

DISTRICT OF LOGAN LAKE

BYLAW 893, 2022

A bylaw to regulate animals and a municipal animal pound.

WHEREAS Council may, by bylaw, regulate, prohibit and impose requirements in relation to animals;

AND WHEREAS Council may, by bylaw, provide for the seizure of animals that are unlicensed, unlawfully at large, straying or trespassing on private property or on unfenced land and not securely tethered or contained; establish penalties to be paid in relation to animals seized; provide for the disposition or destruction of impounded animals; and provide for the seizure and destruction of any animal that is subject to suffering that cannot otherwise be reasonably addressed;

AND WHEREAS a municipal employee, officer or agent designated by the Council as an Animal Control Officer, Bylaw Enforcement Officer or Pound Keeper, may seize a dog if the officer believes on reasonable grounds, that the animal is a dangerous dog;

AND WHEREAS an Animal Control Officer, Bylaw Enforcement Officer or Pound Keeper has reasonable grounds to believe that a dog is a dangerous dog, the Officer may apply to the Provincial Court for an order that the dog be destroyed in the manner specified in the order;

NOW THEREFORE the Council of the District of Logan Lake, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "District of Logan Lake Animal Control and Impoundment Bylaw 893, 2022.
2. In this bylaw the following definitions apply:

"Aggressive Dog" means any dog designated as an Aggressive Dog pursuant to this bylaw.

"Animal" means domestic animals and includes dogs, cattle, poultry and rabbits and/or wild animals.

"Animal Control Officer" means the person(s) appointed by the Council as an Animal Control Officer, Bylaw Enforcement Officer and/or includes a Peace Officer.

"Animal Pound" means any building or enclosure used by the municipality from time to time for the purpose of impoundment of animals.

"At Large" means a dog that is:

- (a) not leashed and under immediate control of a competent person while on a highway or in a park or other public space;
- (b) straying or trespassing on private property; or
- (c) on unfenced land and not securely tethered or contained.

"Bark Excessively" means any barking, howling, yelping or cries that unduly disturbs the peace, quiet, rest, comfort or tranquility of the surrounding neighborhood or vicinity, or of persons in the neighborhood or vicinity.

"Bylaw Enforcement Officer" means the person(s) appointed by the Council as a Bylaw Enforcement Officer, to enforce municipal bylaws.

"Cattle" includes horse, mule, swine, sheep, goat, cow, or other animal of the bovine species.

"Coop" means a covered enclosed structure to shelter Hens.

"Council" means the Municipal Council of the District of Logan Lake.

"Dangerous Dog" means any dog which has killed or injured a person or domestic animal, or any dog the Animal Control Officer has reasonable grounds to believe is likely to kill or seriously injure a person because of but not limited to:

- (a) Its known propensity, tendency or disposition to attack without provocation other domestic animals or humans, or otherwise threaten the safety of a persons or domestic animals; or
- (b) When unprovoked, it attacks, chases, or approaches a person upon the street, sidewalk or any public place in a menacing fashion or apparent attitude of attack; or
- (c) Reason to believe the dog is owned or harbored primarily or in part for the purpose of dog fighting or is owned or trained for dog fighting.

Notwithstanding the above, a dog must not be deemed to be a 'Dangerous Dog' if the bite, attack, or threat of attack was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was teasing, tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have teased, tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.

"Dog" means an animal of the canine species.

"District Office" means the municipal office located at #1 Opal Drive, Logan Lake, BC

"Hen" means a female chicken that is at least three (3) months of age or older.

"Impound fee" means a fee charged for the keeping of animals within the animal pound in accordance with Schedule "B" which is attached to and forms a part of this bylaw.

"Incurable disease" includes, without limiting the meaning, rabies, incurable injury, and mutilation which would inevitably result in death;

"Leash" means a line, or chain used for the purpose of restraining a dog and which does not exceed 183 centimeters in length and which is made of material of sufficient strength that the dog cannot break it;

"License year" means the period from January 1st to December 31st, both inclusive, in any year;

"Municipality" means the District of Logan Lake.

"Owner" means any person who owns, is in possession of, harbors or has the care and control of an animal.

"Parcel" means a lot, block, or other area in which land is held or into which land is subdivided and which is registered under one title, pursuant to the Land Title Act.

"Park" means and includes public parks, playgrounds, squares, greens, driveways, roadways, paths, buildings which are posted, designate and/or zoned as a Park, other than designated Dog Parks.

"Pound" means any facility maintained, or operated as an Impoundment or boarding facility in accordance with this Bylaw.

"Pound Keeper" means the person(s) appointed by the Council as the Pound Keeper and may include the Animal Control Officer or Bylaw Enforcement Officer.

"Poultry" means all birds or fowl normally raised for food or egg production, and without limiting the generality of the foregoing, includes: Chickens (hens, roosters, and chicks) Turkeys, Geese, Ducks, artificially reared grouse, partridge, quail, pheasant, or ptarmigan.

"Pullet" means a young Hen, less than three (3) months old.

"Public space" means a place which is owned or controlled by a public body and which is open to use by the public.

"Tether or Tethering" means to be hitched, tied or fastened by a securing device.

"Ticket" means a ticket in the form prescribed under the Community Charter, Bylaw Enforcement Ticket Regulation, Section 4.

"Unlicensed Dog" means any dog over the age of (6) six months that is not licensed by the District for which the license for the current year has not been paid as provided in this Bylaw, or to which the tag as provided by this Bylaw, is not attached.

"Veterinarian certificate" means a certificate issued by a registered Veterinarian.

"Wild animal" means any living creature in a natural state that is not tamed or domesticated.

"Zoning Bylaw" means the District of Logan Lake Zoning Bylaw and amendments thereto, in effect at the time of any bylaw violations related to this bylaw.

3. DOG REGULATIONS

- a) No person shall keep or allow to be kept on any real property more than a total of three (3) dogs over the age of twelve (12) weeks.
- b) If a person is providing temporary care for more than a total of three (3) dogs over the age of twelve (12) weeks, they shall notify the animal control officer with the number and species of animals, reason and estimated length of time they will be provided care.
- c) No person shall keep or harbor a dog which, by its barking or cries unduly disturbs the peace, quiet, rest, enjoyment or comfort of the neighborhood.
- d) The owner of a female dog in heat shall keep the dog confined within a building or kennel until she is no longer in heat.
- e) Every owner of a dog must ensure that any person who has care, custody or control of their dog, must be competent to restrain the dog.
- f) Aggressive Dog – An Animal Control Officer may designate a dog as an Aggressive Dog if the dog:
 - i) Bites a human or animal without provocation;
 - ii) Has a known propensity, tendency or disposition to attack a human or animal without provocation, or
 - iii) Has previously been designated as an Aggressive Dog and endangers the safety of a human or animal.

4. DOG LICENSES

- a) Every person who owns, possesses or harbors any dog six (6) months of age or over shall obtain a license for such dog and pay to the municipality the dog license fee in accordance with Schedule "A" attached hereto and forming part of this bylaw.
- b) If purchasing a license for a spayed female or neutered male dog, the owner is required to provide proof in the form of a Veterinarian Certificate, that the said dog has been spayed or neutered and the certificate will be sufficient proof for all subsequent licenses issued for such dog.
- c) Upon payment of the license fee set out in Schedule "A" to this bylaw, the municipality shall issue to the owner a dog license tag which shall be securely fastened to a collar or

harness worn by the dog at all times except when the dog is penned up or enclosed on the owner's land and premises.

- d) A dog license shall be worn only by the dog for which it is issued and is not transferable to another dog.
- e) The Municipality may issue a duplicate dog license tag upon being satisfied by the owner that the original tag issued by the municipality has been lost or stolen and upon payment of the fee provided in Schedule "A" to this bylaw.
- f) The owner of a dog shall provide proof of age to the Animal Control Officer for any unlicensed dog claimed to be less than six (6) months of age.
- g) The municipality shall maintain records of the names of the owners of each dog for which a license is issued, the date of the issuance of the license, the description of the dog, the name of the dog and the license number.

5. HEN REGULATIONS

- a) **Keeping of Hens is only permitted on parcels within the R1 – Single Family Residential, R3 – Small Lot Single Family Residential Zone and ER – Estate Residential Zones of the current Zoning Bylaw**
- b) **A Hen Owner Shall:**
 - i. **be a resident of the property where the Hens are kept; if the resident is not the property owner, an Agency Agreement must also be submitted;**
 - ii. **keep no more than five (5) Hens on any property located within the R1 or R3 Zones;**
 - iii. **keep no more than twenty-five (25) Hens on any property located within the ER Zones as described under Section 7 of this bylaw;**
 - iv. **be permitted to raise their Hens from Pullets in the amounts as described in b) ii and b) iii;**
 - v. **not keep a rooster;**
 - vi. **not permit a Hen within a residential dwelling unit or on a balcony or deck;**
 - vii. **ensure proper cleaning and animal husbandry is followed at all times;**
 - viii. **Every owner of backyard hens shall provide a coop for the backyard hens, with an outdoor enclosure attached to the coop, which shall meet the following specifications:**
 - a. **Coops must be fully enclosed and constructed in a manner that:**
 - b. **Eliminates potential for infiltration from predatory animals and rodents;**
 - c. **Provides reasonable sound attenuation;**
 - d. **Ensures proper ventilation and sufficient space for hens; and**
 - e. **Is accessible for persons to clean and maintain the coop.**
 - f. **Coops must be accompanied by an attached outdoor enclosure that is**
 - i. **enclosed on all sides and entirely covered from above in a manner that will**
 - ii. **keep predators and rodents out and prevent hens from escaping.**
 - iii. **iv. Coops must provide a minimum of 0.5 m² (5.38 square feet) per hen inside**
 - iv. **the coop, and a minimum 1 m² (10.76 square feet) of outdoor enclosure per hen.**
 - ix. **locate the Coop behind to the side or rear of the principle dwelling unit and comply with all setback regulations as defined in the District of Logan Lake Zoning Bylaw 675;**
 - x. **ensure the Coop or related structures comply with the setback requirements for accessory buildings and structures in the District's Zoning Bylaw;**
 - xi. **construct and maintain each Coop and Pen in such a way that it is secure from other animals and rodents and prevents them from harboring underneath structures or within walls;**

- xii. ensure that each Hen remains at all times in a Coop or Pen and that each Hen is kept within a Coop from sunset to 7:00 a.m.;
- xiii. ensure the Coop is roofed and provide each Hen with its own nesting box and approximate 15cm perch;
- xiv. not keep a Hen in a cage unless for the purposes of transport of the Hen;
- xv. not slaughter, euthanize or bury a Hen on the property;
- xvi. not dispose of a deceased Hen other than by delivering it to a farm, abattoir, veterinarian, or other facility with the ability to lawfully dispose of the carcass;
- xvii. Feed for backyard hens must be stored in sealed containers and not located in an area accessible by pests, wildlife or domestic animals.
- xviii. Eggs produced by backyard hens are for personal use only, with commercial sales being expressly prohibited.
- xix. The keeping of backyard hens is subject to any applicable District of Logan Lake policies, fees, and bylaws.

6. HEN LICENSES

- a) A Hen Owner must obtain a license from the District to keep Hens. This process includes:
 - i. Completing and submitting a license application prescribed by the District;
 - ii. Paying a one-time fee as described in "Schedule A" for obtaining a Hen Owner's permit.
- b) The license is not transferable to another person or property;
- c) There shall be no more than one Hen Owner per property.

7. KEEPING OF ANIMALS

- a) Keeping of animals on parcels within the ER - Estate Residential Zone of the current Zoning Bylaw, are subject to the following provisions:
 - i) the keeping of animals is an accessory use and for the enjoyment and use of the resident family and shall not constitute a commercial undertaking;
 - ii) the total number of cattle or other similar large animals over the age of six months shall not exceed two (2) per each 2-acre parcel;
 - iii) the total number of fowl, rabbits, or other small fur bearing animals shall not exceed twenty-five (25);
 - iv) **Poultry must be kept in accordance with Section 5. of this Bylaw;**
 - v) all animals other than household pets shall be properly caged, housed and fenced; and
 - vi) animal waste shall be controlled in such a manner that there will be no run off beyond the perimeter of the owner's property.
- b) No person shall keep any animal in or upon a highway, a public park or space that prohibits animals by posted signage.
- c) Wild animals are strictly prohibited from being kept or contained on any parcel within the municipality.
- d) No person shall:
 - i) Breed;
 - ii) Possess;

- iii) Ship;
- iv) Release;
- v) Exhibit for entertainment; or
- vi) Display in public;

either on a temporary basis or permanent basis, any prohibited animal identified in the BC Wildlife Acts' Controlled Alien Species Regulation.

- e) A person who keeps bees must:
 - i) Have an Agricultural Permit for keeping bees;
 - ii) Provide adequate water for the bees on the Person's property;
 - iii) Maintain the bees in a condition that will reasonably prevent swarming, and
 - iv) Keep hives at least 7.6 m away from each property line, unless there is a solid fence or hedge at least 1.8 m tall parallel to the property line with a 1 m setbacks.

8. ANIMAL WELFARE

- a) Animal Cruelty – Notwithstanding any other provision in this Bylaw, no person shall:
 - i) Abandon any animal;
 - ii) In any way use poison, air pellet guns, bows and arrows, firearms, sling shots or harmful devices on any Animal;
 - iii) Tease, torment, beat, kick or provoke an animal;
 - iv) Cause, permit or allow an animal to suffer; or
 - v) Train or allow any animal to fight.
- b) Basic Animal Care Requirements – The owner of an animal must ensure that the animal is provided with:
 - i) Sufficient clean, potable drinking water;
 - ii) Suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - iii) Clean and disinfected food and water receptacles that are located so as to avoid contamination by excreta'
 - iv) The opportunity for regular exercise sufficient to maintain good health; and
 - v) Necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering.
- c) Feeding Wildlife – A person must not intentionally feed or leave food out for the purposes of feeding:
 - i) Deer;
 - ii) Racoons;
 - iii) Squirrels;
 - iv) Feral rabbits or other wildlife.

9. PROHIBITIONS

- a) **No person shall keep or permit to be housed any animal or animals, poultry (other than Hens in accordance with this bylaw and animals as outlined in Section 7 on any land within the District boundaries, except for dogs, cats, small animals, small lizards, turtles and fish.**
- b) Commercial kennels, commercial stables, mink farms, feedlots, piggeries, or other similar service or non-agricultural product-based operations are prohibited on any parcel within the municipality.
- c) No person shall permit or cause to permit an animal to be at large in the municipality.
- d) No person shall permit a dog to attack an individual or another animal.
- e) No person shall seize or remove or attempt to seize or remove an animal lawfully in the custody of the Pound Keeper, Peace Officer or Bylaw Enforcement Officer.

10. ANIMAL POUND, POUND KEEPER AND IMPOUNDMENT

- a) The Animal Pound means any building or enclosure located in the Public Works yard, used by the municipality from time to time for the purpose of impoundment of animals.
- b) The Pound Keeper shall maintain records containing the following information:
 - i) the number and description of each dog or animal impounded;
 - ii) the name of the person who brought or caused the animal to be impounded;
 - iii) the day and the hour on which the animal or dog was received, redeemed, released to a local SPCA or registered animal shelter or destroyed;
 - iv) the fees paid by the redeeming party;
 - v) the amount of the proceeds of the sale, if any.
- c) During any period of impoundment, every animal or dog shall be supplied with a sufficient quantity of food, water and shelter.
- d) The Pound Keeper is hereby empowered to enter any premises or private property in order that he may control, seize or impound any dangerous or vicious animal, unlicensed dogs, and/or and other animals which are at large.
- e) The owner of an animal impounded pursuant to this bylaw, may redeem it from the Animal Pound at any time within five clear days of the time of its impoundment, excluding Saturday, Sunday or Statutory Holidays, by paying at the District office the impoundment fee set out in Schedule "B" of this bylaw.
- f) Subject to e) above, if an impounded animal is not claimed and redeemed within five clear days of the time of its impoundment, the Pound Keeper may dispose of the animal by releasing the animal to a local SPCA or registered animal shelter for adoption.
- g) Where a licensed dog is impounded, it shall not be released to a local SPCA or registered animal shelter for adoption, without first giving notice to the owner of the dog at the address shown on the license application. The notice shall state that if the dog is not claimed within 24 hours of the date of the delivery of the notice, the dog will be released to a local SPCA or registered animal shelter for adoption.
- h) Where an impounded dog or other animal is not claimed by the owner and is denied by a local SPCA or registered animal shelter for adoption, the Pound Keeper shall with the assistance of a Veterinarian, have the dog or other animal destroyed.
- i) Notwithstanding any other provisions of this Bylaw, if it is found that any animal is suffering from an injury, sickness or incurable disease or from any other cause or is unduly aggressive, the Animal Control Officer may immediately cause the animal to be destroyed if a licensed Veterinarian deems that the animal would not survive such injury, disease or sickness, or that such animal constitutes a hazard or that it would be an act of humanity to destroy such animal.
- j) Dog Bites – Notwithstanding any other provisions of this Bylaw, because of the danger of infection from dog bites, the following applies:
 - i) A dog which bites any person, whether on private property or elsewhere, must be taken to a Pound by the Animal Control Office unless the owner forthwith delivers the dog to the Pound or to some place where dogs are kept under the personal supervision of a licensed Veterinarian.
 - ii) Unless the licensed Veterinarian referred to in i) above, recommends in writing an earlier release because there is little likelihood of any infection, any dog so delivered will be kept at such place at the owner's expense for a period of 14 days.
 - iii) The fees for such Impoundment shall be as set out in Schedule "B" Impoundment Fees, for each day or part of a day if it is the first occasion that the dog has been impounded for biting a person, and/or an amount for each day or part of a day for any

subsequent such impoundments. The fees must be paid by the owner before the dog can be removed.

- iv) If the dog is not removed within two days after the 14-day period, the dog will be released to a local SPCA or registered animal shelter for adoption. Where an impounded dog is not claimed by the owner and is denied by a local SPCA or registered animal shelter for adoption, the Pound Keeper with the assistance of a licensed Veterinarian, must have the dog destroyed.
- v) If it is determined that the dog is suffering from Rabies or any other incurable disease, the Animal Control Officer may immediately contact a licensed Veterinarian to destroy the dog.

11. OFFENSES AND PENALTIES,

- a) Every person who violates a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, is guilty of an offence and subject to a penalty by means of a ticket in the form prescribed under the Community Charter, as described in Schedule "B" which is attached to and forms a part of this bylaw; and in addition, may be liable on summary conviction to a penalty of not more than \$2,000.00 and not less than \$250.00. Each day that such a violation or contravention is caused, or allowed to continue, constitutes a separate offence.
- b) Any person having been served with a ticket may pay to the District office during normal office hours within the time limited for such payment, a penalty in the amount established for such violation in Schedule "B".

12. GENERAL


- a) District of Logan Lake Animal Control and Impoundment Bylaw 723, 2012 and all amendments thereto, are hereby repealed.
- b) This bylaw shall come into full force and effect on upon adoption.

READ A FIRST AND SECOND TIME this 16th day of August, 2022.


READ A THIRD TIME this 11th day of October, 2022.

RECONSIDERED AND ADOPTED this 8th day of November, 2022.



Mayor (R. Smith)

Corporate Officer (L. Grimm)

Certified a true copy of the District of Logan Lake
Resolution No. _____ or
Bylaw No. <u>893</u>
Dated this <u>21st</u> day of
<u>December</u> <u>2022</u>

Corporate Administrator District of Logan Lake

Schedule "A"
Animal Control and Impoundment Bylaw 893, 2022

Dog License Fees

Unneutered or Unspayed Dog	\$36.00
Neutered or Spayed Dog	\$13.00
Duplicate License	\$ 7.00

Impoundment Fees

First Impoundment	\$ 45.00
Second Impoundment (in same license year)	\$ 75.00
Third and subsequent impoundments (in same license year)	\$125.00
Animals held for more than 24 hours	\$25.00/day

Hen Permit Fees

Hen Owner Permit (One-time fee)	\$ 50.00
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Schedule "B"

Offence, Section and Penalty

2. Animal Control and Impoundment Bylaw 893, 2022		
Bylaw Offence	Section	Fine
Four or more dogs on any parcel	3.a)	\$75.00
Dog barking or crying and disturbing the peace	3.c)	\$50.00
Failure to confine female dog in heat	3.d)	\$ 50.00
Dogs in areas prohibited by signage	7.b)	\$50.00
Keeping of vicious dogs, animals or wild animals	10.d)	\$200.00
Contravention of Keeping of Animals in the ER zoning provisions	7.a) i) to v)	\$75.00
No dog license	4.a)	\$45.00
Operating a commercial kennels, stables, etc.	9.b)	\$100.00
Dog or other animal at large	9.c)	\$ 45.00
- 1 st offence	9.c)	\$ 75.00
- 2 nd offence	9.c)	\$125.00
- 3 rd offence	9.c)	\$125.00
Dog attack	9.d)	\$200.00
Removal of animal from pound	9.e)	\$200.00
No Hen Owner Permit	6.a)	\$100.00
Contravention of Hen Regulations	5.b) i) to xviii)	\$50.00