



THE CORPORATION OF THE VILLAGE OF KEREMEOS

BYLAW NO. 843, 2025

<p>A bylaw to provide for the regulation, licensing and control of animals within the Village of Keremeos</p>
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WHEREAS pursuant to the *Community Charter*, the Council of the Village of Keremeos has the authority to regulate, prohibit, and impose requirements in relation to animals.

NOW THEREFORE the Council of the Corporation of the Village of Keremeos, in open meeting assembled, ENACTS AS FOLLOWS:

PART 1 - INTRODUCTION

Title

1. This bylaw may be cited as the "*Animal Control Bylaw No. 843, 2025*".

Definitions

2. In this Bylaw, unless the context otherwise requires,

"aggressive behaviour" means snarling, growling, or pursuing another animal or person;

"animal" means any member of the animal kingdom;

"Animal Control Officer" means a Bylaw Enforcement Officer or a Police Officer;

"at large" means in or upon a highway or a public place or in or upon the lands or premises of any person other than the owner of the animal without the express or implied consent of that person;

"bird" includes ornamental bird and pigeon.

"Bylaw Enforcement Officer" means the person or persons appointed from time to time by Council as "Bylaw Enforcement Officer" to enforce the provisions of this bylaw, or the authorized agent or employee of any corporation or society, with whom the Village has an agreement to act as Bylaw Enforcement Officer;

"competent person", unless the context otherwise requires, means a person capable of controlling a dog that is under their supervision;

"Council" means Municipal Council of the Corporation of the Village of Keremeos;

"dangerous dog" has the same meaning as that set out in the *Community Charter*;

"dog" means a male or female of the canine species having attained, or apparently having attained, the age of 6 months;

"effective control" means that the person can see the animal and when the person calls, the animal returns to the person within three calls;

"enclosure" means a structure at least 1.8 meters in height having a concrete or asphalt floor and wire or steel mesh sides and roof, which is sufficient to prevent the entry of young children and/or any unauthorized person or the escape of a dog enclosed therein;

"farm animal" means any domesticated animal normally raised for food, milk or as a beast of burden and includes cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen, but does not include poultry or bees;

"guide dog" means a dog used by a blind or otherwise disabled person to assist them to avoid hazards and for which a certificate has been issued under the *Guide Animal Act*;

"impound" means to seize, deliver, receive or take into the Pound or into the custody of the pound keeper; and "impounded" means seized, delivered, received or taken into the Pound or into the custody of the pound keeper;

"leash" means a strap, rope, chain or other tethering device of adequate strength, not more than 2 metres (6.56 ft.) long, attached at one end to a

collar or harness on a dog and held on the other end by a competent person;

“licence” when pertaining to dogs, means a licence that has been paid for by the owner of a dog and issued by the Village for the dog for the current licensing year;

“licensing year” means from January 1 to December 31 in any year;

“muzzled” means fastened or controlled to prevent biting by means of a humane fastening or covering device of adequate strength placed over the mouth;

“non-resident” means any person who is residing in the Village for less than 30 consecutive days and less than 180 days in any calendar year;

“ornamental bird” means any bird which is normally kept in a cage or aviary, primarily as a show or decorative bird, and without limiting the generality of the foregoing includes budgerigar, canary, cockatoo, myna bird, parakeet, parrot and pigeon;

“owner” means any person who is in possession of or who has the care, custody or control of an animal, or any person who possesses harbours or allows an animal to remain about his or her residence, land or premises, and, in the case of a dog, any person whose name appears on the dog licence;

“person” means and includes any individual, household, corporation, partnership or party and the heirs, executors, administrators or other legal representatives of the same, to whom the context can apply according to law;

“police dog” means any dog owned by a municipal police force or the Royal Canadian Mounted Police and which is trained to assist police on investigations;

“pound” means any building or enclosure designated by the Village for the storage of dogs impounded under this bylaw;

“Pound Keeper” means the person or persons appointed from time to time by Council to carry out the duties assigned to the Pound Keeper in this bylaw, or the authorized agent or employee of any corporation or society, with whom the Council has an agreement to act as Pound Keeper;

“provocation” shall be interpreted to include:

- (1) taunting, teasing or striking a dog; or
- (2) entering or reaching into a vehicle in which a dog is left by its owner; or
- (3) knowingly entering or reaching into private property on which a dog is harboured;

"public place" includes all highways, boulevards, municipal parks or other real property owned, held, operated or administered by the Village or by a school district within the Municipality;

"unlicensed dog" means any dog for which the licence fee for the current licensing year has not been paid as provided herein, or any dog to which a valid licence tag is not attached;

"urban hen" means a domesticated female chicken

"vicious dog" means a dog that:

- (a) has bitten another animal or human being without provocation; or
- (b) has known propensity, tendency or disposition to attack without provocation other animals or humans; or
- (c) displays unprovoked aggressive behaviour;

"Village" means the Corporation of the Village of Keremeos.

3. Whenever the singular and masculine are used throughout this bylaw, the same shall be construed to mean the plural or the feminine, or the body corporate or politic as the same requires.

If any section or portion of this bylaw is held to be invalid by any court of competent jurisdiction, the said section or portion shall be severed from this bylaw and the remainder of this bylaw shall remain intact and in force.

Application

4. With the exception of Part 2 hereof, this Bylaw does not apply to:
 - 1) a person with a disability with respect to a guide animal certified under the *Guide Animal Act*;
 - 2) a police officer with respect to a police dog;
 - 3) a person with respect to animals participating in a show, exhibition, performance, circus or other commercial event at a municipal park or

municipal facility provided the event has been approved by the Chief Administrative Officer; or

- 4) the exhibition or use of animals at a community event, parade or pet show.

PART 2 – ANIMAL WELFARE

Basic animal care requirements

5. The owner of an animal must ensure that the animal is provided with:
 - 1) 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;
 - 2) clean and disinfected food and water receptacles that are located to avoid contamination by excrement;
 - 3) the opportunity for regular exercise sufficient to maintain good health; and
 - 4) necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering.

Outdoor shelter requirements

6. No person may keep an animal outside for an extended period of time unless the animal is provided with a shelter of sufficient size to allow the animal to turn about freely, stand, sit and lie in a normal position, so as to:
 - 1) ensure protection of the animal from heat, cold and wetness that is appropriate to the animal's weight and type of coat; and
 - 2) provide sufficient shade to protect the animal from the direct rays of the sun.

Sanitation requirements

7. No person shall keep an animal in a shelter, pen, cage or run area unless the shelter, pen, cage or run area is clean, sanitary and free from wild vermin.

8. No person shall allow animal excrement to accumulate on or about the land or premises where an animal is kept.

Tying animals

9. No person shall cause an animal to be hitched, tied or fastened to a fixed object by a rope, chain or cord that is directly tied around the animal's neck or to a choke collar for more than 30 minutes.

Animals in a confined space

10. No person shall confine an animal in a confined space, vehicle or vessel without providing adequate ventilation and water to prevent the animal from suffering distress and without providing sufficient shade to protect the enclosed space, vehicle, vessel and animal from the direct rays of the sun at all times.

Transport of animals in motor vehicles

11. No person shall transport an animal in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the animal is adequately confined or secured in a body harness or other manner of fastening that is adequate to prevent the animal from jumping or falling off the vehicle or otherwise injuring itself.

PART 3 – ANIMAL CONTROL

Animals at large

12. No owner of an animal shall allow, suffer or permit their animal to run at large.

Dogs in public places

13.
 - 1) The owner of a dog must not allow the dog to be in a public place unless the dog is firmly held on:
 - a) a leash not exceeding 2.4 m in length; or
 - b) a retractable lead not exceeding 8 m in length when fully extended; by a person competent to restrain and keep the dog under his or her physical control.
 - 2) No person shall lead, exercise or accompany any dog in a public place unless the person has in his possession a wrapper suitable for collecting and carrying any excrement deposited by the dog.

- 3) Persons in control of dogs in public places must remove excrement deposited by the dog in a wrapper and place it in a waste receptacle.
- 4) Despite Subsection (1), the owner of a dog may allow the dog to be in an off-leash area without being firmly held if:
 - a) the dog is under the effective control of a competent person;
 - b) the dog is not exhibiting aggressive behaviour; and
 - c) the off-leash area has not been closed by the Manager of Public Works.

Dangerous and vicious dogs

14. No person shall own, keep or harbour a dangerous dog within the Village nor bring a dangerous dog into the municipal boundaries of the Village.
15. Every person who owns, keeps or has the custody, care or control of a vicious dog shall:
 - (a) not permit or allow the vicious dog to be in any public place unless the vicious dog is effectively muzzled to prevent it from biting another animal or human and is firmly held by a person competent to restrain the dog on a leash not exceeding 2.4m in length; and
 - (b) at all times while the vicious dog is on the owner's premises, keep the vicious dog securely confined indoors or confined outdoors in an enclosure as defined in Part 1 of this bylaw.

Animal noise

16. No person shall own, possess or harbour an animal in the Village unless he ensures the animal is tended to at all times to avoid noise or other behavior by the animal which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of a neighbourhood, or of persons in the vicinity of the animal.

Limit on number of dogs and cats

17. No person shall keep or harbour, nor allow to be kept or harboured, more than 3 dogs and/or 3 cats on any property or in any legal residential unit within a property unless a valid license to operate a kennel is held for the said property.

Poultry

18. Subject to Section 19, no person shall keep any poultry on any parcel of

land in the Village, with the exception of the Zone designated “Agricultural” as provided for in the “Village of Keremeos Zoning Bylaw No. 851” as amended from time to time.

19. Despite Section 18, urban hens may be kept on any parcel zoned for Low Density Residential One (RS1)(in this section referred to as “the property”), provided that:

- 1) the lot size is a minimum of 500 m²;
- 2) no more than five (5) urban hens are permitted;
- 3) the owner possesses a valid Backyard Hen Licence and provides to the Village a BC Poultry Premises Identification number from the Ministry of Agriculture;
- 4) the person possessing urban hens is the registered property owner or has obtained permission from the registered property owner of the property where urban hens are kept;
- 5) no roosters, cocks, or cockerels are kept on the property;
- 6) urban hens are kept in a run that:
 - a. is fenced on all sides and roofed in a manner that will keep predators from entering and hens from escaping;
 - b. provides at least 1m² of outdoor space per hen;
 - c. is less than 2.0m in height;
 - d. is located to the rear of the front face of the principle building;
 - e. is sited at least 2.0m from all property lines and at least 3.0m from any doors and windows of any residential buildings, including neighbouring properties; and
 - f. has a ground surface comprised of material that is clean, non-toxic, biodegradable, readily available, and easily replaceable, and which is well maintained.
- 7) a coop is provided that:
 - a. meets the setback requirements for accessory buildings or structures as provided for RS1 zoned properties in the Zoning Bylaw, as amended from time to time;
 - b. is minimum of 0.37m² floor area per hen and maximum 9.2 m² total floor area; and
 - c. has at least one perch that is at least fifteen (15) cm long per hen and one nesting box per four hens that is large enough for the hen to turn around and sit.

- 8) hens must be kept enclosed at all times;
- 9) food and water must be kept in coop at night;
- 10) properties that have a coop and lack vegetative buffers are encouraged to provide privacy screening;
- 11) each hen is provided with food, water, shelter light, ventilation, veterinary care, and opportunities for essential behaviours such as scratching, dustbathing, and roosting, all sufficient to maintain the hen in good health with consideration of the temperature fluctuations from winter through summer;
- 12) hens are not to be kept in a cage;
- 13) biosecurity procedures recommended by the Canadian Food and Inspection Agency are followed;
- 14) all leftover feed, trash and manure are removed in a timely manner;
- 15) manure to be stored in a fully enclosed structure or container, and store no more than 1.0m³ of manure at any time;
- 16) manure not used for composting or fertilizing is to be removed from the property;
- 17) hens are to be kept for personal use only, and eggs, manure, meat or other products derived from hens are not to be sold; and
- 18) hens are not to be slaughtered or buried within Village limits.

Animals in Agricultural Zone

20. The area in which farm animals or poultry are kept in an Agricultural Zone must be kept at least 100m from any zone designated as residential, commercial, or industrial under the provisions of "Village of Keremeos Zoning Bylaw No. 851", as amended from time to time.

Beekeeping

21. The keeping of bees is prohibited in all zones within the Village of Keremeos boundaries, with the exception of the Zone designated "Agricultural" as provided for in the "Village of Keremeos Zoning Bylaw No. 851" as amended from time to time.

22. Apiculture hives are to be set back a minimum of 7.5 m from any lot line.
23. A person who engages in beekeeping must:
- 1) have a beekeeper identification number, issued to them by the Ministry of Agriculture Apiculture Program;
 - 2) be the registered owner of the property where bees are kept or have permission from the registered owner of the property where the bees are kept;
 - 3) register as an Apiary under the *Bee Act* RSBC, Chapter 29 and amendments thereto;
 - 4) adhere to good management practices and maintain bees in a condition that will reasonably prevent swarming and aggressive behaviour;
 - 5) provide adequate water for the bees to prevent bees from seeking water in neighbouring swimming pools, birdbaths, ponds or other community bodies of water; and
 - 6) locate all colonies at the rear of the front face of the principle dwelling and in such a way as to avoid concentrated bee flight on neighbouring properties.

Birds

24. No person shall keep more than 4 ornamental birds on any parcel of land in the Village, provided that they are housed and enclosed at all times on the parcel on which they are kept.
25. Where any bird is housed in any building or enclosure, the building or enclosure must meet the minimum setbacks from any property lines as required by the Zoning Bylaw.

PART 4 - LICENSING

Dog Licenses

26. The owner of every dog shall, annually on or before the last day of February in each year, or as soon thereafter as such dog shall attain the age of six (6) months, cause the dog to be registered, numbered, and licensed in the office of the Village, or such other place designated by the Village.

27. No person shall own, keep, harbour or have in his possession any dog unless a valid licence therefore has first been obtained under this bylaw.
28. No person shall own, keep, harbour or have in his possession any dog unless the said dog is made to wear around its neck a collar or harness to which a valid and current licence tag is attached.
29. A dog owned and harboured by a non-resident of the Village shall not be exempt from the licensing provisions of this bylaw unless the following conditions are met:
 - 1) the dog is licensed and is wearing a valid licence tag of a province or local government other than the Village; and
 - 2) the dog is not living in the Village for more than 30 days.
30. Every application for a licence shall be accompanied by a licence fee payable in accordance with Keremeos Fees and Charges Bylaw No. 795, Schedule 5.
31. All persons with disabilities requiring the aid of a service dog shall be required to obtain a licence for their guide dog, but there shall be no charge for this licence.
32. Every licence issued under this bylaw shall be for the calendar year in which the licence is issued and shall expire on the 31st day of December in the year in which the licence was issued.

There shall be issued with each licence a tag, which shall be impressed or stamped with a number corresponding to the number of the licence issued.
33. Where a licence tag is lost or destroyed, a replacement tag may be issued to the person to whom the original licence was issued, upon their paying to the Village or to the Pound Keeper the prescribed fee set out in Keremeos Fees and Charges Bylaw No. 795, Schedule 5.
34. Where the owner of a dog in respect to which a licence is issued under this bylaw sells or otherwise ceases to be the owner of the dog, the licence for that dog shall immediately become cancelled, and no licence fee refund shall be made.

Backyard Hen Licenses

35. No person shall own, keep, harbour or have in his possession any poultry permitted under Section 19 unless a valid licence has first been obtained under this bylaw.
36. Every backyard hen licence is valid only for the owner of the backyard hens to whom it was issued.
37. At any time, the Village may cancel or suspend a backyard hen licence issued pursuant to this Bylaw if the backyard hen licence holder fails to comply with the provisions of this Bylaw.

PART 5 - ENFORCEMENT

38. The Council shall, from time to time as may be required, appoint one or more Bylaw Enforcement Officers, who shall enforce the provisions of this bylaw.
39. The Council shall, from time to time as may be required, appoint a Pound Keeper who may hire an assistant or assistants as deemed necessary, who shall operate a pound for the impounding of dogs pursuant to the provisions of this bylaw.
40. The Bylaw Enforcement Officer may seize and impound any dog found running at large or any dog that is otherwise in contravention of this bylaw.
41. The Bylaw Enforcement Officer shall post a notice on the bulletin board of the Village for all dogs impounded.
42. The Bylaw Enforcement Officer is hereby authorized to enter at all reasonable times, onto any parcel within the municipality to determine whether the provisions of this Bylaw are being complied with; including but not limited to being empowered to enter any lands, or vehicle in order that he may:
 - 1) control, impound or destroy any wounded, sick, or distressed dog; and to control and/or impound any dangerous dog in accordance with the provisions of the *Community Charter*; or
 - 2) determine whether a dog is duly licensed under this bylaw; or
 - 3) seize or impound any dog found which is not properly licensed.
43. No dog which is impounded may be reclaimed unless all outstanding licence fees, and all fees for impounding and storage of the dog have first been paid in full, as set out in Keremeos Fees and Charges Bylaw No.

795, Schedule 5 and Municipal Ticket Information Bylaw No. 803.

44. The Bylaw Enforcement Officer and the Pound Keeper are authorized at their sole discretion, to destroy, sell or otherwise dispose of any dog impounded under this bylaw unless the dog is reclaimed, and all required fees prescribed in this bylaw are paid within 72 hours of the dog being impounded.
45. The owner or licence holder of any dog that is impounded under this bylaw shall be required to pay to the Village any and all prescribed fees set out in Keremeos Fees and Charges Bylaw No. 795, Schedule 5 and Municipal Ticket Information Bylaw No. 803, regardless of whether or not the impounded dog is reclaimed.
46. If a dog should escape from, or be illegally released from, the pound and return to the possession of its' owner or any person caring for the dog, its' owner or caretaker shall still be liable for the payment of all fees and expenses chargeable and recoverable under this bylaw.
47. No person shall release or rescue or attempt to release or rescue any dog lawfully in the custody of the Pound Keeper or Bylaw Enforcement Officer.
48. No person shall obstruct or otherwise interfere with the Pound Keeper or Bylaw Enforcement Officer in the lawful exercise of his duties under this bylaw.
49. Any person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention 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, is guilty of an offence under this bylaw, and liable to a fine of up to \$2,000.00.
50. Where a violation, contravention or neglect to comply with any provision of this bylaw is recurring, continual or ongoing in nature, each day's continuation or recurrence shall be considered a separate offence.

"Animal Control Bylaw # 258" is hereby repealed.

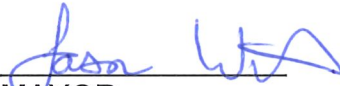
"Dog and Cat Control Bylaw # 730" is hereby repealed.

READ a first time the 3rd day of March, 2025

READ a second time the 3rd day of March, 2025

READ a third time the 3rd day of March, 2025

ADOPTED on the 17th of March, 2025


MAYOR


Chief Administrative Officer