

KENNEL REGULATION BYLAW 1960 - No. 4174

THE CORPORATION OF THE DISTRICT OF BURNABY BYLAW NO. 4174

A BYLAW to regulate and prohibit kennels or other places for the keeping, training, care, breeding, treatment, hostelization, or boarding of dogs and cats.

(CONSOLIDATED FOR CONVENIENCE WITH BYLAW NO. 9282, 11271 and 11882)

The Council of The Corporation of the District of Burnaby ENACTS as follows:

1. This bylaw may be cited as "**BURNABY KENNEL REGULATION BYLAW 1960**".
2. In this bylaw unless the context otherwise requires:

"Dog" means any member of the canine species.

"Cat" means any member of the feline species.

"Dog Kennel" means any building, structure, compound, group of pens or cages or property in which or where three or more dogs are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever, and shall specifically include any building or part thereof in which two or more dogs are kept for breeding purposes.

"Cat Kennel" means any building, structure, compound, group of pens or cages or property in which or where five or more cat kennels are or are intended to be trained, cared for, bred, boarded, or kept for any purpose whatsoever.

BYLAW 9282

"Open Air Run" means the area used for exercising or airing dogs and cat kennels.

"Animal Hospital" means any building, structure or premises in which animals are cared for, treated, maintained or hospitalized.

"Animal Clinic" means any building, structure or premises in which the business or minor treatment or diagnosis of animal sickness or disease is carried on or operated and in which no provision is made to keep or board animals.

"Animal Beauty Parlour" means any building structure or premises in which the business of washing, grooming, defleaing or ridding an animal of external vermin or clipping of animal nails, is operated, conducted or carried on.

"Animal Training and Day Care Facilities" means an enclosed building used for the provision during the day of animal training and day care but not for keeping animals overnight. (BYLAW 11271)

"Corporation" means The Corporation of the District of Burnaby.

"Impervious" means through which there is no way for water to pass.

"Vermin" shall include fleas, lice, worms and other parasitic insects or animals.

"Rodents" shall include rats and mice.

"Chief Licence Inspector" means the Chief Licence Inspector of the City of Burnaby and includes his or her assistants; (BYLAW 11271)

"Pound Keeper" means the person appointed by Council to enforce and carry out the provisions of Burnaby Animal Control Bylaw 1991 and includes his or her assistants; (BYLAW 11271)

GENERAL REGULATIONS

3. Every building or part thereof used as or for a dog kennel, cat kennel or animal hospital shall comply with the following regulations and requirements, namely that each such building:

(a) Shall have a ceiling height of not less than 8 feet measured perpendicularly from floor to ceiling.

(b) Shall have floors constructed of a material that is impervious and readily cleansed.

(c) Shall be lighted by windows admitting unobstructed natural daylight, the glass area of which shall equal one-tenth of the floor area and fifty percent of which shall open in order that proper ventilation may be attained.

(d) Shall be kept at all times in good repair and shall be painted at least every six months.

(e) Shall have an open-air run of not less than two hundred square feet which open-air run shall be completely and sufficiently fenced and shall have a floor constructed of concrete and having a fall of two percent for the whole floor.

(f) Shall, for the purposes of soundproofing, have interior walls and ceilings constructed of or containing 3" insulation or its equivalent or better.

(g) Shall be connected to the municipal water supply system and shall be provided with an adequate supply of water from such source for drinking water, washing and cleaning purposes.

(h) Shall have an adequate supply of running hot water available in the premises at all times for the purpose of washing and cleansing the animals and such premises and keeping same in a clean and healthful condition.

(i) Shall have therein at least one sink or basin and at least one Hopper sink each with running hot and cold water connected thereto.

(j) Shall contain a whelping area properly separated from the main kennel or boarding area by permanent partitions.

(k) Shall have a pen or shed in which animals suffering from any contagious or infectious disease may be isolated and shall have one such pen or shed for every six dogs or cats, capable of being kept or maintained in the kennel.

(l) Shall, together with the yards surrounding same, be kept at all times in a clean and sanitary condition and free of vermin and rodents.

(m) Shall have proper and adequate fly-screens on all outside openings.

4. No dog or cat shall be allowed in an open air run between the hours of nine o'clock in the afternoon and seven o'clock in the forenoon of each day.
5. Every person other than the owner or operator of an animal hospital having in his possession, or under his charge, a dog or cat that is, or appears to be, diseased shall forthwith notify the Pound Keeper and shall keep such dog or cat separate from other dogs or cats not so diseased until it has been determined by the said Pound Keeper that the dog or cat is free from disease.
6. After the owner or other person in charge of a dog or cat has received a notice from the Pound Keeper that it is diseased, or has been subject to contagion or infection, he shall not permit or cause such dog or cat to be turned out, driven, or let through or kept in any place where it may be brought into contact with or be in danger of transmitting disease to other animals.
7. If such dog or cat is suffering from an incurable disease same shall forthwith be destroyed in such manner as may be approved and permitted by the Pound Keeper.
8. The provisions of this bylaw shall not apply to the Dog Pound operated by the City of Burnaby or to any dog kennel operated by the Burnaby Detachment of the Royal Canadian Mounted Police. (BYLAW #11882)

DOG KENNELS AND CAT KENNELS

9. Notwithstanding anything in any other bylaw to the contrary no person shall have, operate, maintain or carry on or permit to be operated, maintained or carried on any dog kennel or cat kennel within The Corporation of the District of Burnaby except in such areas designated therefor in "Burnaby Zoning BYLAW 1965."

BYLAW 9292

10. No dog kennel or cat kennel shall be situate on a parcel of land that contains or has situate thereon any other building or structure other than a one-family dwelling and necessary outbuildings thereto and no dog kennel or cat kennel shall be located at a distance less than 30 feet from such dwelling.
11. Subject to Section 10 every dog kennel or cat kennel shall be located at a distance of at least eighty feet from any other building and at least eighty feet from all street and lot lines.
12. Every dog kennel or cat kennel shall have, contain and supply a clear air space of not less than eighty cubic feet and a floor area of not less than ten square feet for each animal kept or kennelled therein.
13. No person shall have, keep or board more than thirty dogs or cats in any dog kennel or cat kennel.
14. All manure, dung or refuse shall be disposed of in such manner as may be approved by the Pound Keeper.
15. Every building used as a dog kennel or cat kennel shall be regularly cleaned, disinfected and kept free of any offensive or disagreeable odours to the satisfaction of the Pound Keeper.
16. All liquid wastes from a dog kennel or cat kennel shall be disposed of and dealt with by one of the methods prescribed in Section 16 of "Burnaby Health BYLAW 1926".

17. The owner or operator of every dog kennel or cat kennel shall take adequate precautions to see that all animals are under proper control and are restrained from frequent barking, yelping or howling and no person shall permit or allow such barking, yelping or howling or other noise from any dog kennel or cat kennel to continue as to be or cause a nuisance to residents or other persons in the neighbourhood.

18. Every dog kennel and cat kennel shall have a solid fence at least 6' in height constructed of wood, masonry, stone or concrete placed around that portion of the property used for kennel purposes, including open air runs, and such fence shall be situate not less than 10' nor more than 25' from the kennel building or buildings and runs and shall be kept in a good and workmanlike manner and painted at least once every year. The said fence if constructed of wood shall be constructed of the same type and design of material throughout so as to be generally of uniform thickness and width in every part.

ANIMAL HOSPITALS

19. Notwithstanding anything in any other bylaw to the contrary, no person shall have, operate or carry on or permit to be operated or carried on any Animal Hospital within The Corporation of the District of Burnaby except in such area thereof designated as a commercial zone by "Burnaby Town Planning BYLAW 1948" and amendments thereto.

20. Every Animal Hospital shall be operated by a properly registered veterinary surgeon who shall be available and upon call at all times.

21. The equipment, surgical tools and utensils used for the purposes of surgery or diagnostic treatment shall be of a standard approved by the Pound Keeper.

22. Every Animal Hospital shall have, contain and supply a clear air space of not less than eighty cubic feet and a floor area of not less than ten square feet for each animal kept or kennelled therein.

23. All pens or cages shall be of a design, finish and size so as to not restrict the animals unnecessarily and so as to permit of ready cleansing.

24. Every Animal Hospital shall have a competent person in attendance at all times.

25. All liquid wastes from an Animal Hospital shall be disposed of and dealt with by one of the methods prescribed in Section 16 of "Burnaby Health BYLAW 1926".

26. The owner or operator of every Animal Hospital shall take adequate precautions to see that all animals are under proper control and are refrained from frequent barking, yelping or howling and no person shall permit or allow such barking, yelping or howling or other noise from any Animal Hospital to continue so as to be or cause a nuisance to residents or other persons in the neighbourhood.

ANIMAL BEAUTY PARLOUR

27. Notwithstanding anything in any other bylaw to the contrary no person shall have, operate or carry on or permit to be operated or carried on any Animal Beauty Parlour within The Corporation of the District of Burnaby except in those areas thereof designated therefor in "Burnaby Zoning BYLAW 1965."

BYLAW 9282

28. Every Animal Beauty Parlour shall have a competent person in attendance at all times during operating hours.

29. No animal shall be kept, boarded or quartered overnight in an Animal Beauty Parlour.

30. No person shall do, carry on or permit to be done or carried on in any Animal Beauty Parlour any matter, thing or work other than washing, grooming, defleaing or ridding an animal of external vermin.

31. The owner or operator of every Animal Beauty Parlour shall take adequate precautions to see that any animal therein is under proper control and is restrained from frequent or habitual barking, yelping or howling and no person shall permit or allow such barking, yelping or howling or any other noise from an Animal Beauty Parlour to continue so as to be or cause a nuisance to residents or other persons in the neighbourhood.

32. Every building or part thereof used as an Animal Beauty Parlour shall be lighted by windows admitting unobstructed natural daylight, the glass area of which shall equal one-tenth of the floor area and fifty percent of which glass area shall open in order that proper ventilation may be attained.

ANIMAL TRAINING AND DAYCARE FACILITIES (BYLAW 11271)

32A. No person shall operate or carry on or permit to be operated any Animal Training or Day Care Facilities except

- (a) in those areas designated therefor under Burnaby Zoning Bylaw 1965;
- (b) completely within an enclosed building;
- (c) between the hours of 7:00 a.m. and 10.00 p.m.; and
- (d) in compliance with the provisions of Burnaby Animal Control Bylaw 1991.

32B. No animal shall be kept, boarded or quartered overnight in Animal Training or Day Care Facilities.

ANIMAL CLINIC

33. No person shall have, carry on, operate or maintain or permit to be carried on, operated or maintained an Animal Clinic within The Corporation of the District of Burnaby.

INSPECTION AND PENALTIES

34. The Pound Keeper and Chief Licence Inspector are hereby authorized and empowered to enter at all reasonable times upon any property in order to ascertain and ensure that the regulations and provisions contained in this bylaw are being abided by and carried out. (BYLAW 11271)

35. Any person contravening or committing any breach of or committing any offence against any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or who refuses, omits or neglects to fulfil, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this bylaw prescribed or imposed or required to be done is liable, on summary conviction to a fine not exceeding One Hundred (\$100.00) Dollars or to a term of imprisonment not exceeding one month, or both; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.

Read a first time this 22nd day of August, 1960.

Read a second time this 22nd day of August, 1960.

Read a third time this 6th day of September, 1960.

Reconsidered and adopted this 13th day of September, 1960.