

**RESORT VILLAGE OF ISLAND VIEW  
BYLAW 8-2004.**

**A BYLAW OF THE RESORT VILLAGE OF ISLAND VIEW  
PASSED PURSUANT TO SECTION 135 OF  
THE URBAN MUNICIPALITY ACT, 1984 SS.C.U-11**

**It being in the interest of the public health and welfare of the people and animals residing within the municipality the following bylaw is moved:**

- 1(a). The maximum number of animals or of any class of animals that may be kept, or harboured, by any person within the municipality is two.**
- (b). The maximum number of animals or of any class of animals that may be harboured, or kept, in or about, any lands, dwelling unit or class of dwelling units or any other building within the municipality is two.**
- (c). Any resident of the municipality who proposes to keep more than the maximum number of animals may make written application to council for a discretionary permit to keep more than the maximum number of animals.**

**Granting a discretionary permit shall be at council's discretion. Council may require the applicant to provide to council the written comments of residents of the municipality who reside adjacent to the applicant. Council may impose any terms or conditions on the permit as council determines to be appropriate.**

**Council shall set a fee for the application and permit which must be paid in full at the time of the application. Application fees are not refundable. Permit fees will be refunded where council refuses to grant a permit.**

**Council may revoke a permit should the holder fail to comply with its terms or conditions or any other provisions of this bylaw.**

- (d). Council may require any person who appears to own or harbour an animal to disclose to council, in writing, the number of and class of animals kept on or in that person's land or buildings with the municipality.**
- 2. No person shall keep or harbour within the municipality more than the maximum number of animals allowed by this bylaw or a permit, granted pursuant to this bylaw which permit has not been revoked.**
- 3(a). For the purposes of this bylaw the words or expression "animals or animals at large" are defined or enlarged to mean and include any animal or animals located within the municipality that are:**

- (i) **Not on the premises of the owner, custodian or caretaker of the animals, and not then under the immediate, continuous and effective control of the owner, custodian or caretaker;**
  - (ii) **Any one or more ~~any~~ number of animals located within the Municipality which apparently exceed the maximum number of animals allowed pursuant to this bylaw, or a permit granted to this bylaw, which is not revoked.**
  
- (b). **Without limiting the generality of the foregoing the word animals includes domestic animals.**
  
- 4(a). **Council may direct that any animal found at large within the municipality may be seized, impounded, disposed of, or destroyed.**
  
- (b). **All costs incurred by the municipality in the seizure, impoundment, disposition or destruction of any animal shall be recorded by Council.**
  
- 5(a). **Sections 135.1 to 135.9 apply with any necessary modification, to any domestic animal or class of domestic animals within the municipality.**
  
- (b). **For the purposes of this bylaw and sections 135.1 to 135.9 the words "domestic animals" are defined and enlarged to include any animal which is the subject of any proceedings under this bylaw. This definition shall, without any limitation of the generality of the foregoing, include the circumstances where no apparent or actual owner, custodian or controller of the subject animal can be located. This definition shall, without any limitation of the generality of the foregoing, include the circumstances where it is alleged by any person that the subject animal is not a domestic animal.**
  
- c). **Without limiting the generality of the foregoing the cost of seizing, impounding, disposition and/or destruction of any animal as shown on the records of the Municipality are as follows:**
  - (i) **A debt due to the municipality by the owner of the animal;**
  - (ii) **May be recovered as a debt due to the municipality or may be added to the property taxes:**
    - 1. **On the lands where the animal or animals were kept or harboured; or**
    - 2. **On any lands of the owner of the animal or animals locate within the municipality;**  
**or**

3. On any lands of the owner of the animal located with the municipality.



Certified a true copy of  
Bylaw 8-2004. Passed this  
13 Day 1<sup>st</sup> - 2004.

  
Ray Farebrother, Mayor

  
Judi M. Fisher, Admin.