

ANIMAL CONTROL BYLAW

A Bylaw to provide for the licensing and control of animals within the City of Cranbrook.

WHEREAS the *Community Charter* provides:

- That the purposes of a municipality include the provision of services, laws and other matters for community benefit; and
- Authority to, by bylaw, regulate, prohibit, and impose requirements in relation to animals; and
- Authority to regulate, prohibit, and impose requirements, as applicable, respecting persons, property, things and activities in relation to animals; and
- Authority to establish different provisions for different areas, times, conditions, or circumstances and also different classes of persons, places, activities, property or things; and
- Authority to provide for a system of licenses, permits or approvals; and
- Authority for a municipality to enter on or into property; and
- Authority to establish different classes of animals on the basis of sex, age, size or breed; and
- Authority to seize animals, establish penalties and fees, and sell, dispose of or provide for the destruction of impounded animals; and
- Special powers in relation to dangerous dogs; and
- Authority to regulate, prohibit and impose requirements for the protection and enhancement of the well-being of the community in relation to nuisances, disturbances and other objectionable situations.

The Municipal Council of the Corporation of the City of Cranbrook, in open meeting assembled, enacts as follows:

PART 1 – CITATION

This Bylaw may be cited for all purposes as the “City of Cranbrook Animal Control Bylaw No. 3555, 2006.”

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PART 3 – REPEAL OF EXISTING BYLAWS

Bylaw No. 3113, 1993 and all amendments thereto, is hereby repealed in its entirety and the following Bylaw substituted therein.

PART 4 – DEFINITIONS

In this Bylaw, unless the context otherwise requires:

“**ANIMAL**” means any POULTRY, RODENT, FARM ANIMAL (including Vietnamese Pot-bellied Pigs), FUR-BEARING ANIMAL, WILD ANIMAL, DOG, CAT or other DOMESTIC ANIMAL.

“**ANIMAL CONTROL OFFICER**” means the person appointed as such by the CHIEF ADMINISTRATIVE OFFICER and includes BYLAW ENFORCEMENT OFFICER or member of the Royal Canadian Mounted Police.

“**BEE**” means a honey bee kept in an apiary, registered under the authority of the Province.

“**BIRD**” means a bantam, ornamental bird, PIGEON, dove, showbird and any type of POULTRY.

“**BYLAW ENFORCEMENT OFFICER**” means a person appointed as such by COUNCIL to enforce the bylaws of the CITY.

“**CAT**” means any member of the Felis Domesticus family, more commonly known as a domesticated cat which is two (2) months or older in age.

“**CITY**” means the Corporation of the City of Cranbrook.

“**CHIEF ADMINISTRATIVE OFFICER**” means the person appointed as such by COUNCIL.

“**COUNCIL**” means the Municipal Council of the City of Cranbrook.

“**DANGEROUS DOG**” for the purposes of this Bylaw has the same meaning as provided in Section 49 of the *Community Charter* and means any DOG that:

- (a) has killed or seriously injured a PERSON,
- (b) has killed or seriously injured a DOMESTIC ANIMAL, while in a public place or while on private property, other than property owned or occupied by the PERSON responsible for the DOG, or
- (c) an ANIMAL CONTROL OFFICER has reasonable grounds to believe is likely to kill or seriously injure a PERSON.

“**DOG**” means any member of the Canis Familiaris family, more commonly known as a domesticated dog.

“**DOMESTIC ANIMAL**” means an animal, tame or kept, or that has been or is being sufficiently tamed or kept to serve some purpose for the use of man; and includes those animals designated to be domestic by Order of the Lieutenant Governor in Council.

“**ENCLOSURE**” means a structure forming or causing an enclosure suitable to confine a DOG and prevent the entry of young children into the enclosed area.

“**FARM ANIMAL**” means a DOMESTIC ANIMAL normally raised for food, milk, or as a beast of burden, and without limiting the generality of the foregoing, includes Cattle, Oxen, Horses, Swine (except Vietnamese Pot-bellied Pigs), Sheep, Goats, Mules and Donkeys.

“**FUR-BEARING ANIMAL**” means any animal kept or raised for the purpose of commercial fur production, except Rabbits and Chinchillas and, without limiting the generality of the foregoing, includes Fox, Mink, Martin and Skunk.

“**GUIDE DOG**” means a registered seeing eye or assistance dog, trained to assist a person with a disability.

“**IMPOUNDED**” means seized, delivered, received, taken into the POUND, or under the control of an ANIMAL CONTROL OFFICER or any other PERSON authorized to enforce the provisions of this Bylaw. “IMPOUND” has a corresponding meaning.

“**KENNEL**” means any lands or premises on which four (4) or more DOGS or CATS or other ANIMALS are or are intended to be trained, cared for, bred, boarded or kept for any purpose, including but not limited to sale, resale or profit.

“**LEASH**” means a rope, chain, cord or other material attached to the collar of a DOG, forming a direct tie between a PERSON and the DOG and which is capable of controlling and restraining the activity of the DOG in a manner that conforms to the requirements of this Bylaw, and that does not exceed 6 meters in length and specifically does not include shock collars or other remote devices designed to control a DOG or other ANIMAL. (SEE “SHORT LEASH”)

“**LICENCE**” means a licence issued under the provisions of this Bylaw for the current year.

“**MINOR INJURY**” means a non-life threatening physical injury to a PERSON or ANIMAL that consists of pinches, minor localized bruising or small punctures, tears or lacerations

“**OWNER**” means any PERSON legally entitled to ownership of an ANIMAL, or any PERSON having control of or harbouring an ANIMAL within their premises or upon their lands, provided that where ownership, control or harbouring is by a child under the age of 18 years, the legal guardian of such

child will be deemed the PERSON owning, controlling or harbouring the ANIMAL for the purposes of this Bylaw.

“**PERSON**” includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law.

“**PET**” means an ANIMAL kept for companionship to a PERSON rather than utility, profit or burden and which is lawfully kept upon residential property. “**PETS**” has a corresponding meaning.

“**PIGEON**” means all birds of the species Columbidas, including doves.

“**PITBULL**” means Pitbull Terrier, American Pitbull Terrier, American Staffordshire Terrier or any DOG of mixed breeding which is partially of the aforementioned breeds.

“**POLICE DOG**” means any DOG owned by an accredited Police Force and trained to assist Police on investigations.

“**POULTRY**” means all birds or fowl normally raised for food or egg production, and without limiting the generality of the foregoing, includes Chickens, Geese, Ostriches, Turkeys, Ducks and artificially reared Grouse, Partridge, Quail, Pheasant and Ptarmigan.

“**POUND**” means the facility established from time to time by the CITY as the premises used to harbour and maintain an ANIMAL impounded pursuant to this Bylaw.

“**REAR YARD**” for the purposes of this Bylaw has the same meaning as provided in the City of Cranbrook Zoning Bylaw, as amended from time to time and means a yard (portion of a parcel of land) extending across the full width of the parcel from the rear parcel line to the nearest projection of a building or structure measured at right angles to the rear parcel line.

“**RODENT**” means all forms of rodent kept as pets, and without limiting the generality of the foregoing, includes Rabbits, White Mice, Guinea Pigs, Hamsters and Chinchillas.

“**RUN AT LARGE**” has the following meanings, and “**RUNNING AT LARGE**” has corresponding meanings:

- a) When used with reference to an **ANIMAL**, other than a DOG, means an ANIMAL located elsewhere than on the lands of the PERSON owning or having the custody, care or control of the ANIMAL and that is not under the immediate charge and control of a competent PERSON responsible; and
- b) When used with reference to a **DOG**, other than a VICIOUS DOG, means a DOG that is located elsewhere than on the lands of the OWNER or their agent having custody, care or control of the DOG and that is not under the immediate charge and control of a competent PERSON responsible, by means of a LEASH; or that has been observed RUNNING AT LARGE and is situated on unfenced land and is not securely tethered or contained so as to prevent the DOG from straying or continuing to RUN AT LARGE; and
- c) When used with reference to a **VICIOUS DOG**, means a VICIOUS DOG that is located elsewhere than on the lands of the OWNER or their agent having custody, care or control of the VICIOUS DOG and that is not under the immediate charge and control of a competent PERSON responsible being 18 years of age or older, by means of a SHORT LEASH and use of a humane muzzle; or that is situated on lands of the OWNER or their agent having custody, care or control of the VICIOUS DOG and that is not secured within an enclosed building or SOLID FENCED REAR YARD as required under this Bylaw.

“**SECONDARY INJURY**” means a physical injury to a PERSON that is directly attributable to the person’s reaction when a DOG approaches the person in an aggressive, threatening or menacing manner.

“SHORT LEASH” means a LEASH that does not exceed 2 meters in length.

“SOLID FENCE” means a fence constructed without spacing or gaps that could permit a VICIOUS DOG to escape or view outside the contained area or alternatively, allow children or other persons to insert hands, fingers or other appendages through the fence into the contained area and for certainty chain-link type fencing is not permitted unless all gaps and spaces are filled so as to constitute a SOLID FENCE; and **“SOLID FENCED”** has a corresponding meaning.

“STERILIZE” means to spay or neuter a DOG. **“STERILIZED”** and **“STERILIZATION”** have a corresponding meaning.

“STREET” means any street, road, highway, lane, bridge, sidewalk, boulevard, or any other public place intended to be open to the public, but does not include a private right of way on private land.

“TETHER” means fastening an ANIMAL by means of a rope, chain, cord or other material to a fixed object so that the ANIMAL can only range within a set radius; **“TETHERED”** and **“TETHERING”** have corresponding meanings.

“UNLICENCED” means the LICENSE for a particular ANIMAL that is required pursuant to this Bylaw has not been obtained.

“VICIOUS DOG” means a DOG which has been deemed to be vicious by an ANIMAL CONTROL OFFICER and may include:

- a) any DOG with a demonstrated propensity, tendency or disposition to attack or aggressively pursue without provocation either animals or humans; or
- b) any DOG that has bitten an animal or human without provocation resulting in a MINOR INJURY; or
- c) any DOG that has RUN AT LARGE and without provocation, approached a PERSON in an aggressive, menacing or threatening manner and caused a SECONDARY INJURY to that PERSON; or
- d) a PITBULL dog, as defined in this Bylaw.

“WILD ANIMAL” means any animal or reptile natural to the wild and includes such animals or reptiles born in captivity.

PART 5 – AUTHORITIES

APPOINTMENT OF ANIMAL CONTROL OFFICER

501.00 The CITY may from time to time appoint an ANIMAL CONTROL OFFICER to administer and enforce the provisions of this Bylaw and may enter into a contract with any PERSON(S) to provide for such services. Such appointment shall be made by the CHIEF ADMINISTRATIVE OFFICER or their designate.

AUTHORITY OF ANIMAL CONTROL OFFICER

502.00 An ANIMAL CONTROL OFFICER or any other person duly authorized may:

- a) issue violation notices, informations, summons and other notices to a PERSON in accordance with this Bylaw; and
- b) enter, at all reasonable times, upon property to inspect and determine whether all regulations, prohibitions and requirements are being met in relation to this Bylaw; and

- c) employ the use of lures, baits, nets, sonix, nooses, traps, tranquilizers, or other mechanical devices or means of apprehension of an ANIMAL, provided always that such methods are, in their opinion, necessary; and
- d) require, collect and deposit to the CITY any fees and charges required and provided for under this Bylaw; and
- e) IMPOUND and destroy any ANIMAL that is diseased to such a degree as to be a menace to public safety , or is so injured that destruction is necessary in order to avoid obvious suffering and cruelty; and
- f) IMPOUND any UNLICENCED ANIMAL where a valid LICENSE is required as provided for in this Bylaw or any ANIMAL as provided for within this Bylaw for a violation against this Bylaw, and to detain such ANIMAL until the OWNERS thereof shall have paid all fines, penalties and fees owing; and
- g) dispose of any ANIMAL as provided for by this Bylaw; and
- h) issue LICENCES as provided for by this Bylaw; and
- i) demand photo or other appropriate primary identification from a PERSON so as to determine their name, address or age for the purposes of enforcing this Bylaw.

ESTABLISHMENT OF POUND

- 503.01 The establishment, maintenance and operation of POUND facilities for the IMPOUNDING of DOGS and other ANIMALS at such place or places and upon such premises as COUNCIL may by resolution from time to time determine, is hereby authorized.
- 503.02 Whereas it may be impractical from time to time for an ANIMAL to be IMPOUNDED at a POUND facility designated by COUNCIL, the BYLAW ENFORCEMENT OFFICER may, in consultation with the CHIEF ADMINISTRATIVE OFFICER, designate another facility suitable for temporary use as a POUND.

PART 6 – GENERAL REGULATIONS

GENERAL

- 601.00 No PERSON shall keep or harbour any ANIMAL, BIRD or BEE except in accordance with the provisions of this Bylaw.

OBSTRUCTION

- 602.00 No PERSON shall hinder, delay or obstruct or provide false, erroneous or misleading information to an ANIMAL CONTROL OFFICER or any person lawfully engaged in seizing, conveying or performing any duty authorized by this Bylaw.

UNLAWFUL RELEASE

- 603.00 No PERSON shall take, let or assist any ANIMAL out of the POUND or custody of an ANIMAL CONTROL OFFICER without the consent of the ANIMAL CONTROL OFFICER.

IDENTIFICATION

- 604.00 Any OWNER or PERSON having the care and control of an ANIMAL shall ensure that they have in their possession photo or other primary identification and shall

furnish such identification upon demand by an ANIMAL CONTROL OFFICER so as to satisfy the ANIMAL CONTROL OFFICER of their identity.

DOG LICENCING

605.00 Any PERSON that is a resident of the CITY and who is the OWNER of a DOG being 2 months of age or older, shall ensure a valid DOG LICENCE is obtained for such DOG and no PERSON shall own, keep or harbour an UNLICENCED DOG.

WILD ANIMAL LICENCING

606.00 Any PERSON keeping or harbouring a WILD ANIMAL within the CITY shall ensure a valid LICENCE is obtained from COUNCIL for the keeping or harbouring of such WILD ANIMAL and each WILD ANIMAL shall require a separate and subsisting LICENCE and no PERSON shall own, keep or harbour an UNLICENCED WILD ANIMAL.

KENNEL

607.01 No PERSON shall operate a KENNEL on any parcel of land within the CITY unless a valid and subsisting KENNEL LICENCE has been issued as provided for by this Bylaw and the "City of Cranbrook Business Licence Bylaw", as amended from time to time.

607.02 Any PERSON operating a KENNEL shall ensure all runs and enclosures are regularly cleaned and sanitized and all excreta removed at least once a day.

NUMBER OF PETS

608.00 No PERSON shall keep or harbour an accumulation of six (6) or more PETS, and shall include no more than three (3) DOGS, three (3) CATS or combination thereof within the combined number of PETS and for certainty shall include no more than one (1) VICIOUS DOG within the aforementioned number of PETS.

RUN AT LARGE

609.01 The OWNER of any ANIMAL shall ensure that such ANIMAL does not RUN AT LARGE.

609.02 The OWNER of any VICIOUS DOG shall ensure that such VICIOUS DOG does not RUN AT LARGE.

609.03 The ANIMAL CONTROL OFFICER may, upon payment of any fees and charges assessed pursuant to this Bylaw and those fees and charges set forth in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw, provide to a PERSON the temporary loan or placement of a trap or other device for the capture of any ANIMAL RUNNING AT LARGE and any PERSON provided such equipment shall be responsible for return of such equipment undamaged or shall be responsible for costs, including loss of any deposit provided for use of said equipment.

ANIMAL EXCREMENT

610.01 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL does not defecate upon any STREET, lane, park or other public place unless that OWNER or PERSON immediately removes the excrement.

610.02 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL does not defecate upon any private property, other than the property of the OWNER or PERSON having care and control, unless that OWNER or PERSON immediately removes the excrement.

- 610.03 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL does not defecate upon the property of the OWNER or PERSON having care and control, unless that OWNER or PERSON removes the excrement on a regular basis or for certainty, within twenty four (24) hours of being directed to, by an ANIMAL CONTROL OFFICER.

TETHERING ANIMALS

- 611.01 The OWNER or PERSON having care and control of an ANIMAL shall ensure that such ANIMAL is not TETHERED to any traffic control device, support thereof or in a public area so as to obstruct or impede any person or thing.
- 611.02 The OWNER or PERSON having care and control of an ANIMAL shall ensure that such ANIMAL is not TETHERED on private property in such a way that the ANIMAL is able to leave the boundaries of the private property.
- 611.03 The OWNER or PERSON having care and control of an ANIMAL shall ensure that such ANIMAL is not TETHERED in any place and in such a manner that the ANIMAL may become entangled by the TETHER so as to severely restrict movement or cause pain or suffering.
- 611.04 The OWNER or PERSON having care and control of a VICIOUS DOG shall ensure that such VICIOUS DOG is not TETHERED at any time, except within a SOLID FENCED REAR YARD.

FEEDING PIGEONS

- 612.00 No PERSON shall feed any PIGEON within the CITY, unless that PIGEON is owned, kept, harboured, or under their control upon their property in accordance with Section 907.01 of this Bylaw.

ANIMAL CARE

- 613.01 The OWNER of any ANIMAL shall ensure that such ANIMAL is provided with:
- a) clean, potable drinking water at all times; and
 - b) suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight; and
 - c) food and water receptacles that are kept clean and disinfected and located so as to avoid contamination by excreta; and
 - d) the opportunity for periodic exercise sufficient to maintain good health; and
 - e) necessary veterinary medical care when the ANIMAL exhibits signs of pain or suffering.

ANIMAL SHELTER

- 613.02 The OWNER of any ANIMAL which normally resides outside, or which is kept outside for short to extended periods of time, shall ensure the ANIMAL is provided with outside shelter that:
- a) ensures protection from heat, cold, wet and wind and that is appropriate to the ANIMAL with respect to its weight and type of coat; and
 - b) provides sufficient space to allow the ANIMAL the ability to turn about freely and easily stand, sit, or lie in a normal position; and

- c) is kept in a clean and sanitized condition; and
 - d) provides sufficient space to allow the ANIMAL the ability to periodically exercise at will by means of an exit from the shelter into an adequately spaced area or space within the shelter itself.
- 613.03 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL is not hitched, tied or fastened by any rope, chain or cord that is directly tied around the ANIMAL'S neck or on a choke or cinching type collar.
- 613.04 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL is not confined in an enclosed space, including a vehicle, without adequate ventilation, shade, water, food or heat to prevent suffering by the ANIMAL.
- 613.05 The OWNER or PERSON having care and control of any ANIMAL shall ensure that such ANIMAL is not transported in a vehicle outside the passenger compartment without adequate confinement of the ANIMAL to a secured carrier or body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.

DOG ENCLOSURES

- 614.01 No OWNER or PERSON having care and control of any DOG shall keep such DOG in an ENCLOSURE unless all of the following requirements are met:
- a) the ENCLOSURE shall be a securely locked 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;
 - b) siting of the ENCLOSURE shall be within a REAR YARD and shall meet the requirements for an accessory structure contained within the City of Cranbrook Zoning Bylaw, as amended from time to time;
 - c) the ENCLOSURE shall include an outside shelter that conforms to Section 613.02 of this Bylaw;
 - d) the ENCLOSURE shall have sides of wire mesh and a roof or top sufficiently secured to the sides so as to prevent escape of the DOG and to prevent unauthorized entry of a PERSON;
 - e) 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) centimeters or as deep as may be necessary to prevent the escape of the DOG from the ENCLOSURE;
 - f) the floor of the ENCLOSURE shall consist of an impervious flooring material such as landscaping paving slabs or concrete, that shall prevent the escape of the DOG from the ENCLOSURE;
 - g) the ENCLOSURE must be regularly cleaned and sanitized and all excreta removed at least once a day;
 - h) an ENCLOSURE that confines a VICIOUS DOG must have a sign posted upon the gate or door into the ENCLOSURE that is designed or written in a manner to indicate a PERSON should exercise caution due to the presence of the VICIOUS DOG.
- 614.02 The OWNER or PERSON having care and control of any VICIOUS DOG may construct and use an ENCLOSURE for the temporary containment of such VICIOUS DOG for a period of ninety (90) days starting from the date the VICIOUS DOG is

released from IMPOUND, in the absence of and while constructing a SOLID FENCE in a REAR YARD to lawfully secure such VICIOUS DOG as required by this Bylaw.

- 614.03 The OWNER or PERSON having care and control of any DOG shall ensure that such DOG is not confined to an ENCLOSURE in excess of ten (10) hours within any twenty four (24) hour period.

PART 7 – VICIOUS DOGS

CONTROL AND RESTRAINT OF

- 701.00 The OWNER of a VICIOUS DOG shall ensure that the VICIOUS DOG is properly controlled and restrained at all times, including but not limited to:
- a) when off the property of the OWNER, it shall be on a SHORT LEASH, muzzled and under the immediate charge and control of a competent PERSON responsible being 18 years of age or older, so as to prevent escape; and
 - b) when in a vehicle, it shall be muzzled, secured and contained within the passenger compartment or completely enclosed cargo area, and under the immediate charge and control of a competent PERSON responsible being 18 years of age or older, so as to prevent escape of the VICIOUS DOG; and
 - c) when outdoors and upon the property of the OWNER, it shall be secured and contained within a REAR YARD that is completely enclosed with a SOLID FENCE that is 1.8 meters in height and that has gates with self-closing mechanisms and locking latches so as to prevent entry by children and so as to prevent escape of the VICIOUS DOG; or
 - d) when outdoors and upon the property of the OWNER, it may be temporarily secured and contained within an ENCLOSURE for up to ninety (90) days, provided the requirements of Sections 614.01, 614.02 and 614.03 of this Bylaw are met.
 - e) when indoors and upon the property of the OWNER, it shall be secured and contained within the dwelling of the OWNER, so as to prevent escape of the VICIOUS DOG.

MAINTENANCE AND KEEPING OF

- 702.00 The OWNER or PERSON having care and control of a VICIOUS DOG, in order to lawfully maintain and keep the VICIOUS DOG in accordance with the provisions of this Bylaw:
- a) shall deliver to the ANIMAL CONTROL OFFICER an executed statement in the form specified in Schedule “A” attached hereto and forming part of this Bylaw, prior to the issuance of a LICENCE or retrieval from being IMPOUNDED; and
 - b) shall ensure the VICIOUS DOG is STERILIZED; and
 - c) shall ensure and forthwith deliver to the ANIMAL CONTROL OFFICER proof that the VICIOUS DOG has been vaccinated against rabies; and
 - d) shall ensure the VICIOUS DOG wears at all times a valid and subsisting DOG LICENCE; and

- e) shall have, construct or erect around a REAR YARD, a SOLID FENCE that is 1.8 meters in height and that has gates with self-closing mechanisms and locking latches to prevent entry by children and so as to prevent escape by the VICIOUS DOG; and
- f) shall ensure the VICIOUS DOG does not RUN AT LARGE; and
- g) shall ensure the VICIOUS DOG does not bite, injure, cause MINOR INJURY or SECONDARY INJURY, or viciously pursue a PERSON or ANIMAL; and
- h) shall post at all entrances or gates into a REAR YARD and dwelling, signs designed or written in a manner to indicate a PERSON should exercise caution due to the presence of the VICIOUS DOG; and
- i) may construct and use an ENCLOSURE for the temporary containment of such VICIOUS DOG for a period of ninety (90) days starting from the date the VICIOUS DOG is released from IMPOUND, in the absence of and while constructing a SOLID FENCE in a REAR YARD as required in subsection (e) of this Section.

FAILURE TO CONTROL OR MAINTAIN

- 703.00 If an OWNER of a VICIOUS DOG fails to ensure compliance with the provisions of Sections 701.00 or 702.00 of this Bylaw, the OWNER may be deemed unable to sufficiently restrain and/or maintain the VICIOUS DOG within lawful requirements prescribed by this Bylaw to minimize further endangerment to PERSONS, and the VICIOUS DOG may be IMPOUNDED and may be subject to the seizure and destruction provisions for a DANGEROUS DOG as provided for in the *Community Charter*.

PART 8 – DANGEROUS DOGS

DANGEROUS DOGS

- 801.00 An ANIMAL CONTROL OFFICER may seize a DOG if the ANIMAL CONTROL OFFICER believes that the DOG is a DANGEROUS DOG.
- 802.00 If a DOG has been seized by an ANIMAL CONTROL OFFICER as a DANGEROUS DOG, the DOG may not be IMPOUNDED and detained for more than twenty one (21) days unless court proceedings for a destruction order are commenced by the CITY within that time.

PART 9 – RESTRICTED ANIMALS

FARM ANIMALS

- 901.00 FARM ANIMALS shall not be permitted to be kept, harboured or raised within the CITY, except as allowed for in the City of Cranbrook Zoning Bylaw, as amended from time to time.

VIETNAMESE POT-BELLIED PIGS

- 902.00 Vietnamese Pot-bellied Pigs may be kept as PETS on any parcel of land within the CITY provided that certification is provided upon demand to verify the breed as a Vietnamese Pot-bellied Pig.

RODENTS

903.00 RODENTS may be kept on any parcel of land within the CITY provided that they are kept in a building, structure, pen or enclosure that prevents escape and that meets the minimum set-back requirements from property lines as required by the City of Cranbrook Zoning Bylaw, as amended from time to time.

FUR-BEARING ANIMALS

904.00 No parcel of land within the CITY may be used for the keeping, harbouring or raising of FUR-BEARING ANIMALS unless provided for by the City of Cranbrook Zoning Bylaw, as amended from time to time.

POULTRY

905.00 No parcel of land within the CITY may be used for the keeping, harbouring or raising of POULTRY unless provided for by the City of Cranbrook Zoning Bylaw, as amended from time to time.

BEEES

906.00 No parcel of land within the CITY may be used for the keeping, harbouring or raising of BEEES unless provided for by the City of Cranbrook Zoning Bylaw, as amended from time to time.

PIGEONS

907.01 No parcel of land within the CITY may be used for the keeping, harbouring or raising of PIGEONS unless provided for by the City of Cranbrook Zoning Bylaw, as amended from time to time.

907.02 No PERSON shall allow PIGEONS either owned, kept, harboured, or under their control to stray, feed or roost on any STREET or public place or trespass on any private property.

WILD ANIMALS

908.01 No parcel of land within the CITY may be used for the keeping, harbouring or raising of WILD ANIMALS unless authorized by COUNCIL by way of a LICENCE.

908.02 The OWNER or PERSON who has a LICENCE authorized by COUNCIL for the keeping or harbouring of a WILD ANIMAL within the CITY, shall ensure that such WILD ANIMAL does not leave the property specified within the LICENSE unless specifically authorized by the BYLAW ENFORCEMENT OFFICER.

908.03 No more than two (2) WILD ANIMALS shall be allowed to be kept or harboured by LICENCE on any parcel of land in the CITY, except in the event of a circus or other traveling animal show for which a temporary WILD ANIMAL LICENCE has been issued.

908.04 Authorization from COUNCIL for issuance of a LICENCE to allow the keeping or harbouring of a WILD ANIMAL may be in the form of a resolution from COUNCIL and in the manner set forth in PART 10 of this Bylaw, where applicable.

PART 10 – LICENCING

LICENCE APPLICATIONS

1001.01 Every application for a DOG LICENCE shall be made on the DOG LICENCE application form provided for that purpose to the ANIMAL CONTROL OFFICER or

other person designated.

1001.02 Every application for a KENNEL LICENCE shall be made on a Business License application form in accordance with the requirements of the City of Cranbrook Business License Bylaw, as amended from time to time.

1001.03 Every application for a WILD ANIMAL LICENCE shall be provided in written form by the OWNER or PERSON having care and control of the WILD ANIMAL to the BYLAW ENFORCEMENT OFFICER and shall identify:

- a) the name and address of the applicant and OWNER;
- b) the legal description of the parcel of land on which the WILD ANIMAL is to be kept;
- c) certification of the type of WILD ANIMAL to be kept;
- d) verification that the applicant is the holder of a valid permit to keep such WILD ANIMAL, issued by the Province of British Columbia, if such permit is required;
- e) detailed plans for containment;
- f) proof of liability insurance if and when required by the BYLAW ENFORCEMENT OFFICER;
- g) availability and location of the applicable antidote serum whenever any application is requested for a venomous reptile; and
- h) duration of time intended to keep the WILD ANIMAL within the CITY.

The BYLAW ENFORCEMENT OFFICER will deliver the aforementioned information to COUNCIL for review and will notify the applicant of approval or disapproval of the application.

COUNCIL may request from the applicant and OWNER any other information it considers necessary or desirable.

LICENCE TERMS

1002.01 All LICENCES issued for DOGS shall be valid for the calendar year, January 1 to December 31.

1002.02 Each WILD ANIMAL LICENCE shall be valid for the duration of time specified by COUNCIL for the keeping or harbouring of such WILD ANIMAL.

LICENCE FEES

1003.01 No LICENCE shall be issued, transferred or renewed until the LICENCE fee as set forth in the City of Cranbrook Fees and Charges Bylaw has been paid.

1003.02 Any LICENCE issued, transferred or renewed that has been paid for with a cheque or form of credit that is returned to the CITY as having non-sufficient funds, shall be invalid until all applicable fees and charges as set forth in the City of Cranbrook Fees and Charges Bylaw are paid in full for the issuance, transfer or renewal of the LICENCE.

1003.03 GUIDE DOGS and POLICE DOGS are exempt from LICENCE fees.

1003.04 The LICENCE fee to be paid by a PERSON who becomes the new OWNER of a DOG not previously LICENCED during the course of the year shall be discounted by \$25.00 and pro-rated quarterly.

LICENCE FEE VARIOUS BREEDS

1003.05 As provided under the authority of the *Community Charter*, COUNCIL may require and set varying LICENCE fees according to the sex, age, size or breed of the DOG. In all such cases, the burden of proof of breed shall lie with the OWNER. Should an ANIMAL CONTROL OFFICER believe a DOG comes within the definition of a certain breed as defined in this bylaw, and no evidence can be given as proof by the OWNER on whom the burden is cast, the issue shall be found against the OWNER.

PROMPT PAYMENT DISCOUNT

1003.06 The LICENCE fee to be paid by a PERSON for the renewal of a DOG LICENCE for a particular year shall be reduced by \$25.00 if the LICENCE fee is paid on or before February 28th of that year.

PROOF OF STERILIZATION

1004.01 The OWNER of any DOG shall furnish proof that their DOG is STERILIZED, upon demand of an ANIMAL CONTROL OFFICER or issuer of a LICENCE, prior to issuance of a LICENCE for the DOG.

1004.02 The OWNER of a DOG may within six (6) months after a LICENCE has been issued for their DOG, furnish proof that the DOG has been STERILIZED, in order to receive reimbursement of the difference between the LICENCE fee paid and the fee for a STERILIZED DOG. VICIOUS DOGS are not entitled to re-imbusement as STERILIZATION is mandatory.

TRANSFER OF LICENCES

1005.01 Every LICENCE issued shall be for a specific DOG and no PERSON shall place, affix or use a LICENCE issued in respect of one DOG on or for another, except as provided for in this Bylaw.

1005.02 Where the OWNER of a LICENCED DOG sells or otherwise ceases to be the OWNER of that DOG, the LICENCE may be transferred to the new OWNER of the DOG for the remainder of the LICENCE year upon payment of the required fee set out in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw.

1005.03 Where the OWNER of a LICENCED DOG sells or otherwise disposes of the DOG, the LICENCE may be transferred to another DOG purchased or acquired by the same OWNER upon payment of the required fee set out in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw except DOG LICENCES issued for DOGS may not be transferred to a VICIOUS DOG and a VICIOUS DOG LICENCE may not be transferred to another VICIOUS DOG.

LICENCE TAGS

1006.01 The DOG LICENCE shall consist of a LICENCE tag on which shall be impressed or stamped the words, "DOG LICENCE", the LICENCE number, the LICENCE year, and the words "City of Cranbrook".

1006.02 The WILD ANIMAL LICENCE shall consist of a LICENCE letter issued by the BYLAW ENFORCEMENT OFFICER upon approval from COUNCIL for the keeping or harbouring of such WILD ANIMAL.

DISPLAY OF LICENCE TAGS

1007.01 The OWNER of any DOG that is LICENCED in accordance with this Bylaw shall affix and keep affixed the corresponding LICENCE tag to a collar or harness worn at all times by the DOG for which the LICENCE is issued.

1007.02 The OWNER of any WILD ANIMAL that is LICENCED in accordance with this Bylaw shall retain a copy of the LICENCE letter issued for such WILD ANIMAL in such a manner so as to have the LICENCE with the WILD ANIMAL and available for inspection at all times.

LOST TAGS

1008.00 The OWNER of any DOG that is LICENSED in accordance with this Bylaw that loses the LICENCE tag issued for the current year, shall be provided a replacement LICENCE tag upon payment of the required fee set out in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw.

NOTICE REQUIREMENT - CHANGE OF ADDRESS / OWNER

1009.01 Any PERSON being the OWNER of a DOG, other than a VICIOUS DOG, shall ensure that they furnish or deliver to the ANIMAL CONTROL OFFICER notification of any change of address or change of OWNER for such DOG within seven (7) days after the date of such change occurring.

1009.02 Any PERSON being the OWNER of a VICIOUS DOG shall ensure that they furnish or deliver to the ANIMAL CONTROL OFFICER notification of any change of address or change of OWNER for such VICIOUS DOG, a minimum of seven (7) days prior to the date of such change occurring.

1009.03 Should any PERSON being the OWNER of a DOG, fail to notify the ANIMAL CONTROL OFFICER of any change required pursuant to Sections 1009.01 or 1009.02 of this Bylaw, the LICENCE issued for such DOG may be deemed invalid.

1009.04 Any PERSON being the OWNER of a WILD ANIMAL shall ensure that they furnish or deliver to the BYLAW ENFORCEMENT OFFICER notification of any change of address or change of OWNER for such WILD ANIMAL, a minimum of seven (7) days prior to the date of such change occurring.

1009.05 Should any PERSON being the OWNER of a WILD ANIMAL fail to notify the BYLAW ENFORCEMENT OFFICER of any change required pursuant to Section 1009.04 of this Bylaw, the LICENCE issued for such WILD ANIMAL may be deemed invalid.

PART 11 – IMPOUNDMENT

IMPOUND – ANIMAL RUNNING AT LARGE

1101.00 The ANIMAL CONTROL OFFICER or any other PERSON duly authorized may IMPOUND in the prescribed manner, any ANIMAL that is RUNNING AT LARGE and shall keep any ANIMAL so IMPOUNDED until such ANIMAL shall have been delivered or released to its OWNER, or sold, or disposed of, or destroyed as hereinafter provided.

IMPOUND – VICIOUS DOG

1102.00 The ANIMAL CONTROL OFFICER or any other PERSON duly authorized may IMPOUND in the prescribed manner, any DOG which is involved in an occurrence by which the DOG is deemed a VICIOUS DOG and shall keep such VICIOUS DOG until such VICIOUS DOG shall have been delivered or released to its OWNER, or sold, or disposed of, or destroyed as hereinafter provided.

IMPOUND – VICIOUS DOG – FAILURE TO CONTROL OR MAINTAIN

1103.00The ANIMAL CONTROL OFFICER or any other PERSON duly authorized may IMPOUND in the prescribed manner, any VICIOUS DOG that is found in violation of the requirements to control or maintain a VICIOUS DOG, pursuant to Sections 701.00 and 702.00 of this Bylaw and shall keep any VICIOUS DOG so IMPOUNDED until such VICIOUS DOG shall have been delivered or released to its OWNER, or sold, or disposed of, or destroyed as hereinafter provided.

IMPOUND – UNLICENSED DOG

1104.00The ANIMAL CONTROL OFFICER or any other PERSON duly authorized may IMPOUND any UNLICENSED DOG and shall keep any DOG so IMPOUNDED until such DOG shall have been delivered or released to its OWNER, or sold, or disposed of, or destroyed as hereinafter provided.

IMPOUND – DANGEROUS DOG

1105.00Where the ANIMAL CONTROL OFFICER has IMPOUNDED a DANGEROUS DOG, the DOG shall remain IMPOUNDED pending approval of a destruction Order by the Provincial Court and shall only be delivered or released to its OWNER upon order from the Provincial Court and as hereinafter provided.

IMPOUND – WILD ANIMAL

1106.00The ANIMAL CONTROL OFFICER or any other PERSON duly authorized may IMPOUND any UNLICENSED WILD ANIMAL and shall keep any WILD ANIMAL so IMPOUNDED until such WILD ANIMAL shall have been delivered or released to its OWNER, or sold, or disposed of, or destroyed as hereinafter provided.

NOTICE OF IMPOUNDMENT

1107.00The ANIMAL CONTROL OFFICER shall within twenty four (24) hours of the time of IMPOUNDMENT, or at the commencement of the next business day, cause a Notice of Impoundment to be fixed to the POUND, and at City Hall. Such Notice of Impoundment shall give a description of the ANIMAL IMPOUNDED, the date and location it was IMPOUNDED and the date after which the ANIMAL may be destroyed or otherwise disposed of if not redeemed by the OWNER.

OWNER KNOWN

1108.00If the OWNER of any IMPOUNDED ANIMAL is known to the ANIMAL CONTROL OFFICER, the ANIMAL CONTROL OFFICER shall forthwith notify the OWNER by telephone of the IMPOUNDMENT or by posting a copy of the Notice of Impoundment at the OWNERS last known address.

IMPOUND FEES AND CHARGES

1109.01The OWNER of any IMPOUNDED ANIMAL may reclaim such ANIMAL upon application to the ANIMAL CONTROL OFFICER during normal working hours prior to its sale, disposal or destruction, and upon provision of proof of ownership and payment of any fees and charges assessed pursuant to this Bylaw and those fees and charges set forth in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw.

1109.02No IMPOUNDED UNLICENSED DOG shall be released from the POUND or custody of the ANIMAL CONTROL OFFICER without the OWNER having purchased a valid LICENCE for such DOG.

1109.03No IMPOUNDED UNLICENCED WILD ANIMAL shall be released from the POUND or custody of the ANIMAL CONTROL OFFICER without the OWNER having obtained a valid LICENCE authorized by COUNCIL for such WILD ANIMAL.

1109.04No IMPOUNDED ANIMAL shall be released from the POUND or custody of the ANIMAL CONTROL OFFICER, where it is established that one or more violation notices previously issued to an OWNER or PERSON with respect to such IMPOUNDED ANIMAL or other ANIMAL owned or harboured by that OWNER or PERSON, past or present, remain unpaid.

DISPOSAL / DESTRUCTION

1110.01Subject to Sections 1107.00 and 1108.00 of this Bylaw, if an IMPOUNDED ANIMAL, other than a DOG IMPOUNDED pursuant to Section 1105.00 of this Bylaw, is not claimed within five (5) days of the date of IMPOUNDMENT, or the OWNER fails to provide full and complete payment of all fees and charges required in accordance with this Bylaw within five (5) days of the date of IMPOUNDMENT, the ANIMAL CONTROL OFFICER may humanely destroy or otherwise dispose of the ANIMAL.

1110.02Subject to Sections 1107.00 and 1108.00 of this Bylaw, the OWNER of a DOG IMPOUNDED pursuant to Sections 1102.00, 1103.00 or 1105.00 may voluntarily surrender such DOG for destruction to the ANIMAL CONTROL OFFICER within five (5) days of the date of IMPOUNDMENT upon delivery of an executed statement in the form specified in Schedule "B" attached hereto and forming part of this Bylaw and upon payment of any required fees and charges set out in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw.

1110.03The OWNER of any ANIMAL destroyed pursuant to this Bylaw shall be responsible for the costs incurred by the CITY to board, care for, feed, provide veterinary medical care and ultimately destroy such ANIMAL unless such ANIMAL is a DOG surrendered in accordance with Section 1110.02 of this Bylaw.

SALE OF ANIMALS

1111.01Should any IMPOUNDED ANIMAL, other than a FARM ANIMAL, VICIOUS DOG or DANGEROUS DOG remain unclaimed after five (5) days the ANIMAL CONTROL OFFICER may sell such ANIMAL.

1111.02Should any IMPOUNDED FARM ANIMAL remain unclaimed after five (5) days, the FARM ANIMAL may be sold or destroyed however a sale of the FARM ANIMAL shall be advertised in a local newspaper for a minimum of five (5) days calling for tender if undertaken as an option to destruction.

BOARD CARE FEES

1112.00The ANIMAL CONTROL OFFICER shall ensure that all IMPOUNDED ANIMALS detained in the POUND are adequately cared for by the provision of food, water, shelter and veterinary medical attention when required. The fees for such services shall form part of the IMPOUNDMENT charges set forth in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw.

SURRENDER / DISPOSAL FEES

1113.00The OWNER of any ANIMAL may request that the ANIMAL CONTROL OFFICER take possession of their ANIMAL for the purpose of having it destroyed and/or disposed of for a fee as set out in the Bylaw Enforcement Section of the City of Cranbrook Fees and Charges Bylaw and upon delivery of an executed statement in the form specified in Schedule "C" attached hereto and forming part of this Bylaw.

PART 12 – PENALTIES**GENERAL PENALTIES**

1201.00 Any PERSON who contravenes, violates or fails to observe any provision of this Bylaw or who suffers, permits, aids or abets the contravention or violation of or failure to perform any provision of this Bylaw, commits an offence and, upon summary conviction therefore, is liable to a fine of not less than \$250.00 up to the maximum amount specified from time to time in the *Offence Act*, or imprisonment for a duration of time as authorized in the *Offence Act*, or both.

MUNICIPAL TICKETING

1202.01 A violation or contravention of certain Sections of this Bylaw, identified in “Schedule 11 (2006)” of the “City of Cranbrook Ticket Information Utilization Bylaw No. 3022, 1991” as amended from time to time, may be enforced by issuance of a Municipal Ticket Information for each violation or contravention thereof, in lieu of proceedings under the *Offence Act*.

1202.02 The pecuniary penalties for offences against this Bylaw and that are enforced by means of a Municipal Ticket Information are, subject to the requirements of the *Offence Act*.

1202.03 The BYLAW ENFORCEMENT OFFICER may issue, or cause to be issued, orders to remake, rescind, amend or vary any ticket or directive issued pursuant to the provisions of this Bylaw.

SEPARATE VIOLATIONS

1203.00 Any offence for a violation or contravention 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 violation or contravention ceases.

PART 13 – RESPONSIBILITY

1300.00 For the purposes of proceedings under this Bylaw, a PERSON shall be deemed to be the OWNER or PERSON having care and control of an ANIMAL, or PERSON otherwise responsible for any violation or contravention of any provision of this Bylaw, in the absence of any evidence to the contrary.

PART 14 – SEVERABILITY

1400.00 If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

PART 15 – ATTACHMENTS**SCHEDULES**

1500.00 Schedules "A", "B" and "C" referenced in this Bylaw form part of this Bylaw and are enforceable in the same manner as this Bylaw.

1501.00 Schedule "11 (2006)" of the "City of Cranbrook Ticket Information Utilization Bylaw No. 3022, 1991" as amended from time to time, and the offences noted therein form part of this Bylaw.

1502.00 Schedule "B3 (2006)" of the City of Cranbrook "Fees and Charges Bylaw No. 3141, 1994" as amended from time to time, and the fees and charges noted therein, form part of this Bylaw.

Read a first time this 17th day of July, 2006.

Read a second time this 17th day of July, 2006.

Read a third time this 17th day of July, 2006.

Adopted this 14th day of August, 2006.

Mayor

Municipal Clerk

SCHEDULE "A"
CITY OF CRANBROOK ANIMAL CONTROL BYLAW NO. 3555, 2006

APPLICATION FOR RELEASE OF A VICIOUS DOG

1. I, _____, of
(Name of Owner)
_____, _____, _____
(Street Address) (City) (Province)

In the City of Cranbrook, British Columbia, hereby apply for the release of the following DOG, which has been impounded pursuant to the City of Cranbrook Animal Control Bylaw:

Breed: _____

Dog's Name: _____

Colour: _____

Sex: _____

Age: _____

2. I am the OWNER of the above described DOG.

3. I hereby acknowledge that I am aware and have been informed that the above described DOG is a "VICIOUS DOG" within the meaning prescribed by the City of Cranbrook Animal Control Bylaw and I am aware of the responsibility and potential liability which rests with me in owning, harbouring or keeping such a DOG and state that the DOG will be kept at:

_____, _____, _____
(Street Address) (City) (Province)

4. In consideration of the release of such DOG to me, I hereby acknowledge, covenant and agree with the City of Cranbrook, THAT:

- a) I will at all times when the said VICIOUS DOG is not effectively muzzled, on a SHORT LEASH and under the immediate charge and control of a competent PERSON responsible being 18 years of age or older, keep such DOG in a SOLID FENCED REAR YARD, dwelling, ENCLOSURE or vehicle, so as to comply with the requirements of the City of Cranbrook Animal Control Bylaw.
- b) I will at all times ensure that I maintain and keep such DOG in accordance with the requirements of the City of Cranbrook Animal Control Bylaw, including but not limited to the requirements prescribed by Sections 701.00 and 702.00 therein.
- c) I will save harmless and indemnify the City of Cranbrook, its Animal Control Office and any of its officers, employees, agents or elected or appointed officials from and against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the release of such DOG to me or the owning, keeping or harbouring of such DOG by me and, without limiting the generality of the foregoing, for any personal injury or death inflicted on any other ANIMAL or any PERSON by such DOG or any damage to property caused by such DOG.

5. I submit herewith the sum of \$ _____ in payment of all fines, licence and impounding fees payable by me pursuant to the City of Cranbrook Animal Control Bylaw and the City's Fees and Charges Bylaw and Ticket Information Utilization Bylaw.

Dated at Cranbrook, B.C.
this ___ day of _____
200__.

Signature of Owner

Signature of Animal Control Officer

SCHEDULE "B"
CITY OF CRANBROOK ANIMAL CONTROL BYLAW NO. 3555, 2006

APPLICATION TO SURRENDER FOR DESTRUCTION
A VICIOUS OR DANGEROUS DOG

1. I, _____, of
(Name of Owner)

_____, _____, _____
(Street Address) (City) (Province)

In the City of Cranbrook, British Columbia, hereby apply to surrender the following DOG for destruction, which has been impounded pursuant to the City of Cranbrook Animal Control Bylaw:

Breed: _____

Dog's Name: _____

Colour: _____

Sex: _____

Age: _____

2. I am the OWNER of the above described DOG.

3. I hereby acknowledge that I am aware and have been informed that the above described DOG is:
(check appropriate designation of DOG)

- a "VICIOUS DOG" within the meaning prescribed by the City of Cranbrook Animal Control Bylaw
- a "DANGEROUS DOG" within the meaning prescribed by the City of Cranbrook Animal Control Bylaw or Section 48 of the Community Charter Act

And that I am aware of the responsibility and potential liability, which rests with me in having owned, harboured or kept such a DOG.

4. In consideration of the surrender of such DOG by me, I hereby acknowledge, covenant and agree with the City of Cranbrook, THAT:

- a) I surrender such DOG by my own free will to the custody of the CITY for destruction and acknowledge and am aware that such DOG will be humanely destroyed under the supervision of the ANIMAL CONTROL OFFICER and a licenced veterinarian until such DOG is dead and unable to sustain life.
- b) I will save harmless and indemnify the City of Cranbrook, its Animal Control Office and any of its officers, employees, agents or elected or appointed officials from and against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the surrender of such DOG to the City of Cranbrook for destruction or for any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the owning, keeping or harbouring of such DOG by me and, without limiting the generality of the foregoing, for any personal injury or death inflicted on any other ANIMAL or any PERSON by such DOG or any damage to property caused by such DOG.

5. I submit herewith the sum of \$ _____ in payment of all fees payable by me pursuant to the City of Cranbrook Animal Control Bylaw and the City's Fees and Charges Bylaw.

Dated at Cranbrook, B.C.
this ___ day of _____
200__.

Signature of Owner

Signature of Animal Control Officer

SCHEDULE "C"
CITY OF CRANBROOK ANIMAL CONTROL BYLAW NO. 3555, 2006

APPLICATION TO SURRENDER AN ANIMAL
FOR DESTRUCTION OR DISPOSAL

1. I, _____, of
(Name of Owner)
_____, _____, _____
(Street Address) (City) (Province)

In the City of Cranbrook, British Columbia, hereby apply to surrender the following ANIMAL for destruction pursuant to the City of Cranbrook Animal Control Bylaw:

Species: _____

Breed: _____

Name: _____

Colour: _____

Sex: _____

Age: _____

2. I am the OWNER of the above described ANIMAL.

3. I am applying for the destruction or disposal or both for the above described ANIMAL for the following reasons:

4. In consideration of the surrender of such ANIMAL by me, I hereby acknowledge, covenant and agree with the City of Cranbrook, THAT:

a) I surrender such ANIMAL by my own free will to the custody of the CITY for destruction, disposal or both and acknowledge and am aware that such ANIMAL, if required, may be humanely destroyed under the supervision of the ANIMAL CONTROL OFFICER and a licenced veterinarian until such ANIMAL is dead and unable to sustain life and/or shall be disposed of in any manner the City of Cranbrook deems appropriate.

b) I will save harmless and indemnify the City of Cranbrook, its Animal Control Office and any of its officers, employees, agents or elected or appointed officials from and against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the surrender of such ANIMAL to the City of Cranbrook for destruction, disposal or both or for any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs or expenses whatsoever and whomsoever brought in any way arising from or caused by the owning, keeping or harbouring of such ANIMAL by me and, without limiting the generality of the foregoing, for any personal injury or death inflicted on any other ANIMAL or any PERSON by such ANIMAL or any damage to property caused by such ANIMAL.

5. I submit herewith the sum of \$ _____ in payment of all fees payable by me pursuant to the City of Cranbrook Animal Control Bylaw and the City's Fees and Charges Bylaw.

Dated at Cranbrook, B.C.
this ___ day of _____
200__.

Signature of Owner

Signature of Animal Control Officer