

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1819.

VF 1707

A BY-LAW to provide for prohibiting and regulating the erection or use of building or buildings for dog kennels or hospitals, or infirmaries for dogs, within the Municipality of Burnaby.

WHEREAS, Subsection 171 of Section 59 of the "Municipal Act" being Chapter 199 R.S.B.C. 1936 provides that the Council may pass a by-law "for regulating and controlling the location, erection, and use of dog-kennels and for prohibiting the erection or use of buildings for dog-kennels or as hospitals or infirmaries for dogs within the municipality or within any defined area or areas or on land abutting on any defined area or part of a highway. For the purpose of this clause, 'dog-kennels' means any place where more than five dogs are kept".

THE MUNICIPAL COUNCIL of the Corporation of the District of Burnaby ENACTS as follows:

1. No person shall erect or use any building or buildings for dog-kennels or as hospitals or infirmaries for dogs within the Municipality without first having obtained a permit so to do from the Municipal Council.

2. The Council shall consider each application for the erection of any building or buildings for dog-kennels or as hospitals or infirmaries for dogs and may in their absolute discretion grant or refuse such application if the location of such dog-kennels or hospitals or infirmaries for dogs is within any area where, in the opinion of the Council, such dog-kennel or hospitals or infirmaries for dogs should not be established.

3. Provided, however, that any building or buildings for dog-kennels or hospitals or infirmaries for dogs within the Municipality in use at this time or where permitted under the provisions of this by-law, shall cease to be used as such if the license for same is not renewed in any year after the coming into effect of this by-law and no person holding a permit under this by-law shall transfer same to any other person without the consent and approval of the Council first having been obtained.

4. The permit granted hereunder shall be prominently displaced on such premises at all times.

5. The Council may in its discretion revoke any permit granted hereunder upon cause being shown.

6. Every person who violates any of the provisions of this by-law or suffers or permits any act or thing to be done in contravention or violation of any of the provisions thereof, or who neglects to do or refrains from doing anything required

to be done by any of its provisions, shall be deemed to be guilty of an infraction thereof and liable to the penalties hereby imposed.

7. Any person guilty of an infraction of this by-law shall, upon conviction therefor before a Court of competent jurisdiction on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Corporation a fine or penalty not exceeding the sum of One Hundred Dollars (\$100.00) and costs for each offence; and in default of payment thereof forthwith it shall be lawful for such Court convicting as aforesaid to issue a warrant to levy the said fine or penalty and costs or costs only by distress and sale of the offender's goods and chattels; and, in case of no sufficient distress being found, to commit the offender to the common gaol or nearest lock-up house for any period not exceeding two months, with or without hard labour, unless the said fine or penalty and costs be sooner paid.

8. This By-Law shall come into effect on the registration thereof.

9. This By-Law may be cited for all purposes as the "Burnaby Dog-Kennels Regulation By-law, 1943."

DONE AND PASSED this eighth (8th) day of November, A.D. 1943.

RECONSIDERED AND FINALLY ADOPTED this twenty-second (22nd) day of November, A.D. 1943.



W. Hillson

REEVE

Charles B. Brown

CLERK

I, Charles B. Brown, Clerk of the Corporation of the District of Burnaby do hereby certify the foregoing to be a true copy of a By-law passed by the Council of the Corporation of the District of Burnaby on the Twenty-second (22nd) day of November, A.D. 1943.

CLERK.