

THE CORPORATION OF THE CITY OF DUNCAN

BYLAW NO. 2048, 2008

**A BYLAW TO PROVIDE FOR THE LICENSING AND REGULATION OF
DOGS IN THE CITY OF DUNCAN**

The Council of the City of Duncan enacts as follows:

TITLE

1. This Bylaw may be cited as “**Dog Licence and Control Bylaw No. 2048, 2008**”.

INTERPRETATIONS

2. In this Bylaw:

“**Animal Control Officer**” means the person appointed by resolution of the Council as Animal Control Officer to enforce the provisions of this Bylaw, and includes all Bylaw Officers, Bylaw Enforcement Officers, or Bylaw Compliance Officers appointed by resolution of the Council as such from time to time.

“**Bark Excessively**” means any barking, howling, yelping or cries that unduly disturb the peace, quiet, rest, comfort or tranquillity of the surrounding neighbourhood or vicinity, or of persons in the neighbourhood or vicinity.

“**City**” means the City of Duncan.

“**Council**” means the Council of the City of Duncan.

“**Dangerous Dog**” means any dog which has killed or injured a person or domestic animal, or any dog the Animal Control Officer has reasonable grounds to believe is likely to kill or seriously injure a person because of, but not limited to:

- a) its known propensity, tendency or disposition to attack without provocation other domestic animals or humans, or otherwise threaten the safety of persons or domestic animals; or
- b) when unprovoked, it attacks, chases, or approaches a person upon the street, sidewalk or any public place in a menacing fashion or apparent attitude of attack; or
- c) he has reason to believe the dog is owned or harboured primarily or in part for the purpose of dog fighting or is owned or trained for dog fighting.

Notwithstanding the above, a dog must not be deemed to be a Dangerous Dog if the bite, attack, or threat of attack was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner of the dog, or was teasing, tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have teased, tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.

“Designated Dog Area” means any area designated by resolution of Council as a place where a dog need not necessarily be on a leash but must still be under the care and control of its owner such that it will obey verbal or hand commands to come when directed to do so.

“dog” means any animal of the canine species, irrespective of age or sex.

“impounded” means when a dog is seized, delivered, received, or taken into a Pound or in the custody of the Animal Control Officer or Poundkeeper.

“Leash” means a line or chain that does not exceed a length of 6 feet (183 centimetres) that is of sufficient strength to restrain a dog without breaking.

“muzzled” means properly fitted with a humane device placed over the mouth of a dog that is of sufficient strength and design to prevent the dog from biting any person or animal.

“owner” includes any person who owns, possesses, or harbours any dog, or has custody, control or care of any dog.

“Park” means and includes public parks, playgrounds, squares, greens, driveways, roadways, paths, (including buildings) which are posted, designated and or zoned as park by the City of Duncan, other than designated dog areas.

“person” includes any corporation, partnership or party and the heirs, executors, administrators and other legal representatives of such person to whom the context can apply according to law.

“Pound” means any facility maintained, or operated as an impoundment or boarding facility in accordance with this Bylaw.

“Poundkeeper” means the person or organization employed, or contracted, from time to time by the City for the purpose of maintenance, operation and regulation of a Pound in accordance with the provisions of this Bylaw, including the care, euthanasia and disposal of the animals, and the collection and remission of fees, and must include any assistant Poundkeeper so employed, the Animal Control Officer, or the operator of any Pound that meets the provisions of this Bylaw from which the City purchases boarding or impoundment services from time to time.

“run at large or running at large” means being elsewhere than in a Designated Dog Area or on the premises of a person owning or having the custody, care or control of any dog and not being on a leash under the direct and continuous charge of a person who is competent to control said dog.

“Financial Administrator” means the Financial Administrator of the City of Duncan or the person serving in an equivalent capacity though with a different Title.

“unlicensed dog” means any dog for which the licence for the current year has not been paid as provided in this Bylaw, or to which the tag as provided for by this Bylaw, is not attached.

APPLICATION

3. This bylaw does not apply to:
 - a) a specially trained dog that is used as a guide dog by a person whose sight or hearing is impaired;
 - b) a dog certified by a recognized training establishment and used to assist persons with special needs; or
 - c) a dog belonging to and actively working for a police force having jurisdiction in British Columbia.

ADMINISTRATION

4. The Council shall appoint an Animal Control Officer and may appoint such assistants as it may determine.
5. The Council or the Chief Administrative Officer may enter into an agreement with any person or organization to act as a Poundkeeper for the establishment, maintenance, operation, and regulation of a Pound and the enforcement of any of the provisions of this Bylaw.
6. The City may purchase Pound services, at its discretion, from the operator of any Pound that meets the provisions of this Bylaw.
7. The Poundkeeper must keep a record book in a form prescribed by the Financial Administrator from time to time, showing therein a description of every animal impounded, the length of time of such impoundment, the final disposition, and all funds received and disbursed in respect of the operation of the Pound.
8. The Poundkeeper must report monthly on the operation and maintenance of any Pound in his charge to the City.

9. Every Poundkeeper must keep the Pound to which he is appointed clean and in good repair, and must supply the dogs impounded therein with sufficient and wholesome food and water, and with reasonable shelter, segregation and care as circumstances may warrant.
10. The Poundkeeper must pay to the Financial Administrator all funds received by him pursuant to the authority of this Bylaw after receipt thereof, on a monthly basis, and all such funds must become the property of the City.

LICENSING

11. No Person shall keep any dog over the age of 4 months unless a valid and subsisting licence has been issued in respect of that dog under this Bylaw.
12. An application for a licence under this Bylaw must be made by paying the fee prescribed in Schedule "A" attached hereto and forming part of this Bylaw, and applying to the City or the Poundkeeper in such form as the City may from time to time prescribe.
13. Upon receipt of the prescribed fee the City or Poundkeeper shall issue a receipt that is deemed to be the licence, and corresponding licence tag for the dog.
14. Every licence and corresponding licence tag issued under this Bylaw:
 - a) expires on the 31st day of December of the year in which it is issued; and
 - b) is valid only in respect of the dog for which it is issued.
15. The person to whom a licence is issued under this Bylaw must, while the licence is valid and subsisting, 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.
16. Where a licence or licence tag is lost or destroyed, the person to whom the original licence was issued may, by paying the fee prescribed in Schedule "A", apply to the City or Poundkeeper, in a form and manner prescribed by the City, for a replacement licence or licence tag.
17. No person other than the owner of the dog may remove from such dog a licence tag issued pursuant to this Bylaw or a collar or harness to which a licence tag issued pursuant to this Bylaw is attached.
18. Where the owner of the dog in respect to which a licence is issued under this Bylaw sells or otherwise ceases to be the owner of the dog, the licence must, in respect of that dog thereupon become cancelled.

19. A new resident of the City who holds a valid and subsisting dog licence from another Municipality may be given credit for said licence by making application for a Replacement Licence and payment of the fee prescribed in Schedule "A".
20. For owners of dogs that attain the age of four (4) months during a calendar year, the licence fee payable shall be that of a Replacement Licence and Fee prescribed in Schedule "A".

DOG CONTROL

21. No owner of a dog may allow such dog to be under the care, custody, and control of a person who is not competent and strong enough to control the dog.
22. No owner of any dog may permit, or allow such animal to run at large within the City.
23. No owner of any dog may allow a dog being walked on a City sidewalk to interfere with or obstruct other users of the pathway or sidewalk.
24. No owner of a dog shall allow such dog to:
 - a) harass, molest, or approach in a menacing fashion or apparent attitude of attack, any person;
 - b) bite, inflict injury, assault or otherwise attack a person;
 - c) chase vehicles or cyclists;
 - d) chase, harass, bite, inflict injury, assault or otherwise attack any other animal;
 - e) damage property, other than that of the owner;
 - f) bark excessively.
25. No person shall keep, harbour, house or maintain within the City more than three (3) dogs over the age of six (6) months in one residence.
26. Notwithstanding Section 21, no owner of any dog may permit or allow such animal to enter into a Park, other than a Designated Dog Area, unless such animal is leashed at all times and under direct and continuous charge of a person who is competent to control it.
27. No owner of any dog may cause or allow it to defecate on any public or private property other than the property of the owner unless the owner immediately removes the excrement.
28. No person who has removed excrement may deposit same except where the excrement is securely contained in a litter receptacle and in an impermeable bag

- or other impermeable container so as not to ooze, leak or fall out in the public litter receptacles.
29. No owner of a female dog in heat may permit, or allow such animal be anywhere other than within a closed building on private property.
 30. No owner may keep within the City any habitually noisy dog that by its barks, cries, or other noises disturbs the neighbourhood or persons in the vicinity.
 31. The owner of any dog must compensate the City for any and all damage done by that dog to City property.
 32. The Animal Control Officer, Poundkeeper or any Peace Officer may immediately seize and impound:
 - a) any dog that is found in any place contrary to the provisions of Sections 21, 25, and 26; or
 - b) any unlicensed dog; or
 - c) any Dangerous Dog not being muzzled or confined in compliance with the requirements of this Bylaw.
 33. If any Peace Officer seizes a dog pursuant to Section 32, he must, as soon as practical notify the Animal Control Officer or Poundkeeper of such seizure and cause such animal to be delivered to the Animal Control Officer or Poundkeeper.
 34. The Animal Control Officer or Poundkeeper must receive and impound any animal delivered to him by a Peace Officer pursuant to Section 33.
 35. The Poundkeeper must retain in a Pound any dog seized and impounded pursuant to Section 32 and must not release any such dog except in accordance with the provisions of this Bylaw.
 36. Where a dog is seized and impounded pursuant to Section 32, the Animal Control Officer or Poundkeeper must:
 - a) if the dog is unlicensed, retain it for ninety-six (96) hours; or
 - b) if the dog is licensed, forthwith notify the owner thereof in person, by telephone, or by mail addressed to the last known address of the owner in which case the notice shall be deemed to have been received by the owner ninety-six (96) hours after deposit thereof in any post box within the City, giving the following information:
 - (i) date and time of the impoundment;
 - (ii) description of the dog;
 - (iii) how application may be made for release of the dog;

- (iv) costs of seizure, expenses to the date of the notice and any continuing costs and expenses; animal;
 - (v) advising that the dog will be sold or destroyed after the expiration of ninety-six (96) hours from the date of the notice, unless in the meantime the animal is redeemed.
37. Where the owner of an impounded dog is known, such owner must pay the seizure and impoundment fee, and per diem boarding fees for such dog even though the owner fails or neglects to reclaim such dog.
38. If the owner or duly authorized agent of an impounded dog does not:
- a) in the case of an unlicensed dog within ninety-six (96) hours of the dog being impounded; or
 - b) in the case of a licensed dog within ninety-six (96) hours of being notified pursuant to subsection (b) of Section 36;
- appear and arrange for release of the dog so impounded by delivering evidence satisfactory to the Animal Control Officer of ownership of the impounded animal; payment of the fees, costs, and charges incurred in respect of the seizure and impoundment, boarding or maintenance, and licensing if applicable, of the animal set out in Schedule "B" attached hereto and forming part of this Bylaw, the Animal Control Officer may dispose of such dog as hereinafter set out.
39. After the expiration of the relevant period of time set out in Section 38 above:
- a) the Animal Control Officer, or the Poundkeeper when authorized by the Animal Control Officer, may cause the dog to be surrendered to the British Columbia Society for the Prevention of Cruelty to Animals or any other organization or person for the purpose of adoption; or,
 - b) the Animal Control Officer, or the Poundkeeper when authorized by the Animal Control Officer, may cause the dog to be sold by auction or private sale for an amount not less than the amount of any fees and charges outstanding plus the cost of a licence for the dog, if applicable; or,
 - c) if in the Animal Control Officer's opinion the dog cannot or should not be sold or adopted he, or the Poundkeeper when authorized by the Animal Control Officer, may cause the dog to be destroyed.
40. Where any dog is sold pursuant to Section 39 b) above, all property therein shall pass to the purchaser and all rights of property in the dog that existed before the sale shall be extinguished.
41. Notwithstanding any other provisions of this Bylaw if it is found that any dog is suffering from an injury, sickness or incurable disease or from any other cause or is unduly Dangerous, the Animal Control Officer, or the Poundkeeper when authorized by the Animal Control Officer, may, in his discretion, immediately

- cause the dog to be destroyed if he is of the opinion that such dog would not survive such injury, disease or sickness, or that such dog constitutes a hazard or that it would be an act of humanity to destroy such animal.
42. The Animal Control Officer or Poundkeeper or their designates may remove or cause to be removed the carcass of any dog killed on public property within the City.
 43. The Animal Control Officer or Poundkeeper may, where he has reason to believe that an unlicensed dog has taken refuge on a premises, request the occupant of such premises to satisfy him that such licence has been paid and to exhibit such tag, or to forthwith deliver to him such dog; and where any dog is found to be on any such premises as aforesaid, no person shall fail to or refuse to exhibit such licence receipt or tag, or fail, neglect or refuse to deliver such dog on request, or resist or interfere with such Animal Control Officer or Poundkeeper in seizing such dog.
 44. The Animal Control Officer or Poundkeeper may, where he has reason to believe that an unlicensed dog has taken refuge on any premises, enter and search any place, except a place that is occupied as a private dwelling, in order to seize such dog.
 45. The Animal Control Officer is authorized to employ such assistance as is deemed necessary or advisable to seize and impound any dog in pursuance of this Bylaw, and the expense of such employment shall be added to the fees chargeable by the Animal Control Officer under Schedule "B".
 46. No person shall obstruct or interfere with the Animal Control Officer, Poundkeeper, or any Peace Officer in the exercise of any of the powers granted to or duties imposed on them pursuant to this Bylaw.
 47. No person shall remove or attempt to remove any dog lawfully in the custody of the Animal Control Officer, Poundkeeper or of any other person as herein provided, or in a Pound.

DANGEROUS DOGS

48. The classification of a dog as a Dangerous Dog will be done by the Animal Control Officer if after careful consideration of the facts, in his opinion the dog is Dangerous. Owners of dogs that have been declared as Dangerous will be contacted promptly in written form.
49. Once a dog has been declared Dangerous the only way in which this declaration can be determined to be incorrect is by the Court, if charges are brought into the Court under the ticketing Bylaw. This can be done by the owner in defending a

- Municipal Ticket Information, a Long Form Information, or an Application to Destroy the dog.
50. No owner of a Dangerous Dog shall permit, suffer or allow the dog to be on any street or in any public place or in any other place that is not owned or controlled by that person unless the dog is leashed and muzzled to prevent it from biting another animal or a human.
 51. Every owner of a Dangerous Dog must, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or outdoors in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping.
 52. Any enclosure or pen referred to in Section 51 must:
 - a) be of sufficient height and strength and stability to contain the dog and form a confined area with no side in common with a perimeter fence; and
 - b) have sides which are either buried 60 centimetres (2 feet) into the ground or embedded in a concrete pad; and
 - c) have a secure top attached to all sides, and have a gate which is self-closing and has a lock; and
 - d) be capable of containing a dog in a secure and humane manner; and,
 - e) be approved by the Animal Control Officer.
 53. Every owner of a Dangerous Dog must prominently display at each entrance to the property and building in or upon which the dog is kept a warning in writing, as well as with a symbol, similar, but not limited to the one shown in Schedule "C" of this Bylaw, that there is a Dangerous Dog on the property, which sign must be posted so that it cannot be removed and which will be visible and capable of being read from the sidewalk, street or lane abutting the entrances to the property or building.
 54. The owner of a Dangerous Dog must advise an Animal Control Officer immediately if the dog is running at large.
 55. The owner of a Dangerous Dog must advise an Animal Control Officer within one week of a change of address within the City that involves the relocation of a Dangerous Dog.
 56. The owner of a Dangerous Dog must advise an Animal Control Officer immediately if the dog has bitten or attacked any person or domestic animal.
 57. Every owner of a Dangerous Dog must provide to the City, proof that a policy of liability insurance is in force and provides third party liability coverage in a form satisfactory to the City and in a minimum amount of \$2,000,000 for any injuries

- which may be caused by the dog, and must ensure that the insurance policy contains a provision requiring the insurer to immediately notify the City in writing should the policy expire or be cancelled or terminated.
58. If it is concluded by the Animal Control Officer that the dog declared Dangerous can be retrained and socialized or that the bite or injury from any attack was the result of improper or negligent training, handling or maintenance, the dog licence to the owner shall be reissued with conditions and restrictions imposed for the training, socialization, handling and maintenance of the dog to protect the public. It must be properly concluded that the owner is able and willing to properly carry out these restrictions and conditions and that a similar incident is not likely to occur in the future. Prior to the reissuance of a permanent licence, the owner of the dog must show proof that he and the dog have successfully completed a training course and show proof of an enclosure where the Dangerous Dog must be kept is outside the residence when the owner or custodian is not physically present with the dog when the dog is on the owner's property.
 59. Except where the Animal Control Officer has made an application to the Provincial Court for an order that a Dangerous Dog be destroyed or has determined that the Dangerous Dog suffers from rabies or other incurable disease and is to be destroyed, or the Dangerous Dog is in isolation after having bitten a person or animal, the owner of a Dangerous Dog impounded pursuant to this Bylaw may reclaim such Dangerous Dog at any time before its destruction, on application to the Animal Control Officer; on proof of ownership of the Dangerous Dog; on payment of the fees, costs, and charges incurred in respect of the seizure and impoundment, boarding or maintenance, and licensing if applicable, of the Dangerous Dog set out in Schedule "B" attached hereto and forming part of this Bylaw; and, on delivery to the Animal Control Officer of an executed Release Statement in the form prescribed from time to time by the City.
 60. Where the owner of an impounded Dangerous Dog applies for the release of the Dangerous Dog in accordance with Section 59 and claims that the Dangerous Dog is being removed from the City rather than confined in accordance with this Bylaw, the Dangerous Dog must only be released in accordance with Section 59 and upon submission of proof in writing from the jurisdiction having authority where the Dangerous Dog is intended to be relocated that they consent to having the Dangerous Dog kept within their jurisdiction.
 61. If the Dangerous Dog, which has been impounded pursuant to the provisions of this Bylaw is not reclaimed after the 96 hours impounding period as per Section 36, or within two days after the 14 day isolation period in the case of Section 63 if applicable, the Animal Control Officer may, at any time thereafter, cause such Dangerous Dog to be destroyed; except that where the owner of such Dangerous Dog requests a further period of time in which to construct an enclosure for the Dangerous Dog, the Animal Control Officer may extend the time limited to

reclaim the Dangerous Dog for a period of not more than 30 days upon receiving payment in advance of all fees prescribed in this Bylaw.

62. The Animal Control Officer or any Peace Officer may take the necessary steps to enter on any premises and seize and impound any Dangerous Dog in the City being kept contrary to the provisions of this Bylaw or that has killed or seriously injured a person or other animal and may either impound it in accordance with Section 36, or in accordance with Section 63 if applicable, or may apply to the Provincial Court within 21 days for an order that the dog be destroyed.

GENERAL REQUIREMENTS

63. Notwithstanding any other provisions of this Bylaw, because of the danger of infection from dog bites, the following applies:
- a) A dog which bites any person, whether on private property or elsewhere must be taken to a Pound by the Animal Control or Poundkeeper unless the owner forthwith delivers the same to the Pound or to some place where dogs are kept under the personal supervision of a licensed veterinary surgeon.
 - b) Unless the licensed veterinary surgeon referred to in a) above, recommends in writing an earlier release because there is little likelihood of any infection, any dog so delivered will be kept at such place at the owner's expense for a period of 14 days.
 - c) The fee for such impoundment shall be \$12.00 per day for each day or part of a day if it is the first occasion that the dog has been impounded for biting a person, and \$15.00 per day for each day or part of a day for any subsequent such impoundments. The fee must be paid by the owner before the dog can be removed. If the dog is not removed within two days after the 14-day period, the dog will be disposed of by the Pound Keeper or Animal Control Officer and the owner must pay the impoundment fees and any disposal fees even though the owner fails or neglects to reclaim such dog.
 - d) If it is determined that the dog is suffering from rabies or any other incurable disease, the Animal Control Officer may immediately cause such dog to be destroyed.

VIOLATION OF BYLAW

64. Except as otherwise provided in this Bylaw:
- a) Every person who contravenes any provision of this bylaw commits an offence and is liable upon summary conviction to a fine not exceeding \$10,000.00.

- b) If an offence is a continuing offence, each day that the offence is continued constitutes a separate and distinct offence.
 - c) Nothing in this section affects any other right or remedy of the City of Duncan in respect of any violation of any provision of this Bylaw.
65. For the purpose of proceeding under this Bylaw, a person shall be deemed to be the owner or person otherwise responsible for any infraction of any provision of this Bylaw, in the absence of any evidence to the contrary.

SEVERABILITY

66. If any section, subsection, clause, subclause, phrase or any other part, of this Bylaw is for any reason held to be invalid, void or ineffective by the decision of any court of competent jurisdiction, the part in question is to be severed from the rest of this Bylaw and that does not affect the validity of the remainder of this Bylaw, which is to be interpreted and applied as if this Bylaw had been enacted without the severed part.

TRANSITIONAL

67. “The Dog Regulation Licencing and Impounding Bylaw 1980 No. 1290”, as amended, is repealed.
68. “Fees and Charges Bylaw No. 1759, 1995, Section X.(i) DOG LICENCES and Section X.(ii) IMPOUNDING” be deleted.

READ FOR A FIRST TIME THE 25th DAY OF FEBRUARY. 2008.

READ FOR A SECOND TIME THE 25th DAY OF FEBRUARY. 2008.

READ FOR A THIRD TIME THE 10th DAY OF MARCH, 2008.

ADOPTED THE 25th DAY OF MARCH, 2008.

Mayor

Director of Corporate Services

SCHEDULE "A"

LICENCE FEES

The following fees and charges related to licensing of dogs shall be paid:

		Paid by January 31st	Paid After January 31st
1.	For a:		
	(a) neutered male dog; in respect of which the applicant produces a certificate of neutering signed by a veterinarian; and,	\$16.00	\$26.00
	(b) a female dog; in respect of which the applicant produces a certificate of ovario-hysterectomy signed by a veterinarian or which is marked in a manner satisfactory to the Animal Control Officer so as to indicate that it has had an ovario-hysterectomy	\$16.00	\$26.00
2.	For a male or female dog other than one described in Section 1 (a) or (b) above.	\$35.00	\$50.00
3.	For a replacement licence or licence tag,	\$4.00	\$4.00

SCHEDULE “B”

FEES AND CHARGES FOR SEIZURE AND IMPOUNDMENT, FEEDING, PICK-UP AND DESTRUCTION OF ANIMALS

1. Fee for seizure and impoundment of dogs 1st offence* 2nd offence* 3rd offence*

The following fees and charges shall be paid for dogs seized and impounded:

a) Seizure and Impoundment fee for any licensed dog other than a Dangerous Dog; or	\$25.00	\$65.00	\$90.00
b) Seizure and Impoundment fee for any unlicensed dog other than a Dangerous Dog; or	\$50.00	\$90.00	\$115.00
c) Seizure and Impoundment fee in respect of a Dangerous Dog:	\$250.00	\$500.00	\$1000.00
d) Seizure and Impoundment fee in respect of a dog at large harassing or molesting a person or persons.	\$250.00	\$500.00	\$1000.00
e) Seizure and Impoundment fee in respect of a Dangerous Dog at large harassing or molesting a person or persons.	\$500.00	\$1,000.00	\$2,000.00
and			
f) Per Diem Boarding or maintenance charge for providing food, water, shelter, and care			
(i) For each 24 hour period of impoundment or fraction thereof after the first 24 hours of impoundment	\$ 10.00	\$ 10.00	\$ 10.00
and			
g) In addition to the payments required under (a), (b), and (c) preceding, the following payments will be required if applicable:			
(i) Where licence fee has not been paid for such dog, payment of licence fee for such dog	In accordance with Schedule “A”	In accordance with Schedule “A”	In accordance with Schedule “A”

	(ii) Where licence fee has been paid for such dog but licence tag is not attached to such dog (plus payment for a licence tag replacement, if required)	\$15.00	\$15.00	\$15.00
and				
	h) Charge for any assistance employed to seize and impound any dog	Actual Cost	Actual Cost	Actual Cost

**SCHEDULE "C" to Dog Licence and Control
Bylaw No.2048, 2008**

Actual Size of Sign: 30.5 cm x 23.5 cm [12 inches x 9.25 inches]
Red lettering. Black graphic of dog's head.



Application for Release of a Dangerous Dog

1. I, _____,
(Name of owner)
of _____,
(Address of owner)

in the City of Duncan, British Columbia, apply for the release of a

(Colour, Breed, Name, Tag No., and Sex of Dog)

which has been impounded pursuant to Bylaw No. 2048, 2008, cited as “**Dog Licence and Control Bylaw No. 2048, 2008**”.

2. I am the owner of the above-described dog.
3. I am aware that the dog is a “Dangerous Dog” within the meaning prescribed by Bylaw No. 2048, 2008, and I am aware of the responsibility and potential liability which rests with me in keeping or harbouring such dog.
4. In consideration of the release of such dog to me, I acknowledge, covenant, and agree with the City of Duncan that I:
- (a) have constructed on the premises where such dog will be kept an “enclosure” within the meaning prescribed by Bylaw No. 2048, 2008;
 - (b) will, at all times when the said dog is not effectively muzzled, on a leash and under the direct and continuous charge of a person who is competent to control the dog, keep such dog indoors or within a securely closed and locked enclosure;
 - (c) will save harmless and indemnify the City of Duncan, its Poundkeeper, Animal Control Officer 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 in the 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; and
 - (d) am aware that if such dog is ever again found to be at large, or not muzzled or not confined as hereinbefore provided, the dog may be seized and an application made to the Provincial Court for an order that the dog be destroyed.
5. I submit the sum of \$ _____ in payment of all seizure and impoundment and per diem boarding fees payable by me pursuant to Bylaw No. 2048, 2008.

Signature of Owner

Dated this _____ day of _____, 20____.

Signature of Animal Control Officer