

District of Barriere
REPORT TO COUNCIL

Date: February 18, 2013	File: 530.20/Rpts
To: Council	From: T. Buchanan, Executive Assistant
Re: Uncontrolled and Uncontained Dogs	

Background:

As Council is aware, the issue of uncontrolled and uncontained dogs roaming throughout Barriere continues to be an issue for many residents. These dogs often cause property damage to lawns, gardens and fences. In extreme cases, however rare, some of these dogs may pose a threat to other pets as well as the general public.

Currently, the District of Barriere has not adopted any Bylaws that deal specifically with this issue other than in District of Barriere Parks Regulation Bylaw No. 0042, 2009 Section 3.12 which states:

“Dogs shall be permitted in any park only if: such dog is on a leash; or, in a designated Dog Park area; and, under the care and control of a competent person.”

And Section 3.13 which states:

“It is an offence for any person with a dog under his or her care and control to fail to immediately remove and dispose in a waste container or by other sanitary means, any fecal matter deposited by such a dog in any park.”

These regulations only apply to dogs within District parks and not in residential or commercial areas. Some subdivisions have private covenants prohibiting unleashed dogs however; the municipality has no jurisdiction to enforce such private agreements.

Discussion:

As with any municipal service, dog control included, there are costs associated with the development of policy. Over the years, the District has had inquiries as to what can be done about uncontrolled and uncontained dogs. In each instance staff explain that certain factors would have to be considered in order to develop an effective policy to properly handle the matter in-house:

- Adoption of a Dog Licensing Bylaw – required in order to properly identify the loose dog and prevent situations where owners are able to deny that the loose dog was indeed theirs.
- After Hours Enforcement Personnel – Funding for an enforcement officer for after hours and weekend call-outs would be required to effectively handle situations outside of standard office hours.
- Enforcement Personnel Training – In order to safely handle loose animals, special training is required, is ongoing and gives rise to another expense.
- Transport Vehicle and/or Equipment – An appropriate vehicle and/or equipment to humanely handle and safely transport captured dogs would be a purchase requirement.
- Dog Holding Facility – We understand that the Kamloops SPCA is not interested in a contract to provide this service although they do respond occasionally when animal abuse may be

involved. The construction or contracting of an appropriate facility and staffing for that facility would need to be considered for a municipally handled service.

- Legal Considerations – The development of a bylaw authorizing a municipality to seize and possibly destroy an animal owned by one of its residents requires a thorough legal examination with consideration for reserve funds to effectively defend against potential litigation arising from enforcement of the bylaw.

Simply ticketing an owner for a roaming dog is an option. However, unless a District employee is able to arrive on site, locate the dog, take a photo of the dog uncontrolled, is able to identify the owner and be able to speak to that owner at that time, proving that it is indeed his/her dog that is loose at that moment, it would be difficult (although not necessarily impossible) to effectively defend.

Other options that Council could consider, and that staff are currently researching, is the feasibility of contracting out Animal Control Services. The majority of local governments with an Animal Control Bylaw, provide the service in-house. However, a small number of municipalities utilize the services of a private contractor to seize loose animals, house, adopt out, and if necessary euthanize.

Another option would be to combine the in-house service delivery of hiring of an animal control officer for after-hour/weekend calls and obtain an agreement with a private contractor to provide the facility that would house, adopt-out, and if necessary euthanize the animal.

Staff make it clear to all individuals inquiring about any municipal service, including this one, that any written correspondence submitted to the District asking for the development of policy, or suggestions for improvement to any policy, will be forwarded to Council for consideration.

So far, no resident, who has inquired directly with staff regarding this matter and heard the considerations needed to address the issue effectively, has chosen to pursue the matter with a formal request to Council asking for the development of a Dog Control Bylaw.

Recommendation:

That Council accept this report for information and direct staff to continue to research available animal control service delivery options.

Original signed by,
Prepared by: T. Buchanan, Exec. Assistant

Original signed by,
Reviewed by: Colleen Hannigan, CAO