

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 2763, 2017

A regulatory bylaw to regulate animals within Electoral Areas "B" and "G" of the Regional District of Okanagan-Similkameen.

WHEREAS the Regional Board may, pursuant to the *Local Government Act*, enact a bylaw regulating the keeping of livestock and other small animals and restrict them from running at large; and

WHEREAS the Regional District has adopted Regional District of Okanagan-Similkameen Animal Control Service Establishment Bylaw No. 2774 to establish a service for the control of animals in Electoral Areas "B" and "G";

THEREFORE BE IT RESOLVED that the Board of the Regional District of Okanagan-Similkameen in open meeting enacts as follows:

1.0 CITATION:

This Bylaw shall be cited as the Regional District of Okanagan-Similkameen Animal Control Regulatory Bylaw No. 2763, 2017.

2.0 DEFINITIONS:

Animal includes horses, cattle, pigs, sheep, goats, rabbits and excludes the human species and wildlife as defined in the *Wildlife Act*.

Animal Control Officer means a person appointed by the Board as an Animal Control Officer, Dog Control Officer or Bylaw Enforcement Officer and includes a Peace Officer, an employee, servant, agent, or contractor of the Regional District.

At Large means:

- (a) on property other than the owner's; or
- (b) in a public place; or
- (c) on range land without a grazing licence or other written permission from the authority having jurisdiction; or
- (d) on any other unfenced land without being securely tethered or confined on the property to prevent the animal from entering onto public land.

Board means the Board of the Regional District of Okanagan-Similkameen.

Fees and Charges Bylaw means the current Regional District of Okanagan-Similkameen Fees and Charges Bylaw as amended from time to time.

Nuisance Animal means an animal, or animals under the same ownership, that has been found at large more than three times within the previous 12 month period.

Owner means any person who owns, has in their custody, harbours, shelters or permits an Animal to remain on or about his/her land, property or premises.

Public Land means any highway, road, lane, street, boulevard, crescent, walkway, trail, greenbelt, park, playground, or other public place that is under ownership or lease by Provincial, Federal or Local Government(s).

Regional District means the Regional District of Okanagan-Similkameen and may be referred to as the Regional District in the context of this bylaw.

3.0 GENERAL REGULATIONS:

- 3.1 No person shall keep the following on any property less than 0.5 hectares (1.2 acres) in area:
- (a) Any horse(s);
 - (b) Any cattle;
 - (c) Any pig(s)
 - (d) Any sheep;
 - (e) Any goat(s)
 - (f) More than ten (10) rabbits.
- 3.2 If the following animals exceed 15 animals per hectare (2.5 acres) on any parcel, or group of contiguous parcels of land, which make up a farming operation, all animals must be set back 30 meters from all property lines, and watercourses or domestic wells:
- (a) Any horses;
 - (b) Any cattle;
 - (c) Any pigs;
 - (d) Any sheep.
- 3.3 An owner shall not permit any animal to be at large.

4.0 ADMINISTRATION AND ENFORCEMENT:

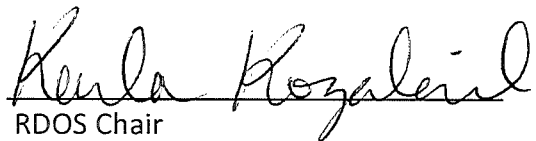
- 4.1 The Animal Control Officer is hereby authorized to enter, at all reasonable times, upon any property in the Regional District subject to the regulations of this bylaw, in order to ascertain whether such regulations are being obeyed.
- 4.2 No person shall prevent or obstruct, or attempt to prevent or obstruct, the Animal Control Officer from the exercise or performance of his or her powers, duties or functions under this bylaw.
- 4.3 Each day's continuance of an offence under this bylaw constitutes a new and distinct offence.
- 4.4 If any section, subsection, sentence, clause or phrase of this Bylaw is, for any reason, held to be invalid by decision of any court of competent jurisdiction, the invalid portion must be severed and the decision that it is invalid will not affect the validity of the remaining portions of this Bylaw.
- 4.5 Any person who violated any provision of this bylaw commits an offence and is liable to a fine not exceeding \$10,000.00 and cost of the prosecution.

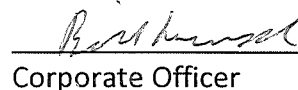
5.0 REPEAL:

- 5.1 Bylaw No 1991, 2000 and Bylaw No. 1992, 2000, are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME this 19th day of October, 2017.

ADOPTED this 19th day of October, 2017.


RDOS Chair


Corporate Officer