

RESORT MUNICIPALITY OF WHISTLER

ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019

A BYLAW TO REGULATE, PROHIBIT AND IMPOSE REQUIREMENTS IN RELATION TO ANIMALS IN THE RESORT MUNICIPALITY OF WHISTLER

WHEREAS it is deemed expedient to regulate the keeping of dogs, cats and other animals within the Resort Municipality of Whistler and to provide for the fixing, imposing and collecting of licence fees from and the issuance of licences to a person who owns, possesses, harbours or who has charge of a dog;

NOW THEREFORE the Council of the Resort Municipality of Whistler, pursuant to the powers vested in it by Part 2, Division 1 and Part 3, Division 6 of the *Community Charter*, **ENACTS AS FOLLOWS:**

Title

1. This Bylaw may be cited for all purposes as the "Animal Responsibility Bylaw No. 2218, 2019".

Definitions

2. In this Bylaw:

"aggressive behaviour" means any behaviour by a dog that unduly intimidates a person or animal and includes snarling, growling or pursuing a person or animal in a threatening manner;

"aggressive dog" means a dog that:

- (a) has without justifiable provocation displayed aggressive behaviour toward a person or animal; or
- (b) has without justifiable provocation caused a minor injury to a person or animal;

"animal" means any animal excluding humans;

"animal control officer" means any person employed by the RMOW as an animal control officer or bylaw enforcement officer, or a peace officer;

"animal shelter manager" means any person appointed or contracted by the RMOW as the animal shelter manager and any employee or contractor of a business which has entered into an agreement with the RMOW to assume the responsibilities of the animal shelter manager pursuant to this Bylaw;

"bylaw supervisor" means the supervisor of the bylaw services for the RMOW, or their designate;

"cat" means a domestic animal of the species *Felis Catus*;

"choke collar" means a slip collar or chain that may constrict around the animal's neck as a result of pulling on one end of the collar or chain, and includes pinch or prong collars but does not include a martingale collar;

"companion animal" means a domesticated animal kept for companionship to a person rather than for other forms of utility, profit or burden and which may lawfully be kept upon residential property under the RMOW's bylaws;

"competent person" means a person of sufficient age, capacity, height and weight to ensure an animal under their control will be obedient to their commands or to physically restrain the animal if required.

"council" means the municipal council of the RMOW;

"dangerous dog" has the meaning defined in the *Community Charter*;

"dog" means an animal of the *canis familiaris* species, irrespective of sex or age;

"dog behavior specialist" means a member of the Association of Pet Behaviour Counsellors, a Certified Applied Animal Behaviorist, or a Diplomate of the American College of Veterinary Behavior;

"enclosure" means a lockable pen or structure at least 2 metres in height and 2 metres in width, with a floor and roof, suitable to prevent unauthorized entry, to prevent the escape of an animal, and to confine a dog in conjunction with other measures taken by the owner;

"guide dog" has the meaning defined in the *Guide Dog and Service Dog Act*;

"identification" means

- (a) a collar or tag worn by an animal which includes the name, current address and contact information of the owner;
- (b) a traceable tattoo;
- (c) a traceable microchip; or
- (d) a valid licence tag issued by a local government in British Columbia;

"impounded" means seized, delivered, received, or taken into the custody of animal shelter manager;

"leash" means a rope, chain, cord, or leather strip no longer than 2 metres, attached to the collar or harness of a dog, of sufficient strength to be used for controlling and restraining the activity of the dog;

"licence year" means the period from January 1 to December 31 in any year;

"minor injury" means a physical injury to a person or animal that consists of pinches, minor localized bruising, scratches, shallow punctures or lacerations in one direction only;

"muzzled" means wearing humane basket style fastening or covering device over the mouth that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or with the dog's ability to drink;

"neuter" means the sterilization of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"owner" includes a person who:

- (a) owns, is in possession of, or has the care or control of an animal;
- (b) harbours, shelters or permits an animal to remain about the persons' land or premises; or
- (c) to whom a licence for an animal has been issued pursuant to this Bylaw and where the owner is a minor, the person who is the legal guardian or has custody of the minor;

"permanent identification" means identification for an animal in the form of a traceable tattoo or a microchip that contains the current contact information of the owner;

"police service dog" means any dog owned by the Royal Canadian Mounted Police or any municipal police department;

"public place" includes any highway, sidewalk, boulevard, public space, park or any real property owned, held, operated or managed by the RMOW ;

"RMOW" means the Resort Municipality of Whistler;

"running at large" means:

- (a) a dog in or upon the lands or premises of any person other than the owner without the express or implied consent of that person; or
- (b) a dog in a public place; that is not secured on a leash or otherwise under the direct care and control of a competent person; or
- (c) a vicious dog or dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling;

"serious injury" means a physical injury to a person or animal that consists of deep punctures, lacerations in more than one direction, broken bones or an injury requiring stitches or cosmetic surgery;

"service dog" means:

- (a) a service dog as defined in the *Guide Dog and Service Dog Act*, or
- (b) a dog belonging to an active team of the Canadian Avalanche Rescue Dog Association;

"spay" means the sterilization of a female animal by removing the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"unlicensed dog" means any dog over the age of 6 months that is not licensed by the RMOW or is not wearing a valid and subsisting licence tag issued by a local government within British Columbia;

"vicious dog" means a dog that:

- (a) has without justifiable provocation caused a serious injury to a person or animal;
- (b) has a known propensity, tendency or disposition to attack without justifiable provocation;
- (c) has on more than one occasion caused a minor injury to a person or animal;
- (d) has while running at large, aggressively pursued or harassed a person without justifiable provocation or has a demonstrated a propensity, tendency or disposition to do so; or
- (e) a dangerous dog.

Possession of Animals

3. No person shall keep or allow to be kept on any real property more than 6 companion animals, consisting of not more than 4 dogs over the age of 8 weeks and not more than 5 cats over the age of 12 weeks.

Identification for the Keeping of Cats

4. Every owner of a cat shall affix, and keep affixed, sufficient identification on the cat by means of a collar, harness, traceable tattoo, microchip or other suitable device, which includes the name and contact information for the owner.

Prohibited Animals

5. Except as provided in Section 6 of this Bylaw, no person shall:

- (a) breed;
- (b) possess;
- (c) exhibit for entertainment or educational purposes; or
- (d) display in public;

either on a temporary basis or permanent basis, any prohibited animal outlined in Schedule "A" to this Bylaw.

6. Sections 3 and 5 do not apply to:

- (a) a facility used by the RMOW or the animal shelter manager for keeping impounded animals;
- (b) any police department or RCMP detachment;
- (c) the British Columbia Society for the Prevention of Cruelty to Animals;
- (d) a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for the prohibited animal;

- (e) a person holding a valid permit pursuant to the *Wildlife Act*, RSBC 1996, c. 488 for the animal;
- (f) persons accredited by the Canadian Council for Animal Care and keeping such animals for educational and research purposes; or
- (g) the keeping of ungulates, lagomorphs or birds on land designated under the RMOW Zoning Bylaw for agricultural use.

Exemption for Police Service Dogs

7. This Bylaw does not apply to a police service dog while on duty, including while engaged in training exercises and under the supervision of a member of the Royal Canadian Mounted Police or any municipal police department.

Dog Licences

8. No person shall own, keep, possess or harbour any dog over the age of 6 months in the RMOW unless a valid and subsisting licence for the current calendar year has been obtained for the dog under this Bylaw.
9. The requirement to obtain a dog licence under this bylaw does not apply to a dog that is kept in the RMOW for less than one month in a calendar year and for which a valid and subsisting dog licence has been obtained from another jurisdiction.
10. If a dog is required to be licensed pursuant to this Bylaw, the owner of the dog shall apply to the RMOW for a licence in the form prescribed by the Bylaw Supervisor for that purpose and pay the fee set out in Schedule "B" to this Bylaw.
11. Upon receipt of the complete application and payment of the prescribed fee, the RMOW may issue a numbered dog licence and corresponding numbered licence tag for that licence year.
12. An owner shall immediately notify the RMOW of any change of any information provided in an application for a licence under this Bylaw.
13. No person shall give false information when applying for a licence pursuant to this Bylaw.
14. Every licence and corresponding licence tag issued under this Bylaw shall expire on the 31st day of December in the calendar year in which the licence was issued.
15. The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the dog by a collar, harness, or other suitable device, unless the dog is temporarily in the RMOW and is validly licensed by another local government in British Columbia, and is wearing valid Identification.
16. The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the RMOW, animal control officer or animal shelter manager that the original licence tag has been lost or stolen and upon payment of the replacement licence fee set out in Schedule "B" to this Bylaw.

17. An owner must provide the RMOW, animal control officer, or animal shelter manager with a certificate signed by a qualified veterinarian indicating that a dog has been neutered or spayed in order to qualify for the corresponding reduced licence fee.

Aggressive Dogs

18. Where an animal control officer determines that a dog meets the definition of an aggressive dog, the animal control officer may issue a written notice to the owner of that dog advising the owner of this determination and the requirements of this Bylaw with respect to aggressive dogs.

19. The notice of an aggressive dog determination may be served on the owner:

- (a) personally by handing the notice to the owner;
- (b) by handing the notice to a person on the owner's property who appears to be over the age of 19 years;
- (c) by posting the notice upon some part of the owner's property and by sending a copy to the owner by regular mail, in which case the notice is deemed to have been received by the owner 7 days after the notice was mailed;
- (d) by mailing a copy by prepaid registered mail to the last known address of the owner;
or
- (e) by electronic mail to the email address of the owner.

20. Within 30 calendar days of receiving the notice of aggressive dog determination, the owner must:

- (a) pay to the RMOW the additional licence fee amount for an aggressive dog, over and above any licensing fees already paid for that dog in the calendar year;
- (b) provide the RMOW with written confirmation from a licensed veterinarian that the dog has been neutered or spayed; and
- (c) ensure the dog has permanent identification and provide the permanent identification information to the RMOW.

21. Every owner of an aggressive dog shall:

- (a) secure the dog by a collar or harness and a leash that is a maximum length of 1 metre when the dog is not on the owner's property
- (b) ensure that the dog is not running at large within the RMOW at any time; and
- (c) keep the dog muzzled when in a designated off-leash area.

22. The owner of a dog that has been designated an aggressive dog may, within 14 calendar days of receipt of the designation notice, request in writing to the Bylaw Supervisor that they reconsider the decision of the animal control officer and provide their submissions regarding why the owner believes the dog should not be designated an aggressive dog.

23. Upon receiving a request for reconsideration of an aggressive dog designation, the Bylaw Supervisor may confirm, reverse or amend the decision designating the dog as an aggressive dog and may cancel or modify any restrictions, requirements or conditions imposed by an animal control officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

24. An owner, following a period of at least one year from the date stated on the written notice that their dog has been designated an aggressive dog, may apply to the RMOW for relief from the requirements of Section 20 provided that:

- (a) the dog has not exhibited further aggressive behaviour; and
- (b) the owner provides proof that the dog has successfully completed a course designed and delivered by a Dog Behavior Specialist to address the dog's aggressive behaviour.

25. If a dog displays aggressive behavior again after relief has been granted pursuant to Section 24 the requirements of Section 21 shall apply in perpetuity.

Vicious Dogs

26. Where an animal control officer determines that a dog meets the definition of a vicious dog, the animal control officer may issue written notice to the owner of that dog advising the owner of this determination and the requirements of this Bylaw with respect to vicious dogs.

27. The notice of a vicious dog determination may be served on the owner:

- (a) personally by handing the notice to the owner;
- (b) by handing the notice to a person on the owner's property who appears to be over the age of 19 years;
- (c) by posting the notice upon some part of the owner's property and by sending a copy to the owner by regular mail, in which case the notice is deemed to have been received by the owner 7 days after the notice was mailed; or
- (d) by mailing a copy by prepaid registered mail to the last known address of the owner.

28. Within 30 calendar days of receiving the notice of vicious dog determination, the owner must:

- (a) pay to the RMOW the additional licence fee amount for a vicious dog, over and above any licensing fees already paid for that dog in the calendar year;
- (b) provide the RMOW with written confirmation from a licensed veterinarian that the dog has been neutered or spayed;
- (c) ensure the dog has permanent identification and provide the permanent identification information to the RMOW;
- (d) provide the RMOW with proof that the owner has obtained a policy of liability insurance not excluding damages for injuries caused by the dog and in an amount not less than \$500,000, and covering the 12-month period during which licensing is sought; and
- (e) provide the RMOW with a side view, full body colour photo of the dog to be kept for identification purposes.

29. The owner of any dog that has been deemed a vicious dog may within 14 calendar days of issuance of that written notice, request in writing that the Bylaw Supervisor reconsider the decision. The request for reconsideration must be accompanied by:

- (a) written reasons why the owner of the dog believes the dog is not a vicious dog; and

(b) a written assessment of the dog, prepared by a Dog Behaviour Specialist within the last 6 months.

30. If a written request for reconsideration is received by the RMOW within 14 days, the Bylaw Supervisor may provide the owner and any complainant with an opportunity to make representations regarding the vicious dog.

31. After hearing any representations, the Bylaw Supervisor may confirm, reverse or amend the decision designating the dog as a vicious dog and may cancel or modify any restrictions, requirements or conditions imposed by an animal control officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

32. No person shall own or keep any vicious dog unless the dog is licensed as a vicious dog with the RMOW by an owner who is over 19 years of age.

33. Every owner of a vicious dog shall:

(a) secure the dog by a collar or harness and leash that is a maximum length of 1 metre when not on the owner's property;

(b) ensure that the dog is not running at large within the RMOW at any time;

(c) ensure that the dog is not in a designated off-leash area in the RMOW at any time;

(d) keep the dog effectively muzzled to prevent it from biting another animal or human when not on the owner's property;

(e) post a clearly visible sign at all points of entry onto any premises where the dog is being kept, temporarily or permanently, warning that there is a vicious dog on the premises;

(f) at all times while the dog is on the owner's premises, keep the dog securely confined indoors or confined outdoors in an enclosure;

(g) within 30 calendar days of receiving notice that their dog is a vicious dog, ensure the dog has permanent identification and provide the permanent identification information to the RMOW.

34. The owner of a vicious dog must immediately notify the RMOW if:

(a) the dog is running at large or has attacked or injured a person or animal; or

(b) the dog's place of residence changes, the dog is transferred to a new owner and provide the new owner's name and contact information, or the dog dies.

35. Where the owner of a vicious dog requests that the dog be destroyed, an animal control officer may arrange to have the dog humanely destroyed. In such cases, the owner must sign the form provided by the animal control officer for the release of the dog to the RMOW for the purposes of humane destruction.

36. If the owner of a vicious dog does not comply with the requirements of this Bylaw, the vicious dog may be seized and impounded for up to 14 days, after which, if the owner has not remedied the lack of compliance and provided proof of such compliance to the RMOW, the dog becomes the property of the RMOW and may be humanely euthanized.

37. A dangerous dog may also be dealt with by the RMOW in accordance with Section 49 of the *Community Charter*.

38. All animal control officers are designated as animal control officers for the purpose of Section 49 of the *Community Charter*.

Animal Responsibility Regulations and Prohibitions

39. No owner shall keep or harbour any animal which by its howling, barking, or cries unduly disturbs the peace, quiet or rest of persons in the surrounding neighbourhood.

40. No owner shall allow or suffer their dog to be running at large in the RMOW.

41. No owner of a dog shall allow the dog to be within a park in a designated "no dogs permitted" area.

42. No owner shall permit or allow an animal to:

- (a) bite, aggressively harass, or chase a person, other animals, bicycles, automobiles or vehicles;
- (b) display aggressive behaviour towards a person or animal;
- (c) cause a minor injury, or serious injury or death to a person or animal.

43. An owner of a dog may allow their dog to be off-leash in a designated off-leash provided that the owner:

- (a) carries a leash;
- (b) keeps the dog in view at all times;
- (c) keeps the dog under control;
- (d) immediately removes feces and disposes of it appropriately; and
- (e) immediately leashes the dog if it displays any aggressive behaviour.

44. Every owner of an intact female dog shall, at all times when the dog is in heat, keep the dog securely confined within a building or an enclosure.

45. Every owner shall, at all times when his or her dog is off the premises of the owner, immediately remove or cause to be removed any feces deposited by the dog and dispose of the feces in a sanitary manner.

46. Every owner of a diseased animal must, where the disease poses a threat to the health or safety of a person or animal, ensure that the diseased animal does not leave the property or premises of the owner other than for the purpose of a visit to a veterinarian, in which case the animal must be transported in a manner so as to ensure that it does not come into contact with another person or animal.

47. A person who finds and takes possession of an animal in the RMOW shall immediately provide the animal shelter manager or RMOW with:

- (a) a description and photograph of the animal where possible; and
- (b) if the animal is wearing identification, the information contained on the identification.

Care of Animals

48. No owner shall keep any animal in the RMOW unless the animal is provided with:

- (a) sufficient clean potable drinking water and food in sufficient quantity and of a nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;
- (b) food and water receptacles which are clean;
- (c) the opportunity for regular exercise sufficient to maintain the animal's good health; and
- (d) necessary veterinary care to maintain the health and comfort of the animal or when the animal exhibits signs of pain, injury, illness, suffering, or disease.
- (e) protection from heat, cold and wet that is appropriate to the animal's weight and type of coat; and
- (f) sufficient shade to protect the animal from the direct rays of the sun at all times.

49. No owner shall cause, permit, or allow a dog:

- (a) to be hitched, tied, or fastened to a fixed object in such a way that the dog is able to leave the boundaries of private property;
- (b) to be hitched, tied, or fastened to a fixed object where a choke collar forms part of the securing apparatus, or where a rope or cord is tied directly around the dog's neck; or be tethered other than with a collar or harness that is properly fitted to that dog and attached in a manner that will not injure the dog or enable the dog to injure itself by pulling on the tether;
- (c) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the dog;
- (d) to be hitched, tied, or fastened to a fixed object unattended at any time while on public property;
- (e) to be hitched, tied, or fastened to a fixed object in excess of 12 hours within any 24-hour period while on private property.

50. No owner of any dog shall keep a dog in an enclosure or pen in excess of 12 hours within any 24-hour period.

51. No owner shall keep an animal confined in an enclosed space, including but not limited to a motor vehicle, without sufficient ventilation to prevent the animal from suffering a heat related injury.

52. Notwithstanding any other provision of this Bylaw, no person shall:

- (a) abandon any animal;
- (b) tease, torment, or provoke an animal;

- (c) cause, permit or allow an animal to suffer; or
- (d) train or allow any animal to fight.

Abilities of an Animal Control Officer

53. An animal control officer may seize and impound:

- (a) any unlicensed dog;
- (b) any dog found to be running at large contrary to this Bylaw; or
- (c) any dog found to be unattended contrary to this Bylaw.

54. The animal control officer may, where necessary, employ the use of lures, baits, nets, or any other means of apprehending animals.

55. The animal shelter manager may impound any animal brought to them by an animal control officer or another person.

Administrative Duties of the Animal Shelter Manager

56. The animal shelter manager shall make all rules and regulations for and operate the animal shelter in a manner consistent with this Bylaw pertaining to the administration of facilities for the keeping of impounded animals.

57. Where an animal is seized pursuant to this Bylaw, the animal shelter manager or animal control officer may screen the animal for identification.

58. The animal shelter manager must keep a record book showing a description of every impounded animal, the owner of the animal if known, the length of time of impoundment, the final disposition of each impounded animal, and all funds received and disbursed in respect of the operation of the impoundment facility.

59. The animal shelter manager must keep all impoundment facilities clean and in good repair, and must supply impounded animals with sufficient and wholesome food and water, and with reasonable shelter, segregation and care as circumstances may warrant.

60. The animal shelter manager must pay to the RMOW 50 percent of all funds received by them for licence fees.

Impoundment and Redemption

61. If the animal shelter manager or RMOW considers that an impounded animal requires:

- (a) a vaccination;
- (b) flea treatment;
- (c) worm treatment;
- (d) examination by a veterinarian; or
- (e) urgent veterinary care to alleviate any pain or suffering;

then the animal shelter manager or RMOW may cause such care to be provided at the sole cost and expense of the animal's owner.

62. Notwithstanding any other provisions of this Bylaw, if the animal shelter manager or RMOW determines that an impounded animal is suffering from an injury, sickness or incurable disease that constitutes a health hazard and/or cannot otherwise be reasonably addressed, the animal shelter manager may have the animal humanely euthanized by a veterinarian.

Retention of Animal

63. The animal shelter manager must retain an impounded animal for a period of at least 96 hours if the owner of the animal does not redeem the animal prior to the end of the 96 hour period.

Informing the Owner of Impoundment

64. Where an animal is impounded pursuant to this Bylaw, within 24 hours:

- (a) the animal shelter manager must make reasonable effort to contact the owner of an impounded dog wearing a licence tag by calling the licensed owner's telephone number;
- (b) the animal shelter manager must make reasonable effort to determine the owner of the animal other than a dog wearing a licence tag, by posting a notice on the animal shelter's social media site, including a photograph and description of the animal.

65. Where the animal shelter manager has identified the owner of an impounded animal but is unable to reach the owner by telephone and/or email, a notice of impoundment may be sent by mail to the last known address of the owner.

66. Notices of impoundment shall include the following information:

- (a) date and time of the impoundment;
- (b) description of the animal;
- (c) how application may be made for release of the animal;
- (d) costs of seizure, expenses to the date of the notice and any known continuing costs and expenses; and
- (e) advising that the animal will become the property of the RMOW and may be sold, destroyed or otherwise disposed of after the expiration of 96 hours from impoundment, unless the animal is sooner redeemed.

Redemption and Costs

67. An owner of an animal seized under this Bylaw, or any person authorized in writing as the owner's agent, may redeem the animal from impoundment by:

- (a) delivering to the animal shelter manager or RMOW satisfactory evidence of ownership of the animal;
- (b) paying to the animal shelter manager or RMOW all impoundment and maintenance fees, costs, and charges incurred in respect of the seizure and boarding of the animal, as set out in Schedule "C" to this Bylaw;

- (c) paying to the animal shelter manager or RMOW all actual costs incurred for the veterinary care of the animal during impoundment
- (d) providing a completed licence application to and paying to the animal shelter manager or RMOW all licensing fees for the animal, if the animal is required to be licensed pursuant to this Bylaw and is not licensed; and
- (e) Satisfying the animal shelter manager or RMOW that the owner is in compliance with the Animal Care and Responsibility provisions of this Bylaw.

68. The owner of an impounded animal is liable to pay the seizure and impoundment fee, boarding and maintenance fees, and any veterinary expenses incurred by the animal shelter manager or RMOW for the animal, regardless of whether or not the owner redeems the animal.

Failure to Redeem

69. An animal becomes the property of the RMOW if not redeemed within 96 hours after its impoundment.

70. Upon assuming ownership of an unredeemed animal, the RMOW may:

- (a) transfer ownership of the animal to any person or organization deemed acceptable by the RMOW; or
- (b) have the animal humanely euthanized by a veterinarian.

71. No person shall take or release any animal from the custody of the animal shelter manager without the consent of the animal shelter manager or the RMOW.

Obstruction

72. No person shall hinder, delay, or obstruct in any manner, directly or indirectly, an animal control officer in carrying out the duties and powers of an animal control officer under this Bylaw.

73. Every occupier of premises where any animal is kept or found and every person having actual or apparent custody of an Animal, shall immediately, upon demand by an animal control officer, truthfully and fully supply the following information:

- (a) his or her name;
- (b) the number of Animals owned or kept by him or her, their breed, sex, and general description;
- (c) the place where such Animals are kept; and
- (d) whether the Animals are currently licensed.

Offences and Penalties

74. This Bylaw may be enforced by an animal control officer, and any other person or class of persons designated by Council to enforce RMOW bylaws.

75. In accordance with Section 16 of the *Community Charter*, an animal control officer at reasonable times may enter onto and enter into real property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

76. Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of the Bylaw shall be guilty of an offence under this Bylaw and shall be liable on summary conviction to a penalty of not less than \$50.00 and not more than \$2,000.00.

77. Each day an offence continues or is permitted to exist shall constitute a separate offence.

Severability

78. If any section or lesser portion of this Bylaw is held to be invalid by a Court, the invalid section shall be severed and the severance shall not affect the validity of the remaining portions of the Bylaw.

Repeal

“Whistler Animal Control Bylaw No. 1555, 2001, Amendment Bylaw No. 1568, 2002” is repealed.

GIVEN FIRST, SECOND, and THIRD READINGS this 3rd day of September, 2019.

ADOPTED by Council this 17th day of September, 2019.

Signed original on file

Jack Crompton,
Mayor

Signed original on file

Alba Banman,
Municipal Clerk

I HEREBY CERTIFY that this is a true copy of “Animal Responsibility Bylaw No. 2218, 2019”.

Alba Banman,
Acting Municipal Clerk

Schedule "A"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
LIST OF PROHIBITED ANIMALS

1. all nonhuman primates
2. all felidae, except the domestic cat
3. all canidae, except the domestic Dog
4. all ursidae (bears)
5. all proboscidea (elephants)
6. all pinnipedia (seals, walrus)
7. all marsupials
8. all edentates (anteaters)
9. all xenartha (such as sloths, armadillos, and tamanduas)
10. all monotremata (spiny anteater and platypus)
11. all venomous or poisonous reptiles and amphibians
12. all reptiles and amphibians over 2 metres adult size
13. all venomous or poisonous invertebrates (such as black widow spiders, tarantulas, and blue-ringed octopus)
14. all ungulates
15. all hyenidae (hyenas)
16. all hyracoidean (hyraxes)
17. all erinaceidae (tenrecs and hedgehogs, except miniature domestic hedgehogs)
18. all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
19. all procyonidae (raccoons, coatimundis)
20. all viverridae (civets and genets)
21. all herpestidae (mongooses)
22. all cetacea (whales, porpoises, dolphins)
23. all rodentia, except the hamster, gerbil, guinea pig, chinchilla, domestic mouse, and domestic rat
24. all chiroptera (bats), colugos (flying lemurs), and scandentia (treeshrews)
25. all lagomorphs (rabbits and hare), except the domestic rabbit
26. all birds (quail, pheasant, pigeon, chicken, duck, goose and turkey) except budgie, cockatiel, lovebird, finch, and canary
27. all saltwater fish

Schedule "B"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
LICENSING

Dogs

- a) Neutered male or spayed female \$25
- b) Other than (a) above \$50
- c) Aggressive Dog \$100
- d) Vicious Dog \$200
- e) Guide Dog/ Service Dog/ Police Services Dog/ Canadian Avalanche and Rescue Dog Association Dog (CARDAs) \$0
- f) New licences issued from August 1 to December 31 of any given year shall be subject to a fee equal to 50 per cent of the above noted fees. This does not apply to renewals or to Dogs eligible to be licensed prior to August 1.

General

Replacement of licence \$10

Schedule "C"
ANIMAL RESPONSIBILITY BYLAW NO. 2218, 2019
IMPOUNDMENT FEE

Dogs

- 1) Impoundment fee per calendar year:
 - a) First impoundment of a licensed animal: \$0.00
 - b) First impoundment of an unlicensed animal: \$80.00
 - c) Second and subsequent impoundment of animal: \$100.00
 - d) Aggressive Dog \$300.00
 - e) Vicious Dog \$500.00

Boarding of Animals

- 1) Rate per day:
 - a) Dog \$40.00