

District of Metchosin
Minutes
Dogs in Metchosin Working Group Meeting
December 9, 2022 at 1:00 P.M.
Council Chamber
Metchosin Municipal Hall

Present: Pattie Whitehouse (meeting chair), Monique Anstee, Debra Pile, Charmian Traverso, Shelly Donaldson (acting council liaison)

Regrets:

The meeting was called to order at 1:05 p.m.

1. Agenda, Additions and Approval

Moved and Seconded by Charmian Traverso and Debra Pile to approve the agenda as presented.
Carried

2. Appointment of Note Taker

None appointed. Chair took notes.

3. Presentations and Public Participation

None

4. Adoption of Minutes

Moved and Seconded by Charmian Traverso and Debra Pile to approve the minutes of Dogs in Metchosin Working Group meeting held on June 30, 2022.

Carried

5. Review of Minutes

Moved and Seconded by Charmian Traverso and Monique Anstee to receive the minutes of the Parks Committee Meeting, September 26, 2022.

Carried

6. Business Arising from the Minutes

None

7. New Business

None

8. Reports

a) Staff Report, Animal Control Amendment Bylaw No. 676

The Group approved amendments to the Animal Control Bylaw as presented except for the following:

In Part 1 — **Definitions — Under Control (d)**: correct spelling by replacing “minimal husbandry” with “animal husbandry”

In Part 4 — **At Large: Do not add (c)** Any handler in possession of more than four (4) dogs in a municipal park must have them all on a non-retractable leash within the park.

Rationale for recommendation: The bylaw requires that all dogs be under control. Having multiple dogs on leash does not ensure that all the dogs are under control — indeed, could increase the likelihood that they are not — and is not safe for either handler or dogs, particularly on rugged trails as are found in most municipal parks.

In Part 5 — **Owner’s Responsibilities** — after “without adequate ventilation” add “resulting in medical distress.”

Rationale for recommendation: Determining whether an enclosed space, including an automobile, has adequate ventilation is subjective. What constitutes adequate ventilation will vary from dog to dog and from enclosed space to enclosed space. A requirement that a dog exhibit medical distress provides a more objective (although still not entirely adequate) criterion to justify intervention.

In Part 6 — **Enforcement** part vi (second line) correct “animals” by adding apostrophe: animal’s

In Part 9 — **Compensation**: (b) provides for the Municipality to collect compensation from the owner of a dog who kills or injures an animal and forward it to the owner of the killed or injured animal. An application form for compensation under this provision should be created and appended to the bylaw. (See section 9(d))

In Part 10 — **Right of Entry** (a): An Animal Control Officer may enter, at any reasonable time, upon any property within the District of Metchosin in order to ascertain whether the provisions of this bylaw are being observed.

While members of the Group agree that it is necessary for animal control officers to be able to enter a property when there is reason to believe the bylaw is being violated, there is considerable concern that, according to the wording, there is no procedure to be followed. Unless they obtain a warrant, a police officer, who has a considerably higher level of training, may not do the same unless a human is in danger. Without the requirement of some kind of documentation or procedure (comparable to obtaining a warrant), the Group sees potential for abuse of of this power as well as the potential for an animal control officer to find themselves in a situation they are not equipped to handle. The Group notes that the Animal Control Bylaws of several other CRD municipalities contain the same provision. The Group recommends raising this concern with the CRD for consideration of whether clarification of the circumstances under which an animal control officer can enter a property should be provided and of what documentation is or should be required.

Schedule A: The Group requests the rationale for doubling the licence fee for a breeding kennel from \$75 if the kennel has four or fewer dogs to \$150 if it has five dogs (or more). Why such a jump if, for example, the fifth dog is retired from breeding? The fee for a boarding kennel

remains the same regardless of the number of dogs.

b) Staff Report, Municipal Ticket Information (MTI) Amendment Bylaw No. 679

Schedule 5

3. Too many dogs in kennel: What constitutes “too many dogs” is not clear in the Animal Control Bylaw. The Land Use Bylaw limits a boarding kennel to 50 dogs and 50 cats, but specifies no limit for a breeding kennel. The Group suggests this fine be deleted.

6. No licence tag on dog: The suggested minimum fine is the same as for not having a licence at all, which seems extremely unfair. While the Group agrees that all over four months of age should be licensed, a dog may not be wearing the licence at a given time for many legitimate reasons, including: Although the licences are supposed to be permanent, they wear through and fall off a collar through no fault of the owner; owners of a show dog may not put a collar or harness on a dog at home in order to keep the coat from being rubbed or cut, or may not keep the licence on a collar because it discolours the coat; working dogs may not wear a collar or harness while working for safety reasons; a dog (particularly a rescue) may be frightened by the sound a tag makes and may need a period of training and desensitization before they can be comfortable wearing a tag. To force a tag on a dog in these circumstances would be cruel. The Group suggests referring back to the CRD with a recommendation that this fine be dropped to \$10 minimum.

9. **Adjournment and Next Meeting Date**

Meeting adjourned at 2:20 P.M.