

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1845.

A BY-LAW under Section 59, Subsection (40a), of the "Municipal Act", being Chapter 199, R.S.B.C., 1936, contralling the payment of claims under Section 17, Subsection 4 of the "Sheep Protection Act", being Chapter 259, R.S.B.C., 1936.

WHEREAS under the provisions of Subsection 4 of Section 17 of the "Sheep Protection Act", being Chapter 259, R.S.B.C., 1936, the Council may authorize the owner of the sheep, goats or poultry killed or injured by a dog to file with the Clerk a claim for the amount of the damages sustained by the owner of the sheep, goats or poultry so killed or injured, the amount of such damages so claimed to be in the absolute discretion of the Council and upon filing of the claim duly authorized by the Council shall be paid forthwith out of the Municipal Dog-Tax Fund as in the said Act provided:

AND WHEREAS Subsection (40a) of Section 59 of the "Municipal Act", being Chapter 199, R.S.B.C., 1936, provides no such claim as aforesaid shall be authorized unless the Council is satisfied that the owner of the sheep, goats or poultry submitting the claim has taken all reasonable precautions for protecting such sheep, goats or poultry:

THEREFORE the Council of the Corporation of the District of Burnaby ENACTS as follows:-

- (1) THAT no claim shall be authroized or paid as provided in Subsection 4, Section 17 of the "Sheep Protection Act", being Chapter 259, R.S.B.C., 1936, unless the Council is satisfied:
 - (a) THAT the owner of the Sheep, goats or poultry submitting the claim has taken all reasonable precautions for protecting such sheep, goats or poultry.
 - (b) THAT at the time the damage is done the said poultry was housed in a properly constructed chicken house and properly fenced poultry run (if any in conjunction therewith) as to prevent egress.

- (c) THAT at the time the damage is done the said goats or sheep so damaged were being pastured in a private pasture which is properly fenced so as to prevent said goats or sheep from straying therefrom.
- (d) In the case of sheep, goats or poultry being damaged as aforesaid whilst straying from said chicken houses, poultry runs or private pastures, whether or not the said sheep, goats or poultry were being tended or not, no claim for damages will be entertained.

This By-law may be cited as the "BURNABY SHEEP PROTECTION ACT CLAIMS BY-LAW 1944."

DONE AND PASSED in Open Council this Seventeenth (17th) day of July, A.D. 1944.

RECONSIDERED AND FINALLY PASSED this Thirty first (31st) day of July, A.D. 1944.



W.R. Beamish

Acting REEVE

Charles B. Brown

CLERK.