

Bylaw 14362

A Bylaw to Amend the Animal Licensing and Control Bylaw 13145

Purpose

The purpose of this Bylaw is to amend the Animal Licensing and Control Bylaw 13145.

Readings

Bylaw 14362 is ready for three readings.

This Bylaw is authorized under the *Municipal Government Act*. A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 14362 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

This report contains a bylaw amendment to provide a means to seize, impound, or quarantine dogs and its associated enforcement policy.

Previous Council/Committee Action

- At the January 25, 2010, Community Services Committee meeting, Bylaw 14362 was forwarded to City Council for the appropriate readings.
- At the October 5, 2009, Community Services Committee meeting, the following motion was passed:

That Administration report back to Community Services Committee with:

1. An amending bylaw which would provide a mechanism for the seizure, impoundment, or quarantine of dogs that bite or otherwise injure or kill people or animals.
2. Further information regarding protocols for enforcement and operation of restricted dog control.

Report

- The proposed amending bylaw outlined in Attachment 1, provides a mechanism for Animal Control Officers to seize and impound dogs alleged to have seriously injured or killed a person or animal.
- Before exercising this authority, Officers would be required to consider whether the dog was acting in self-defence, provoked or to prevent the commission of an unlawful act.
- Dogs seized pursuant to this authority would be impounded for a maximum time period of 21 days unless court proceedings for a destruction order or other order are commenced during the period of impoundment.
- This amendment would empower Officers to seize and impound dogs while investigation into the circumstances of the attack is conducted. An assessment of the danger posed by the dog to public safety and appropriate enforcement action would be undertaken.
- The 21 day time period would allow for a number of investigative activities such as the collection and evaluation of evidence, disease

testing, behavioural testing and/or any *Dangerous Dog Act* application to the courts.

- Attachment 2, details the enforcement protocol employed to apply the restricted dog regulations once a dog has been deemed to be restricted pursuant to convictions, including voluntary fine payments, under the Animal Licensing and Control Bylaw 13145.
- This policy and procedure document establishes a consistent restricted dog enforcement standard and ensures that the owners of dogs that become regulated as restricted are advised of their responsibilities with respect to the appropriate licensing of their dog.
- Furthermore, it provides a mechanism to measure compliance with the regulations established for dogs licensed as restricted dogs. Namely, the requirements to obtain liability insurance, to muzzle the dog when off the property of the owner and properly secure the dog when it is in outdoor areas of the owner's property.
- Lastly, the protocol provides clear direction on the enforcement steps to be considered when voluntary compliance cannot be achieved.

2. Restricted Dog Enforcement Procedure – Upon Conviction

Legal Implications

- Section 7 of the *Municipal Government Act* gives Council the jurisdiction to pass municipal bylaws with respect to the protection of people and property; the safety, health and welfare of people; and domestic animals.

Attachments

1. Bylaw 14362