

PRICE: \$6.25



CONSOLIDATED FOR CONVENIENCE

"ANIMAL CONTROL BYLAW NO. 1255-1991"

(AND AMENDMENTS THERETO UP TO

& INCLUDING BYLAW #2096-2015)

CONSOLIDATED FOR CONVENIENCE

All persons making use of this consolidated version of City of Terrace Bylaw No. 1255-1991 are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only and that the original bylaw must be consulted for all purposes of interpreting and applying the law.

Subsections or sections of the original bylaw and/or amendments which have been repealed have not been included in this consolidation.

CITY OF TERRACE

CONSOLIDATED FOR CONVENIENCE

**BYLAW NO. 1255-1991/1271-1992/1464-1995/
1608-1997/1611-1998/1718-2000/1768-2002/1774-2002/
1807-2003/1811-2004/1846-2006/1894-2007/1960-2010/1977-
2011/1991-2012/2016-2013/2078-2015**

**"A BYLAW TO PROVIDE FOR ANIMAL CONTROL, LICENCING,
PROTECTION OF AND PROTECTION FROM, DOMESTIC ANIMALS."**

Amended by **WHEREAS** the Community Charter, Division 6, provides that Council may, by Bylaw, #1846-2006 provide for such legislation;

NOW THEREFORE the Council of the City of Terrace in open meeting assembled enacts as follows:

Amended by **1.0** **DEFINITIONS** – In this Bylaw unless the context otherwise requires:
#1768-2002

Amended by #2016-2013 **Abandon** – means to leave without intent to return; to desert.

Amended by #1846-2006 **Animal** – shall mean any dog, cat, horse, cow, sheep, mule, goat, pig, rabbit, bee, poultry, bird, or fowl.

Animal Control Officer – shall mean the person, or persons, or company appointed from time to time by Council to ensure compliance with this Bylaw and administer the City's Animal Shelter, ensuring all functions relating thereto are undertaken.

Animal Shelter – shall mean the place or places as designated by Council to provide for the care, control and destruction of animals, and should meet the standards as set down by the B.C.S.P.C.A.

Added by #1991-2012 **Apiculture** – the keeping and management of the honeybee, *Apis mellifera*.

Added by #1991-2012 **Backyard Beekeeping** – shall mean the keeping of up to two beehives on private property for hobby purposes.

Added by #1991-2012 **Bees** – shall mean honey producing bee (from the genus *Apis* of the family *Apidae*).

Added by #1991-2012 **Beehive** – shall mean a structure which houses a colony of worker-bees with a queen and drones.

Added by #1846-2006

Cat – shall mean an animal of the feline species apparently over the age of four (4) months

Cat Kennel (Commercial) – means a building, structure, compound, group of pens or cages or property in which, or where three (3) or more cats are, or are intended to be trained, cared for, bred, boarded or kept for any commercial purpose whatsoever.

Cattle – includes bulls, cows, oxen, heifers and calves.

City – shall mean the City of Terrace.

Commercial Dog or Commercial Cat Kennel Business Licence – means a licence issued by the Licence Inspector under the provisions of the Business Licence Bylaw of the City of Terrace for the purposes of operating a Commercial Dog or Commercial Cat Kennel (but does not cover regular dog licences).

Council – shall mean the Council of the City of Terrace.

Amended by #1977-2011

Dangerous Dog – shall mean a dog which is known to attack or viciously pursue a person or domestic animal.

Amended by #1768-2002

Dog – shall mean an animal of the canine species apparently over the age of six (6) months.

Amended by #1846-2006

Dog Kennels – means a building, structure, compound, group of pens or cages, or property in which, or where four (4) or more dogs are, or are intended to be trained, cared for, boarded, or kept for any purpose whatsoever, and without limiting the foregoing, includes a building or part of a building in which two or more dogs are kept for breeding purposes (See Dog Kennels (Commercial) and Dog Kennels (Hobby) for further information).

Amended by #1846-2006

Dog Kennels (Commercial) – means Dog Kennels in which dogs are trained, cared for, boarded, groomed or kept for any purpose whatsoever, for a fee, or in which more than five (5) dogs are kept for breeding and selling purposes.

Amended by #1846-2006

Dog Kennels (Hobby) – means Dog Kennels, not intended for commercial purposes, the owners of which keep and own, as a hobby, three (3), but not more than five (5) dogs .

Deleted by #1846-2006

Domestic Animal – deleted by #1846-2006.

Downtown Area – shall mean the area North to Davis Avenue, West to Munroe Street, South to Keith Avenue and East to the "Old Skeena Bridge".

Added by #1768-2002

Family Dog Park – means the area that comprises the land on Ferry Island as shown on the attached Schedule C.

Amended by #1846-2006

Added by #1768-2002

Guide Dog – means a dog trained by the Canadian National Institute for the Blind or the Western Canada Handi and Hearing Ear Dog Society.

Amended by #1894-2007

Harbourer – shall mean a person or persons who gives shelter to, feeds or keeps an animal for seventy-two hours or longer.

Added by #1977-2011

Hen – shall mean a domesticated female chicken that is at least four (4) months old.

Highway – shall mean any street, road, avenue, lane, crescent, bridge, alley, viaduct, sidewalk, public parking area, boulevard or any other way open to the public or intended to be open to the public.

Hobby Dog Kennel Licence – means a licence issued by the Animal Control Officer under the provisions of the Animal Control Bylaw of the City of Terrace.

In Heat – means a dog in its ovulatory period.

Impervious – means through which water will not pass.

Added by #1846-2006

Lap Dog – means an animal of the canine species that weighs less than twenty-five (25) pounds when fully grown.

Amended by #1846-2006

Livestock Animals (Large) – means those animals included in the following list: dairy and beef cattle, bulls, goats, pigs including pot-bellied breeds, sheep, donkeys and mules, and horses.

Amended by #1768-2002

Livestock Animals (Small) – means such animals as: Domestic fowls, pigeons, chickens (except for roosters), rabbits, ducks, geese, honey bees, and other game birds.

Amended by #1846-2006

Medical Health Officer – means the Medical Health Officer as assigned by the local health authority.

Added by #1991-2012

Nucleus Colony – shall mean a small honeybee colony created from a larger colony.

Amended by #2016-2013

Off-Leash Dog – means an owner or possessor walking a dog(s) in a public space without the dog being maintained on a leash. Off-Leash Dog walking is only permitted within the area at Ferry Island designated as the Family Dog Park and shown on the attached Schedule "C". An Off-Leash Dog shall at all times remain within visual surveillance and under the direct control and responsibility of an owner or possessor.

Open Air Run – means an area used for exercising or airing dogs or cats.

Owner of Record – shall mean the person or persons shown as the licenced owner on the City record.

Added by #1846-2006

Persistent Barking or Howling – includes, but is not limited to, the sound made by a dog barking or howling or creating any kind of noise continually or sporadically, or erratically for any period in excess of fifteen (15) minutes.

Added by #1768-2002

Police Services Dog – means a dog that has been trained for, and is used for, law enforcement purposes, and is under the control of a police services dog handler.

Possessor – shall mean a person or persons who owns, or who gives shelter, or has an animal in his/her keeping.

Added by #1977-2011

Poultry – shall mean domestic fowls, such as chickens, turkeys, ducks, or geese, raised for meat or eggs.

Residential Area – means those areas described in the City of Terrace Zoning Bylaw No. 1431-1995, and amendments thereto, as residential areas.

Rodents – includes rats and mice.

Running at Large – shall mean an animal not under control by being other than:

- (a) on the property of its Owner or of another person who has the care and control of the animal, or
- (b) attached directly to a person who is competent to, and of sufficient strength to ensure that the animal cannot break free from the leash, or other device, used to restrain and/or guide the animal; or
- (c) securely confined within an enclosure.
- (d)

Deleted by #2096-2015

Added by #1768-2002

Amended by #2016-2013

Secure Enclosure – means a fence or structure with minimum dimensions of six (6) feet high, eight (8) feet wide, and twelve (12) feet long per dog. For each additional dog, to a maximum of 3 dogs, the enclosure must measure six (6) feet by twelve (12) feet by twelve (12) feet. The structure should form an enclosure capable of preventing the entry of a child under the age of ten (10) years and adequately constructed to prevent a dog from escaping.

Added by #1768-2002

Small Animals – means such animals as rabbits, guinea pigs, hamsters, or other small animals deemed acceptable by the Animal Control Officer for the purposes of this Bylaw.

Added by #1894-2007

Tether – when used as a noun, means a leash, rope, chain, line, cord or other similar device by which an animal is attached to a stake or other stationary object or to a pulley run or running line, and, when used as a verb, means to attach an animal by means of a leash, rope, chain, line, cord or other similar device to a stake or other stationary object or to a pulley run or running line.

Vermin – includes fleas, lice, worms and other parasitic insects and animals.

Whelping Area – means an area where a cat or dog gives birth to its young.

2.0 ANIMAL SHELTER

The City shall provide such buildings, yards, corrals and enclosures as may be deemed necessary for care, keeping and destruction of animals under the provisions of this Bylaw.

3.0 ANIMAL CONTROL OFFICER

Amended by #1977-2011

The City shall appoint an Animal Control Officer to ensure compliance with this Bylaw, and administer the Animal Shelter. The Animal Control Officer may appoint someone to act on his/her behalf as required.

4.0 OFFENCE – OBSTRUCTION OR INTERFERENCE

Anyone who obstructs or interferes with the Animal Control Officer, or his/her duly authorized delegate, engaged in the execution of his/her duties, commits an offence.

5.0 ANIMALS PERMITTED

Added by #1846-2006 & subsequent renumbering

5.1 Dogs & Cats – No more than three (3) dogs or lap dogs, and no more than four (4) cats may be housed in a dwelling unit or kept on any parcel of land within City limits.

5.2 No Animals Housed in Dwelling Unit – No animals other than domesticated dogs and cats or other small domesticated animals may be housed within their owner's, possessor's or harbourer's dwelling unit.

Amended by 5.3
#1768-2002, #1846-2006
& #1977-2011

Permitted Animals – No animals other than cats and dogs or other small animals actually housed within the dwelling unit or on the property of their owner, possessor or harbourer, shall be kept in any portion of the City that is zoned Residential, Commercial, Industrial, or Public and Institutional under City of Terrace Zoning Bylaw Number 1431-1995, as amended from time to time, except as provided in Section 13.3 and 15 of this Bylaw.

Amended by 5.4
#1768-2002, #1846-2006

Poultry, Pigeons or Doves – No poultry, pigeons or doves shall be kept in any portion of the City that is zoned Residential, Commercial, Industrial, or Public and Institutional under City of Terrace Zoning Bylaw No. 1431-1995, as amended from time to time, except as provided in Section 13.3 and 15 of this Bylaw.

6.0

DOG LICENCES

Amended by 6.1
#1768-2002

Valid Licence – No person shall own, possess or harbour any dog that is over the age of six (6) months within the boundaries of the City unless a valid and subsisting licence has been issued under this Bylaw for such dog.

6.2

Age of Licencee – No licence shall be issued under this Bylaw in respect of any animal to any person under the age of nineteen (19) years, unless and until such person provides the Animal Control Officer with written consent, in the prescribed form, of his or her parent or guardian; and any parent or guardian providing a written consent under this section, shall be for the purposes of this Bylaw, deemed to be the owner of the animal in respect of whom the Licence was issued.

6.3

Period of Licence – All City of Terrace Dog Licences, including Hobby Dog Kennel licences, shall be for the period January 1st to December 31st of the year issued or the remaining portion thereof.

6.4

Dog Licence Displayed – Every person who is issued a Dog Licence under this Bylaw shall receive a Dog Licence Tag which shall at all times, be fastened to a collar or harness worn by the dog for which the Licence was issued.

6.5

Dog Licence Specific – Every Licence issued under this Bylaw shall be for a specific animal, and no person shall place, affix or use a Licence issued in respect of one animal on or for another animal.

6.6

Replacement Licences – A replacement Dog Licence may be issued, upon providing reasonable proof that the original licence issued has been lost, and upon payment of the fee shown in the attached Schedule "A".

- 6.7 **Form of Licence** – All Dog Licences issued shall have included a description of the property, if different from the owner's residence, upon which the animal will be kept, and a description of the dog including name, breed and age.
- 6.8 **Fee** – The fees to be paid prior to issuing a Dog Licence shall be those shown in the attached Schedule "A".

7.0 **IMPOUNDMENT**

Added by 1977-2011

- 7.1 **Right of Refusal to Release from Impoundment** – Upon reasonable grounds the Animal Control Officer, or his/her delegate, has the right to refuse to any person the release or adoption of any animal from the City of Terrace Animal Shelter for any of the following reasons:

- (a) to protect the safety of the public from the animal;
- (b) to protect the safety of the animal from the public at large;
- (c) to protect the health and welfare of the animal from the individual;
- (d) if the person is under nineteen (19) years of age; or
- (e) if the person is apparently under the influence of alcohol or a drug, such that the Animal Control Officer, or his/her delegate, does not feel that the individual has the cognitive ability to accept responsibility for the animal.

- 7.2 **Impounding** – Any animal running at large or violating any portion of this Bylaw may be impounded.

Amended by 7.3
#1977-2011

Release – Notwithstanding Section 7.1 above, no animal shall be released from impoundment until all provisions of this Bylaw are complied with and all fees, board costs, damage costs, and/or fines are paid.

- 7.4 **Time** – All impounded animals shall be retained for a period of seventy-two (72) hours, excluding Sundays and statutory holidays, from time of impoundment, or until released to the owner of record and Section 7.3 herein has been complied with to the Animal Control Officer's satisfaction, whichever is the shorter period.

Deleted by 7.5
#1846-2006

Maximum Time in Shelter – deleted by #1846-2006

Amended by 7.6
#1846-2006

Unclaimed Animals – The Animal Control Officer or other authorized agent of the City is empowered to destroy all impounded animals, in a humane manner, that are unclaimed after seventy-two (72) hours of impoundment, excluding Sundays and statutory holidays.

- Amended by* 7.7 ***Diseased, Suffering or Dangerous Animal*** – Notwithstanding 7.4 and 7.6 above, an animal may be destroyed immediately upon receipt if it is diseased, suffering or dangerous and this is verified either by a veterinarian or the Animal Control Officer, or if requested by the owner of record and proof of identification is received and a waiver form signed.
- #1977-2011
- 7.8 ***Sale of Impounded Animals*** – All impounded animals are eligible for sale seventy-two (72) hours after impoundment subject to 7.3 above, excluding Sundays and holidays.
- 7.9 ***Responsibility for Uncollected Fees or Costs*** – The owner of record shall be held responsible for all uncollected fees or costs in respect of an impounded animal whether or not he/she effects the release of the animal, and boarding costs shall be those shown in the attached Schedule "A".
- 8.0 **PERSISTENT BARKING OR HOWLING**
- Added by* 8.1 ***Persistent Barking or Howling*** – No person shall own, possess, or harbour any dog which disturbs or tends to disturb the peace, quiet, rest, enjoyment, comfort, or convenience of the neighbourhood by its persistent barking or howling.
- #1846-2006
& subsequent renumbering
- 9.0 **DOG EXCREMENT**
- Amended by* 9.1 ***Only on Owner's Property*** – No person shall permit their dog to excrete on any property other than the property of the owner, possessor, or harbourer.
- #1768-2002
- Amended by* 9.2 ***Removal of Dog Waste – Other Property*** – No person, other than a blind person accompanied by a seeing eye dog, shall cause or allow a dog owned by him or under his control, to excrete on any property, other than the owner's, possessor's, or harbourer's property unless that person immediately removes such excrement.
- #1768-2002
- 9.3 ***Removal of Dog Waste – Own Property*** – The owner, possessor or harbourer of a dog shall not permit dog excrement to accumulate in such a manner as to be offensive to smell or unsanitary. Dog Excrement shall be regularly disposed of in a manner approved by the Medical Health Officer.
- 10.0 **DANGEROUS DOG**
- Amended by* 10.1 ***Confine, Secure or Muzzle*** – Upon learning that a dog attacked or viciously pursued a person or domestic animal, or that the dog has been deemed to be dangerous by the Animal Control Officer, acting in accordance with this or any City of Terrace Bylaw, or with the Community Charter or any Provincial Legislation, the owner, possessor, or harbourer of such dog shall confine the dog in a building
- #1768-2002 &
#1846-2006

or secure enclosure and shall muzzle and leash the dog whenever it is off the owner's, possessor's, or harbourer's property.

- 10.2 **Destruction of Dangerous Dog** – If an owner, possessor or harbourer permits a dog to be in contravention of Section 10.1 above, said dog which attacks or viciously pursues a person or domestic animal shall be subject to the impoundment provisions of this Bylaw, and a judge of the Provincial Court of B.C. may, upon being satisfied that the dog has killed or injured, or is likely to kill or injure a person or a domestic animal, order that the dog be killed or released to a new owner.

Deleted by #2016-2013

- 10.3 **Guard Dog** – Deleted by #2016-2013.

- 10.4 **Rabies** – If a dog bites a person and the dog has not been immunized against rabies, the dog shall be quarantined for ten (10) days and kept under observation by the Animal Control Officer at the cost of the owner.

Added by 1991-2012

- 10.5 **Removal of Dangerous Dog Designation** – If there are no additional instances of the behaviour described in Section 10.1 within a 36 month period from the date of designation as a dangerous dog, the dog shall be removed from the list of potentially dangerous dogs. The dog may, but is not required to be, removed from the list of dangerous dogs prior to the expiration of the 36 month period if the owner or keeper of the dog demonstrates to the Animal Control Officer or his/her delegate that changes in circumstances or measures taken by the owner or keeper, such as training of the dog, have mitigated the risk to the public safety.

11.0 **BITCH IN HEAT**

- 11.1 **Ovulatory Period** – No owner, possessor or harbourer shall allow an unsprayed female dog in heat to leave their premises, EXCEPT to convey it directly to a veterinarian or a boarding kennel.

- 11.2 **Impoundment** – Where a dog in Section 11.1 herein has been impounded under the provisions of this Bylaw, the dog shall remain in the custody of the Animal Control Officer while in heat and Section 7.0 herein shall not apply until the expiration of the dog's ovulatory period, other than the cost of board, which shall be calculated from the date of original impoundment.

- 11.3 **Released to Owner** – Where a dog in Section 11.1 and 11.2 herein has been impounded under the provisions of this Bylaw, the female dog "in heat" may be released at the discretion of the Animal Control Officer, upon being satisfied that the said owner will take the necessary precautions.

- 11.4 **Unattended** – No owner, possessor or harbourer shall allow an unspayed female dog during its ovulatory period, to be unattended in a yard that is not fenced to keep out other dogs.

12.0 **UNWEANED ANIMALS**

- 12.1 **Unweaned Animals** – All unweaned offspring of an animal together with the female parent shall be deemed to constitute a single animal for the purpose of this Bylaw.

Amended by #1991-2012

13.0 **FOWL AND BEES**

- 13.1 **Proximity** – No structures to house or shelter poultry, pigeons or doves shall be placed or constructed within 6 meters (20 feet) of any dwelling house or within 6 meters (20 feet) of the boundary of any property on which the structure is located, except as provided in Section 13.3.

Amended by #1991-2012

- 13.2 **Poultry, Pigeons, Doves or Bees** – No poultry, pigeons, doves or bees shall be kept in any part of a dwelling house or in any store or other place of business, except in a business licenced through the City of Terrace to sell or keep such fowl or bees.

13.3 **Backyard Hens**

Added by #1977-2011

Permitted Areas

In residential zones R1, R1-A and R2 (as well as existing permitted areas shown on SCHEDULE "B") the keeping of up to four (4) backyard hens will be permitted for personal use, provided that no neighbourhood health, environmental or nuisance problems result.

Keeping of Hens

A person who keeps one (1) or more hens, up to a maximum of four (4), must:

- (a) reside on the property where the hens are kept, or obtain written permission from the property owner;
- (b) situate hens in a back or sideyard which is fully fenced;
- (c) situate coops at least one and a half (1.5) metres from the property line and three (3) metres from windows and doors of a dwelling;

- (d) *provide each hen with at least 0.5 metres squared (0.5 m²) of coop floor area, and at least 1.0 metre squared (1.0 m²) of roofed outdoor enclosure;*
- (e) *provide and maintain, in each coop, at least one perch, for each hen, that is at least fifteen (15) centimetres long, and one nest box;*
- (f) *provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;*
- (g) *not keep hens in a cage;*
- (h) *provide each hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;*
- (i) *maintain each hen enclosure in good repair, in a manner that prevents entrance by other animals (fully enclosed) and keep the enclosure in sanitary condition, free from vermin and obnoxious smells and substances;*
- (j) *follow biosecurity procedures recommended by the Canadian Food Inspection Agency;*
- (k) *keep hens for personal use only, and not sell eggs, manure, meat, or other products derived from hens;*
- (l) *not slaughter, or attempt to euthanize, a hen on the property; and*
- (m) *register the backyard hens with the City of Terrace Animal Shelter.*

13.4

Added by #1991-2012

Keeping of Backyard Bees:

Permitted Areas

In residential zones R1, R1-A, R2 and designated City of Terrace Community Garden properties (in addition to existing permitted areas shown on SCHEDULE "B") the keeping of up to two (2) beehives as well as (2) nucleus colonies will be permitted for personal use, provided that no neighbourhood health, environmental or nuisance problems result.

Keeping of Beehives

- (a) *no more than two beehives and two nucleus colonies are permitted in residential zones R1, R1-A, R2 and designated City of Terrace Community Garden properties;*
- (b) *beehives are for personal use only;*
- (c) *residents keeping beehives must reside on the property where the beehives are kept, or obtain written permission from the property owner;*
- (d) *beehives are restricted to backyards;*
- (e) *all permitted beehives must be registered with the apiculture registration system for British Columbia, coordinated by the BC Ministry of Agriculture (BCMA). Under the authority of the Provincial Bee Act, a person must not keep bees or possess beehive equipment unless the person is registered;*
- (f) *site of all beehives shall comply with a 1.5 metre setback from side and rear parcel lines; and*
- (g) *each beehive shall comply with one of the following requirements in order to ensure the appropriate height of honeybee flight path:*
 - *The entrance to the beehive(s) will be facing away from neighbouring properties and be located in a backyard which has a continuous fence or hedge that is 1.8 metres in height, or;*
 - *If installed on an elevated platform (deck, rooftop, etc.) beehive(s) will be situated 2.5 metres or more above ground level.*

Amended by **14.0**
#1768-2002 & #1894-2007
Amended by #2016-2013

14.1

Added by #1894-2007

CARE AND CONTROL OF ANIMALS

Necessity of Care – No person may keep an animal unless the animal is provided with:

- (a) *clean, potable drinking water at all times and suitable food of sufficient quantity and quality to allow for normal growth and maintenance of normal body weight;*
- (b) *food and water receptacles kept clean and disinfected and located so as to avoid contamination by fecal manner;*
- (c) *the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be free from a fixed area and exercised regularly under appropriate control;*

Amended by #2016-2013

(d) *necessary veterinary medical care when the animal exhibits signs of pain or suffering;*

Amended by #2016-2013

(e) *no person may keep an animal which normally resides outside, or which is kept outside for short to extended periods of time, unless the animal is provided with outside shelter;*

Amended by #2016-2013

(f) *protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelters must provide sufficient space to allow the animal the ability to turn around freely and to easily stand, sit and lie in a normal position; and*

Added by #2016-2013

(g) *no person shall wilfully abandon an animal anywhere within the City of Terrace.*

Added by 14.2

#1768-2002

Amended by #1846-2006

&d #2016-2013

Running at Large – *No owner, possessor, or harbourer of a dog shall allow the dog to run at large anywhere within City limits.*

Deleted by 14.3

#1894-2007

Leave Property – *deleted by #1894-2007.*

Amended by 14.4

#1768-2002

Tether to Public Property – *No person shall tether, tie, attach or otherwise fasten by any means, an animal to any traffic control device or support thereof, any fire hydrant or fire protection equipment, handrails, or any other object, in such a way as to obstruct the public or create a nuisance.*

Added by 14.5

#1894-2007

Amended by

#2096-2015

Tether to Private Property – *No person shall keep a dog tethered on private property at any time.*

Added by #1991-2012

14.6

Transportation of Dogs in Vehicle(s) – *No person may transport a dog in a vehicle outside of the passenger compartment unless it is confined to a pen or cage, or unless it is secured in a body harness or other manner of fastening to prevent it from jumping or falling off the vehicle or otherwise injuring itself.*

Added by #1991-2012

14.7

Animals Confined in Enclosed Spaces – *No person shall keep an animal confined in an enclosed space, including a motor vehicle, without access to sufficient ventilation to prevent the animal from suffering discomfort or heat related injury.*

15.0

REGULATION OF THE KEEPING OF LIVESTOCK IN CERTAIN AREAS

15.1 **Designated Area** – The keeping of livestock will be permitted in designated Subareas 1 and 2 only on the plan as attached hereto and marked Schedule "B" to this Bylaw.

15.2 **Permitted Uses and Minimum Parcel Sizes:**

Amended by 15.2.1 **Subarea 1** – In Subarea 1 (attached Schedule "B"), the keeping of both large and small livestock animals for hobby farm purposes will be permitted, provided that no neighbourhood health, environmental or nuisance problems result.
#1977-2011

Amended by 15.2.2 **Minimum Parcel Sizes – Large Livestock** – The minimum area for keeping large livestock animals in Subarea 1 will be 0.69 hectares (1½ acres of land) for the first large animal, and at least 0.20 hectares (1/2 acre) for each additional large animal; all land to be in one location.
#1768-2002

Amended by 15.2.3 **Minimum Parcel Sizes – Small Livestock** – The minimum area for keeping of smaller livestock animals and fowl will be 0.40 hectares (1 acre) in Subarea 1, except as provided in Section 13.3.
#1768-2002

Amended by 15.2.4 **Subarea 2** – In Subarea 2 (attached Schedule "B"), the keeping of small livestock will be permitted for personal use, provided that no neighbourhood health, environmental or nuisance problems result.
#1977-2011

Amended by 15.2.5 **Minimum Parcel Sizes – Small Livestock** – The minimum area for keeping small livestock animals will be 0.40 hectares (1 acre) in Subarea 2.
#1768-2002

Deleted by 15.2.6 Section 15.2.6 deleted.
#1768-2002

Amended by 15.2.7 **Proximity to Neighbour's Premises** – No large livestock shall be kept in the City within 60 m (200 ft.) of a neighbour's premises occupied as a dwelling and no small livestock shall be kept in the City within 30 m (100 ft.) of a neighbour's premises occupied as a dwelling, except as provided in Section 13.3.
#1768-2002 & 1977-2011

15.2.8 **Running at Large – Large Livestock** – No owner of large livestock shall permit them to run at large or be on any portion of the following area:

- (a) parks and schoolyards;
- (b) sidewalks;
- (c) private property, unless the consent of the property owner has first been obtained, and City Bylaw requirements have been met.

Amended by 15.2.9 **Right-of-Way** – Every person riding or leading any large livestock shall

#1768-2002

yield the right-of-way to any pedestrian when said pedestrian is occupying the shoulder of a roadway normally used for pedestrian purposes.

15.2.10 **Horses**

(a) **Sunset to Sunrise** – *No person shall ride a horse on any highway between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise.*

Amended by
#1768-2002

(b) **Travelled Portion of Highway** – *No person shall ride a horse on the travelled portion of highway or in the downtown area, at any time, other than where a permit has been obtained.*

(c) **Galloping** – *No person shall gallop a horse on public property within the boundaries of the City.*

(d) **Shelter for Horses** – *There shall be constructed on the property on which the horse, or horses are kept, a shelter or lean-to sufficiently large to house all horses on the property.*

(e) **Horse Excrement** – *No horse shall be permitted to excrete on public property.*

(f) **Remove Excrement** – *The owner, possessor or harbourer of a horse shall remove forthwith any excrement deposited by said horse on public property.*

Amended by 15.2.11
#1768-2002

Special Occasion Permits – *Special Occasion Permits may be obtained through the Animal Control Officer to permit small or large livestock, on a per event basis, in areas other than Subareas 1 or 2 (as identified in attached Schedule "B"), for special occasions such as Petting Zoos, Farmer's Market, Livestock Exhibits, and parades.*

15.2.12 **Removal of Livestock Waste – Own Property** – *The owner, possessor or harbourer of large or small livestock shall not permit animal excrement to accumulate in such a manner as to be offensive to smell or unsanitary. Animal excrement shall be regularly disposed of, if a nuisance or health problem arises, in a manner approved by the Medical Health Officer.*

16.0

FENCING OF LIVESTOCK

16.1 **Adequate Fences Provided** – Where livestock are being kept in open fields there will be adequate fences to keep such livestock from roaming beyond property boundaries.

Deleted by 16.2 Section 16.2 deleted.
#1768-2002

Amended by 16.3 **Fence Posts** – Shall be of adequate strength so that livestock cannot dislodge or break with minimum force applied.
#1768-2002

Amended by 16.4 **Fencing** – Shall not be in contravention of the City of Terrace Zoning Bylaw 1431-1995. Where barb wire is used there will be orange or red ribbon on the top strand no more than 3 metres (10 feet) apart.
#1768-2002

16.5 **Maintained in Good Condition** – In any zone where a fence has been erected, said fence shall be maintained in good condition and repair. No person shall allow a fence located on property of which he/she is the owner or occupier, to fall into a state of disrepair.

16.6 **Fence in Disrepair** – Subject to notice given pursuant to this Bylaw, where any fence has fallen into a state of disrepair, the owner or occupier of property upon which said fence is located, shall repair same.

17.0 **REGULATION AND PROHIBITION OF KENNELS, OR OTHER PLACES FOR THE KEEPING, TRAINING, CARE, BREEDING OR BOARDING OF DOGS AND CATS**

17.1 **HOBBY DOG KENNEL:**

General Regulations:

17.1.1 **Hobby Kennel Licence Required** – No person shall operate a Hobby Dog Kennel, without being the holder of a current and valid Hobby Kennel Licence therefore.

Amended by 17.1.2 **Hobby Kennel Licence Fee** – Hobby Kennel Licence fees for this section of the Bylaw, are as set out in Schedule "A" of this Bylaw.
#1768-2002

Amended by 17.1.3 **No More Than 3 Dogs** – No person shall own, possess, keep or harbour more than three (3) dogs on any parcel of land, except when the Hobby Kennel Regulations are being abided by.
#1846-2006

17.1.4 **No Boarding, Grooming, Etc.** – No owner, keeper or operator or manager of a Hobby Dog Kennel shall accept any dog from any other person for the purpose of boarding, grooming, harbouring, training, or keeping for any purpose.

Deleted by 17.1.5 **Dog Rescued by Breeder** – deleted by #1846-2006.
#1846-2006

17.1.6 **Control Noise** – *The operator of a Hobby Dog Kennel shall take effective precautions to ensure that animals under his/her care are properly controlled and restrained from barking, yelping or howling.*

Deleted by #1846-2006 17.1.7 **Provide Clean Utensils** – *deleted by #1846-2006.*

Amended by #1846-2006 17.1.8 **Bylaws Adhered to** – *Notwithstanding anything in any other Bylaw to the contrary, no person shall have, operate, maintain or carry on, or permit to be operated, maintained or carried on, any Hobby Dog Kennel within the City of Terrace, unless the Building, Zoning, Nuisance, and Noise Bylaws are being adhered to.*

Building Regulations:

Deleted by #1846-2006 17.1.9 **No Other Buildings** – *deleted by #1846-2006.*

17.1.10 **Hobby Dog Kennel Regulations** – *Every person operating, maintaining, or allowing to carry on any Hobby Dog Kennel, shall comply with the following regulations. Each Hobby Dog Kennel shall:*

- (a) *Have a fenced-off area for dogs to have adequate exercise area, when not supervised.*
- (b) *Allow each dog to have its own run, 1.2 metres (4 feet) wide, 3.6 metres (12 feet) long, and of a minimum of 1.8 metres (6 feet) high.*
- (c) *Provide the run with a floor surface of an impervious material for cleaning purposes.*
- (d) *Provide each run with a shelter for each dog so as not to restrict standing, turning or sleeping.*
- (e) *Deleted by #1846-2006.*
- (f) *Be 6 metres (20 feet) from adjoining property, and 18.2 metres (60 feet) from any dwelling.*

Deleted by #1846-2006

Deleted by #1846-2006 17.1.11 **Maintenance & Operation:** *deleted by #1846-2006*

Added by #1846-2006 17.1.12 **Exceptions to Hobby Kennel Regulations** – *Sections 17.1.10(b), (c), and (d) do not apply to lap dogs.*

17.2 **COMMERCIAL DOG OR COMMERCIAL CAT KENNEL:**

General Regulations:

17.2.1 **Business Licence Required** – No person shall operate a Commercial Dog or Commercial Cat Kennel, without being the holder of a current and valid Business Licence therefore.

Amended by
#1768-2002

17.2.2 **Business Licence Fee** – Business Licence fees for this section of the Bylaw, are as set out in Schedule "A" of City of Terrace Business Licence Bylaw No. 1227-1990, and amendments thereto.

17.2.3 **Control Noise** – The operator of a Commercial Dog or Commercial Cat Kennel shall take effective precautions to ensure that animals under his/her care are properly controlled and restrained from barking, yelping or howling.

Deleted by
#1846-2006

17.2.4 **Provide Clean Utensils** – deleted by #1846-2006.

Amended by
#1846-2006

17.2.5 **Bylaws Adhered To** – Notwithstanding anything in any other Bylaw to the contrary, no person shall have, operate, maintain or carry on, or permit to be operated, maintained or carried on, any Commercial Dog or Commercial Cat Kennel, within the City of Terrace, unless the Building, Zoning, Nuisance, Noise, and Business Licence Bylaws are being adhered to.

17.2.6 **Register and Display of Fees** – Commercial Dog and Commercial Cat Kennel operators shall:

- (a) Maintain a register of animals in the kennel, clearly providing the following information:
 - (i) the name, address, and telephone number of the owner of the animal,
 - (ii) the name and breed of the animal, and
 - (iii) the licence authority, and number of the licence.
- (b) Make the register available to the Inspector of the Police and the Municipal Inspectors, at all reasonable times.
- (c) Display prominently in the public visiting room, the rates charged for services rendered by the kennel, and the kennel personnel.

Building Regulations:

17.2.7 No person shall use a building or part of a building for a Commercial Dog or Commercial Cat Kennel unless it complies with the following regulations. The building shall:

- (a) *Have a ceiling height of not less than 2.4 metres (8 feet) measured perpendicularly from the floor.*
- (b) *Have floors constructed of material that is impervious and readily cleaned.*
- (c) *Be lighted by windows admitting unobstructed natural daylight, the glass area of which shall equal one-tenth (1/10th) of the floor area, fifty percent (50%) of which shall open in order that proper ventilation may be attained or, alternately to the foregoing, shall be equipped with the following:*
 - (i) *Artificial light providing evenly distributed illumination equivalent to at least 3 metres (10-foot) candles at a distance of 76 cm (30 inches) from the floor and working surfaces, and such artificial light sources shall be in use except when equivalent natural light is present or during the night or rest periods.*
- (d) *Have installed a mechanical apparatus to provide at least one (1) complete change of air per hour.*
- (e) *Have interior walls and ceilings constructed of or containing at least 7.6 cm (3 inches) of insulation or its equivalent for the purpose of soundproofing.*
- (f) *Be connected to the Municipal water supply system.*
- (g) *Have an adequate supply of hot water available in the premises at all times for the purpose of cleaning the premises so that the place is clean and healthy in pens, and runs at all times.*
- (h) *Be adequately heated.*
- (i) *Have a suitable whelping area.*
- (j) *Have, in the case of buildings having pens, a 1.2 metre (4-foot) wide hallway fronting each pen.*
- (k) *Have pens or cages of design, finish and size so as not to restrict the animal unnecessarily, and so as to permit ready cleansing of the pens or cages, with an outside kennel run, 1.2 metres (4 feet) wide, 3.6 metres (12 feet) long, and a minimum of 1.8 metres (6 feet) high.*
- (l) *Each pen shall be serviced by a facility capable of providing an adequate supply of fresh water for the animal.*

- (m) *The kennel building and outside run shall have a floor constructed of an impervious material, with a 5 cm (2 inch) fall to a drainage gutter, connected to a sanitary sewer or septic tank, and so arranged that it serves each pen and run.*
- (n) *Each run shall be separated, one from another, with a 45 cm (18 inch) high concrete wall, 10 cm (4 inches) wide, and each run shall be further enclosed with a suitable metal mesh fence on all sides, and on the top.*
- (o) *Have interior/exterior walls on kennel buildings constructed of a smooth impervious material to a height of 1.2 metres (4 feet) above the floor. Each pen shall have a doorway connecting it to a hallway, and shall be provided with a door, the pen outside of which shall be impervious to a height of 1.2 metres (4 feet) above the floor. Without limiting the foregoing, such doors may be of a dutch-door type.*
- (p) *Every Commercial Dog and Commercial Cat Kennel owner/operator shall provide a fence to prevent visibility from without, of at least 1.8 metres (6 feet) in height, constructed of wood, masonry, stone, or concrete, placed around that portion of the property used for kennel purposes, including, without limiting the foregoing, open air runs. The fence shall be situated not less than 3 metres (10 feet), nor more than 6 metres (20 feet) from the kennel building or from the building and its runs, and shall be kept in good repair by the owner or operator of the kennel, and painted at least once every calendar year; provided, however, if the fence is constructed of wood, it shall be constructed of the same type and design of materials throughout, so to be generally of uniform thickness and width in every part.*

17.2.8 Service Area – *In the case of Commercial Dog Kennels and Commercial Cat Kennels, have a service area containing the following facilities and accommodations:*

- (a) *A public waiting room and office, separate or combined.*
- (b) *Food storage and preparation room, equipped with a sink with running water.*

17.2.9 No Other Buildings – *No Commercial Dog or Commercial Cat Kennel shall be situated on a parcel of land which contains, or has situated on it, any other building or structure other than a one-family dwelling and necessary outbuildings, including staff living quarters, ancillary to the one-family dwelling.*

- 17.2.10 **Proximity to Other Buildings** – Each building, or portion of a building, used as a Commercial Dog or Commercial Cat Kennel, shall not be located less than 15.2 metres (50 feet) from any dwelling, where the dwelling is situated on the parcel of land on which the kennel is located, nor shall the kennel be located less than 24.3 metres (80 feet) from any other dwelling on adjoining neighbour's property.

Maintenance & Operation:

- 17.2.11 The following regulations apply to Commercial Dog or Commercial Cat Kennel buildings, including the service area. They shall:
- (a) Be painted at least once in every year, or more often if necessary, and be kept at all times in good repair.
 - (b) Be kept, at all times, in a clean and sanitary condition, and free from Vermin and Rodents. This also includes the pens and yards.
 - (c) Be kept regularly disinfected and free of offensive and disagreeable odours, to the satisfaction of the Medical Health Officer. This also includes the pens and yards.
 - (d) Have all external openings, other than those used as egress or ingress to a run, equipped with screens capable of prohibiting the entrance of flies.
 - (e) Be kept free of manure, dung and refuse, which the operator shall dispose of in a manner approved by the Medical Health Officer.
 - (f) Have a competent person in attendance at all times.

18.0 RECORDS & FEES

- 18.1 **Keeping of Records** – The Animal Control Officer shall, subject to the requirements of the City, keep such records as may be required.

Amended by
#1846-2006

- 18.2 **Receipt of Fees** – All fees required to be paid by any person pursuant to this Bylaw shall be paid to the Animal Control Officer, who shall keep accurate records of the receipts of such funds and turn these funds over to the Director of Finance.

Deleted by
#1846-2006

- 19.0 **ANIMAL PROTECTION FUND** – deleted by #1846-2006
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Deleted by
#1846-2006

- 20.0 **RECOVERY OF COMPENSATION** – deleted by #1846-2006
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Added by
#1807-2003 & subsequent renumbering

- 21.0 **REGULATION OF ANIMAL SHELTER INCINERATOR**
-

- 21.1 The opacity of the discharge from the Animal Shelter incinerator shall be equal to or less than 10%.

- 21.2 *The minimum allowable temperature required at critical point(s) in the incinerator shall be 1000° Celsius (1800° Fahrenheit) in order to achieve optimum emission levels.*
- 21.3 *Continuous temperature monitoring, including use of a chart or an electronic equivalent, shall be provided at appropriate point(s) in the incinerator to ensure that the allowable minimum temperature does not violate the minimum as indicated in 21.2.*
- 21.4 *Any ash from the Animal Shelter incinerator not used for ceremonial purposes such as storage in urns or scattering at resting places will be disposed at an authorized landfill site.*

22.0 **VIOLATIONS**

22.1 **Infractions** – *Any person who contravenes any provision of this Bylaw commits an offence.*

Added by
#1768-2002

22.2 **Punishment** – *Every person who violates any of the provisions of this Bylaw for which a specific penalty has not otherwise been designated, shall be deemed to have committed an offence against this Bylaw and shall be liable to a fine of not less than One Hundred (\$100.00) Dollars nor more than Two Thousand (\$2,000.00) Dollars for each offence.*

22.3 **Separate Infractions** – *Any offence under this Bylaw which continues for a period in excess of one (1) calendar day shall be deemed to be and is punishable as a separate offence for each and every subsequent day until such infraction ceases.*

22.4 **Responsibility** – *For the purposes of proceedings under this Bylaw, a person shall be deemed to be the owner, possessor or harbourer, or person otherwise responsible for any infraction of any provision of this Bylaw, in the absence of any evidence to the contrary.*

23.0 **CITY OF TERRACE EXEMPT**

23.1 *The provisions of this Bylaw shall not apply to the City of Terrace.*

24.0 **BYLAWS REPEALED**

24.1 *Bylaws Numbers 1047-1984, 1063-1985, 1067-1985, 1070-1985, 1115-1987, 1167-1989, 1173-1989, and 1180-1989, are hereby repealed.*

25.0 *This Bylaw may be cited as "**Animal Control Bylaw No. 1255-1991.**"*

This Bylaw is consolidated for convenience only. If discrepancies exist between this consolidation and the original bylaws, the original bylaws shall prevail.

BYLAW #1255-1991 READ a first time this 24th day of June, 1991.

BYLAW #1255-1991 READ a second time this 24th day of June, 1991.

BYLAW #1255-1991 READ a third time this 24th day of June, 1991.

BYLAW #1255-1991 ADOPTED this 15th day of July, 1991.

(ORIGINAL SIGNED BY "R. HALLOCK")

Acting Mayor

(ORIGINAL SIGNED BY "E.R. HALLSOR")

Clerk-Administrator

SCHEDULE "A" TO BYLAW NO. 1255-1991Replaced by
#1846-2006**LICENCING:**

			<u>Seniors</u>
	(a) Dogs		
	(i) Neutered male or Spayed female	\$20.00	\$10.00
Amended by #2078-2015	(ii) Other than (1) above	\$50.00	\$25.00
	(iii) Dangerous Dog	\$100.00	
Amended by #2016-2013	(iv) Guide Dog	\$0	
	(v) Police Services Dog	\$0	
	(vi) New licences issued from July 1 to December 31 of any given year shall be subject to a fee equal to 50% of the above noted fees. This does not apply to renewals, to dogs eligible to be licensed prior to July 1, or to licences issued to Seniors who already qualify for a reduced license fee.		

	(b) Hobby Kennel	\$200.00	
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Amended by #2078-2015	(c) Replacement or transfer of licence	\$5.00	
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Added by #1977-2011	(d) Backyard Hens (one time registration)	\$15.00	
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IMPOUNDMENT (Released to owner or sold):**DOGS**Replaced by
#2078-2015

	(a) Licenced	\$50.00	
	(b) Unlicenced	\$100.00	
	(c) Dangerous Dog	\$200.00	every time impounded
	(d) Pups under six (6) months of age	\$50.00	

IMPOUNDMENT (Released to owner or sold) Cont'd:**CATS AND OTHER SMALL ANIMALS**

Added by #1894-2007
Replaced by

#2078-2015 (a) Cats \$20.00

Deleted by (b) Deleted by #2016-2103
#2016-2013

SALE OF ANIMAL:

Amended by #1960-2010

ࠞ-2015 (a) Dog (Adult or Puppy) \$150.00
(plus license fee if applicable)

Amended by

#2078-2015 (b) Cat (Adult or Kitten) \$120.00

Amended by #1960-2010

Deleted by (c) Deleted by #2016-2103
#2016-2013

PUT UP FOR ADOPTION:

Amended by Dog \$100.00

#1960-2010 Puppy (under 6 months of age) \$50.00

Amended by Cat \$100.00

#2078-2015 Kitten \$50.00

Deleted by Deleted by #2016-2013
#2016-2013

BOARDING OF ANIMALS:**Rate per Day**

(a) Cat \$8.00

(b) 2 Cats Sharing (where permissible) \$12.00

Amended by

#2078-2015 (c) Dog \$15.00

(d) 2 Dogs Sharing (where permissible) \$20.00

GROOMING:

Amended by Bathing \$10.00
#2016-2013

TRAP RENTAL:

	<u>Daily Rental</u>	<u>Weekly Rental</u>	<u>Deposit</u>
Deleted by Cat	\$5.00/day	Deleted by #2016-2013	\$20.00
#2016-2013 Dog - Deleted by #2016-2013			

CREMATION SERVICES:

Amended by #1960-2010
& #2078-2015

General Cremations – no ashes returned

(a)	0 – 20 lbs	\$50.00
(b)	21 – 50 lbs	\$80.00
(c)	51 – 75 lbs	\$120.00
(d)	76 – 100 lbs	\$200.00
(e)	101 + lbs	\$300.00

Private Cremations – ashes returned without urn

(a)	0 – 20 lbs	\$150.00
(b)	21 – 50 lbs	\$160.00
(c)	51 – 75 lbs	\$170.00
(d)	76 – 100 lbs	\$230.00
(e)	101 + lbs	\$320.00

Private Cremations – ashes returned with urn

(a)	0 – 20 lbs	\$180.00
(b)	21 – 50 lbs	\$200.00
(c)	51 – 75 lbs	\$220.00
(d)	76 – 100 lbs	\$250.00
(e)	101 + lbs	\$340.00

Pick Up Fee

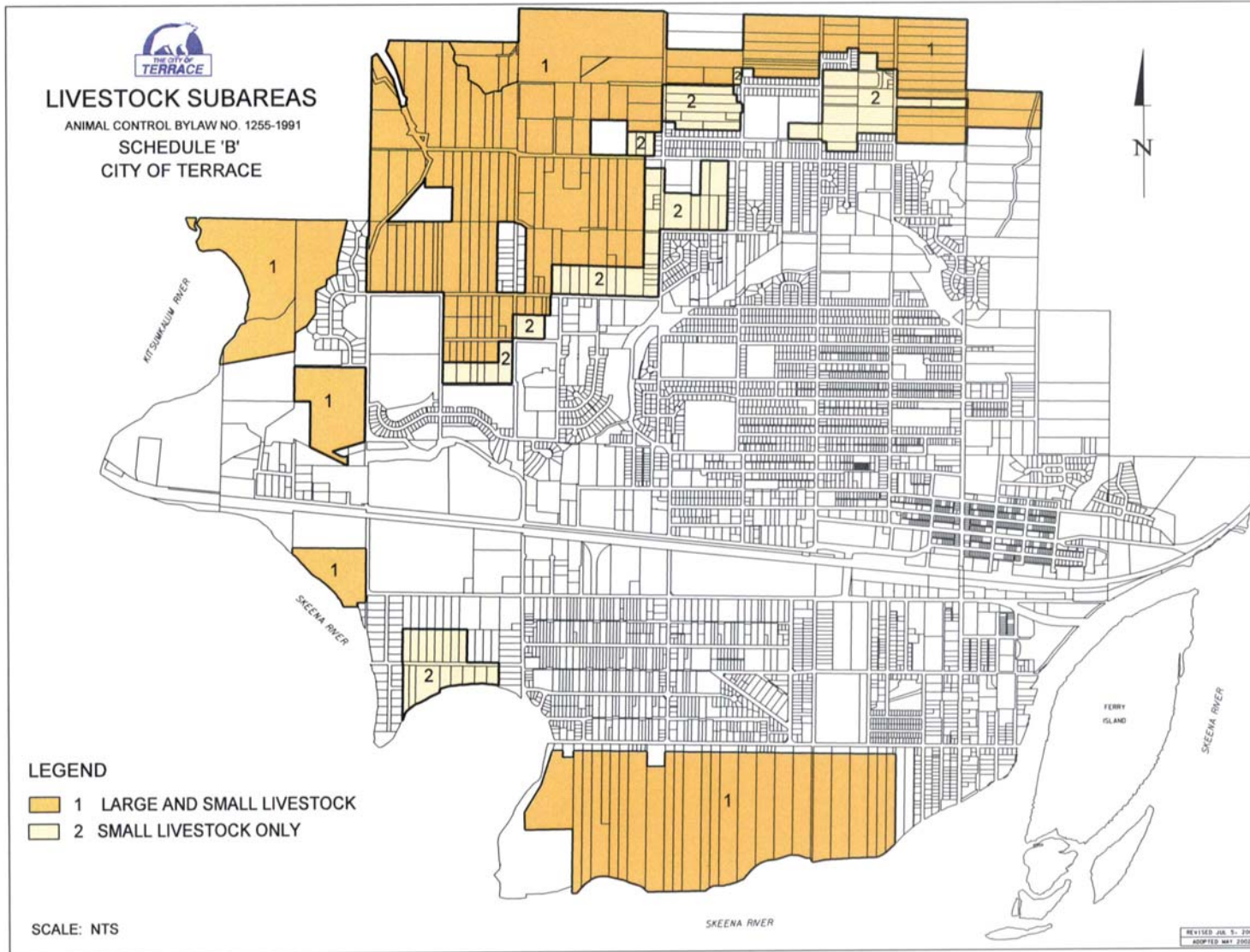
\$30.00

Please Note:

- *The City of Terrace Animal Shelter is not permitted to perform euthanasia for private cremation. Your veterinarian must be contacted to provide that service.*
- *Costs for private cremation are in addition to any costs that your veterinarian may charge for his services.*

SCHEDULE "B" TO BYLAW NO. 1255-1991

Amended by #1894-2007



SCHEDULE "C" TO BYLAW NO. 1255-1991

Added by #1846-2006
Amended by #1894-2007

