

WHEREAS IT IS EXPEDIENT that a Municipal Pound be established for the impounding of animals found at large upon any public highway or trespassing upon any unenclosed land within the limits of the District of Burnaby, and that such animals be declared a nuisance and disposed of as such.

BE IT THEREFORE ENACTED by the Reeve and Council of the Corporation of the District of Burnaby in open Council assembled as follows:-

1. In the interpretation of this By-Law the word animal shall extend to and include horses, mares, stallions, fillies, foals, geldings, colts, bulls, cows, boars, rams, heifers, steers, calves, sheep, lambs, goats, mules, asses, swine, geese, ducks and poultry.

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

3. The said 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 resolution provided.

4. That from and after the passing of this By-Law all animals found at large upon any public highway, street, road, lane, alley or dyke or trespassing upon any unenclosed land shall be deemed a nuisance and 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 bull, stallion, boar or ram \$5.00, for impounding any cow, horse, ass or other cattle \$1.50 each, for impounding any lamb, goat, calf (under 1 year old) or swine 50 cents each.

Every animal so impounded shall be within 24 hours advertised for 10 days by the Pound Keeper by a notice in three newspapers circulating within the District or by a written or printed notice posted in a conspicuous place on the Pound Gate and at the office of the Clerk of the Corporation and the nearest Post Office.

5. A book shall be kept in the office of the said Clerk in which shall be entered by the Pound Keeper or Keepers a 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 when he received same and the fees charged thereon the date and name of person by whom same was redeemed or if sold the name, address and occupation of purchaser and the amount of purchase money.

6. If the animal shall not be redeemed within 10 days after impounding and advertising it shall be offered for sale by Public Auction at the Pound by the Pound Keeper or by some person appointed for that purpose by the Reeve on the day following the expiry of said 10 full days 1 o'clock in the afternoon and shall be sold to the highest bidder who shall be given a receipt for payment of purchase money.

7. It shall be the duty of the Pound Keeper or Keepers to daily furnish all animals so impounded as aforesaid with proper shelter and good and sufficient food and water daily all animals 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 Bulls, horses, mules, cows and other cattle 50 cents each per day; for geese, ducks, and poultry 5 cents each per day. In the case of milch cows being impounded, the Pound Keeper or Keepers shall at least twice each day milk the cow so impounded and for so doing he shall be entitled to keep for his own use or to sell the milk so obtained.

8. Upon payment to the Pound Keeper 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 other 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 dating 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 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.

9. 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 wise 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 7 of this By-Law.

10. All fees, expenses and penalties received in respect of the impounding of animals under this By-Law, shall be forthwith paid over by the officer receiving the same, and shall form part of the Municipal Revenue, and shall be paid to the person for the time being appointed to receive the same for that purpose.

11. 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.

12. If any animal is not redeemed within 10 days after the impounding and advertising thereof as aforesaid, it shall be lawful for the Pound Keeper to cause the same to be sold by public auction, and the proceeds thereof 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 the impounding and keeping the animal, and the surplus, (if any) shall be paid to the Municipal Treasury, 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 3 months, shall then form part of the Municipal Revenue, but if the money arising from the sale of any animal as 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 therefore at the instance of the Pound Keeper or of the Municipal Council.

13. This By-Law shall come into force on the 1st. day of December 1909.

14. This By-Law may be cited as " BURNABY POUND BY-LAW, 1909."

15. DONE AND PASSED in open Council this 24th. day of September A. D. 1909.

RECONSIDERED and finally passed this 13th. day of October, A.D. 1909.

(signed) Peter Byrne

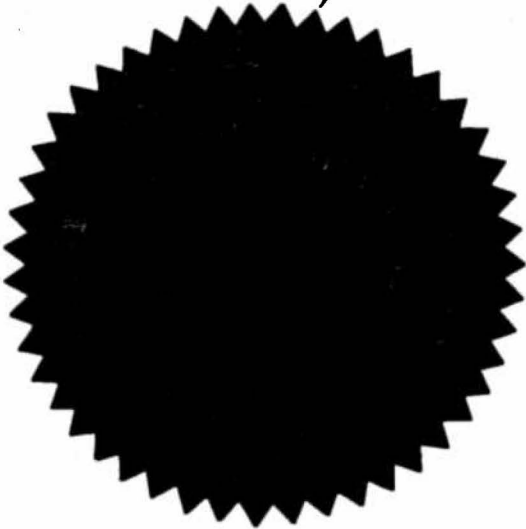
Reeve.

C. T. Saunders

C. M. C.

L. S.

Charles Thomas Saunders, Clerk
of the Municipal Council of Burnaby
herely certify that the foregoing is a
true copy of a By law passed by the
Municipal Council on the 13th day of
October 1909.



C. T. Saunders
Clerk