impounded, except for a Dog or Puppy declared vicious, for the first time in a calendar year. *[Bylaw 8506, November 7, 2016]*
19. It shall be the duty of the Poundkeeper to ensure that a written record is kept in which the date and hour of impounding, a description of the dog, the name of the person from whom the dog was received, and the manner in which such dog is disposed of, shall be legibly entered. Such record shall be open to inspection by the City and any other person authorized to inspect the same.
20. Any person who takes or attempts to take any Dog or Puppy, Impounded under the provisions of this bylaw and in the custody of the Poundkeeper, Animal Control Officer or other person authorized under this bylaw, is committing an offence under this bylaw. *[Bylaw 8506, November 7, 2016]*
21. Any person who interferes with, obstructs or impedes the Poundkeeper, Animal Control Officer or Police Officer in the performance of his duties to apply and enforce the provisions of this bylaw, is committing an offence under this bylaw. *[Bylaw 8506, November 7, 2016]*
22. Where the Poundkeeper, Animal Control Officer or any Police Officer is authorized to seize by virtue of Section 13 of this bylaw, or if the Dog is found under conditions or circumstances contrary to any provision of the Bylaw, he or she may deliver to the Owner a “notice of Offence”. *[Bylaw 8506, November 7, 2016]*
23. Every person who violates a provision of this Bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, has committed an offence and is liable to the penalties imposed under this Bylaw or any

other applicable Bylaw of the City, and has committed a separate offence each day that a violation continues to exist.

Any person who contravenes any of the provisions of the Bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00. Each day that an offence continues shall constitute a separate offence.

Pursuant to Section 264 of the *Community Charter*, S.B.C. 2003 Chapter 26, any person designated as a Bylaw Enforcement Officer pursuant to the "Bylaw Notice Enforcement Bylaw, 2005, No. 7675" or is named as the enforcement officer pursuant to the "Ticket Information Utilization Bylaw, 1992, No. 6300" is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice or Municipal Ticket Information or as otherwise provided by this or any other Bylaw.

The provisions of this Bylaw are severable. If for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction; such a decision shall not affect the validity of the remaining provisions of this Bylaw.

*[Bylaw 8506, November 7, 2016]*

## **REPEAL**

24. Bylaw No. 7732, known and cited as "Dog Tax and Regulation Bylaw, 2006, No. 7732" and all amendments thereto, are hereby repealed.

**READ** a first time by the Council on the 18<sup>th</sup> day of October, 2010.

**READ** a second time by Council on the 18<sup>th</sup> day of October, 2010.

**READ** a third time and passed by the Council on the 18<sup>th</sup> day of October, 2010.

**RECONSIDERED** and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 25<sup>th</sup> day of October, 2010.

"Darrell R. Mussatto"

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MAYOR

"Robyn G. Anderson"

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CITY CLERK

**SCHEDULE “A”** [Bylaw 8458, Jan. 18, 2016]  
**CITY OF NORTH VANCOUVER**

**PARKS REGULATIONS  
PERTAINING TO DOGS IN MUNICIPAL PARKS AND RECREATION AREAS**

Dogs, except vicious dogs, ARE ALLOWED, through the City of North Vancouver on all thoroughfares and in certain parks, some with date restrictions, provided they are on leash.

NOTE: Assistance Dogs are NOT subject to the following restrictions:

Dogs ARE NOT ALLOWED on playgrounds, picnic areas, playing fields, beaches, fitness circuits, running tracks, golf courses, bowling greens, tennis courts or in the North Vancouver Cemetery and, specifically, not allowed in the parks listed below as being prohibited:

Dogs Prohibited	Permitted off Leash	Permitted on Leash
Civic Plaza	Lynnmouth Park	Bewicke
Boulevard	Mosquito Creek – West trail	Chief August Jack
Chief Dan George	Kings Mill Walk (fenced area in west portion)	Cloverley
Chief Mathias Joe		Eastview
Crickmay		Grand Boulevard (between West and East Grand Blvd.)
Derek Inman		Green Necklace Greenway
Emerald		Greenwood
Hamersley		Heywood (wilderness area trails)
Heywood (playground area, playing fields)		High Place
Jack Loucks Court		Hyak
Larson		Kings Mill Walk (trails outside of fenced area)
Loutet (playing fields)		Loutet (trails east of soccer field)
Mahon (playgrounds, picnic area, playing fields)		Macleod
McDougal Field	McDougal Field	Mahon (wilderness area trails)
McEvoy		Moodyville
Mosquito (section at 16 <sup>th</sup> & Fell playground and playfield)		Mosquito Creek (wilderness area trails) east side
Norseman		Ottawa Gardens
Rey Sargent		Spirit Trail
Rodger Burnes		Sunrise
Sam Walker		Tempe Heights (wilderness area trails)
Semisch		Victoria Park (East and West)
St. Andrews		Wagg Creek
Stella Jo Dean Plaza		Waterfront (north of CN Rail tracks and seawall)
Tempe Heights (playground)		
Tot Lot 27 <sup>th</sup> St. E. 200 Block		
Tot Lot 28 <sup>th</sup> St. E. 300 Block		
Waterfront (south of CN Rail tracks, except seawall)		
Westview		