

CITY OF BURNABY

BYLAW NO. 13295

A BYLAW respecting the licencing of
dogs, control of aggressive dogs and pet stores

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ANIMAL CONTROL BYLAW 1991, AMENDMENT BYLAW 2014.**
2. The definition “Licence Inspector” in section 2 of Burnaby Animal Control Bylaw 1991 is amended by striking out “The Corporation of the District” and substituting “City”.
3. Section 2 of the said Bylaw is amended by adding after the definition “owner” the following definition:

“ ‘pet store’ means an establishment where live animals are sold for pets; ”.
4. The definition “pound” in section 2 of the said Bylaw is amended by striking out “Corporation” and substituting “City”.
5. Subsection (3) of section 3 of the said Bylaw is amended by adding “and renewal licence” after “licence”.
6. Subsection (5) of section 3 of the said Bylaw is amended
 - a) by adding “or transfer of licence” after “licence”;
 - b) by adding, after subsection (b), the following:

“Where a person applies for a licence electronically on the City’s website the written certification need not be provided at that time, but shall be presented to the City if and when requested by the Licence Inspector.”

7. Subsection (2) of section 4 of the said Bylaw is amended by striking out “a fee of \$1.00” and substituting “the fee specified in Schedule ‘A’”.
8. Subsection (3) of section 4 of the said Bylaw is repealed.
9. Subsection (4) of section 4 of the said Bylaw is amended by striking out “the licence shall be cancelled” and substituting “may be transferred to the new owner of the dog upon payment of the transfer fee set out in Schedule “A”, but shall otherwise be cancelled”.
10. Subsection (5) of section 4 of the said Bylaw is amended by striking out “any applicable fee” and substituting “the transfer fee set out in Schedule “A” ”.
11. Subsection (2) of section 5 of the said Bylaw is amended by striking out “highway or” and substituting “highway, park or other”.
12. Section 5 of the said Bylaw is amended by adding the following subsection after subsection (2):

“(2A) Every owner of a dog shall ensure that the dog does not without provocation physically attack any person or other animal.”
13. Subsection (2)(a) of section 6 of the said Bylaw is amended by striking out “two” and substituting “three”.
14. Subsection (3) of section 6 of the said Bylaw is amended by striking out everything after “No” and substituting “person shall harbour or keep a poisonous or venomous animal”.

15. The said Bylaw is amended by adding the following section after section 6.A:

“6.B No person shall sell, harbour or keep any of the animals listed in Schedule “D”. ”
16. Section 8 of the said Bylaw is amended by striking out “a horse, mule, ass, cattle, sheep, goat, swine, rabbit, monkey, guinea pig, gerbil, hamster, mouse, rodent or other” and substituting “an”.
17. Subsection (2) of section 9 of the said Bylaw is amended by striking out “killed is applied for under the Livestock Protection Act” and substituting “destroyed is applied for under the Community Charter”.
18. Subsection (4)(a) of section 9 of the said Bylaw is amended by striking out “ten” and substituting “twenty-one”.
19. Subsection (4)(b) of section 9 of the said Bylaw is struck out and the following substituted:

“(b) before releasing the dog, require the owner^s
 - (i) to pay all fees payable under this Bylaw for the impoundment and maintenance of the dog; and
 - (ii) to satisfy the pound keeper that she or he has a place to keep the dog as required by section 7.”
20. Subsection (d) of section 10 of the said Bylaw is amended by striking out “Corporation” in both places where it appears and substituting “City”.
21. Subsection (e) of section 10 of the said Bylaw is repealed.
22. Section 11 of the said Bylaw is repealed.

23. Subsection(g) of section 12 of the said Bylaw is amended by striking out “14 days”.
24. Section 15 of the said Bylaw is repealed.
25. Section 15.B of the said Bylaw is amended by striking out “707.1 of the Local Government Act” and substituting “49 of the Community Charter”.
26. The said Bylaw is amended by adding the following after Section 15.B:
 - “ 15.C (1) No person who has been convicted of an offence involving cruelty to animals shall operate a pet store.
 - (2) No operator of a pet store shall employ at that pet store any person who has been convicted of an offence involving cruelty to animals.
 - (3) Every operator of a pet store shall ensure that:
 - (a) all persons who attend to the care of animals have the necessary skills, knowledge, training, abilities and equipment and supplies for the humane care of those animals;
 - (b) all animals are provided with sufficient food, water, shelter, warmth, lighting, cleaning, sanitation, grooming, exercise, veterinary care and any other care necessary to maintain the health, safety and well-being of those animals;
 - (c) no animals are handled by members of the public except under the supervision of a qualified employee.
 - (4) Every operator of a pet store shall ensure that all cages, enclosures or other places where animals are kept are at all times:
 - (a) of sufficient size to allow the animal in which it is kept to

stand to its full height, lie down, easily turn around and perform any other normal movement;

- (b) equipped with adequate and appropriate containers for food and water;
 - (c) maintained in good repair and in a condition that is safe to the animal;
 - (d) maintained in a clean and sanitary condition and free of animal waste;
 - (e) regularly disinfected and kept free of offensive odours; and
 - (f) well ventilated.
- (5) Every operator of a pet store shall provide an area for the segregation from other animals of all animals that are ill, injured or in need of special treatment, care or attention.
- (6) Every operator of a pet store that has an animal in its care that is or appears to be suffering from an illness or disease that is transmittable to human or other animals shall
- (a) immediately notify the local health authority of the situation;
 - (b) ensure that the animal is kept isolated from humans and healthy animals until the local health authority has determined that it is no longer necessary to isolate the animal; and
 - (c) if so directed by the local health authority, have the animal euthanized humanely and in the manner directed by the local health authority.

- (7) Every operator of a pet store shall
 - (a) post in a conspicuous place in the pet store the name and telephone number of a veterinarian who may be contacted by employees to provide necessary veterinary services; and
 - (b) ensure that, in the case of a dog, cat or other mammal not being a rodent or a rabbit:
 - (i) any animal that is ill or injured is promptly examined and treated by a veterinarian; and
 - (ii) any necessary euthanasia of an animal is performed by or under the supervision of a veterinarian.

- (8) Every operator of a pet store shall
 - (a) keep and maintain in the pet store a legible written register containing a record of all transactions in which animals, other than arthropods, fish or amphibians, have been acquired or disposed of by the business; and
 - (b) produce the register referred to in subsection (a) for inspection at the request of the Licence Inspector and provide copies of any entries required by the Licence Inspector.

- (9) The register required to be kept and maintained under subsection (8) shall contain the following information for each animal:
 - (a) the name and address of the person or organization from whom the animal was acquired;
 - (b) the date of purchase or acquisition;

- (c) the description of the sex and colouration of the animal and, where applicable, any tattoo or microchip number or marking;
 - (d) the date the animal was sold or otherwise disposed of by the business; and
 - (e) where the animal has been disposed of other than by sale, the method of and reason for such disposition.
- (10) Every operator of a pet store shall, at the time of sale of an animal other than an arthropod, fish or amphibian, provide the purchaser with a written record of the sale containing the following information:
- (a) a description of the animal;
 - (b) the date of sale;
 - (c) the name and address of the pet store;
 - (d) a description of the animal, including its sex, colour and markings, and, if known, its age;
 - (e) a description of any tattoo or microchip;
 - (f) a record of all vaccinations and inoculations; and
 - (g) the species and, if applicable, breed or cross breed of the animal.
- (11) For the sale of a cat or kitten, the operator of a pet store shall, in addition to providing the information required under subsection (10), provide the purchaser with a dated and signed certificate from a veterinarian

- (a) verifying the health of the animal; and
 - (b) indicating that the animal has been de-wormed and vaccinated or inoculated for the diseases specified in the certificate.
- (12) Every operator of a pet store shall at the time of sale of any animal, other than an arthropod or fish, provide the purchaser with written instructions on the proper care and feeding of the animal, including
- (a) appropriate diet, including any recommended dietary supplements;
 - (b) proper handling techniques;
 - (c) basic living environment and, if applicable, type of enclosure, including appropriate enclosure size, lighting, heating, humidity control, materials and planting, substrate and recommended cleaning frequency;
 - (d) exercise needs, if any;
 - (e) any other care requirements necessary to maintain the health and well-being of the animal; and
 - (f) any human health risks associated with the handling of the animal.
- (13) No operator of a pet store shall sell or offer to sell
- (a) any of the animals listed in Schedule "D";
 - (b) any aquatic or semi-aquatic turtle;
 - (c) subject to subsection (14), any unspayed or unneutered rabbit,

cat or kitten.

- (14) An operator of a pet store may sell an unsterilized kitten provided that the operator provides to the purchaser at the time of sale
 - (a) a voucher that entitles the purchaser to have the kitten spayed or neutered, without further charge, at the office of a veterinarian practicing in the City of Burnaby, with the name, address and contact information of the veterinarian shown on the voucher; and
 - (b) written information describing the benefits of sterilizing cats and kittens.
- (15) The operator of a pet store shall not display a dog or cat for sale in the store for a period greater than twelve weeks.
- (16) Every operator of a pet store at all times that the pet store is open for business and at all other reasonable times permit the Licence Inspector, pound keeper, Chief of Police for the City and any of their designated staff members to inspect the pet store and any animal in the store to ensure that the provisions of this Bylaw are being complied with.”

27. Section 16 of the said Bylaw is amended by striking out “\$500.00” and substituting “\$10,000.00”.

28. Section 16.A of the said Bylaw is repealed.

29. Schedules “A”, “B”, “C” and “D” of the said Bylaw are repealed and Schedules “A”, “B”, “C” and “D” of this Bylaw substituted therefor.

30. Schedule "F" of the said Bylaw is repealed.

Read a first time this 3rd day of February 2014

Read a second time this 3rd day of February 2014

Read a third time this 3rd day of February 2014

Reconsidered and adopted this 24th day of February 2014


MAYOR


CLERK

SCHEDULE "A"
LICENCE FEES FOR DOGS

1. Annual Licence Fees

	<u>Paid before March 1</u>	<u>Paid on or after March 1</u>
(1) Dog not neutered or spayed	\$52.00	\$62.40
(2) Dog neutered or spayed	\$26.00	\$36.40
(3) Vicious dog not neutered or spayed	\$150.00	\$150.00
(4) Vicious dog neutered or spayed	\$100.00	\$100.00

2. Licence Transfer Fees

(1) Transfer to new owner	\$10.00
(2) Transfer to replacement dog	\$10.00

3. Replacement Licence Tag Fee \$5.00

SCHEDULE "B"

Fee for Impoundment

(1)	<u>For a licenced dog</u>	
	(a) first impoundment	\$50.00
	(b) second impoundment	\$150.00
	(c) third and subsequent impoundments	\$300.00
(2)	<u>For an unlicenced dog</u>	
	(a) first impoundment	\$100.00 plus licence fee
	(b) second impoundment	\$200.00 plus licence fee
	(c) third and subsequent impoundments	\$300.00 plus licence fee
(3)	<u>For each vicious dog</u>	
	(a) first impoundment	\$200.00
	(b) each subsequent impoundment	\$400.00
(4)	<u>For all other animals</u>	
	(a) first impoundment	\$20.00
	(b) second impoundment	\$60.00
	(c) third and subsequent impoundments	\$120.00
(5)	For special equipment used, if any, to effect the impounding	\$10.00

SCHEDULE "C"

Maintenance Fees

- | | | |
|-----|--|-------------------------------------|
| (1) | For each dog | \$15.00 per day or
part of a day |
| (2) | For each cat or small animal | \$5.00 per day or
part of a day |
| (3) | For any animal not listed in
(1) or (2) | \$10.00 per day or
part of a day |

SCHEDULE "D"

List of Prohibited Animals

- all non-human primates
- all felidae, except the domestic cat
- all canidae, except the domestic dog
- all ursidae (bears)
- all proboscidea (elephants)
- all pinnipedia (seals, walrus)
- all marsupials
- all edentates (anteaters)
- all xenarthra (such as sloths, armadillos and tamanduas)
- all monotremata (spiny anteater and platypus)
- all venomous or poisonous reptiles and amphibians
- all venomous and poisonous invertebrates (black widow spiders, tarantulas)
- all ungulates, except the bison and domestic breeds of cow, goat, sheep, pig, horse, mule, donkey, ass, llama and alpaca
- all hyaenidae (hyenas)
- all hyracoidean (hyraxes)
- all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
- all procyonidae (raccoons, coatimundis)
- all viverridae (civets and genets)
- all herpestidae (mongooses)
- all cetacean (whales, porpoises, dolphins)
- all chiroptera (bats), colugos (flying lemurs) and scandentia (treeshrews)
- all lagomorphs (rabbits and hare), except the domestic rabbit