



Animal Control and Licencing Bylaw 2016

No. 1354

District of Mackenzie

Consolidated for Convenience Only

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The District of Mackenzie

District of Mackenzie Animal Control and Licencing Bylaw 2016 No. 1354

Consolidated for Convenience Only

Explanatory Note

Bylaw No. 1354 regulates the control and licensing of dogs and the control of large animals in the Municipality.

Amending Bylaws:

Bylaw No. 1377 – Adopted November 27th, 2017

Bylaw No. 1377, 2017 amends the “Animal Control and Licencing Bylaw No. 1354, 2016” to introduce definitions and regulations regarding Backyard Hens and Beekeeping.

Bylaw No. 1473 – Adopted April 25th 2022

Bylaw No. 1473, 2022 amends the “Animal Control and Licencing Bylaw No. 1354, 2016” to introduce a definition for “Off-Leash Area” and adds regulation for keeping dogs leashed in Public Places.

Bylaw No. 1491 – Adopted November 28th 2022

Bylaw No. 1491, 2022 amends the “Animal Control and Licencing Bylaw No. 1354, 2016” to change the price for Schedule A licencing fees.

DISTRICT OF MACKENZIE

BYLAW NO. 1354,2016

A BYLAW TO PROVIDE FOR ANIMAL CONTROL AND LICENCING

WHEREAS the Community Charter allows Council, by bylaw, to regulate, prohibit and impose requirements in relation to Animals.

NOW THEREFORE, the Council of the District of Mackenzie, in open meeting assembled, enacts as follows:

1. Citation and Repeal

- (a) This bylaw may be cited for all purposes as the "District of Mackenzie Animal Control and Licencing Bylaw".
- (b) Bylaw No. 1169, cited as "Animal Control and Licencing Bylaw No. 1169, 2006"and all amendments are hereby repealed.

2. Interpretation

In this Bylaw:

- (a) **"Animal"** means a domestic Animal, Livestock or pet and includes a Dog, Cat, bird, rodent, horse, sheep, goat, mule, ass, swine, rabbit, Poultry, llama, cow or other Animal of the bovine species, but excludes Exotic Animals and insects;
- (b) **"Apiculture"** means the keeping and management of the Apis mellifera honeybee.
- (c) **"At Large"** means:
 - (i) an Animal that is in or upon a Public Place in which Animals are prohibited, or
 - (ii) an Animal that is not under the direct and continuous control of the Owner, either by being:
 - A. not in or upon the Owner's Premises,
 - B. not securely confined within a building or other enclosure, or
 - C. not securely Leashed, tethered or penned so it is unable to roam;
- (d) **Beekeeper** means a person keeping one or more bee colonies and hives on a property.
- (e) **Bees** means honey producing bee.
- (f) **"Bylaw Enforcement Officer"** means the person or persons from time to time appointed by the District as Bylaw Enforcement Officer and includes a peace officer;
- (g) **"Cat"** means any male or female member of the Felis Domesticus family, more commonly known as a domesticated Cat;
- (h) **Colony** means the family unit of a hive consisting of a queen, workers, and drones.

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- (i) **Coop** means a covered enclosed structure to shelter hens
- (j) **"Community Charter"** means the Community Charter, SBC 2003, c. 26 as amended or re-enacted from time to time;
- (k) **"Dangerous Dog"** means a dangerous dog as defined by section 49 of the Community Charter and includes a Dog that:
 - (i) has killed or seriously injured a person,
 - (ii) has killed or seriously injured a domestic Animal, while in a Public Place or while on private property, or
 - (iii) a Bylaw Officer or Peace Officer has reasonable grounds to believe is likely to kill or seriously injure a person;
- (l) **"District"** means the Corporation of the District of Mackenzie;
- (m) **"Dog"** means an Animal of the canine species.
- (n) **"Exotic Animal"** means any animal that is not normally domesticated in Canada and includes, but is not limited to, any animal defined as a controlled alien species under the Wildlife Act, RSBC 1996, c. 488 as amended or re-enacted from time to time, and any of the following species, orders and families, whether bred in the wild or captivity, and also any of their hybrids with domestic species:
 - (i) Non-Human primates and prosimians (monkeys, chimpanzees, baboons);
 - (ii) Felidae (lions, tigers, bobcats, lynx, cougars, leopards, jaguars, non-domesticated Cats);
 - (iii) Canidae (wolves, coyotes, foxes, jackals, not domesticated Dogs);
 - (iv) Ursidae (all bears);
 - (v) Reptilia (iguanas, all venomous and constricting snakes);
 - (vi) Arachnida (tarantulas, scorpions and all venomous spiders);
 - (vii) Crocodilia (alligators, crocodiles);
 - (viii) Proboscidea (elephants);
 - (ix) Hyänenidae (hyenas);
 - (x) Artiodactyla (hippopotamuses, giraffes, camels, not cattle or swine, or sheep or goats);
 - (xi) Procyonidae (raccoons, coatis);
 - (xii) Marsupials (kangaroos, opossums);
 - (xiii) Perissodactyla (rhinoceroses, tapirs, not horses or donkeys or mules);
 - (xiv) Edentate (anteaters, sloths, armadillos);
 - (xv) Viverridae (mongooses, civets, and genets);

And for greater certainty, the species, orders and families listed above are intended to act as examples and are not to be construed as an exhaustive list or to limit the generality of each group of Animals, unless otherwise specified;

- (o) **Hen** means a domesticated female chicken kept for the purposes of egg production.
- (p) **Hen Owner** means a person keeping one or more hens on a property.
- (q) **Hive** means one (1) structure which houses a colony and its appurtenances, including combs, honey pollen and brood.
- (r) **"Impounded"** or **"Impoundment"** means to be seized, delivered, received or taken into the Pound or into the custody of the Bylaw Enforcement Officer or any law enforcement officer;
- (s) **"Keep"** means to own, possess, have care, custody or control of, or harbor, an Animal;
- (t) **"Kennel"** means a permitted facility under Section 10 of this bylaw for the care of Dogs, Cats or other household pets where such Animals are kept commercially for boarding, propagation, training, grooming or similar ancillary purposes;
- (u) **"Kennel Permit"** means a Kennel Permit issued under Section 10 of this bylaw;
- (v) **"Land Parcel"** means a lot, block, or other area in which land is held or into which land is subdivided and which is registered under one title in the District, pursuant to the Land Title Act, RSBC 1996, c. 250, as amended or re-enacted from time to time;
- (w) **"Leash"** means a line, thong or chain used for the purpose of restraining a Dog and which is made of material of sufficient strength that the Dog cannot break it and;
 - (i) does not exceed 183 centimeters (6 feet) for the purpose of walking; or
 - (ii) does not exceed 762 centimeters (25 feet) for the purpose of tethering
- (x) **"Leashed"** means to be restrained by a Leash;
- (y) **"Licence"** means a Licence granted by the Municipality to an Owner under Section 3 of this Bylaw;
- (z) **"Licence Holder"** means a person granted a Licence under this Bylaw;
- (aa) **"Licence Year"** means the period from January 1st to December 31st, both inclusive, in any year;
- (bb) **"Livestock"** means Animals that are typically kept for farming purposes and includes but is not limited to horses, cows, goats, sheep, pigs, donkeys, llamas, and hinnies;
- (cc) **"Medical Health Officer"** means a medical health officer appointed under the Public Health Act for the District;
- (dd) **"Muzzled"** means fitted with a device placed over the mouth of a Dog that is of sufficient strength and design to prevent the Dog from biting any person or other Animal;
- (ee) **"Neutered"** means an Animal that is Neutered by a Veterinarian;
- (ff) **"Off-Leash Area"** – means an area that Dogs may be off leash – Second Beach, Dog Park, Recreational Trails (excluding Trails with trailhead signage of mapping specifically stating dogs must be leashed.)
- (gg) **"Owner"** means a person over the age of nineteen (19) years and includes any person who Keeps any Animal and in the case of Dogs, includes the Licence Holder;

- (hh) **"Owner's Premises"** means any land or premises owned, legally occupied or controlled by the Owner;
- (ii) **Pen** means a fully enclosed outdoor space for hens.
- (jj) **"Poultry"** includes domestic fowl, ducks, geese, turkeys, ostriches, emus, peacocks, pigeons and pheasants;
- (kk) **"Pound"** means:
- (i) any facility, building, structure or enclosure in the District of Mackenzie used to harbour and maintain Animals pursuant to this bylaw; or
 - (ii) any motor vehicle used by the Poundkeeper for the purpose of transporting an Animal to the Pound;
- (ll) **"Poundkeeper"** means the person or persons that from time to time may be appointed by the District to perform the duties of Poundkeeper as specified in this bylaw and shall include the Bylaw Enforcement Officer, Peace Officer and any person acting on behalf of or assisting such Poundkeeper;
- (mm) **"Public Place"** means a highway or a place which is owned or controlled by the District or another public body and which is open to use by the public;
- (nn) **"Repeat Offender Dog"** means a Dog that is characterized by any of the following criteria:
- (i) the Dog has been Impounded 3 times within the previous 24 months;
 - (ii) the Dog's Owner has received a municipal ticket for the Dog being At Large at least 3 times within the previous 24 months; or
 - (iii) the number of Impoundments and municipal tickets for the Dog totals 3 within the previous 24 months;
- (oo) **"Spayed"** means any Animal that is spayed by a Veterinarian;
- (pp) **"Unlicenced"** means that a licence under this bylaw has not been issued for the current year, or having been issued, means that the Dog licence tag provided for under this bylaw has not been attached in accordance with this bylaw;
- (qq) **"Veterinarian"** means a veterinarian licenced and in good standing to practice veterinary medicine in accordance with the laws and regulations of British Columbia; and
- (rr) **"Zoning Bylaw"** means the bylaw of the District that regulates the use of land, as amended or replaced from time to time.

3. **General Regulation of Dogs**

- (a) An Owner of a Dog that is four (4) months of age or older must obtain a Dog Licence for the Dog from the District within 14 days of acquiring ownership or the Dog attaining the age of four (4) months, whichever occurs later.
- (b) An Owner who claims that a Dog is less than four (4) months of age shall be responsible for providing proof of age of the Dog in form and substance satisfactory to the Bylaw Enforcement Officer.

- (c) Upon payment of the appropriate Licence fee set out in Schedule A to this bylaw, the District shall issue to the Owner a Dog Licence tag which shall be securely fastened to a collar or harness worn by the Dog at all times unless a Veterinarian certifies in writing that the Dog cannot wear a collar or harness, in which case the Owner shall retain the Dog Licence tag and present it to the Bylaw Enforcement Officer on request.
- (d) A Dog Licence tag shall be worn only by the Dog for which it is issued and is not transferable to another Dog or to an owner other than the Owner to whom the Licence was issued unless ownership of the Dog has been transferred to a new Owner and the new Owner and the District has been notified of and approved the transfer of the Dog and the transfer fee has been paid as set out in Schedule A to this bylaw.
- (e) The District may issue a replacement Dog Licence tag upon being satisfied by the Owner that the original Licence tag issued by the District has been lost or stolen and upon payment of the fee provided in Schedule A to this bylaw.
- (f) A Dog Licence may be issued to a person under the age of nineteen if the application for the Licence is accompanied by the written consent of the parent or guardian of the applicant, and upon issuance of the Dog Licence, the parent or guardian who provided written consent is deemed to be the Owner of the Dog for the purposes of this bylaw.
- (g) The District shall record the name and address of the Owner of each Dog for which a Licence is issued, the date of issuance of the Licence, the description of the Dog, and the Dog Licence tag number.
- (h) Every owner shall keep their Dogs Leashed when the Dog is in a Public Place unless that place has been designated an Off-Leash Area.
- (i) No Owner of a Dog shall permit or cause the Dog to cry or bark in a manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity of the place where the Dog is kept.
- (j) In the event of an outbreak or threatened outbreak in the District of rabies or any other disease affecting Dogs which may be transmitted to human beings, the Council may at any time, by resolution, order and direct that:
- (i) all Dog Owners shall securely tie their Dogs up, or otherwise effectively confine and prevent them from being At Large in the District; and
 - (ii) all Dogs At Large, whether Licenced or not, shall be Impounded and kept at the Pound until claimed, sold or euthanized.

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4. Dangerous Dogs and Repeat Offender Dogs

- (a) No person shall Keep a Dangerous Dog unless it is confined indoors or confined in a securely enclosed and locked shelter constructed to prevent the escape of the Dangerous Dog, and capable of preventing the entry of children or any persons unaware of the danger posed by the Dangerous Dog. Such Dog shelter shall have secure sides and a secure top, and if it has no

bottom secured to the sides, the sides must be imbedded in the ground to a minimum depth of one foot.

(b) Every person who Keeps a Dangerous Dog shall not permit, suffer or allow the Dog to be in any Public Place or any other place that is not the Owner's Premises unless the Dog is Muzzled to prevent it from biting another Animal or person.

(c) The Bylaw Enforcement Officer may require Owners of Dangerous Dogs to comply with these regulations.

(d) An Owner of a Repeat Offender Dog and/or Dangerous Dog shall be required to pay the Licence fee detailed in Schedule A in addition to any other fines applicable thereto.

5. General Regulation of Animals

(a) No person shall Keep an Exotic Animal anywhere within the District of Mackenzie.

(b) No Owner of an Animal shall permit or cause it to be in or upon a Public Place at which Animals are prohibited.

(c) No Owner of an Animal shall permit or cause it to be At Large in the District.

(d) No person shall Keep any Animal except in accordance with the provisions of this bylaw.

(e) No Owner shall Keep more than two (2) Dogs and two (2) Cats on the Owner's Premises unless:

(i) the Owner obtains a Permit under Section 9 of this bylaw; or

(ii) the Owner obtains a Kennel Permit under Section 10 of this bylaw.

(f) For greater certainty, Section 5(b) does not apply to bees that are lawfully kept in the District where authorized by bylaw or by a temporary use permit issued by the District's municipal Council.

(g) Only one litter of Animals under the age of four (4) months may be present on any Land Parcel at any one time unless such Land Parcel is zoned for Kennel use or intensive agriculture.

(h) No person shall permit an Animal to graze on a Public Place.

(i) No person shall permit a horse to gallop on a Public Place.

(j) No person shall ride, walk, or otherwise use a horse between the hours from dusk to dawn.

(k) An Owner of an Animal that defecates in a Public Place or on another person's property shall forthwith remove and dispose of the defecated matter in a garbage bin.

6. Pound Facilities

- (a) The establishment, maintenance and operation of a Pound or Pounds for the impounding of Animals at such place or places and upon such premises as the Council may by resolution from time to time determine is hereby authorized.
- (b) Dogs and Cats may be boarded at the Pound at the discretion of the Poundkeeper at the written request of the Owner and subject to the regulations and fees as set out in Schedule C to this bylaw. Such request by an Owner to board an Animal at the Pound shall include the following:
 - (i) the Owner's name and contact information;
 - (ii) a brief description of the Animal including its name, breed and any relevant veterinary information; and
 - (iii) the start date and end date for the boarding.
- (c) Animals that are boarded at the Pound shall not be released from the Pound until such time as any outstanding fees are paid in full.
- (d) Animals that are boarded at the Pound shall be deemed to be Impounded pursuant to Section 8 of this bylaw after the expiration of three (3) clear days from the date of intended pickup as required by Section 6(b)(iii) of this bylaw.

7. Bylaw Enforcement Officer

- (a) The Bylaw Enforcement Officer is hereby authorized to seize and impound Unlicensed Dogs, Dangerous Dogs and Animals which are At Large.
- (b) The authority to seize and impound Animals conferred by this bylaw upon the Bylaw Enforcement Officer may be exercised by a peace officer and for greater certainty, the Bylaw Enforcement Officer shall have all of the powers granted to an animal control officer under the Community Charter.
- (c) No person shall hinder, delay or obstruct the Bylaw Enforcement Officer or any person or persons lawfully engaged in seizing or conveying any Animal or Animals to the Pound.
- (d) No person shall remove, or attempt to remove, an Animal lawfully in the custody of the Bylaw Enforcement Officer or a peace officer pursuant to this bylaw.
- (e) For greater certainty, the Bylaw Enforcement Officer is hereby authorized to enter, at all reasonable times, on any lands or premises in the District to ascertain whether the provisions of this bylaw are being observed.

8. Impoundment and Poundkeeper Responsibilities

- (a) Upon Impoundment of an Animal, the Bylaw Enforcement Officer shall, within 24 hours of Impoundment, post a notice at the Pound setting out the particulars of the Impounded Animal, including the name of the Animal's Owner if known, and advise that the Animal may be sold or euthanized after expiration of five (5) clear days from the date of the notice unless the Animal is claimed by its Owner within that time.
- (b) Where the Owner of an Animal which has been Impounded under this bylaw is known to, or can be identified by the Poundkeeper, the Poundkeeper shall notify the Owner by telephone or by mail addressed to the last known address of the Owner, of the fact that the Animal has been seized and Impounded under this bylaw.
- (c) Such notification described in Section 8(b) shall advise the Owner that the Animal will be sold; euthanized or otherwise disposed of by the Poundkeeper after the expiration of five (5) days from the date the notice was posted under Section 8(a) unless, in the meantime, the Animal is reclaimed:
- (d) For the purposes of this bylaw, notice by mail shall be deemed to be received by the Owner after expiration of three (3) days from the date the notice was mailed.
- (e) The Owner of an Animal Impounded pursuant to this bylaw may reclaim the Animal from the Pound at any time within five (5) clear days of the time of posting of the notice under Section 8(a) by:
 - (i) presenting proof of ownership that is reasonably satisfactory to the Poundkeeper;
 - (ii) paying to the Poundkeeper the Impoundment fee and other applicable charges set out in Schedules A, B and C of this bylaw;
 - (iii) signing a release and waiver in connection with the Impoundment of the Animal.
- (f) Subject to Sections 6 (a), (b), (c), and (d) of this bylaw, if an Impounded Animal is not reclaimed within five (5.) clear days of the time of posting of the notice in Section 8(a), then the Poundkeeper may offer the Impounded Animal for sale or adoption for the fee specified in Schedule B to this bylaw.
- (g) Where the Poundkeeper is unable or considers it undesirable to effect the sale or adoption of an Animal that has been seized and Impounded under this bylaw, or where an Impounded Animal has been offered for sale or adoption but has not been sold or adopted, the Poundkeeper may euthanize or otherwise dispose of the Animal.
- (h) The Poundkeeper may euthanize any Animal suffering from intolerable pain or suffering or an incurable disease upon certification of the Animal's condition by a Veterinarian.
- (i) No person shall break open, or in any manner, directly or indirectly, aid or assist in breaking open, the Pound.
- (j) No person shall take or release any Animal from the Pound without the consent of the Poundkeeper.

- (k) In connection with any Impoundment of an Animal, the Poundkeeper shall keep a record book in which the Poundkeeper shall record the following information:
- (i) a description of the Animal;
 - (ii) the name of the Animal's Owner, if known;
 - (iii) the name of the person who brought or caused the Animal to be Impounded;
 - (iv) the date and time that the Animal was Impounded, reclaimed, sold or euthanized;
 - (v) the fees paid in respect of the Animal.
 - (vi) No liability shall attach to the Poundkeeper or the District for any Animal euthanized in accordance with the provisions of this bylaw.
 - (vii) A monthly report in writing shall be made by the Poundkeeper to the District setting out the information and particulars recorded by the Poundkeeper in accordance with the Poundkeeper's duties under this bylaw.
- (l) The Poundkeeper shall, within seven days of the end of each month, make to the District a monthly remittance of all monies received by the Poundkeeper under this bylaw for the account of the District during the preceding month.

9. Permits

- (a) An Owner may obtain a Permit for a period of up to one (1) year to Keep up to four (4) Dogs or four (4) Cats that are at least four (4) months of age, or any combination of both that does not exceed four (4) Animals, in the District provided that:
- (i) for any period in excess of six months, the written consent of any property owners or tenants who live adjacent to the Owner's Premises has been obtained;
 - (ii) the Keeping of said Dogs or Cats shall not be offensive or dangerous to adjacent property Owners or the general public and shall not create a nuisance of any kind;
 - (iii) if the Owner is a tenant, written authorization from the property owner is provided; and
 - (iv) the Owner pays a fee as provided in Schedule A to this bylaw.
- (b) A Permit may be renewed for a period of up to one (1) year provided the Owner has:
- (i) not contravened this or any other bylaw of the District;
 - (ii) satisfied the requirements of Section 9(a) with respect to the renewal; and
 - (iii) paid a renewal fee as provided in Schedule A to this bylaw.
- (c) A Permit may be revoked without notice at any time for contravention of this bylaw.
- (d) Upon expiration or revocation of a Permit, the Owner must immediately remove the Animals accommodated under the Permit from the Owner's Premises.

10. Kennels Regulation

- (a) An Owner of a Kennel shall apply for a Kennel Permit for the Licence Year, and upon payment of the Kennel Permit fees set out in Schedule A to this bylaw and proof of compliance with all other relevant municipal bylaws, the Owner shall be issued a Kennel Permit and Dog Licence tag for each Dog kept in the Kennel.
- (b) A Kennel Permit is not a substitute for a business licence required by the District's Business Licence Bylaw and does not relieve the Kennel owner from compliance with that bylaw or any other applicable bylaws of the District.
- (c) No person shall operate a Kennel on any Land Parcel that is in a Zone in which a Kennel is not a lawful use under the Zoning Bylaw.
- (d) A Kennel owner or operate shall:
- (i) not allow a Dog to run loose in a Kennel except in an adequately fenced area;
 - (ii) ensure that all Animals in the Kennel are under control and are restrained from frequent barking, yelping, howling or making other disturbing noises;
 - (iii) maintain the Kennel at all times in good repair;
 - (iv) maintain the Kennel and the yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
 - (v) dispose of all uneaten food, manure, dung or refuse and all liquid waste from the Kennel in a manner which meets the approval of the Medical Health Officer and the District;
 - (vi) take reasonable steps to ensure that all Animals are safe, secure, adequately supervised and treated humanely; and
 - (vii) ensure that the Kennel is regularly cleaned and disinfected, and free of any offensive or disagreeable odours to the satisfaction of the Medical Health Officer.

11. Livestock Regulation

- (a) An Owner is permitted to Keep Livestock on the Owner's Premises located within the Rural Residential Zone (RRI), the Rural Residential Bed and Breakfast Zone (RRBI) or the Rural Commercial Zone (RRCI), subject to the following:
- (i) the Livestock must be kept for the Owner's domestic purposes only;
 - (ii) the Livestock must be properly penned;
 - (iii) the Livestock must not create a health problem or affect the peace, quiet and enjoyment of other property owners in the vicinity of the Owner's Premises;
 - (iv) the Owner is permitted to Keep no more than the following maximum number of Livestock over the age of six (6) months on the Owner's Premises:
 - (A) 5 horses; or
 - (B) 5 donkeys; or

- (C) 5 llamas; or
- (D) 5 hinnies; or
- (E) 2 cows; or
- (F) 2 goats; or
- (G) 2 sheep; or
- (H) 2 pigs; and
- (I) 15 rabbits; or
- (J) 25 chickens, turkeys, geese or ducks

(v) For Owner's Premises located within the Rural Residential Zone (RRI), the Rural Residential Bed and Breakfast Zone (RRBI) or the Rural Commercial Zone (RRCI), no Animal waste pile shall be located within eight (8) metres of any property line on the Owner's Premises.

(b) An Owner is permitted to Keep Livestock on the Owner's Premises located within the Rural Residential 2 Zone (RR2), subject to the following:

- (i) the Livestock must be properly penned;
- (ii) the Livestock must not create a health problem or affect the peace, quiet and enjoyment of other property owners in the vicinity of the Owner's Premises;
- (iii) the Owner is permitted to Keep no more than the following maximum number of Livestock over the age of six (6) months on the Owner's Premises:

- (A) 1 cow plus calf; or
- (B) 1 bull; or
- (C) 2 horses plus foals, or 2 stallions or 2 geldings or 2 donkeys or 2 mules or 2 hinnies or 2 llamas or 2 ostriches or 2 emus; or
- (D) 2 sheep plus lambs; or
- (E) 2 pigs; or
- (F) 2 goats plus kids; and
- (G) 20 chicken or turkeys or geese or ducks; or
- (H) 20 rabbits plus progeny to weaning.

(iv) For Owner's Premises located within the Rural Residential 2 Zone (RR2), no Animal waste pile shall be closer than 23 meters (75 feet) from the front property line and 15 metres (49 feet) from the rear and side property lines.

(c) No Livestock are permitted on a Land Parcel that is smaller than .4 hectares (1 acre).

(d) Backyard Hen Enclosure and Beekeeping Regulations

(i) Backyard Hen Enclosures

a. A Hen owner must obtain a Backyard Hen Permit from the District to keep hens.

This process includes:

(i) Completing the Backyard Hen Permit Application form prescribed by the District;

(ii) Pass an inspection by the District's Bylaw Enforcement Officer or other designated District staff member;

(iii) Paying a one-time fee for obtaining a Backyard Hen Permit as prescribed in Schedule "E".

b. A Backyard Hen Permit applicant who fails to pass the District's inspection requirement must reapply for a Backyard Hen Permit including paying a separate fee as prescribed in Schedule "E" and passing an additional inspection by the District.

c. The Backyard Hen Permit is not transferable to another person or property.

d. There shall be no more than one Hen Owner per property.

e. The Backyard Hen Permit holder must be the resident of the property. If the resident is not the property owner, they must receive approval from the property owner through a signature on the Backyard Hen Permit Application form.

f. The RR1 and RR2 residential zones are not subject to the backyard hen regulations

g. Backyard hens are permitted on properties zoned R1, R2, and R3 subject to the following conditions:

i. Roosters are prohibited;

ii. The dwelling on the property is a single-detached dwelling;

iii. No more than four (4) hens may be kept on any property;

iv. All hens remain within the coop or pen at all times;

v. The backyard or a property must fully fence in to prevent the escape of hens and to prevent predators from accessing the hens;

vi. Coops and pens must be sized and situated within the appropriate areas on the property in accordance with the backyard hen enclosure regulations in the District's Zoning Bylaw;

vii. The pen and coop must be maintained in good repair and sanitary condition, free from vermin and free from obnoxious smells and substances;

viii. All hen food stored outside must be secured in a self-contained manner as to not provide an attractant to bears, other wildlife, or vermin;

ix. All hens must be provided sufficient food, water, shelter, light, heat, ventilation, veterinary care; and opportunities for essential behaviors such as scratching, dust-bathing, and roosting; to maintain good health;

- x. Slaughtering or euthanizing hens within the District's townsite is prohibited unless at a certified facility;
 - xi. Manure must be stored within a fully enclosed and self-contained device in a manner that does not generate excessive heat or odour, ensuring that no more than 0.085m³ (3 cubic feet) of manure is stored at a time
 - xii. No deposit of manure may be made in the District's sewage or storm drain system. Small quantities of manure may be placed in a receptacle for household garbage, but must be contained within a sealed bag.
- h. The District's Bylaw Enforcement Officer may revoke a hen owner's Backyard Hen Permit in relation to the non-compliance of any of the backyard hen regulations by issuing a permit revocation notice to the permit holder.
- i. A hen owner who has received a permit revocation notice may within fourteen (14) days of issuance, rectify all instances of non-compliance and apply in writing to the District's Bylaw Enforcement Officer to reconsider revocation of the Backyard Hen Permit.
- (ii) Backyard Beekeeping:
- a. A beekeeper must obtain a Backyard Beekeeping Permit from the District to conduct apiculture. This process includes:
 - (i) Completing the Backyard Beekeeping Permit Application from prescribed by the District;
 - (ii) Pass an inspection by the District's Bylaw Enforcement Officer or other designated District staff member;
 - (iii) Paying a one-time fee for obtaining a Backyard Beekeeping Permit as prescribed in Schedule "E".
 - b. A Backyard Beekeeping Permit applicant who fails to pass the District's inspection requirement must reapply for a Backyard Beekeeping Permit, including paying a separate fee as prescribed in Schedule "e" and passing an additional inspection by the District.
 - c. The Backyard Beekeeping Permit is not transferable to another person or property
 - d. There shall be no more than one beekeeper per property.
 - e. The Backyard Beekeeping Permit holder must be the resident of the property. If the resident is not the property owner, they must receive approval from the property owner through a signature on the Backyard Beekeeping Permit Application form.
 - f. The RR1 And RR2 residential zones are not subject to the backyard beekeeping regulations.
 - g. Backyard bees are permitted on properties zoned R1, R2, and R3, subject to the following conditions:
 - i. Backyard Beekeeping Permit holders must have a Beekeeper ID number, issued to them by the B.C. Ministry of Agriculture Beekeeper and Apiary Registration;

- ii. The dwelling on the property is a single-detached dwelling;
- iii. The backyard of a property must be fully fenced in to prevent predators from accessing the bees;
- iv. The number of colonies per property and location of hives in the appropriate areas on the property must be in accordance with the beekeeping regulation in the District's Zoning Bylaw;
- v. A permanent and adequate water source must be located within two (2) metres of each hive on a property;
- h. The District's Bylaw Enforcement Officer may revoke a beekeeper's Backyard Beekeeping Permit in regulation to the non-compliance of any of the backyard beekeeping regulations by issuing a permit revocation notice to the permit holder.
 - i. A beekeeper who has received a permit revocation notice may within fourteen (14) days of issuance, rectify all instances of non-compliance and apply in writing to the District's Bylaw Enforcement Officer to reconsider revocation of the Backyard Beekeeping Permit.
 - j. Failure to rectify any instance of non-compliance within fourteen (14) days of the issuance of the permit revocation notice will result in the revoking of their Backyard Beekeeping Permit.

12. **Prohibition of cruelty to Animals**

- (a) No person shall keep any Animal in the District unless the Animal is provided with:
 - (i) clean potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the Animal's normal growth and the maintenance of the Animal's normal body weight;
 - (ii) food and water receptacles which are clean and located so as to avoid contamination of food and water by excreta;
 - (iii) the opportunity for periodic exercise sufficient to maintain the Animal's good health and including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control, and
 - (iv) necessary Veterinarian care when the Animal exhibits signs of pain, suffering or disease.
- (b) No person shall keep any Animal outside for extended periods of time unless the Animal is provided with shelter, of sufficient size to allow the Animal to turn about freely, and stand, sit and lie in a normal position, so as to:

- (i) ensure protection of the Animal from heat, cold, and wetness appropriate to the Animal's weight and type of coat; and
 - (ii) provide sufficient shade to protect the Animal from the direct rays of the sun.
- (c) A shelter provided for an Animal under this bylaw shall be regularly cleaned of excreta and sanitized.
- (d) No person shall cause an animal:
- (i) to be confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the Animal from suffering discomfort or heat stroke; or
 - (ii) to be hitched, tied, or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is directly tied around the Animal's neck.

13. Enforcement

- (a) A person who contravenes this bylaw commits an offence punishable on summary conviction and is liable to a fine of not less than \$40.00 and not more than \$10,000.00.
- (b) For the purposes of Section 13(a), every day during which there is an infraction of this bylaw shall constitute a separate offence.

14. General

- (a) If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.
- (b) Schedules A, B, C, and D of this bylaw form part of this bylaw and are enforceable in the same manner as this bylaw.
- (b) This bylaw will take effect as of the date of adoption.

READ a first time the	27	day of	June	, 2016
READ a second time the	27	day of	June	, 2016
READ a third time the	27	day of	June	, 2016
ADOPTED this	8	day of	August	, 2016

I hereby Certify the foregoing
to be a true and correct copy
of District of Mackenzie Bylaw
No. 1354 cited as "Animal
Control and Licencing Bylaw
No. 1354, 2016."

Mayor

Corporate Officer

Corporate Officer

No. 1473 28/11/2022

DISTRICT OF MACKENZIE**BYLAW No. 1354****SCHEDULE A****LICENCE FEES**

	Spayed or Neutered (Supported by a Veterinarian's Certificate)	Not Spayed or Neutered
1. Licence fee for a Dog over the age of four (4) months	\$20.00	\$35.00
2. Seniors Dog Licence Fee (for Owners over the age of 65)	\$10.00	\$18.00
3. Dog Licence transfer	\$7.50	\$7.50
4. Dog Licence replacement tag	\$7.50	\$7.50
5. Permit	\$58.00	\$58.00
6. Permit renewal	\$58.00	\$58.00
7. Kennel licence	\$28.50	\$28.50
8. Repeat Offender Dog Licence fee	\$122.00	\$122.00
9. Dangerous Dog licence	\$258.00	\$285.00

DISTRICT OF MACKENZIE

BYLAW No. 1354

SCHEDULE B

IMPOUNDMENT FEES

1. Licenced Dogs	
a. First Offence	\$32.00
b. Second Offence	\$42.00
c. Each subsequent offence	\$79.00
2. Unlicenced Dogs	
a. First Offence	\$74.00
b. Second Offence	\$84.00
c. Each subsequent offence	\$121.00
3. Dangerous Dogs	\$210.00
4. All other Animals	\$32.00
5. Sale or adoption fee for Impounded Animal	\$30.00

The amount of impound fees to be assessed will be determined by using the number of recorded offences which have occurred in the immediately preceding period of 365 days from the date of the offence in question.

DISTRICT OF MACKENZIE

BYLAW No. 1354

SCHEDULE C

BOARD FEES

BOARD FEES: (for each day or part thereof)

1. Dogs	\$25.00/day
2. Cats	\$23.00/day

Seniors receive 10% off Animal boarding fees

No. 1377
27/11/2017

DISTRICT OF MACKENZIE

BYLAW No. 1354

SCHEDULE E

BACKYARD HEN ENCLOSURE & BEEKEEPING PERMIT FEES

1. Backyard Hen Permit Application	\$25.00
2. Backyard Beekeeping Permit Application	\$25.00*

DISTRICT OF MACKENZIE

BYLAW NO. 1501

A bylaw to amend Animal Control and Licencing Bylaw No. 1354, 2016

WHEREAS the Council of the District of Mackenzie deems it prudent and desirable to amend its Animal Control and Licencing Bylaw;

NOW THEREFORE the Council of the District of Mackenzie, in open meeting assembled, **HEREBY ENACTS** as follows:

1. That "Animal Control and Licencing Bylaw No. 1354, 2016" is hereby amended as follows:
 - (a) By replacing the following definitions in Section 2 Interpretation as follows:
 - **"Coop** means a covered enclosed structure to shelter hens and or ducks
 - **Pen** means a fully enclosed outdoor space for hens and or ducks."
 - (b) By adding the following definitions to Section 2 Interpretation:
 - **"Duck** means any domesticated duck species, excluding those raised for commercial purposes.
 - **Duck Owner** means a person keeping one or more ducks on a property."
 - (c) By adding the following regulations subsequent to Section 11(c) (Livestock Regulation):
 - (d) Backyard Hen and Duck Enclosure and Beekeeping Regulations
 - (i) Backyard Hen and Duck Enclosures
 - a. A hen or duck owner must obtain a Backyard Hen or Duck Permit from the District to keep hens or ducks. This process includes:
 - i. Completing the Backyard Hen and Duck Permit Application form prescribed by the District;
 - ii. Pass an inspection by the District's Bylaw Enforcement Officer or other designated District staff member;
 - iii. Paying a one-time fee for obtaining a Backyard Hen or Duck Permit as prescribed in Schedule "E".
 - b. A Backyard Hen or Duck Permit applicant who fails to pass the District's inspection requirement must reapply for a Backyard Hen or Duck Permit, including paying a separate fee as prescribed in Schedule "E" and passing an additional inspection by the District.
 - c. The Backyard Hen or Duck Permit is not transferable to another person or property.
 - d. There shall be no more than one Hen Owner or Duck Owner per property.
 - e. The Backyard Hen or Duck Permit holder must be the resident of the property. If the resident is not the property owner, they must receive approval from the property owner through a signature on the Backyard Hen or Duck Permit Application form.
 - f. The RR1 and RR2 residential zones are not subject to the backyard hen or duck regulations.

- g. Backyard hens and ducks are permitted on properties zoned R1, R2, and R3, subject to the following conditions:
 - i. Roosters are prohibited;
 - ii. The dwelling on the property is a single-detached dwelling;
 - iii. All hens and ducks remain within the coop or pen at all times;
 - iv. The backyard of a property must be fully fenced in to prevent the escape of hens and ducks and to prevent predators from accessing the hens and ducks;
 - v. Coops and pens must be sized and situated within the appropriate areas on the property in accordance with the backyard hen and duck enclosure regulations in the District's Zoning Bylaw;
 - vi. The pen and coop must be maintained in good repair and sanitary condition, free from vermin and free from obnoxious smells and substances;
 - vii. All hen and duck food stored outside must be secured in a self-contained manner as to not provide an attractant to bears, other wildlife, or vermin;
 - viii. All hens and ducks must be provided sufficient food, water, shelter, light, heat, ventilation, veterinary care; and opportunities for essential behaviors such as scratching, dustbathing, and roosting; to maintain good health;
 - ix. Slaughtering or euthanizing hens and ducks within the District's townsite is prohibited unless at a certified facility;
 - x. Any diseased hens or ducks must be killed, and the carcass destroyed;
 - xi. Manure must be stored within a fully enclosed and self-contained device in a manner that does not generate excessive heat or odour, ensuring that no more than 0.085m³ (3 cubic feet) of manure is stored at a time;
 - xii. No deposit of manure may be made in the District's sewage or storm drain system. Small quantities of manure may be placed in a receptacle for household garbage but must be contained within a sealed bag.

- h. The District's Bylaw Enforcement Officer may revoke a Hen Owner's Backyard Hen Permit or Duck Owner's Backyard Duck Permit in relation to the non-compliance of any of the backyard hen and duck regulations by issuing a permit revocation notice to the permit holder.

- i. A hen owner or duck owner who has received a permit revocation notice may within fourteen (14) days of issuance, rectify all instances of non-compliance and apply in writing to the District's Bylaw Enforcement Officer to reconsider revocation of the Backyard Hen Permit and or Backyard Duck Permit.

- j. Failure to rectify any instance of non-compliance within fourteen (14) days of the issuance of the permit revocation notice will result in revoking of their Backyard Hen Permit and or Backyard Duck Permit.

c) By adding the following fee schedule subsequent to Schedule E:

"SCHEDULE E – BACKYARD HEN AND DUCK ENCLOSURE & BEEKEEPING PERMIT FEES

3. Backyard Duck Permit Application	\$25.00
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2. This bylaw may be cited for all purposes as "Animal Control and Licencing Amendment Bylaw No. 1501, 2023."

READ a first time this _____ 26th _____ day of _____ June _____, 2023.

READ a second time this _____ 26th _____ day of _____ June _____, 2023.

READ a third time this _____ 26th _____ day of _____ June _____, 2023.

ADOPTED this _____ 14th _____ day of _____ August _____, 2023.

I hereby certify the foregoing
to be a true and correct copy
of District of Mackenzie Bylaw
No. 1501 cited as "Animal Control
and Licencing Amendment Bylaw
No. 1501, 2023".


Mayor

Corporate Officer


Corporate Officer