

Amendment to the Responsible Dog Ownership Bylaw, 37-2017
Report Purpose

To amend the Responsible Dog Ownership Bylaw to add clarity to the bylaw's provisions and offences.

Recommendation

THAT Bylaw 12-2019, a bylaw to amend the Responsible Dog Ownership Bylaw, be given first reading.

THAT Bylaw 12-2019 be given second reading.

THAT Bylaw 12-2019 be considered for third reading.

THAT Bylaw 12-2019 be given third reading.

Our Prioritized Strategic Goals

Governance Requirement

Report

The *Responsible Dog Ownership Bylaw* has been in force since January 1, 2018. Administration has identified a number of small corrections that clarify the intent of the bylaw. These changes are identified in the following chart:

Current Provision	Revised Provision	Reason for Change
3(d) "at large" means a dog that is not restrained by a leash or otherwise under the physical control of a person at a location other than: i. the owner's property; ii. inside of the boundaries of an off-leash area; iii. on private property with the consent of the owner of that private property; iv. during grooming; or v. while participating in a dog sporting, training or show event	3(d) "at large" means a dog that is not restrained by a leash or otherwise under the physical control of a person, and that is at a location other than: i. the owner's property; ii. inside the boundaries of an off-leash area; iii. on private property with the consent of the owner of that private property; iv. a dog grooming premises, during dog grooming; or v. a location that is hosting a dog sporting event, dog training event, or dog show event;	This provision is amended in 2 parts. The initial statement is amended to clarify that it is the dog that is not in the specified location, rather than a person. (iv) and (v) are amended so they are locations rather than activities.
3(gg)(v) a person to whom a licence was issued for a dog under this or any other bylaw or enactment; and	3(gg)(v) a person to whom a licence was issued for a dog under this or any other bylaw or enactment; or	The "and" is replaced with "or" to make it clear that only one of the listed conditions are required for ownership, rather than all 6.

8.1 (New Provision)	8.1 An owner of a dog must have a valid and subsisting dog licence for that dog.	Section 8.1 is added to clarify that is an offence to not have a dog licence.
23 The Chief Commissioner may request from an over-limit permit applicant any records and information that in the opinion of the Chief Commissioner are material to the over-limit permit application...	23 The Chief Commissioner may request from an over-limit permit applicant, and the applicant must provide, any records and information that in the opinion of the Chief Commissioner are material to the over-limit permit application...	This section is amended to require an over-limit permit applicant to provide information requested by the Chief Commissioner – currently the provision just allows the Chief Commissioner to ask for it.
24 The Chief Commissioner may decline to issue an over-limit permit and may impose conditions and restrictions on an over-limit permit.	24 The Chief Commissioner may decline to issue an over-limit permit, and may impose conditions and restrictions on an over-limit permit, and an owner must comply with any conditions and restrictions imposed.	This amendment adds the ability to issue a ticket for failing to comply with conditions. Currently the only remedy for failing to comply is to revoke the over-limit permit.
31 A person who does not immediately remove defecation left by their dog at a location other than on the owner's property is guilty of an offence.	31 An owner who does not immediately remove defecation left by that owner's dog, at a location other than the owner's property, is guilty of an offence.	Amended to clarify the relationship between the dog and the person (the owner), using the terminology found in the rest of the bylaw.
33 A person who without the consent of an owner, releases a dog from a secure enclosure is guilty of an offence.	33 A person who, without the consent of the owner, releases a dog from a secure enclosure is guilty of an offence.	Amended to add a comma and to use "the" owner rather than "an" owner, to establish the connection between the owner and the dog.
56 ...an owner of a dangerous dog: (c) exercise the dangerous dog on a leash that is no longer than two (2) metres in length;	56 ...an owner of a dangerous dog: (c) must keep the dangerous dog on a leash that is no longer than two (2) metres in length when the dangerous dog is not in a secure enclosure;	Amended to add language of obligation, and to incorporate language used throughout the bylaw.

56 ...an owner of a dangerous dog: (d) securely fasten a muzzle to the dangerous dog when it is at a locations other than the owner's property; and	56 ...an owner of a dangerous dog: (d) must securely fasten a muzzle to the dangerous dog when it is at a location other than the owner's property; and	Added "must to correct the grammar and create an obligation.
58 The Chief Commissioner may impose conditions and restrictions on a dangerous dog licence.	The Chief Commissioner may impose conditions and restrictions on a dangerous dog licence and an owner must comply with any conditions and restrictions imposed.	This amendment requires that the owner of a dangerous dog must comply with conditions on the dangerous dog licence, and adds the ability to issue a ticket for failing to comply with conditions.

Schedule "A" of the current bylaw will be replaced with Schedule "A" to Bylaw 12-2019 to address the court's request for clarity in determining the section that has been breached. This will assist in assessing the appropriate fine.

The offences contained in section 55 and 56 were not listed in the schedule of specified fines, and would therefore require a court appearance. These offences have been added to the schedule of specified fines to allow enforcement by issuance of a ticket.

All approved changes will be combined into a consolidated version of the *Responsible Dog Ownership Bylaw*.

Council and Committee History

September 5, 2017 *Responsible Dog Ownership Bylaw* approved by Council
 January 1, 2018 *Responsible Dog Ownership Bylaw* comes into force
 November 27, 2018 Amendment No. 1 to *Responsible Dog Ownership Bylaw* to correct a clerical error.

Other Impacts

Policy: N/A

Legislative/Legal: N/A

Interdepartmental: N/A

Master Plan/Framework: N/A

Enclosures

- 1 Bylaw 12-2019 – Amendment No. 2 to Bylaw 37-2017 – Responsible Dog Ownership Bylaw
- 2 Bylaw 37-2017 – Responsible Dog Ownership Bylaw