

President: C. JACK EDWARDS, A.F.C. Secretary: ROBERT A. HODGSON

BRITISH COLUMBIA SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS

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March 25, 1971

Mr. H. Buckley
Chief License Inspector
The Corporation of the District of Burnaby
4949 Canada Way
Burnaby 2, B.C.

Dear Mr. Buckley:

I have been talking with Garry Smith with regards to the request made to him by your Mr. Kenzie regarding the matter of park areas, schools, and playgrounds. I understand that recently there have been complaints received in your office with regard to certain park areas where dogs are running at large and I believe that one of the areas about which we have received complaints is the park on Burnaby Mountain. Obviously, as a first suggestion if this has not already been done I would say that each of the areas involved should be suitably sign-posted making it illegal for dogs to be allowed to run. In such a notice reference would of course be made to the particular section of the By-Law.

I noticed in the Richmond Corporation's By-Law there is a paragraph reading "every owner of a dog shall - keep such dog effectively secured on a leash while such dog is on any lands zoned as "general commercial district" by virtue of the Richmond Zoning By-Law No. 1430 as from time to time amended."

Also, in the corporation of Delta Control By-Law I read "every owner of a dog shall - keep such dog effectively under control while such dog is upon any highway or public place" also "keep such dog from running on school property."

In considering this whole matter with Garry Smith it is felt that perhaps it would be well were the By-Law to prohibit dogs at all in the areas of schools and playgrounds and that the By-Law also be amended to read that "dogs must be contained on a leash when in park areas."

Referring back to the Burnaby Mountain Park it is our understanding that in that area you employ a resident caretaker and it is our view that this man should be instructed to properly police the area so to ensure compliance with the suggestion made above that dogs be on leash when in that area. You of course realize that as far as pound work is concerned there is only a five-day

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MANAGER'S REPORT

1971 No. 8

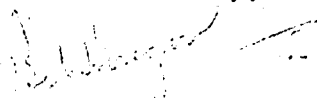
week patrolling between Monday and Friday by our staff and although there is emergency staff at the weekend at the shelter the idea behind this is that there will be somebody to deal with emergency matters and to be able to allow persons to redeem dogs that have been impounded and to adopt. No patrolling is carried out on the Saturdays and Sundays which of course is quite normal in operations of this kind. Neither ~~our~~ ^{are} patrols carried ~~that~~ ^{out} on public holidays.

As a general observation it might be well were your municipality to give consideration to instituting a "notice of offence" which could be handed to the owner of a dog where such dog was unable to be physically caught and impounded by our staff. Taking this matter a little further it might be thought advisable for the caretaker at the Burnaby Mountain Park to also be given authority to give these notices to persons who are frequently refusing to obey the leash control that is suggested. As you know, we in this branch of our society operate a number of pound contracts for municipalities and this "notice of offence" system has been found to be very beneficial in such matters. There is no doubt that there are many times when it is quite impossible to catch and impound a dog but the owner can be identified and the notice given and at that point the owner is liable to pay a fee in lieu of an impounding fee which is normally set-up in the same rates as the impounding fees under the particular By-Law. Our staff have often given verbal warnings to persons regarding allowing their dogs to run at large but seemingly this has very little effect and after a short while no notice is taken of it and so the procedure has to be repeated. By instituting a notice such as suggested such persons would be penalised.

I made reference earlier in this letter to the Richmond By-Law under which they refer to "general commercial district" and I put this in since whilst you are contemplating a review of the By-Law it might be well to give this particular point consideration since it was intended to cover high-density shopping areas, etc.

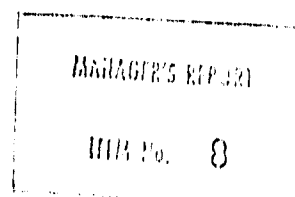
I trust that this letter will prove satisfactory for the purpose you have in mind and no doubt we shall hear further from you regarding what transpires after your council meeting.

Yours sincerely,



R. A. HOSGOOD
Secretary-Manager

RAH/1s1



Item V - Dogs In Parks

Council has asked the Parks and Recreation Commission "for its views on the subject". We refer to correspondence from Mr. Conway, the Municipal Clerk, the Secretary-Manager of the S.P.C.A., and the Chief Licence Inspector (Item(u) under Correspondence).

The Parks Regulation By-Law states as follows:

General Regulations Section 17:

"No person as owner or having the control of any animal or fowl shall suffer or permit such animal or fowl to run at large or feed upon any park or driveway howsoever; and the owner or other person having the custody of any such animal or fowl who suffers or permits the same to run at large or feed in or on any such park or driveway shall be deemed to be guilty of an infraction of this By-Law and shall be liable to the penalties hereinafter imposed save with consent of Council."

General Regulations Section 22(c):

"Any person who causes any dog or other animal to swim in the water or throws or deposits any injurious nuisance or offensive matter into the water in any reservoir, lake, pond or other receptacle for water connected with any park, or on the beaches, or upon the ice in case any such water is frozen, or in any way fouls the water, or commits any unlawful damage or injury to the works, pipes, or water, or encourages the same to be done shall be deemed to be guilty of an infraction of this by-law, and shall be liable to the penalties hereinafter provided."

Enforcement of regulations such as these must be carried out with a good deal of discretion. The approach we use is to post signs stating "dogs in public parks must be on a leash" in areas where problems have occurred or are likely to occur. Parks, and Recreation Programme staff are aware of the by-law requirement that dogs be kept under control and they are instructed to take appropriate action when they observe flagrant abuses of the regulation. Action may consist simply of speaking to the dog owner or may in severe cases consist of calling the police or the S.P.C.A.

Generally, I am of the opinion that the stray dog problem is reasonably well controlled in parks, however, we do permit the walking of dogs in the parks and as Mr. Buckley points out "dogs must heed the call of nature". In the specific case of Burnaby Mountain Park it should be pointed out that contrary to statements in the correspondence there is no parks caretaker. The tenant in the Centennial Pavilion as in other park buildings containing dwellings receives a small monthly stipend in return for calling the police in the event of vandalism or other trouble.

There would seem therefore, to be no simple solution to the problem other than to alert Parks and Recreation staff and the S.P.C.A. to the importance of continued vigilance to ensure the enforcement of regulations for stray dogs. I do not recommend the imposition of a "complete ban on dogs in parks". Such a regulation would be even more difficult to enforce than that which we now have.

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