

New Model Animal Responsibility Bylaws

Version 3

September 2017



BCSPCA
SPEAKING FOR ANIMALS

Executive summary

Public health and safety and environmental risks are key concerns for every municipality. Incidents involving cat overpopulation, dangerous dogs and exotic animals have created expectations for regulators to proactively address these issues. The BC SPCA has dedicated its expertise as British Columbia's oldest, and Canada's largest, animal welfare organization to designing this package of model bylaws that will help municipalities address the root causes of animal-related issues in their communities. BC SPCA staff and volunteers with expertise in animal control, animal behaviour and welfare, wildlife management and the legal system collaborated on the production of these evidence-based model bylaws.

This package contains model bylaws on:

- 🐾 Animal control, including provisions to address dangerous dogs, exotic animals, animal licensing and identification, urban chickens and bees, livestock protection, hoarding, community cat colonies and basic standards of animal care.
- 🐾 Waste and attractant management to address unintentional feeding of wildlife not covered by provincial wildlife regulations.
- 🐾 Business licensing, including licensing standards for animal breeders, boarders, service providers and pet stores.

About the BC SPCA

The British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) has been protecting animals and advocating on their behalf for more than 125 years. Through its 36 branches, two veterinary hospitals, two spay and neuter clinics, one wildlife rehabilitation centre, a provincial call centre and its provincial office in Vancouver, the BC SPCA provides a wide range of services for more than 100,000 animals a year in distress and need around the province.

This document was prepared by Amy Morris, BA, MPP, in consultation with staff at the BC SPCA, municipal bylaw managers and lawyers.

For consultation and more information regarding these bylaws, email animalbylaws@spca.bc.ca or call 1-800-665-1868.

Mission

To protect and enhance the quality of life for domestic, farm and wild animals in British Columbia.

Vision statement

To inspire and mobilize society to create a world in which all animals enjoy, as a minimum, five essential freedoms:

- 🐾 Freedom from hunger and thirst
- 🐾 Freedom from pain, injury and disease
- 🐾 Freedom from distress
- 🐾 Freedom from discomfort
- 🐾 Freedom to express behaviours that promote well-being.

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Introduction

The BC SPCA released the first edition of its model bylaw in 2009. Since that time, new issues have emerged and better solutions have been identified. This update to the model bylaw incorporates the most recent best practices for municipal policy based on scientific evidence.

Legality of bylaws related to animals

Municipalities are incorporated areas. Other than the City of Vancouver, municipalities in British Columbia are governed by the *Community Charter*. A municipality has the authority to provide any service that the council considers necessary or desirable, including **prohibiting and imposing requirements in relation to animals** in 8(3)(k). This is quite broad and allows for significant discretion in regard to animals. Part 3 Division 6 of the *Community Charter* specifically permits municipalities to establish classes of animals, to seize animals and to declare dogs dangerous. In *International Bio Research v. Richmond (City)*, 2011 BCSC 471, the Supreme Court of British Columbia held that, as long as there is a “municipal purpose” as outlined in section 7 of the *Community Charter*, a municipality is justified in passing bylaws related to animals. This section highlights that municipal purpose includes providing services and laws for community benefit, and fostering the economic, social and environmental well-being of its community.

Regional Districts provide governance and the delivery of services on a region-wide basis. They serve as the local government for residents and property owners in unincorporated rural areas. The *Municipal Act* gives the Province of British Columbia authority to issue Letters Patent to each Regional District. These official documents set out the political and administrative framework for the delivery of services, including any services related to animals. The *Municipal Act* specifically mentions the ability of Regional Districts to issue licences to a person who owns, possesses or harbours a dog (524). Municipalities can make bylaws in accordance with the *Community Charter* that supersede a Letter's Patent that also applies to their area.

Why address welfare at the municipal level?

Issues related to public health and safety and pet welfare are important to the Canadian public.

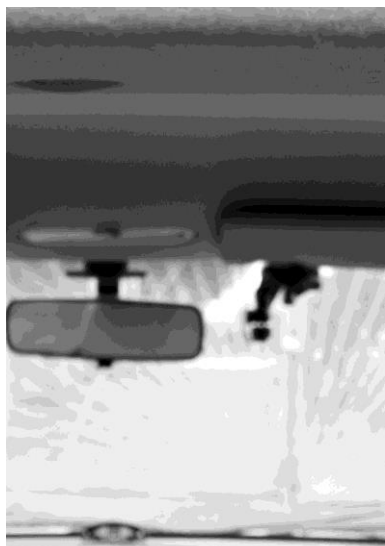
Municipal purpose: Each year, the Union of British Columbia Municipalities sends resolutions to the Province to ask them to address issues related to animals. More often than not, the response from the Province is that the *Community Charter* already gives municipalities the ability to address the issue locally.

Pilot project: Successful bylaw pilot projects in municipalities with data on enforcement can be helpful in making the case that a province-wide approach is needed, and demonstrates the success of such an approach on a small scale.

Ticketing authority: The municipal authority to issue a ticket for a bylaw violation is an authority not granted to the BC SPCA. While most citizens are motivated to take action once they have adequate education, there are some who require enforcement action. Enforcement actions involving tickets can help to fund enforcement activities, and more importantly, be a strong motivator for a citizen to move to action.

Shine light on animal abuse: Municipalities without bylaws in place to address animal issues can also become known as a “safe haven” for people who neglect and abuse animals. The BC SPCA frequently encounters scenarios where a person facing enforcement action in one municipality for animal neglect will move to another with fewer regulatory bylaws.

The remainder of the bylaw package provides summaries on specific issues and bylaw recommendations to address these issues.



Standards of care including hot cars and tethering

Animals who are poorly cared for can become a serious risk to community health and safety. Animals housed in unsanitary conditions are common sources of zoonotic disease (diseases that are transferable to humans) and animals raised in inadequate environments without proper socialization (e.g., confined in crates or tethered in backyards) are more likely to exhibit aggressive behaviour.

Bylaws that require basic standards of animal care allow bylaw officers to be proactive and address these issues of concern before an incident occurs. More than 60 municipalities in British Columbia have already instituted bylaws that require some basic standards of animal care. The adoption of such bylaws can be used to complement the provisions on animal care contained in the *Prevention of Cruelty to Animals Act*.

Animal neglect and cruelty including fighting

In cases of welfare issues related to cruelty and neglect, the BC SPCA recognizes the importance of partnering with bylaw officers to address issues related to irresponsible owners. The *Community Charter* gives municipalities the ability to ticket for bylaw offenses, while authorized agents responsible for enforcing the *Prevention of Cruelty to Animals Act* are not able to issue related tickets. Bylaw officers can issue tickets for offenses related to standards of care and be in communication with BC SPCA animal protection officers for follow-up as required. Contact the BC SPCA Call Centre with any concerns or questions at 1-855-622-7722.

Tethering and confinement

The BC SPCA strongly opposes the indiscriminate chaining, or other methods of tethering dogs, without due regard for their physical and/or psychological well-being. Dogs are social animals who require and thrive on companionship and interaction with people and other animals. Dogs can suffer immense psychological damage; they can become bored, anxious or frustrated and may show signs of aggression or destruction. Peer-reviewed studies have shown that dogs show increased aggression towards other dogs when tethered¹

¹ White, J., McBride, E. A., & Redhead, E. (2006, September 12). *Comparison of tethering and group-pen housing for sled dogs* [Poster presentation]. Universities Federation for Animal Welfare Conference 2006, London, UK. <http://eprints.soton.ac.uk/55343>

and that a significant proportion of fatal dog attacks (17%) are from dogs restrained on their own property².

The BC SPCA recognizes that municipalities prefer to take a culturally relevant approach to regulating tethering and confinement, so as not to punish responsible owners. For ease of enforcement and to decrease safety risks to the dog and others, the BC SPCA recommends each municipality, at a minimum, include specific provisions 1.3 and 3.4 below in their bylaw.

Animals in hot cars

Enforcing a bylaw related to animals in hot cars can be challenging. Each agency, including the police, the BC SPCA and the municipality, must balance both public expectation and resources. While the BC SPCA has the authority to remove animals in distress from vehicles, the Cruelty Investigations Department is 100% donor-funded and limited by having only 30 constables for the entire province and cannot issue tickets to guardians who are in violation of a municipal bylaw. Police and the RCMP have the ability to remove animals from vehicles and may have more agents for service delivery; however, they are often dealing with other high priority emergency response situations. Addressing the issue of animals in hot cars requires a multi-agency response, ideally with a bylaw officer attending to issue a ticket and to determine if the animal is licensed in accordance with the requirements of the licensing bylaw. Where necessary, the RCMP or the BC SPCA attends to remove the animal from the vehicle. The BC SPCA is supportive of updates to the *Community Charter* that would give bylaw officers authority to remove animals from vehicles, given the time-sensitive and serious nature of this issue.

The language of this provision (number 4 below) is written to allow for discretion based on the breed and animal type, recognizing that a dog with genetics from Egypt, for instance, will differ significantly to a dog with genetics from northern British Columbia. There is no specific temperature or amount of time that is deadly for all animals. Symptoms of heat stroke include exaggerated panting (or the sudden cessation of panting), excessive salivation, an anxious or staring expression, a rapid or erratic pulse, vomiting and diarrhea, weakness, muscle tremors, a lack of coordination, collapse, convulsions and death.

² Sacks, J., Sinclair, L., Gilchrist, J., Golab, G. C., & Lockwood, R. (2000). Breeds of dogs involved in fatal human attacks in the United States between 1979 and 1998. *Journal of the American Veterinary Medical Association*, 217(6), 836-840. <https://doi.org/10.2460/javma.2000.217.836>



Choke, prong and shock collars

The BC SPCA does not support the use of devices and techniques that cause anxiety, fear, distress, pain or injury, such as choke chains and prong and shock collars. Recent scientific evidence demonstrates that dogs trained with choke, prong and shock collars are more likely to exhibit aggressive behaviour. Bylaws like this (7.3 below) can be enforced through the same monitoring already in place for off-leash areas and community patrols. Enforcement is best coupled with education around alternate training tools, such as front-clip harnesses and head collars.

Bylaw

Definitions

“Animal” means any member of the Kingdom Animalia excluding humans;

“Enclosure” means a structure forming a pen suitable to confine an animal; and

“Owner” includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons’ house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor.

Standards of Care

1. No person shall keep any animal in the municipality unless the animal is provided with:
 - 1.1 clean potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the animal’s normal growth and the maintenance of the animal’s normal body weight;
 - 1.2 food and water receptacles which are clean;
 - 1.3 the opportunity for regular exercise sufficient to maintain the animal’s good health, including daily opportunities for social contact with people or animals, to be free of an enclosure and exercised under appropriate control; and
 - 1.4 necessary veterinary care when the animal exhibits signs of pain, injury, illness, suffering, or disease.
2. No person may keep any animal which normally resides outside or which is kept outside for extended periods of time, unless the animal is provided with outside shelter:
 - 2.1 which ensures protection from heat, cold and wet that is appropriate to the animal’s weight and type of coat;
 - 2.2 which provides sufficient space to allow the animal the ability to turn about freely and to easily stand, sit and lie in a normal position; at least one and a half (1.5) times the length of the animal in all directions, and at least as high as the animal’s height measured from the floor to the highest point of the animal when standing in a normal position plus 10%;
 - 2.3 which provides sufficient shade to protect the animal from the direct rays of the sun at all times;

- 2.4 which contains dry bedding that will assist with maintaining normal body temperature; and
 - 2.5 which is regularly cleaned and sanitized and all excreta removed at least once per day.
3. No person may cause, permit or allow an animal:
- 3.1 to be hitched, tied or fastened to a fixed object in such a way that the animal is able to leave the boundaries of the owner's property; or
 - 3.2 to be hitched, tied or fastened to a fixed object where a choke, prong or shock collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck; or be tethered other than with a collar that is properly fitted to the animal and attached in a manner that will not injure the animal or enable the animal to injure itself by pulling on the tether; or
 - 3.3 to be hitched, tied or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the animal; or
 - 3.4 to be hitched, tied or fastened to a fixed object unattended at any time; or
 - 3.5 to be hitched, tied or fastened to a fixed object for longer than four (4) hours within a 24 hour period.
4. No person shall keep an animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering discomfort or heat- or cold-related injury. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.
5. No person may transport an animal in a vehicle outside of the passenger compartment or in an uncovered passenger compartment, unless it is adequately confined to a pen or cage, or secured in a body harness or other manner of fastening to prevent it from jumping, falling off the vehicle or otherwise injuring itself.
6. No person shall permit an animal to suffer from thermal distress, dehydration, discomfort or exertion causing unnecessary pain, suffering or injury.
7. Notwithstanding any other provision of this bylaw, no person shall:
- 7.1 abandon any animal;
 - 7.2 in any way use poison, air pellet guns, bows and arrows, sling shots and the like on any animal;
 - 7.3 use choke, prong or shock collars or harsh physical or verbal corrections to train or restrain any animal;
 - 7.4 tease, torment, provoke, punch, kick or choke an animal;
 - 7.5 cause, permit or allow an animal to suffer; or
 - 7.6 train or allow any animal to fight.



Standards of care for impounded animals

Research in the last 15 years highlights how short-term experiences can have a lasting effect on animals. In shelter situations, the care an animal receives each day is directly correlated to their physical and psychological well-being. Animals who have appropriate provisions of food and clean water, the opportunity for exercise and social enrichment, the provision of veterinary care, and separate spaces for sleeping, eating and eliminating have better outcomes than animals whose care is limited by issues related to inadequate space, staffing or budget. The *Canadian Standards of Care in Animal Shelters* is a national standard for animal impoundment facilities, which contains a list of minimum standards and best practices for the keeping of animals in a shelter environment. Facilities falling below minimum standards must take steps to rectify these deficiencies or work with a contractor who will assist them in addressing these minimum acceptable practices.

When performing euthanasia in a shelter, each individual animal must be treated with respect. A veterinarian with appropriate training and expertise for the species involved should be consulted to ensure that proper procedures are used. Any euthanasia method used in a shelter must quickly induce loss of consciousness followed by death, while ensuring the death is as free from pain, distress, anxiety or apprehension as possible. The euthanasia method must be reliable, irreversible and compatible with the species, age and health status of the animal. Any agent or method that is unacceptable according to the *AVMA Guidelines for the Euthanasia of Animals* is also unacceptable for use in shelters. The identity of each animal to be euthanized must be determined with certainty beforehand, including scanning multiple times for a microchip using a universal scanner and verifying that the animal is properly designated for the procedure. An assessment must be made of each animal's size, weight and temperament so the appropriate drug dose, needle and syringe size as well as restraint method can be used.

Bylaw

Definitions

“Animal” means any member of the Kingdom Animalia excluding humans;

“Animal Shelter Manager” means any person appointed by the municipality as the animal shelter manager or any contractor who has entered into an agreement with the municipality to assume the responsibilities of the animal shelter manager pursuant to this bylaw, and includes the delegates of this person;

“Impounded” means seized, delivered, received, or taken into the custody of the municipality or in the custody of the animal shelter manager;

“Owner” includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons’ house or premises or to whom a licence for an animal has been issued pursuant to this Bylaw and where the Owner is a minor, the person who is the legal guardian or has custody of the minor; and

“Permanent Identification” means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner.

Shelter Standards

1. The animal impoundment facility shall ensure all “must” and “unacceptable” statements set out in the *Canadian Standards of Care in Animal Shelters: Supporting ASV Guidelines* are addressed. This document is available at (<https://www.canadianveterinarians.net/media/djgfg20k/canadian-standards-of-care-in-animal-shelters-supporting-asv-guidelines.pdf>).
2. The animal shelter manager shall ensure that all animals impounded under this bylaw receive sufficient food, water, shelter, exercise, social interaction and, if necessary, reasonable veterinary attention, and that the animals are not mistreated during seizure and impoundment.
3. During the impoundment period, the animal shelter manager shall provide veterinary care and pain control for an injured or ill impounded animal as may be necessary to sustain its life and relieve distress.
4. If an animal shelter manager considers that an impounded animal requires:
 - 4.1 a vaccination;
 - 4.2 flea treatment;
 - 4.3 worm treatment;
 - 4.4 examination by a veterinarian; or
 - 4.5 urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian,then the animal shelter manager can cause such care to be provided at the sole cost and expense of the animal’s owner.
5. During or following the impoundment period, the animal shelter manager must, in consultation with a veterinarian, take an animal to a veterinarian for euthanasia, where s/he reasonably believes:
 - 5.1 immediate veterinary treatment cannot prolong the animal’s life, or;
 - 5.2 prolonging the animal’s life would result in the animal suffering unduly, and;
 - 5.3 all reasonable efforts to contact the owner of the animal have failed.
6. Any euthanasia method used in a shelter must quickly induce loss of consciousness followed by death, while ensuring the death is as free from pain, distress, anxiety, or apprehension as possible. The euthanasia method must be reliable, irreversible and compatible with the species, age and health status of the animal. Any agent or method that is unacceptable according to the AVMA Guidelines for the Euthanasia of Animals is also unacceptable for use in shelters.
7. The animal shelter manager is entitled to recover from the owner the cost of veterinary care provided while the animal was impounded, in addition to any other fees due to the municipality for the redemption of the animal.

Hoarding and animal limits

Setting a limit to the number of animals that one household can provide care for is always going to be subjective. The size and type of animal, the caregiver's capacity to provide care and the size of the caregiver's property will all play a role in how many animals for whom it is possible to provide adequate care. The BC SPCA is supportive of having a limit that allows for enforcement in hoarding situations, while not penalizing the average pet guardian.



Enforcement also plays a significant role in addressing hoarding situations. Where a family is providing adequate care and is over the limit, an animal bylaw officer can choose to use education rather than issuing a ticket or seizing animals. In some cases, a person may be providing community assistance by caring for a friend's animal temporarily. If there are no concerns regarding licensing, welfare or public safety, the BC SPCA recommends leniency for caring and responsible animal guardians.

Bylaw

Definitions

“Animal Bylaw Officer” means any person appointed by council as an animal control officer or bylaw enforcement officer;

“Cat” means the domestic cat *Felis catus*;

“Community Cat” means any free-roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are exempt from licensing and are not considered to be stray or at-large;

“Community Cat Caregiver” means a person who, in accordance with a good faith effort to conduct Trap-Neuter-Return, provides care. This care includes providing food, shelter, or medical care to a community cat. However, community cat caregivers are not the owner or keeper of a community cat (see section Cat population control and feral cat colonies);

“Dog” means the domestic dog *Canis lupus*;

“Licensee” means any person or business entity who obtains a licence to operate and does operate a business that involves providing care for animals, other than a veterinary clinic, including pet stores, animal kennels, animal daycares, dog walkers and animal groomers; and

“Small Animals” means domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*), gerbils, guinea pigs, hamsters and small birds (e.g., budgies, canaries, cockatiels, lovebirds).

Limit on Pets

1. No person shall keep or allow to be kept on any real property more than a total of six (6) cats and dogs over the age of twelve (12) weeks, and a reasonable number of small and aquatic animals, unless they are a licensee, community cat caregiver, veterinary clinic or animal shelter.

2. If a person is providing temporary care for more than a total of six (6) cats and dogs over the age of twelve (12) weeks, they shall notify the animal bylaw officer with the number and species of animals, reason and estimated length of time they will be providing care.



Dangerous dogs and aggression

Dog aggression, while a natural behaviour for dogs, can be a serious threat or harmful to public safety and other animals. A prevalent and divisive issue, it must be addressed if we are to create humane communities where humans and dogs co-exist and enrich each other's lives. The most effective approach to dealing with the issue of inappropriate canine aggression in our communities is to develop a coordinated strategy. Strategies for a municipality to adequately address aggression include:

- Animal control bylaws that promote spaying and neutering, make pet identification mandatory, restrict the keeping of poorly socialized backyard dogs and place the burden of responsibility for an animal's actions on the guardian, not the dog;
- Partnering with agencies that enforce provincial laws to address animal neglect, which contributes to canine aggression;
- Developing effective licensing schemes that regulate breeding facilities and pet stores, as these components of the animal sector play a critical role in the early socialization of pets;
- Registering dogs with aggressive behaviour through reporting by veterinarians, groomers, police, postal carriers, animal control officers, meter readers and humane organizations;
- Creating a centralized, accessible database for the recording of dog bite incidents;
- Requiring mandatory remediation of aggressive, vicious or dangerous dogs using humane, force-free methods;
- Providing education on responsible pet guardianship, canine behaviour and dog bite prevention;
- Developing resources for guardians of dogs with aggression problems, including identifying professionals who can provide remedial measures for canine aggression that are in line with the BC SPCA's FAQ on "How to choose a dog trainer":
<https://spca.bc.ca/how-to-choose-a-dog-trainer/>.

By implementing these recommended bylaws, municipalities can proactively address many of the predisposing factors to canine aggression problems in a community.



Breed-specific restrictions are not a solution

The BC SPCA opposes breed-specific restrictions, as commanding evidence^{3,4,5} demonstrates that they do not adequately address the problem of dog aggression in a community.

Rather, the most effective way to address public safety concerns is for government, animal welfare organizations and other stakeholders to work together on multi-faceted strategies that identify and address the sources of dangerous dogs of all breeds.

The BC SPCA strongly recommends against breed banning for the following reasons:

- Breed-specific restrictions ignore the fact that aggressive behaviour can occur in any breed.
- Breed-specific restrictions do nothing to discourage irresponsible behaviour of people who breed, train, sell or possess dangerous dogs who are not named under the breed ban. To avoid breed-specific restrictions, people who want aggressive dogs will switch to other breeds or select cross-breeds that are difficult to classify.
- There are no efficient methods to determine a dog's breed in a way that can withstand legal challenge. Any breed-specific restriction inevitably results in the creation of subjective and arbitrary factors to determine breed.
- Breed-specific restrictions tread upon the rights of responsible dog guardians who cherish a non-aggressive pet whose breed may fall under the legislation.

³ Huitson, N. R. (2005). *An exploratory analysis of the emergence and implications of breed specific legislation: Knee-jerk reaction or warranted response?* [Master's thesis, Simon Fraser University]. Summit Research Repository.

⁴ Clarke, N. M., & Fraser, D. (2013). Animal control measures and their relationship to the reported incidence of dog bites in urban Canadian municipalities. *The Canadian Veterinary Journal*, 54(2), 145-149.

⁵ Ledger, R. A., Orihel, J. S., Clarke, N., Murphy, S., & Sedlbauer, M. (2005). Breed specific legislation: Considerations for evaluating its effectiveness and recommendations for alternatives. *The Canadian Veterinary Journal*, 46(8), 735-743.

Bylaw

Adapted from City of Surrey Bylaw No. 19105

Definitions

“Aggressive Behaviour” means any behaviour by a dog that demonstrates a threat or harm directed at a person or animal and includes snarling;

“Aggressive Dog” means a dog that:

- a) has without justifiable provocation displayed aggressive behaviour toward a person or animal; or
- b) has without justifiable provocation caused a minor injury to a person or animal;

“Animal” means any member of the Kingdom Animalia excluding humans;

“Animal Bylaw Officer” means any person appointed by council as an animal control officer or bylaw enforcement officer;

“Animal Shelter Manager” means any person appointed by the municipality as the animal shelter manager or any contractor who has entered into an agreement with the municipality to assume the responsibilities of the animal shelter manager pursuant to this bylaw, and includes the delegates of this person;

“At Large” means:

- a) an animal located elsewhere than on the premises of the person owning or having the custody, care or control of the animal that is not under the immediate charge and control of a responsible and competent person;
- b) an animal located upon a highway or other public place, including a school ground, park or public beach, that is not secured on a leash to a responsible and competent person; or
- c) a vicious dog or dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling;

“Dangerous Dog” means a dog that:

- a) has killed or seriously injured a person;
- b) has killed or seriously injured an animal while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog;
- c) has previously been deemed a vicious dog and has since attacked or caused injury to a person or animal after being deemed a vicious dog; or
- d) as defined in the Community Charter S.B.C. 2003 c. 26, as amended;

“Dog” means an animal of the canine species, irrespective of sex or age;

“Dangerous Dog Enclosure” means a fence or structure at least two (2) metres in height and two (2) metres in width, forming or causing an enclosure suitable to prevent unauthorized entry and suitable to confine a dog in conjunction with other measures taken by the owner. The enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the animal from escaping;

“Identification” means:

- a) a collar or tag worn by an animal which includes the name, current address and contact information of the owner;
- b) a traceable tattoo;
- c) a traceable microchip; or
- d) a valid licence tag issued by a local government in British Columbia;

“Impounded” means seized, delivered, received or taken into the custody of the municipality or in the custody of the animal shelter manager;

“Guard Dog” means a dog that is specifically trained for or used primarily for the purposes of guarding property, including residential, commercial and industrial property;

“Muzzle” means a humane basket-style fastening or covering device that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or with the dog’s ability to drink;

“Neuter” means the sterilization of a male animal by removal of the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

“Owner” includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons’ house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor;

“Permanent Identification” means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner;

“Seize” includes impound and detain;

“Serious Injury” means a physical injury to a person or animal that consists of deep punctures, lacerations in more than one direction, broken bones or an injury requiring stitches or cosmetic surgery;

“Spay” means the sterilization of a female animal by removal of the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association; and

“Vicious Dog” means a dog that:

- a) has without justifiable provocation caused a serious injury to a person or animal; or
- b) has a known propensity, tendency or disposition to attack without justifiable provocation; or
- c) has on more than one occasion caused a minor injury to a person or animal; or
- d) has while running at large, aggressively pursued or harassed a person without justifiable provocation, or has demonstrated a propensity, tendency or disposition to do so as deemed by an animal bylaw officer or animal shelter manager.

Aggressive Dogs

1. If an animal bylaw officer receives a credible complaint that a dog has exhibited aggressive behaviour, that bylaw officer may issue the owner of that dog written notice of that complaint, such written notice to include the following:
 - 1.1 the date, place and circumstances of the events alleged;
 - 1.2 a warning that if the dog that is the subject of the complaint is found to have exhibited aggressive behaviour again, the dog could be deemed to be an aggressive dog; and
 - 1.3 a copy of the bylaw relating to aggressive dogs.
2. Where the owner of a dog has received a notice in the form set out in section 1 above and a bylaw officer receives another credible complaint that the dog has exhibited aggressive behaviour, the dog may be deemed to be an aggressive dog. An animal bylaw officer may issue a written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to aggressive dogs and which deems that dog to be an aggressive dog.
3. Every owner of an aggressive dog shall:
 - 3.1 secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - 3.2 ensure that the dog is not running at large within the municipality at any time;
 - 3.3 keep the dog muzzled and on leash when in a designated off-leash area; and
 - 3.4 within fourteen (14) calendar days of receiving notice that their dog is an aggressive dog, ensure the dog has permanent identification and provide the permanent identification information to the municipality.
4. An owner, following a period of at least one (1) year from the date stated on the written notice deeming their dog an aggressive dog, may apply to the municipality for relief from the requirements of Section 2 provided that:
 - 4.1 the municipality has received no further complaints in regard to that dog's aggressive behaviour; and
 - 4.2 proof and documentation is provided that the owner and the dog have successfully completed a humane, force-free training course⁶, deemed acceptable by an animal bylaw officer as acting reasonably to address the dog's aggressive behaviour.
5. If a dog displays aggressive behaviour again after relief has been granted, the requirements of section 2 shall apply in perpetuity.

Vicious Dogs

6. Where a dog meets the definition of a vicious dog, an animal bylaw officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to vicious dogs and which deems that dog to be a vicious dog.
7. Every owner of a vicious dog shall:

⁶ The Canine Good Neighbour Program offers demonstration of remediation: <http://www.ckc.ca/en/Raising-My-Dog/Responsible-Ownership/Canine-Good-Neighbour-Program>

- 7.1 secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
- 7.2 ensure that the dog is not running at large within the municipality at any time;
- 7.3 ensure that the dog is not in a designated off-leash area in the municipality at any time;
- 7.4 keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
- 7.5 post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a vicious dog on the premises;
- 7.6 at all times while the vicious dog is on the person's premises, keep the vicious dog securely confined indoors or confined outdoors in an enclosure; and
- 7.7 within fourteen (14) calendar days of receiving notice that their dog is a vicious dog, ensure the dog has permanent identification and provide the permanent identification information to the municipality.

Dangerous Dogs

8. Where a dog meets the definition of a dangerous dog, an animal bylaw officer may issue written notice to the owner of that dog advising the owner of the requirements of this bylaw with respect to dangerous dogs and which deems that dog to be a dangerous dog.
9. The owner of any dog that has been deemed a dangerous dog by written notice may, within fourteen (14) calendar days of issuance of that written notice, request in writing that the animal bylaw officer reconsider the decision. The request for reconsideration must be accompanied by:
 - 9.1 written reasons why the dog is not a dangerous dog; and
 - 9.2 a written assessment of the dog, prepared by a dog behaviour specialist within the last six (6) months.
10. If the written request for reconsideration referenced is received by the municipality within the time specified in Section 8, the animal bylaw officer may provide the owner and any complainant with an opportunity to make representations regarding the dangerous dog. The bylaw manager may confirm, reverse or amend the decision designating the dog as a dangerous dog and may cancel or modify any restrictions, requirements or conditions imposed by an animal bylaw officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.
11. No person shall own or keep any dangerous dog unless the dog is licensed as a dangerous dog with the municipality by an owner who is over nineteen (19) years of age, who has paid the applicable fee, and who keeps the dog in compliance with Sections 12-14.
12. The owner of a dangerous dog has fourteen (14) days to come into compliance with sections 12-13 of the bylaw, from the date the dog was deemed a dangerous dog.
13. In order to obtain a licence for a dangerous dog, an owner of a dangerous dog shall supply the following documentation to the municipality:
 - 13.1 completion of the dog licence application;
 - 13.2 written confirmation from a licensed veterinarian that this dog has been neutered or spayed;

- 13.3 written confirmation from a humane animal trainer approved by the municipality that the services of such trainer have been retained for the purpose of providing behavioural remediation to the dog;
 - 13.4 written confirmation that the owner has obtained a policy of liability insurance specifically covering any damages for injuries caused by the dog in an amount not less than five hundred thousand (500,000) dollars, and covering the twelve (12) month period during which licensing is sought;
 - 13.5 written confirmation that the dog has permanent identification with the permanent identification information outlined on the application; and
 - 13.6 payment of the dangerous dog licence fee.
14. Every owner of a dangerous dog shall:
- 14.1 secure the dog by a collar and leash that is a maximum length of one (1) metre when not on the owner's property;
 - 14.2 ensure that the dog is not running at large within the municipality at any time;
 - 14.3 ensure that the dog is not in a designated off-leash area in the municipality at any time;
 - 14.4 keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;
 - 14.5 post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a dangerous dog on the premises;
 - 14.6 at all times while the dog is on the person's premises, keep the dog securely confined indoors or confined outdoors in an enclosure with a roof and locked entry; and
 - 14.7 have the dangerous dog photographed and the photo retained at the animal shelter for identification purposes.
15. The owner of a dangerous dog shall promptly notify the municipality's animal shelter manager if:
- 15.1 the dog is found to be running at large; or
 - 15.2 the dog's owner or place of residence changes; or
 - 15.3 the dog is given away or dies.
16. If the owner of a dangerous dog is unwilling or unable to comply with the requirements of sections 12-14, the dog may be seized and impounded for a four (4) day holding period, after which the dog may be euthanized.
17. The owner of a dangerous dog may, within four (4) days of impoundment, request the release of a dangerous dog by submitting to the animal shelter manager a letter providing proof of his or her actions of remediation to the contraventions of this bylaw. It will be at the discretion of the animal shelter manager whether the owner meets the requirements of the bylaw. The animal shelter manager must provide a written decision within five (5) days to the owner that, a. the dog may be released as the owner meets the requirements of the bylaw, b. the owner has additional time to meet the requirements of the bylaw and an assigned timeline, or c. the dog will be euthanized.

Guard Dogs

18. Every owner of a guard dog shall prevent the guard dog from leaving the property of the owner by ensuring:

- 18.1 the guard dog is confined within the premises and these premises are reasonably secure against unauthorized entry;
- 18.2 the premises are completely enclosed by means of a two (2) metre fence constructed in accordance with municipal bylaws and any gates in such fence are reasonably secured against unauthorized entry;
- 18.3 the guard dog is securely confined in an area within the premises that is adequate to ensure that the guard dog cannot escape;
- 18.4 warning signs advising of the presence of a guard dog on the premises are posted, with lettering clearly visible from the lesser of the curb line of the property and fifteen (15) metres from the premises, and posted at each driveway or entranceway to the property and at all exterior doors of the premises; and
- 18.5 before bringing the guard dog onto the premises under control of the owner, notify the animal shelter manager, the Fire Department, the Bylaw Enforcement and Licensing Services Division and the police of the address of the property which the guard dog will be guarding, the approximate hours during which the guard dog will be performing guard duties, the breed, age, sex and licence number of the guard dog and the full names, addresses and telephone numbers of the owner and any other individual who will be responsible for the guard dog.

Dangerous Dog Enclosure

- 19. No person shall keep a dog in a dangerous dog enclosure unless all of the following requirements are met:
 - 19.1 the enclosure shall be a fully enclosed structure with a minimum dimension of two (2) metres in width, by four (4) metres in length and two (2) metres in height from the grade upon which the enclosure is constructed;
 - 19.2 the location of the enclosure shall be within a rear yard and shall meet the requirements for an accessory structure contained within the municipality's zoning bylaw, as amended from time to time;
 - 19.3 the enclosure shall include an outside shelter that conforms to the Standards of Care section of this bylaw;
 - 19.4 if the sides are not secured to the bottom of the enclosure, then the sides shall be embedded into the ground no less than thirty (30) centimetres or as deep as may be necessary to prevent the escape of the dog from the enclosure; and
 - 19.5 the enclosure must be regularly cleaned and sanitized and all excreta removed at least once a day.

Licensing and identification

The increase in ownership, movement and variety of animals kept as pets has resulted in problems with public safety, disease control and stray, lost and stolen animals. Carefully legislated and well-implemented licensing and identification programs help to reunite pets and owners, reduce stress to individual animals and their owners, reduce municipal daily care costs and assist with issues related to theft and dangerous dogs. The percentage of animals reunited with their owners in a community is directly connected to the quality of the licensing and identification program. Companies that provide specialized online services to help with licensing can also make a significant difference in the number of animals returned to their owners, as can be seen in the community of Kingston, ON.

Permanent identification

The BC Pet Registry is owned and operated by the BC SPCA and is the only provincial pet identification (ID) registry in British Columbia (B.C.), created solely for the purpose of ensuring that all companion animals find their way home when they stray or are lost. By investing in permanent identification, BC Pet Registry aims to reverse a trend that sees thousands of animals enter shelters in our province each year, with no way to find their way home due to a lack of any form of permanent identification.

BC Pet Registry records the permanent identification information (any microchip, tattoo and/or license) of pets across the province. This program offers a centralized, secure database for guardians to register their pets and partner agencies (veterinary clinics and animal control/rescue groups) to search the database, ensuring that lost/stray animals will return home in greater numbers than ever before. To learn more about how to access the BC Pet Registry system, contact info@bcpetregistry.ca.

Cat registration and licensing

The BC SPCA cares for more than 8,000 cats each year, approximately half of whom come to us as strays. While nearly every municipality in B.C. requires that dogs be licensed, very few have instituted cat licensing. For cat welfare to be improved in any community, regulatory and educational initiatives are needed. While cat licensing alone may not solve cat welfare and control issues, it can be a significant component of any community's efforts to address them.



Cat licensing has demonstrated a number of benefits for cats and people. Among the benefits documented to date are:

- Higher return-to-owner rates, resulting in lower rehoming and/or euthanasia rates for cats.
- Reduction of cat overpopulation by offering monetary incentives for spay/neuter through differential licence fees.

Licensing also represents a municipality's best opportunity to raise revenue for animal control services and associated programming, such as spay/neuter funds.

A municipality must consider the following options when implementing registration or licensing:

- Paid vs. Free
- Mandatory vs. Voluntary
- Lifetime vs. Annual
- Tag vs. No Tag

We present two models for licensing cats, the second which also applies to dogs, and recommend that civic institutions consult with their communities to determine what the best fit is for their own community.

Bylaw

Definitions

"Animal Bylaw Officer" means any person appointed by council as an animal control officer or bylaw enforcement officer;

"Cat" means the domestic cat *Felis catus*;

"Dog" means the domestic dog *Canis lupus*;

"Neuter" means the sterilization of a male animal by removal of the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"Owner" includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons' house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor; and

"Spay" means the sterilization of a female animal by removal of the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

Identification

1. Every owner of a cat or dog shall affix, and keep affixed, sufficient identification on the cat or dog by a collar, harness, traceable tattoo, microchip or other suitable device such that a person finding the

cat or dog at large in the municipality can identify and contact the owner. The form of identification used must provide a means of determining the sterilization status of the cat or dog.

2. Every owner of a cat apparently over the age of three (3) months, shall provide evidence that the cat has identification that complies with this bylaw upon request by an animal bylaw officer.

Option 1: Mandatory free lifetime registration without tag for cats

1. No person shall own or keep any cat apparently aged three (3) months or more within the municipality unless such a cat is registered as provided by this Bylaw.
2. Any owner of a cat must register their cat by:
 - 2.1 submitting a registration application in the form provided by the municipality;
 - 2.2 ensuring that the cat has identification and that the identification information is provided to the municipality.
3. The municipality shall keep a complete registry of all cats, indicating the dates of registration, the name and description (where relevant, photograph) of each cat, and the name and address of each owner.
4. The owner of any registered cat shall, within thirty (30) days of the owner's change of address, notify the municipality of change of address.

Option 2: Mandatory licensing

1. No person shall own, keep, possess or harbour any dog or cat over the age of three (3) months in the municipality unless a valid and subsisting licence for the current calendar year has been obtained for the dog or cat.
2. If a dog or cat is required to be licensed pursuant to this bylaw, the owner of the dog or cat shall apply to the municipality for a licence. Upon receipt of the application and payment of the prescribed fee, the municipality shall issue a licence and for that licence year.
3. Where a licence tag is issued, the owner of a dog or cat for which a licence has been issued under this bylaw shall affix, and keep affixed, the licence tag on the dog or cat by a collar, harness, or other suitable device.
4. Where this bylaw provides for a reduced licence fee for a dog or cat that is neutered or spayed, the application shall be accompanied by a certificate signed by a veterinarian indicating that the dog or cat has been neutered or spayed.
5. The owner of any licensed dog or cat shall, within thirty (30) days of the owner's change of address, notify the municipality of the change of address.



Cat population control and feral cat colonies

Cats play a number of roles in our society. For some, they are companions and for others, they serve to keep rodent populations at bay. Still others see them as a nuisance for the diseases they may carry and the bird populations they threaten. Cats can bring controversy to our communities. Historically, cats participated in human life by eating the mice and rats who came for people's food scraps. Over time, cats developed bonds with humans and were gradually domesticated as pets. Many owned cats, unlike dogs, are still genetically similar to wild cats.

Cats breed prolifically, especially when a group of community cats has access to a food source. The continued growth of these groups, without any intervention, can put public safety and wildlife at risk, while the cats themselves are at risk of poor welfare. Sterilization of 80% or more of the cats in a group and continued monitoring is the only proven method of decreasing the cat population. If cats are removed from an area and the food source is still available, more cats will fill the empty space. The BC SPCA recommends that communities take steps to address their cat overpopulation issues by implementing spay and neuter programs.

Guardians who house their cats exclusively indoors need to provide behavioural enrichment to ensure their cats remain active and psychologically stimulated. For more information, visit <http://spca.bc.ca/indoor-cats-vs-outdoor-cats/>.

Bylaw

Definitions

“Animal Bylaw Officer” means any person appointed by council as an animal control officer or bylaw enforcement officer;

“At Large” means:

- a) an animal located elsewhere than on the premises of the person owning or having the custody, care or control of the animal that is not under the immediate charge and control of a responsible and competent person; or
- b) an animal located upon a highway or other public place, including a school ground, park or public beach, that is not secured on a leash to a responsible and competent person;

“Cat” means the domestic cat *Felis catus*;

“Community Cat” means any free-roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are exempt from licensing and are not considered to be stray or at-large;

“Feral Cat” means a cat that is unsocialized to humans and has a temperament of extreme fear and resistance to contact with humans;

“Community Cat Caregiver” means a person who, in accordance with a good faith effort to conduct Trap-Neuter-Return, provides care. This care includes providing food, shelter or medical care to a community cat. However, community cat caregivers are not the owner or keeper of a community cat;

“Community Cat Colony” means a group of community cats that congregate, more or less, together as a unit and share the same food source;

“Community Cat Program” means the nonlethal process of humanely trapping, sterilizing, vaccinating where relevant to the community, providing some form of identification (ear-tip, tattoo or microchip) and returning cats to their original location; and **“Trap-Neuter-Return (TNR) Program”** means the same;

“Ear-tipping” means the removal of the ¼ inch tip of a community cat’s ear (usually left), performed while the cat is under anesthesia under the supervision of a licensed veterinarian;

“Neuter” means the sterilization of a male animal by removal of the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

“Owner” includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons’ house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor;

“Permanent Identification” means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner;

“Spay” means the sterilization of a female animal by removal of the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association; and

“Trap-Neuter-Return (TNR) Program” means the same as **“Community Cat Program”**.

Cats At Large

1. No owner shall permit a cat that is apparently over the age of six (6) months to be at large, unless such cat, if female, is spayed or if a male, is neutered.

Community Cat Programs

2. Trap-neuter-return shall be legal and permitted to be practiced by community cat caregivers, organizations and animal bylaw officers.
3. As a part of trap-neuter-return, spay or neuter and vaccination shall take place under the supervision of a licensed veterinarian.
4. A trapped ear-tipped cat, or one with permanent identification that indicates sterilization, will be released on the site where trapped unless veterinary care is required. An ear-tipped cat, or one with permanent identification that indicates sterilization, received by a shelter or animal control will be returned to the location where trapped unless veterinary care is required.
5. Community cat caregivers may reclaim impounded community cats without proof of ownership solely for the purpose of carrying out trap-neuter-return and/or returning spayed or neutered community cats to their original locations.

6. A community cat caregiver who provides care to, has temporary custody of or returns a community cat to its original location while conducting trap-neuter-return is not deemed to have abandoned the cat.
7. Community cat caregivers are required to provide food, water and shelter on an ongoing basis and medical care as needed, in compliance with Standards of Care 1 and 2.

Companion Animal Ownership

8. Mandatory microchipping and registration do not apply to community cats.



Urban chickens and urban bees



Local and sustainable food systems are a vital part of vibrant, healthy communities. Trade-offs can exist when permitting residents in urban areas to house hens and bees. Some of the issues include noise, swarms and attracting pests and wildlife such as flies, rodents, raccoons and bears. A well-managed system ensures that goals related to local food are met and risks are mitigated. Education is a crucial aspect of implementing bylaws with the possibility for neighbour-related conflicts (including our wild neighbours). Electric fencing, in provisions 4.14 and 6.6, may be required dependent on the bear issues in the municipality. The District of Squamish, for example, has a clear education program in place to provide guidance to residents who are interested in having hens on their property: <https://squamish.ca/our-services/animal-control/urban-hens/>.

Bylaw

Adapted from District of Squamish Bylaw No. 2335, City of Vancouver Bylaw No. 9150

Definitions

“Animal Bylaw Officer” means any person appointed by council as an animal control officer or bylaw enforcement officer;

“At Large” means:

- a) an animal located elsewhere than on the premises of the person owning or having the custody, care or control of the animal that is not under the immediate charge and control of a responsible and competent person; or
- b) an animal located upon a highway or other public place, including a school ground, park or public beach, that is not secured on a leash to a responsible and competent person;

“Bees” mean any insect of the species *Apis mellifera*;

“Beehive” means a structure which houses a colony of worker bees with a queen and drones;

“Coop” means a covered enclosed structure to shelter hens;

“Farm Animal” means any domesticated livestock, poultry or insect that is adapted to British Columbia’s climate and is limited to alpacas, cattle, chickens, donkeys, ducks, European rabbits, geese, goats, honeybees, horses, llamas, pigs, quail, sheep and turkeys;

“Hen” means a domesticated female chicken that is at least four (4) months old;

“Pen” means a fully enclosed outdoor space for hens;

“Public Place” includes any highway, sidewalk, boulevard, public space, park or any real property owned, held, operated or managed by the municipality;

“Rooster” means a domesticated male chicken;

“Urban Beekeeping” means the keeping, owning, or maintaining of beehives on a parcel of land occupied by a resident beekeeper. This does not include land zoned for agricultural use as defined by the Zoning Bylaw;

“Urban Hen” means a domesticated female chicken that is at least four (4) months old that is kept on a parcel of land occupied by a resident. This does not include land zoned for agricultural use as defined by the Zoning Bylaw; and

“Wildlife” means any undomesticated free-ranging animal.

At Large

1. No person shall permit any farm animal to be running at large unless under the immediate care and control of a competent person.
2. Where an animal, including farm animals, defecates on a highway, public place or lands of any person other than the owner of the animal, the person having care, custody or control of the animal, including farm animals, shall immediately remove the excrement and dispose of it in a sanitary manner.

Keeping of Urban Hens

3. The keeping of up to five (5) hens is permitted provided that no neighbourhood health, environmental or nuisance problems result. Universities are not restricted to the number of hens for educational purposes.
4. A person who keeps one (1) or more hens, up to a maximum of five (5), must:
 - 4.1 be a resident of the property where the hens are kept;
 - 4.2 keep no more than five (5) hens on any parcel of land despite the number of permissible dwelling units on that parcel;
 - 4.3 not keep a rooster;
 - 4.4 ensure that all hens are kept within a secure coop from sunset to 7:00 a.m.;
 - 4.5 ensure that each hen remains at all other times in a coop or pen;
 - 4.6 not permit a hen within a residential dwelling unit or on a balcony or deck;
 - 4.7 provide a coop and a pen each with a minimum of 0.37 square metres in floor area and 0.92 metres in height per hen;
 - 4.8 provide each hen with consistent access to a nesting box and its own perch that is at least fifteen (15) centimetres long;
 - 4.9 not keep a hen in a cage unless for the purposes of transport of the hen;
 - 4.10 ensure that the coop and pen are situated in a backyard only which has a continuous fence that is in accordance to the Zoning Bylaw;
 - 4.11 ensure that the coop is situated in accordance with the accessory building setbacks identified in the Zoning Bylaw;
 - 4.12 ensure that the coop and pen are situated at least three (3) metres away from any windows or dwelling doors;
 - 4.13 ensure that the coop and pen are fully enclosed by electric fencing and situated no less than one (1) metre from the electric fencing per the Zoning Bylaw;

- 4.14 maintain each coop and pen in good repair and sanitary condition, and free from vertebrate wildlife and obnoxious smells and substances;
- 4.15 construct, situate and maintain each coop and pen such that it is secure from other animals and prevents any rodent from harbouring underneath or within it or within its walls;
- 4.16 not sell any manure or meat derived from the hens;
- 4.17 secure all hen food that is stored outdoors from wildlife;
- 4.18 ensure the timely removal of leftover food, debris and manure from each coop and pen;
- 4.19 store manure within a fully enclosed structure in a manner that does not generate excessive heat or odour; ensuring that no more than 0.085 cubic metres (3 cubic feet) is stored at a time;
- 4.20 not deposit manure in the municipality's sewage or storm drain system and remove all other manure not used for composting or fertilizing;
- 4.21 not slaughter or euthanize a hen on the property;
- 4.22 not dispose of a deceased hen other than by delivering it to a veterinarian, a landfill in a sealed bag, a farm, an abattoir or other facility with the ability to lawfully dispose of the carcass;
- 4.23 not bury a hen on the property;
- 4.24 follow biosecurity procedures recommended by the Canadian Food Inspection Agency; and
- 4.25 register the hens with the animal bylaw officer.

Keeping of Urban Bees

- 5. The keeping of beehives is permitted provided that no neighbourhood health, environmental or nuisance problems result. Universities are not restricted to the number of beehives for educational purposes.
- 6. A person who keeps urban bees must:
 - 6.1 keep no more than:
 - 6.1.1 two (2) beehives on any parcel of land under 929 square metres (10,000 square feet) in size despite the number of dwelling units permissible on that parcel;
 - 6.1.2 four (4) beehives on any parcel of land over 929 square metres (10,000 square feet) in size and under 1394 square metres (15,000 square feet) in size despite the number of dwelling units permissible on that parcel;
 - 6.1.3 six (6) beehives on any parcel of land over 1,394 square metres (15,000 square feet) in size despite the number of dwelling units permissible on that parcel;
 - 6.2 be a resident of the property where the bees are kept;
 - 6.3 ensure that the beehives are situated in a backyard only which has a continuous fence that is 1.8 metres in height so as to ensure an appropriate flight path for bees;
 - 6.4 ensure that the beehives are situated in accordance with the accessory building setbacks identified in the Zoning Bylaw;

- 6.5 ensure that the beehives are situated in such a way that reasonably prevents access by wildlife;
- 6.6 ensure that the beehives are fully enclosed by electric fencing and situated no less than one (1) metre from the electric fencing per the Zoning Bylaw;
- 6.7 ensure that the entrances to the beehives are facing away from the closest neighbouring property;
- 6.8 maintain the bees in a condition that reasonably prevents swarming and aggressive behaviour;
- 6.9 ensure that immediate action is taken to end swarming or aggressive behaviour of the bees;
- 6.10 provide sufficient water for the bees that reasonably prevents them from seeking water on adjacent parcels of land;
- 6.11 post clear, visible signage on the parcel of land warning that bees and electric fencing are present; and
- 6.12 be registered with the apiculture registration system for British Columbia, coordinated by the BC Ministry of Agriculture. Under the authority of the Provincial Bee Act, a person must not keep bees or possess beehive equipment unless the person is registered.

Seizure and Impoundment

- 7. An animal bylaw officer may seize and impound any animal, including farm animals, at large.





Wildlife feeding and attractant management

Risks to human health and safety and neighbourhood conflicts associated with food-conditioned wildlife are municipal issues that can be addressed with enforcement warnings and fines. Bylaws are required in conjunction with public education to ensure residents understand their role in attracting wildlife and the consequences of increased wildlife habituation (e.g., expensive and ineffective deer culls).

Many species of wildlife can be unnaturally attracted to communities and human residences, leading to conflict.⁷ Common examples include deer, raccoons, skunks, squirrels, gulls, crows and even seals, where feeding by residents and tourists increases habituation of wildlife. Compost, garbage, pet food and even bird feeders will attract unwanted wildlife that can become a nuisance to residents through their increased presence, noise and droppings. Further, improper waste management and wildlife feeding can lead to increased rodent activity and public health concerns.

Managing waste for, and preventing feeding of, “dangerous wildlife” (bears, cougars, wolves and coyotes) only is regulated by the Province in section 33.1 of the *Wildlife Act*. Thus, managing attractants for all other wildlife species is a municipal responsibility.

Please note, sections 9(1)(c) and 9(3)(c) of the *Community Charter* require ministerial approval prior to a Council adopting a bylaw in relation to wildlife.

Provision 4 below may be optional depending on the proximity of the community to bear activity.

⁷ Dubois, S., & Fraser, D. (2013). A framework to evaluate wildlife feeding in research, wildlife management, tourism and recreation. *Animals*, 3(4), 978-994. <https://doi.org/10.3390/ani3040978>

Bylaw

Adapted from District of Squamish Bylaw No. 2053, Village of Kaslo Bylaw No. 1070 and City of Kamloops Bylaw No. 3411

Definitions

“Attractant” means any substance or material, with or without an odour, which attracts or is likely to attract animals; and without limitation includes antifreeze, paint, food products, unclean barbecues, pet food, livestock and livestock feed, beehives, bird feeders, offal, improperly maintained composts, restaurant grease barrels, accumulation of fruit in containers or on the ground;

“Songbirds” means any Passerine, excludes Corvidae (e.g., crows, ravens and jays) and includes hummingbirds;

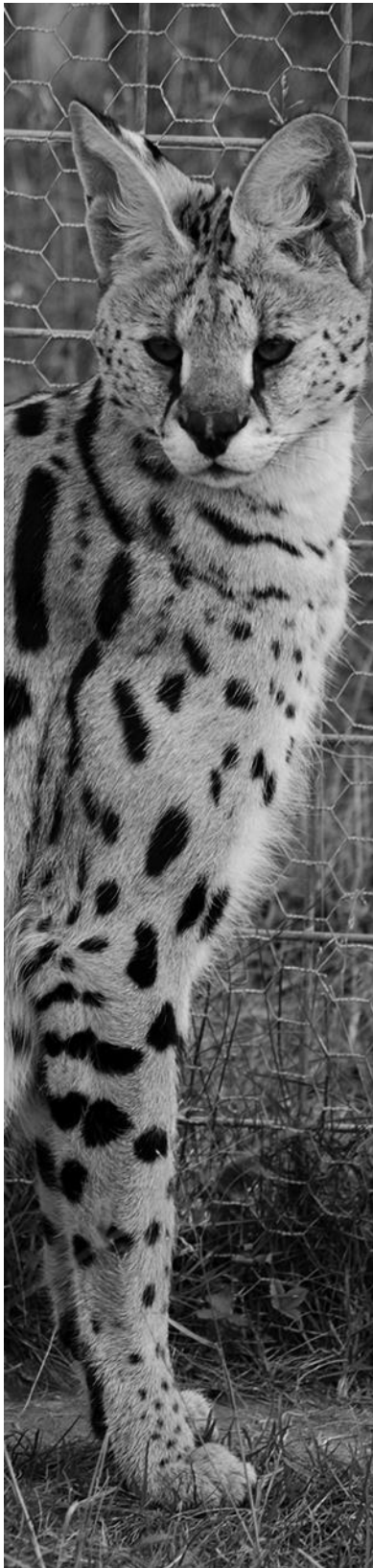
“Waste” means any discarded or abandoned food, substance, material, or object, whether from domestic, commercial, industrial, institutional or other use; and

“Wildlife” means any undomesticated free-ranging animal, exempting songbirds for the purposes of feeding.

Wildlife Feeding

1. No person shall knowingly or willingly feed any wildlife, or in any manner provide them or allow access to food or any other edible substance.
2. No person shall store any attractant or waste in such a manner that it is accessible to wildlife.
3. No person shall attract wildlife onto a property such that these wildlife create a nuisance for other properties.
4. No person shall feed or provide access to food for songbirds between April and September, exempting liquid feeders.





Exotic pets and farm animals

Exotic animals present serious public health and safety risks (e.g., disease, physical injuries) and devastating environmental effects through intentional abandonment and escapes (e.g., disease, competition and predation of native species) into both terrestrial and aquatic natural habitats. Although some exotic species will eventually die from starvation or predation when released into a novel environment, others can breed and thrive (e.g., bullfrogs, red-eared slider turtles, pike, carp and other fish) which can become costly to municipal water systems, lakes and ponds.

The Province enacted changes to the *Wildlife Act* in 2008 to prohibit the sale, breeding, importation and display of certain exotic animals in the *Controlled Alien Species Regulation*. This provincial legislation does not apply to thousands of exotic animal species kept in B.C. which remain a serious concern for municipalities. For example, invertebrates (e.g., scorpions, tarantulas) are not regulated by the Province and non-venomous snakes up to 10 feet are still allowed, as are kangaroos, zebras, serval cats, maras, capybaras, large exotic raptors, 200-pound sulcata tortoises, invasive fish and invertebrates, among many others.

Exotic animals never become domesticated and always retain their wild instincts even if born in captivity. As such, they suffer physically and psychologically under even well-intentioned human care. They may suffer from nutritional deficiencies, suppression of natural behaviours and social structures, inability to achieve natural light/temperature/humidity requirements, and a lack of specialized veterinary care. Often “fad” or “status” pets lose their appeal as they grow and become frustrated and stressed in care, and thus become serious challenges for animal control departments and municipal shelters as no suitable sanctuaries in B.C. exist. Further, most animal control departments do not have specialized training to handle, or appropriate enclosures to house, these exotic species.

As trends in exotic pet ownership change, every year new species of exotic animals are legally brought into the province, sold, bred and sometimes displayed publicly in communities. To ensure municipalities are safeguarded and animal welfare is protected, a “positive list” of “Allowable Animals” is recommended over a list of prohibited species which would need to be regularly amended. Enactment of a “positive list” with a fine structure for non-compliance would provide for clear and efficient enforcement, and can reduce nuisance complaints while protecting communities, pets, local wildlife and the environment.

Recognizing that some exotic animals are already living in communities, the intent of this bylaw is to prohibit the sale, breeding and display of exotic animals to decrease and eventually eliminate their presence in a community. The rehoming and adoption of certain rescued exotics as “Limited Animals” may be permissible to prevent abandonment. For questions regarding this bylaw in relation to specific species, please contact the BC SPCA directly at animalbylaws@spca.bc.ca for guidance and evidence.

Please note, sections 9(1)(c) and 9(3)(c) of the *Community Charter* require ministerial approval prior to a Council adopting a bylaw in relation to wildlife.

Bylaw

Adapted from City of Coquitlam Bylaw No. 3838

“Allowable Animals” means a non-native animal, whether domesticated or bred in captivity, that is permitted to be owned, rehomed, adopted, bred, displayed, imported, or sold and is limited to cats (*Felis catus*), dogs (*Canis lupus*), domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*), farm animals, freshwater fish, gerbils, guinea pigs, hamsters and small birds (e.g., budgies, canaries, cockatiels, lovebirds);

“Animal” means any member of the Kingdom Animalia excluding humans;

“Controlled Alien Species” means a non-native wild animal specified in Schedules 1-4 of the *Controlled Alien Species Regulation* to the *Wildlife Act*;

“Exotic Animal” means a non-native wild animal, whether bred in captivity or live-captured and imported from outside of Canada;

“Farm Animal” means any domesticated livestock, poultry or insect that is adapted to British Columbia’s climate and is limited to alpacas, cattle, chickens, donkeys, ducks, European rabbits, geese, goats, honeybees, horses, llamas, pigs, quail, sheep and turkeys; and

“Limited Animal” means an exotic animal that is allowed only to be owned, rehomed or adopted and is limited to bison, camels, chinchillas, degus, hedgehogs, invertebrates, medium and large birds (e.g., African grey parrots, Amazon parrots, macaws, peafowl, emus), small reptiles and amphibians under two (2) metres adult size (e.g., certain snakes, bearded dragons, frogs, salamanders), saltwater fish, sugar gliders, water buffalo and zebras.

Exotic Pets and Farm Animals

1. A person must only possess allowable animals.
2. A person is not permitted to sell, breed, import or display any animal, including limited animals, with the exception of allowable animals.
3. A person who, on the date of the adoption of this bylaw, was keeping any limited animal other than an animal whose ownership in captivity violates existing Provincial or Federal statutes, such as a controlled alien species, may continue to keep that animal under the following conditions until the animal has died or been euthanized:
 - 3.1 The limited animal is kept secure at the owner’s premises except for visits to a veterinarian’s office; and
 - 3.2 The limited animal is not used in a show, circus or for entertainment or educational purposes.



Animal performances, exhibitions and display

Keeping wild and exotic animals in captivity and using them for performances or display was a common practice globally until recently, as scientific studies have revealed the significant negative effects on their welfare state. Over time, governments have also recognized that it is difficult, and at times impossible, to provide for the physiological, emotional and behavioural needs of these animals. Further, many municipalities have had to address public safety issues when captive wild animals or exotic animals escaped their enclosures and roamed at large.

The Standards of Care section of the bylaw pertains to all animals in the municipality, including those traveling through for public shows. The language in this bylaw specifically ensures that domesticated animals are differentiated from wild or exotic animals to aid municipalities when making decisions about allowing performances and educational displays in their community, be they temporary or permanent.

We recognize that there is still much to learn about the welfare needs of some types of animals in captivity (e.g., fish and marine invertebrates), and this bylaw takes into account these gaps in existing animal welfare research.

Bylaw

Adapted from City of Chilliwack Bylaw No. 2653

Definitions

“Allowable Animals” means a non-native animal, whether domesticated or bred in captivity, that is permitted to be owned, rehomed, adopted, bred, displayed, imported, or sold and is limited to cats (*Felis catus*), dogs (*Canis lupus*), domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*), farm animals, freshwater fish, gerbils, guinea pigs, hamsters and small birds (e.g., budgies, canaries, cockatiels, lovebirds);

“Educational Display” means showing animals to the public for the purposes of encouraging management and conservation of protected wild animals;

“Farm Animal” means any domesticated livestock, poultry or insect that is adapted to British Columbia’s climate and is limited to alpacas, cattle, chickens, donkeys, ducks, European rabbits, geese, goats, honeybees, horses, llamas, pigs, quail, sheep and turkeys; and

“Wild or Exotic Animal” means any native or non-native undomesticated free-ranging animal.

Animal Performance, Exhibition and Display

1. No person shall operate a circus, public show, exhibition, carnival or other display or performance (the “show”), whether temporary or permanent, in which any animal other than allowable animals are part of or otherwise accompanying the show.

2. No person shall operate an educational display, whether temporary or permanent, in which any wild or exotic animal, are on display, travelling with or otherwise accompanying the educational display. Exemptions include:
- 2.1 fish;
 - 2.2 marine invertebrates;
 - 2.3 raptors, where a permit has been issued through the B.C. *Wildlife Act* Permit Regulation for 'Falconry' or 'Public Display'; or
 - 2.4 the wild or exotic animal is housed at a Global Federation of Animal Sanctuary (GFAS) Verified Sanctuary or wildlife rehabilitation facility permitted by the B.C. *Wildlife Act* Permit Regulation to keep wildlife in captivity.





Business licences for animal businesses

Pet stores, daycares, groomers, boarding, breeding and dog walking

Pet stores, animal kennels, daycares, dog walkers and groomers take on considerable responsibility in caring for large numbers of animals on a daily basis. Owners and purchasers of animals experience a gap in information as to the conditions where the animals are bred and housed. Bylaws for animal kennels, daycares, dog walkers, groomers and pet store businesses must adequately address both the increased level of responsibility required as well as the issues related to information asymmetry.

Domesticated species of animals can make suitable companions when guardians are able to meet their needs. Birds, fish and other exotic and wild species require a level of care that the average animal caregiver cannot provide. These animals are frequently undersocialized, do not receive adequate veterinary care and are surrendered to municipal and BC SPCA shelters, resulting in significant costs.

The below provisions are based on evidence of an individual animal's needs as well as group care and health. While they are not individually referenced, content primarily derives from:

- [CVMA: A Code of Practice for Canadian Kennel Operations \(2007, 2017 third edition forthcoming\)](#)
- [CVMA: A Code of Practice for Canadian Cattery Operations \(2009\)](#)
- [Canadian Standards of Care in Animal Shelters: Supporting ASV Guidelines \(2013\)](#)

Animal Sales

It is nearly impossible to provide for the well-being of domestic animals when breeding, transporting and housing for sale through retail stores. The BC SPCA receives regular cruelty complaints about animals dying during transport or becoming ill or depressed in-store.

Reputable breeders do not sell to pet stores. We recommend municipalities adopt *Option 1* in the Sale of Animals section below.

Bylaw

Adapted from City of Richmond Bylaw No. 7538, City of Vancouver Bylaw No. 4450, New Westminster Bylaw No. 7546 and Maple Ridge Bylaw No. 6908

Definitions

“Allowable Animals” means a non-native animal, whether domesticated or bred in captivity, that is permitted to be owned, rehomed, adopted, bred, displayed, imported, or sold and is limited to cats

(*Felis catus*), dogs (*Canis lupus*), domestic ferrets, domestic mice, domestic pigeons, domestic rats, European rabbits (*Oryctolagus cuniculus*), farm animals, freshwater fish, gerbils, guinea pigs, hamsters and small birds (e.g., budgies, canaries, cockatiels, lovebirds);

“Animal” means any member of the Kingdom Animalia excluding humans;

“Animal Kennel” means an establishment where animals are bred, raised, trained, or boarded;

“Animal Daycare” means short-term daytime care for animals;

“Animal Groomer” means a business where one or more individuals bathes, brushes, trims and provides other grooming services for domestic pets;

“Dog Walker” means a business where one or more individuals provides transport and walking services for one or more dogs;

“Inspector” means a person designated by the municipality to be responsible for enforcing this bylaw, except where otherwise provided;

“Licensee” means any person or business entity who obtains a licence to operate and does operate a business that involves providing care for animals, other than a veterinary clinic, including pet stores, animal kennels, animal daycares, dog walkers and animal groomers;

“Licensing Officer” means a person appointed by the municipality for the purpose of processing and issuing licences under this bylaw;

“Neuter” means to castrate a male animal by removal of the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

“Pet Store” means a business which sells, at premises of any nature (including a private dwelling), live animals other than those intended for food or farming purposes, or that keeps such animals in any such premises with a view to their being sold in the course of such a business, whether by the keeper thereof or by any other person;

“Owner” includes a person owning, possessing, harbouring or having charge of an animal or permitting an animal to remain about the persons’ house or premises or to whom a licence for an animal has been issued pursuant to this bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor; and

“Spay” means the sterilization of a female animal by removal of the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

Business Providing Care for Animals

1. A licensee must ensure:

1.1 that cages or other places where animals are kept:

1.1.1 are maintained in good repair;

1.1.2 are clean and sanitary;

1.1.3 are regularly disinfected and free of offensive and disagreeable odours;

- 1.1.4 are free of all animal waste, which the operator must dispose of in an appropriate manner;
- 1.1.5 are well ventilated;
- 1.1.6 are proportionate to the size and species of animal being kept within and allow room for the animal to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement without distress;
- 1.1.7 have separation between food, urination and defecation, and resting areas;
- 1.1.8 are equipped with appropriate containers for food and water;
- 1.1.9 are fitted with an impermeable floor surface sufficient to support the weight of the animal without bending; and
- 1.1.10 for cats, each individual is provided with a litter box containing sufficient litter that accommodates its entire body.
- 1.2 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.
- 1.3 incompatible species of animals are not confined in the same enclosure.
- 1.4 when housing multiple animals in an enclosure, address all issues related to age differences, size differences and protective or aggressive behaviours related to resource guarding.
- 1.5 animals have a place to hide from visual contact with other animals and humans.
- 1.6 age and species appropriate enrichment is available for the animals.
- 1.7 that no animals are handled by members of the public except under the supervision of a qualified employee and animals are not handled when hiding or sleeping unless necessary for health or medical reasons.
- 1.8 animals in transport are adequately secured, have adequate ventilation and are protected from physical conflict with other animals.
- 1.9 that any animal in the licensee's care which is ill or injured is promptly examined and treated by a qualified veterinarian and that any necessary euthanasia and disposal of an animal is performed by a veterinarian.
- 1.10 that an area is available for the segregation of animals in the licensee's care which are injured, ill, or in need of special care, treatment or attention, from other animals on the premises.
- 1.11 the licensee immediately notify the medical health officer whenever an animal in their care is, or appears to be, suffering from a disease transmittable to humans or other animals and keep the animal isolated from healthy animals until it has been determined by a veterinarian or the medical health officer that the animal is free of disease.
- 1.12 the licensee does not employ any person who has been convicted of an offence involving cruelty to animals or has had animals seized pursuant to the *Prevention of Cruelty to Animals Act*.
- 1.13 the licensee report suspected neglect or abuse to the Animal Cruelty Reporting Hotline (1-855-622-7722), including animals that arrive sick, injured or unsocialized.

- 1.14 that 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.
- 1.15 the licensee has in place a written emergency plan for fire and earthquake, including provisions for when no staff are on site.
- 1.16 every person or individual carrying on the business of or operating an animal daycare must maintain, in English, a legible register of animals in care, which register shall contain the following information:
 - 1.16.1 the name, address and telephone number of the owner of the animal and emergency contact including the pet's registered veterinarian;
 - 1.16.2 the name, breed and species of the animal; and
 - 1.16.3 the licence tag number of the animal in care, if applicable, and provide a copy of such register to an Inspector upon request.

Pet Stores and Animal Kennels

2. A licensee must:

- 2.1 pair house animals where possible to ensure adequate social development.
- 2.2 not separate any animal from its mother prior to it being weaned.
- 2.3 enact and supply Inspectors with an age-appropriate written socialization plan for all animals, preventing the development of aggression and mitigating long-term fear and anxiety of unfamiliar circumstances.
- 2.4 maintain a legible register in English, which records all transactions in which animals have been acquired, sold or otherwise disposed of, and provide a copy of such register to an Inspector upon request. Records must contain:
 - 2.4.1 the name and address of the person from whom the regulated agency acquired the animal;
 - 2.4.2 the date of the acquisition;
 - 2.4.3 a description of the sex and colouring of the animal, and of any tattoo, microchip number or other identifying marking;
 - 2.4.4 the date the licensee disposed of the animal; and
 - 2.4.5 if the disposition is other than by sale, the method of and reason for such disposition.
- 2.5 at the time of sale of any animal, provide the purchaser with written instructions on the proper care and feeding of the animal, including:
 - 2.5.1 appropriate diet, including any recommended dietary supplements;
 - 2.5.2 proper handling techniques;
 - 2.5.3 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;
 - 2.5.4 exercise needs, if any;

- 2.5.5 any other care requirements necessary to maintain the health and well-being of the animal;
- 2.5.6 any human health risks associated with the handling of the animal; and
- 2.5.7 the pet store or kennel's return policy.
- 2.6 not give away any animal for free for any promotional purpose.
- 2.7 be in compliance with the most updated edition of the Canadian Veterinary Medical Association's *A Code of Practice for Canadian Kennel Operations* and *A Code of Practice for Canadian Cattery Operations* and from the Canadian Advisory Council on National Shelter Standards, the *Canadian Standards of Care in Animal Shelters*.

Option 1: No Sale of Animals in Retail Outlets

- 3. No person shall sell or offer for sale to the public any animal, in a pet store or other type of retail premises, with the exception of those animals offered for adoption from a recognized animal rescue society or shelter organization.

Option 2: Restriction on Sale of Animals in Retail Outlets

- 3. No person shall sell or offer for sale to the public in a pet store or other type of retail premises:
 - 3.1 any an unsterilized cat or rabbit; or
 - 3.2 any animals other than allowable animals.

Information Supplied to Purchaser

- 4. For the sale of a dog, puppy, cat, kitten or rabbit, the licensee shall provide the purchaser with:
 - 4.1 a dated and signed certificate from a veterinarian verifying the health of the animal and indicating that the animal has been de-wormed and vaccinated or inoculated for the disease(s) specified in the certificate;
 - 4.2 a description of the animal, including its species, sex, age, colour, markings, any tattoo or microchip and breed or cross-breed;
 - 4.3 the date of sale; and
 - 4.4 the name and address of the pet store or kennel, including the name of the owner of the business.

Application and Inspection

- 5. The licensing officer shall refuse any licence application which does not meet with all of the requirements of this bylaw.
- 6. In the event that a licence application is refused, the licensing officer shall give notice in writing to the owner by registered mail or personal delivery.
- 7. Every licensee shall permit an Inspector (or its duly designated delegate) or a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals, upon production of proper identification, to enter and inspect the premises and any animals found therein at all reasonable times for the purpose of determining compliance with this bylaw.

For more information or for consultation:

Contact the BC SPCA

animalbylaws@spca.bc.ca

1-800-665-1858

Visit the BC SPCA website

spca.bc.ca/animalbylaws