

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1531, 2019

A bylaw to amend the regulations for dangerous and aggressive dogs in electoral areas

WHEREAS the Board of Directors of the Fraser Valley Regional District ("the Board") has deemed it advisable to amend *Fraser Valley Regional District Electoral Areas D, E, and H Dangerous and Aggressive Dog Regulation Bylaw No. 1247, 2013*, as amended.

THEREFORE the Board enacts as follows:

1) CITATION

This bylaw may be cited as the *Fraser Valley Regional District Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019*.

2) ENACTMENTS

That Fraser Valley Regional District Bylaw No. 1247, 2013 be amended by:

1. In Part B – INTERPRETATION, under the "**aggressive dog**" definition, deleting Sections ii and iii and replacing them with the following:
 - ii. a dog that has bitten, killed, or caused injury to a domestic animal while in a public place, on limited common property, or while on private property other than property owned or occupied by the person responsible for the dog;
 - iii. a dog that, while at large, has aggressively pursued or harassed a person, a vehicle, or a domestic animal;
2. In Part B – INTERPRETATION, adding the following definition:

"aggressively pursue or harass" means to persistently or repeatedly annoy or chase a person, a vehicle, or a domestic animal in what may be perceived as an aggressive manner or with intent to cause injury;
3. In Part B – INTERPRETATION, deleting the definition of "**Animal Control Officer**" and replacing it with the following:

"Animal Control Officer" means:

 - i. an employee, officer, or agent designated by the Board, or peace officers, for purposes of Section 321 of the *Local Government Act, RSBC 2015, Ch. 1* [the "*Local Government Act*"] and Section 49 of the *Community Charter, SBC 2003, Ch. 26* [the "*Community Charter*";]

- ii. the Chief Animal Control Officer as defined elsewhere in this bylaw; or
 - iii. persons designated as bylaw enforcement officers under S. 415 of the *Local Government Act*; Section 264 of the *Community Charter*; Section 1 of the *Local Government Bylaw Notice Enforcement Act, SBC 2003, Ch 60*; and Section 3(f) *BC Reg. 425/2003 [Community Charter Bylaw Enforcement Ticket Regulation]* for purposes of enforcing regional district bylaws with respect to the regulation of animals;
4. In Part B – INTERPRETATION, deleting the definition of “**at large**” and replacing it with the following:
- “**at large**” means an animal that is in a public place or on private property other than the premises of the owner, while not contained or not on a leash under direct and continuous control by a person;
5. In Part B – INTERPRETATION, deleting the definition of “**Chief Animal Control Officer**” and replacing it with the following:
- “**Chief Animal Control Officer**” means an animal control officer or designate, designated by the Board for purposes of Section 321 of the *Local Government Act* and Section 49 of the *Community Charter*;
6. In Part B – INTERPRETATION, deleting the definition of “**enclosure**” and replacing it with the following:
- “**enclosure**” means a structure that satisfies each of the following criteria:
- i. is comprised of wire or steel mesh, designed to prevent the entry of a child or the escape of a dog;
 - ii. has a secure top attached to all sides of the enclosure;
 - iii. is of at least 1.8m in height;
 - iv. has a concrete floor, or has sides which are embedded no less than 60cm into the ground;
 - v. has a self-closing gate that can be locked;
 - vi. forms a confined area with no sides in common with a perimeter fence; and
 - vii. meets any necessary requirements for an accessory structure contained within any applicable bylaws or other regulations.
 - viii. For the purpose of this bylaw, an enclosure also includes a house from which the dog is not able to escape and is not able to cause injury to a person or animal located outside of the house.
7. In Part B – INTERPRETATION, adding the following definition:
- “**impound**” means the seizing or capturing of an animal by an Animal Control Officer;

8. Deleting Section 1 and replacing it with the following:

"A dog owner must ensure the dog:

- a) does not attack, bite, or cause injury to a person or domestic animal;
- b) does not aggressively pursue or harass a person, a vehicle, or a domestic animal; or
- c) does not kill a person or domestic animal."

9. Deleting Section 2 and replacing it with the following:

"An animal control officer may seize any dog that is alleged to have been or is found in contravention of Section 1 or Section 6 of this Bylaw."

10. In Section 5, replacing "within 10 days" to "within 30 days";

11. Deleting Sections 6 a) and 6 b) and replacing them with the following:

"6. The owner of an aggressive dog must:

- a) keep the dog securely confined in an enclosure at all times; or
- b) ensure the dog is:
 - i. on a leash not exceeding three metres in length;
 - ii. under the immediate care and control of a competent person; and
 - iii. muzzled to prevent it from biting a person or other animal."

12. In Sections 18, 21, and 23, deleting all references to specific sections of the *Community Charter* and the *Local Government Act* and replacing them with "the *Community Charter*" and/or "the *Local Government Act*";

3) **SEVERABILITY**

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

4) **READINGS AND ADOPTION**

READ A FIRST TIME THIS _____ day of _____

READ A SECOND TIME THIS _____ day of _____

READ A THIRD TIME THIS _____ day of _____

ADOPTED THIS _____ day of _____

Chair/Vice-Chair

Corporate Officer/Deputy

5) CERTIFICATION

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Electoral Areas Dangerous and Aggressive Dog Regulation Amendment Bylaw No. 1531, 2019* as adopted by the Board of Directors of the Fraser Valley Regional District on the

Dated at Chilliwack, BC this

Corporate Officer/Deputy