

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 306.

WHEREAS it is expedient that a pound be established in the Municipality of Burnaby.

The Municipal Council of the Corporation of the District of Burnaby enacts as follows:-

1. In the interpretation of this By-law the word "animal" shall extend to and include any horse, mare, filly, foal, gelding, colt, bull, bullock, cow, heifer, steer, calf, sheep, lamb, goat, mule, ass, swine, fowls, poultry and rabbits.

2. That a public pound or pounds shall be established and maintained by the Council at such place or places within the Municipality of Burnaby as the Council may from time to time by resolution determine.

3. The Council shall from time to time as occasion shall require appoint one or more competent person or persons to serve in the office of Pound Keeper at such salary as may be by resolution provided.

4. Any animal or animals running at large on any street, lane, highway, boulevard, park or public place or straying, depasturing or trespassing on any street, lane, highway, boulevard, park or public place or trespassing on private property may be taken by the Pound Keeper or Keepers who shall impound the same in the Municipal Pound until the owner or owners have paid the following sums: For impounding any horse, mare, gelding, cow, bullock, heifer, steer, mule, or ass One dollar and fifty cents (\$1.50) each; for impounding any colt, filly, foal, calf, sheep, lamb, goat, rabbit or swine, fifty cents (50¢) each; for impounding any goose, duck, or poultry ten cents (10¢) each, together with the other fees and charges provided for in this By-law.

5. It shall be unlawful for any animal or animals to run at large on any street, lane, highway, boulevard, park, or public place

or stray, depasture, or trespass on any street, lane, highway, boulevard, park or public place, or trespass on private property, and the owner or owners and any person or persons entitled to or in possession, charge or control of any such animal or animals, so found shall be guilty of an infraction of this by-law.

6. When any animal is impounded in accordance with the provisions of the preceding section the Pound Keeper shall within twenty-four hours post on a conspicuous place on the pound gate and on the door of the Municipal Hall and at the Post Office nearest to the place where the animal was found a notice giving a description of the animal impounded and stating that the same had been impounded and will be sold at the expiration of ten days from the date of said notice which shall be the same as the date of posting, unless sooner redeemed. More than one animal may be included in any such notice, The Pound Keeper shall also within the said period of ten days publish a copy of the said notice in one issue of a weekly newspaper circulating in the Municipality.

7. If the animal impounded be not redeemed within the period of ten days mentioned in the preceding section, it shall be offered for sale at Public Auction at the pound where the animal is impounded by the Pound Keeper or by some other person appointed by the Reeve for the purpose on the day following the expiration of the said period of ten days at 10'clock in the afternoon and shall be sold to the highest bidder who shall be given a receipt for the payment of purchase money.

8. It shall be the duty of the Pound Keeper or Keepers to daily water and furnish with proper shelter and good and sufficient food all animals so impounded as aforesaid and detained by him as Pound Keeper, and for so doing he shall be entitled to demand and receive the following sums for the use of the Corporation over and above the fees for impounding: For animals other than geese, ducks and poultry, fifty cents (50¢) each per day. In the case of Milch cows being impounded the Pound Keeper or Keepers shall at least twice each day milk the cows so impounded and for so doing he shall be entitled to keep for his own use or to sell the milk so obtained.

9. A book shall be kept in the office of the Clerk in which shall be entered by the Pound Keeper or Keepers the description of every animal impounded, the name of the Pound Keeper who impounded the said animal, the place where the same was found, the date and name of the person by whom same was redeemed, or if sold, the name, address and occupation of the purchaser and the amount of purchase money.

10. Upon payment to the Pound Keefer or the Clerk of the said Corporation of all fees and expenses by this By-law chargeable in respect of any animal which has been impounded as aforesaid, the person to whom such payment is made shall deliver to the owner or to the person entitled to the possession of the said animal making such payment or his agent an order in writing for the release of such animal stating in such order the fees and expenses so paid and upon presentation to the Keeper of the pound in which such animal is impounded of such order on the day of the date thereof, countersigned by the person to whom it is issued, the animal shall be released and the order shall be filed as a voucher in the office of the Clerk to the said Corporation.

11. Every owner or other person entitled to the possession of an animal which has been impounded as aforesaid shall forthwith upon being notified or becoming aware of such impounding redeem the animal in accordance with the last preceding section hereof, or should the pound be broken and any animal get out or in any way escape therefrom and get back to the possession or custody of the owner or any person claiming the said animal the said owner or other person shall still be liable for the payment of the fees and expenses chargeable and recoverable as under Sections 4 and 8 of this By-law.

12. The proceeds of any sale of impounded animals shall be applied in the first place in payment of the expenses incurred or in relation to such sale and in the next place in payment of the fees and expenses lawfully chargeable in respect of impounding and keeping the animal and the surplus (if any) shall be paid to the Municipal Clerk to be paid by him to the owner or other person

entitled to the possession of the animal when such person is ascertained, or if not claimed within three months shall then form part of the Municipal revenue but if the money from the sale of any animal aforesaid shall not be sufficient to satisfy the amount chargeable thereon as hereinbefore stipulated then the owner or other person entitled to the possession of the animal shall pay the balance and may be sued therefor at the instance of the Pound Keeper or of the Municipal Clerk.

13. No person shall rescue or retake or attempt to rescue or retake from any person in whose custody the same shall be under the provisions of this By-law any animal on the way to the Pound or impounded under the provisions hereof, nor shall any person hinder, delay, obstruct or interfere with any Pound Keeper or Keepers in the execution of their duties.

14. Any person guilty of an infraction of this By-law shall be liable upon summary conviction to a fine not exceeding One Hundred (\$100.00) Dollars with costs and in default of payment to imprisonment for a term not exceeding thirty days.

15. This By-law shall come into force on its being finally passed.

16. This By-law may be cited as "BURNABY POUND BY-LAW, 1921."

17. "BURNABY POUND BY-LAW, 1909" is hereby repealed.

DONE AND PASSED in open Council this Fourteenth (14th) day of March, A.D. 1921.

RECONSIDERED and finally passed this Eleventh (11th) day of April, A.D. 1921.



Alfred E. Moore  
R E E V E.

Arthur G. Moore  
C L E R K.