

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 6191

A BY-LAW to provide for the collection of licence fees from and the issuance of licenses to any person who owns, possesses or harbours any dog and to provide for the seizure, impounding and detention of unlicensed dogs and of dogs and other animals unlawfully permitted to be at large.

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This by-law may be cited as "BURNABY DOG TAX AND POUND AND ANIMAL REGULATION BY-LAW 1972".

2. In this by-law unless the context otherwise requires

"Corporation" means The Corporation of the District of Burnaby.

"Municipality" means the Municipality of Burnaby.

"Owns" includes possesses or harbours.

"Owner" includes possessor or harbourer.

"Person" shall have the same meaning as in the Interpretation Act R.S.B.C.

"Pound" means any building or enclosure established as a pound by the Corporation.

"Pound-keeper" means the person appointed by the Corporation for the purpose of enforcing and carrying out the provisions of this by-law and includes any persons employed by him.

"Unlicensed dog" means any dog for which a valid and subsisting licence for the current year has not been procured or to which a numbered license tag for the current year is not affixed.

3. (1) Every person within the Municipality who owns a dog shall
- (a) have a valid and subsisting licence for the said dog;
 - (b) procure the said licence upon application in writing to the Licence Inspector of the Corporation upon the form provided and upon paying the prescribed licence fee, namely \$5.00 for each male dog, \$20.00 for each unspayed female dog, and \$5.00 for every female dog certified as spayed by a licensed and qualified veterinarian;

(c) obtain the said licence immediately upon becoming the owner of the said dog and thereafter on or before the second day of January in each calendar year.

(2) The said licence when issued shall be for the current calendar year only.

4. (1) Upon payment of all prescribed fees and charges the Licence Inspector of the Corporation shall issue to the owner of the dog a numbered licence tag stamped for the current year and the owner shall affix the said licence tag securely to the said dog by means of a dog collar or otherwise.

(2) The Licence Inspector of the Corporation shall maintain a record of all licenses issued showing the name and address of the owner, the date of issue of the licence, a description and the licence number of the dog licensed and the licence fee paid.

(3) The Licence Inspector of the Corporation may issue a duplicate licence tag upon being satisfied by the owner that the original licence tag issued has been lost or stolen and upon payment of a fee of twenty-five cents (25¢).

(4) Every owner shall have a valid and subsisting licence tag affixed to his dog.

(5) No person shall without lawful excuse remove a licence tag affixed to any dog.

5. Every person who owns a dog shall not permit the said dog to be at large in the Municipality and without limiting the generality of the foregoing shall keep said dog on leash while upon a highway or public place.

6. Every person who owns a horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry shall not permit the said horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry to be at large in the municipality.

7. (1) The Pound-keeper shall seize and impound

- (a) any unlicensed dog;
- (b) any dog found upon a highway or public place not on leash;
- (c) any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry unlawfully at large.

(2) The Pound-keeper shall keep every impounded dog in the pound for 72 hours after seizure, unless sooner reclaimed as herein provided.

(3) The Pound-keeper shall keep every impounded horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry in the pound for 168 hours after seizure, unless sooner reclaimed as herein provided.

(4) The owner of an impounded dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry may reclaim the said dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry by

- (a) applying, in the case of a dog, to the pound-keeper at the pound when the same is open for business and before the expiration of 72 hours after seizure of the said dog;

- (b) applying, in the case of a horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry, to the pound-keeper at the pound when the same is open for business and before the expiry of 168 hours after seizure of the said horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry;

- (c) providing proof of ownership of the said dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry;
- (d) paying an impoundment fee as specified in Schedule "A";
- (e) paying the current licence fee, if any, and if not already paid;
- (f) paying a maintenance fee as specified in Schedule "B" for each day or part of a day that the dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry is impounded.

(5) If the owner does not reclaim the said dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry as herein provided, the pound-keeper may forthwith sell or otherwise dispose of the said dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry.

8. The Pound-keeper shall

- (1) supply each impounded dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry with adequate food and water while impounded;
- (2) keep a book or register in which he shall record a description of each dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry impounded, destroyed, sold or reclaimed, the date, time and place of such impounding, destroying, selling or reclaiming, the name and address of the person reclaiming or purchasing the dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit,

skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry, and the price paid by the person reclaiming or purchasing the dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry;

(3) keep a record of all moneys received by him pursuant to this by-law;

(4) pay to the Corporation all moneys received by him pursuant to this by-law unless authorized by the Corporation not to pay all moneys received by him to the Corporation; and

(5) to keep the pound open for business from 9:00 o'clock in the forenoon until 6:00 o'clock in the afternoon on Monday, Tuesday, Wednesday, Thursday and Friday, and on Saturdays from 9:00 o'clock in the forenoon until 12:00 o'clock noon; provided that the pound may be closed on statutory holidays.

9. The Corporation may retain the proceeds of any sale or disposition of any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry; provided that where the proceeds exceed the cost to the Corporation of the licence fees, impounding fees, maintenance fees and cost of such sale or disposition, the owner of such dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry may, within three months of the date upon which the dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamster, mouse, rodent or other animal or poultry was seized and impounded, claim the balance.

10. The Pound-keeper may at all reasonable times enter upon any property in the Municipality

(1) To ascertain if there is on the said property any unlicensed dog;

(2) to seize and impound any unlicensed dog;

(3) to seize and destroy any dog certified by a licensed and qualified veterinarian to be suffering from an incurable disease;

(4) for the purpose of conducting enquiries when he knows or has reason to believe that a dog owned or kept on the said property has either attacked, bitten, harassed, savagely pursued or acted in a vicious manner towards a person, dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry;

(5) for the purpose of determining if a dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry is unlawfully at large; and

(6) to seize and impound any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry unlawfully at large.

11. No person shall rescue or attempt to rescue or interfere with any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry seized and impounded under the provisions of this by-law, or interfere with or obstruct or impede the pound-keeper in the execution of his duties.

12. It shall be unlawful for any person to be in possession of any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry which has been impounded by the pound-keeper when such dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hamper, mouse, rodent or other animal or poultry has not been redeemed in accordance with the provisions of this by-law.

13. Any person may, upon paying the disposal fee as specified in Schedule "C", have the Pound-keeper dispose of by incineration the dead body of any dog, horse, mule, ass, cattle, sheep, goat, swine, rabbit, skunk, racoon, monkey, squirrel, fox, guinea pig, gerbil, hampster, mouse, rodent or other animal or poultry.

14. Every person who violates any of the provisions of this by-law or who 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 guilty of an offence punishable on summary conviction and shall be liable to a fine not exceeding \$500.00 and in default of payment to imprisonment not exceeding 30 days.

15. By-Law No. 5556, being the "Burnaby Dog Tax and Pound By-Law 1969", and By-Law No. 306 being the "Burnaby Pound By-Law 1921", are hereby repealed.

Read a first time this 30th day of October , 1972.

Read a second time this 30th day of October , 1972.

Read a third time this 30th day of October , 1972.

Reconsidered and adopted this 6th day of November , 1972.

J. W. Drummond
ACTING MAYOR

J. H. Law
CLERK



SCHEDULE "A"

Fee for Impoundment

- | | |
|---|---------|
| (1) For each licensed dog | \$10.00 |
| (2) For each unlicensed dog | \$25.00 |
| (3) For each horse, mule, ass, cattle, sheep, goat, swine, fox, racoon, skunk or monkey | \$20.00 |
| (4) For each rabbit, squirrel, guinea pig, gerbil, hampster, mouse, rodent or poultry | \$ 2.00 |
| (5) For any animal not listed in (1), (2), (3) and (4) | \$25.00 |
| (6) For special equipment used, if any, to effect the impounding | \$10.00 |

SCHEDULE "B"

Maintenance Fee

- | | |
|--|------------------------------------|
| (1) For each dog | \$2.00 per day or part
of a day |
| (2) For each horse, mule, ass, cattle,
sheep, goat, swine, fox,
raccoon, skunk or monkey | \$2.00 per day or part
of a day |
| (3) For each rabbit, squirrel,
guinea pig, gerbil, hamster,
mouse, rodent or poultry | 25¢ per day or part
of a day |
| (4) For any animal not listed in (1),
(2) and (3) | \$2.00 per day or part
of a day |

SCHEDULE "C"

Disposal Fee

- | | | |
|-----|--|--------|
| (1) | For each dead body of a dog, horse,
mule, ass, cattle, sheep, goat, swine,
rabbit, skunk, racoon, monkey, squirrel,
fox, guinea pig, gerbil, hamper, mouse,
rodent or other animal or poultry. | \$1.00 |
|-----|--|--------|

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OF BURNABY

BY-LAW NO.

"BURNABY DOG TAX AND POUND
AND ANIMAL REGULATION
BY-LAW 1972"

DATED: