

BYLAW NO. 635	
Bylaw name:	Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 2
Participants:	This bylaw is applicable to and enforceable within Electoral Areas B, and C and that portion of Electoral Area A located on Vancouver Island.
Purpose:	<ul style="list-style-type: none"> • To update some definitions that were omitted from the previous amendment (The EASC reviewed and accepted these changes at the October 5, 2020 meeting); and in addition, • To correct an error in Schedule B for the impound fee for “Unlicensed Dogs” from \$50.00 to \$75.00; and, • Housekeeping amendments to establish consistency with spelling for “licence” “licensing” and “unlicensed” to correctly reflect the terms as used in the definitions section.
Amends bylaw:	100
Repeals bylaw:	N/A
Staff contact:	Manager of Bylaw Compliance

STATUS	
Committee approval:	EASC October 5, 2020 - THAT the board consider giving readings to Bylaw No. 625 being the “Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 1” as attached to the staff report dated September 23, 2020;
1st & 2nd readings:	
Public hearing:	N/A
3rd reading:	
Ministry approval:	N/A
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 635

A bylaw to update definitions and confinement requirements for aggressive and dangerous dogs and housekeeping amendments

WHEREAS the Comox Valley Regional District Board adopted Bylaw No. 100 being “Electoral Areas Animal Control Regulations Bylaw No. 100, 2010” on April 27, 2010;

AND WHEREAS the Board wishes to update the definitions section of the bylaw, the confinement requirements for aggressive and dangerous dogs, amend the impound fee for unlicensed dogs and minor housekeeping amendments;

NOW THEREFORE the Board of the Comox Valley Regional District in open meeting assembled hereby enacts as follows:

Amendment

1) Bylaw No. 100 being “Electoral Areas Animal Control Bylaw No. 100, 2010” is hereby amended as follows:

(a) Replacing the following definition in Section 2 “Interpretation”, which reads::

- | | |
|---------------------|--|
| “Aggressive
Dog” | means any dog which has: |
| | a. Caused minor injuries to a person or domestic animal, not including bite wounds; |
| | b. Attacked or bitten an agricultural animal, regardless of whether the attack or bite resulted in injury; |
| | c. Displayed aggressive behaviour including, but not limited to, growling, snarling, or lunging; or |
| | d. Without provocation, aggressively chased, stalked, pursued, harassed or attempted to attack or bite a person, agricultural animal or domestic animal while in a public place including a highway or on private property not owned or controlled by the owner. |

with the following:

- | | |
|---------------------|--|
| “Aggressive
Dog” | means any dog which has: |
| | a. caused minor injuries to a person or domestic animal, not including bite wounds; or |
| | b. attacked or bitten an agricultural animal, regardless of whether the attack or bite resulted in injury; or |
| | c. displayed aggressive behaviour including, but not limited to, growling, snarling, or lunging; or |
| | d. without provocation, aggressively chased, stalked, pursued, harassed or attempted to attack or bite a person, agricultural animal or domestic animal while in a public place including a highway or on private property not owned or controlled by the owner. |

(b) Replacing the following definition in Section 2 “Interpretation”, which reads:

- “At Large Dog”
- a. A dog being in or upon:
 - i. The property of any person other than the owner of the dog without the expressed or implied consent of that person;
 - ii. Any public place posted as being prohibited to dogs;
 - iii. A public place not prohibited to dogs, including a highway, unless the dog is on a leash and under the control of a person who is at least 19 years of age;
 - b. An agricultural animal being in or upon:
 - i. A public place including a highway; or
 - ii. The property of any person, other than the owner, without the express or implied consent of that person.

with the following:

- “At Large”
- a. A dog being in or upon:
 - i. property of any person other than the owner of the dog without the expressed or implied consent of that person;
 - ii. any public place posted as being prohibited to dogs;
 - iii. a public place not prohibited to dogs, including a highway, unless the dog is on a leash and under the control of a person who is competent to control the dog;
 - b. An agricultural animal being in or upon:
 - i. a public place including a highway; or
 - ii. the property of any person, other than the owner, without the express or implied consent of that person.

(c) Replacing the following definition in “Interpretation” Section 2, which reads:

- “Owner” means a person over the age of 16 years and includes a person who possesses or harbours an animal.

with the following:

- “Owner” means a person:
- a. whose name appears on a dog licence; or
 - b. who possesses or harbours an animal; or
 - c. who has the care, custody, or control of an animal.

(d) Replacing the following definition in “Interpretation” Section 2, which reads:

- “Unlicensed Dog” means any dog for which a license is required for the current year but that license has not been paid for as required by this bylaw or to which the tag issued pursuant to this bylaw is not attached.

with the following:

“Unlicensed Dog” means any dog for which a licence is required for the current year but that licence has not been paid for as required by this bylaw or to which the tag issued pursuant to this bylaw is not attached.

- (e) Replacing title “License Responsibility” of Section 5 with “Licence Responsibility”.
- (f) Replacing “Aggressive Dogs” Section 10(3), which reads:
 - (3) When an aggressive dog is on property owned or controlled by its owner, the owner must:
 - (a) Securely confine the dog within a building or enclosure; or
 - (b) Secure the dog on a non-retractable leash not longer than 1.5m in length which is securely held by a person who is at least 19 years of age.

with the following:

- (3) When an aggressive dog is on property owned or controlled by its owner, the owner must:
 - (a) securely confine the dog within a building or secure enclosure; or
 - (b) secure the dog on a non-retractable leash not longer than 1.5m in length which is securely held by a person who is at least 19 years of age.
- (g) Replacing “Dangerous Dogs” Section 11(3), which reads:
 - (3) When a dangerous dog is on property owned or controlled by its owner, the owner must:
 - a. Securely confine the dog within a building or enclosure; or
 - b. Secure the dog on a non-retractable leash not longer than 1.5m in length which is held by a person who is at least 19 years of age.

with the following:

- (3) When a dangerous dog is on property owned or controlled by its owner, the owner must:
 - a. securely confine the dog within a building or secure enclosure; or
 - b. secure the dog on a non-retractable leash not longer than 1.5m in length which is held by a person who is at least 19 years of age.

(h) Replacing Schedule B – Animal Control Fees, which reads as follows:

Type	Action	Fees
Licensed Dogs	Licensed dog first seizure and impoundment in a calendar year.	\$50.00
	Licensed dog second seizure and impoundment in a calendar year	\$100.00
	Licensed dog third and subsequent seizure and impoundment in a calendar year	\$150.00
Unlicensed Dogs	Unlicensed dog first seizure and impoundment in a calendar year.	\$50.00
	Unlicensed dog second seizure and impoundment in a calendar year	\$200.00
	Unlicensed dog third and subsequent seizure and impoundment in a calendar year	\$300.00
Dangerous Dog	Dangerous dog first seizure and impoundment in a calendar year	\$500.00
	Dangerous dog second and subsequent seizure and impoundment in a calendar year	\$1000.00
Animals (other than Dogs)	For the first impoundment in any calendar year and in addition thereto, the actual costs incurred in capturing and transporting such animal to the pound.	\$50.00 plus actual costs
	For the second and each subsequent impoundment in any calendar year and in addition thereto, the actual costs incurred in capturing and transporting such animal to the pound.	\$100.00 plus actual costs
Feeding Charges	Feeding charges for all animals, including dogs, each day or part thereof that an animal is in the pound	\$30.00
Dangerous Dog	Annual animal control service fee payable by owners of dangerous dogs	\$50.00

With the following:

Type	Action	Fees
Licensed Dogs	Licensed dog first seizure and impoundment in a calendar year.	\$50.00
	Licensed dog second seizure and impoundment in a calendar year	\$100.00
	Licensed dog third and subsequent seizure and impoundment in a calendar year	\$150.00
Unlicensed Dogs	Unlicensed dog first seizure and impoundment in a calendar year.	\$75.00
	Unlicensed dog second seizure and impoundment in a calendar year	\$200.00
	Unlicensed dog third and subsequent seizure and impoundment in a calendar year	\$300.00

