

Minutes of the DOG ADVISORY COMMITTEE MEETING of the Regional District of Central Okanagan held at the Regional District Office, 1450 KLO Road, Kelowna, BC on June 22, 2011

Members in Attendance:

Director Charlie Hodge	Committee Chair
Dr. Barbara Coughlin	RDCO Veterinarian
Helena Pol	Human Society nominee
Cathy Nesbitt	Member of the public at large
Dee Capozzi	Member of the public at large
Brenda McBurnie	Member of the public at large
Wendy McIntyre	Citizen, City of Kelowna

Technical Staff:

Rhoda Mueller	Chief Bylaw Enforcement Officer
Al Duncan	RDCO Dog Control Bylaw Enforcement Officer
Jennifer Maximuik	RDCO (recording)

Committee Chair Hodge brought the meeting to order at 5:04 pm.

1. Adoption of Minutes

That the minutes of the April 12, 2011 meeting be adopted as circulated.

MCBURNIE/ CAPOZZI

CARRIED

2. Barking dog concerns

RDCO faced with Notice of Claim, therefore cannot comment on particular situations. Noise pertaining to barking dogs does not fall under typical noise bylaws of disturb peace, it is tracked for a specific time period. A barking complaint log can be done to track/monitor situation. There are situations where tickets are issued which is at the discretion of the individual officer investigating the file.

The Local Government Act indicates a noise complaint pertains to a neighborhood or persons affected, not one person. Barking concerns are not a priority over issues related to aggressive dog matters.

What can a member of the public do when it is a significant problem, but not within what is defined in Dog Regulation and Impounding Bylaw No. 366 or the Local Government Act? Civil court is an option.

Discussion

- Legitimate reason for a dog to bark. The 5-minute rule noted in Dog Regulation and Impounding Bylaw No. 366 was to allow consideration for the fact that dogs do and will bark, and owners rely on them to bark for various reasons, such as security and safety.
- Importance of the difference of dogs kept indoors rather than left outside overnight.

THAT the RDCO Dog Regulation and Impounding Bylaw No. 366 be reviewed for possible amendments regarding language pertaining to barking dogs.

All in favor

CARRIED

3. Dog License Analysis

This item was brought to the Board to discuss improving dog license sales, improve education, increase awareness of aggression problems, and seed money to carry out a particular activity.

Discussion

- Increase number of allowable dogs per household.
- Change wording as incentive. Instead of 'late fee after February 28/29' could read as 'reduced fee if purchased before March 1st' of each calendar year.
- Benefits for owners who license their dogs – small discounts or various little perks, etc. from pet stores (on a voluntary basis).
- Change wording of signs when as signs need to be replaced. Current signage is negative and very authoritative – change to more creative and playful ways of getting the same message across. Softer language may assist changing perception to work towards a friendlier image.
- Some owners never let their dogs out of the house, not sure how those owners would ever feel need to buy license. Why not have the owners' contact information engraved on the license? Dog licenses are preprinted upon purchase in advance and supplied to the pound, local government offices and various other vendors. To engrave upon purchase would require a machine for all offices and vendors to create new information for each tag. Some pet stores provide personalized tags as a service.
- Is there any reduction of costs associated with getting a dog out of the pound for a dog that is licensed? Noted that if dog is not licensed its \$100 fee and \$25 fee to retrieve dog from pound. If the dog is licensed, fee is only \$25.
- Increase awareness that Dog Control reunites owners and lost dogs frequently without impounding the dog. Dog control does provide owner phone number to reunite the dog directly with the owner if the dog license is in the database.
- On first offence, take dog home to owner, not to the pound. Calgary has climate control vehicles. There is a fee associated with this service. RDCO Dog Control does not have officers in designated areas or the climate controlled trucks to provide this service.

Cathy left at 7:00pm.

COUGLIN/CAPOZZI

CARRIED

4. Dog Bylaw Amendments

Discussion

- a. Bylaw describes unlicensed dog as no tag attached. Allow for situations where the dog is under the sight, care or custody of the owner?
 - What does under care/custody actually mean? In visual sight of the dog, and must physically be there and be able to produce the license.
 - Kennel licenses? You would be required to produce information at request.
- b. Type of collar is currently restricted to metal or leather. Change to read that any kind of material for collar is permitted?
 - Yes.
- c. Persons who keep more than 2 dogs per household are required to purchase a kennel license. Proposing research by RDCO staff to ensure any changes are not in conflict with

zoning bylaws within various municipalities within the Central Okanagan. Report to Board would include proposed amendments and explanation.

- Exceptions for temporary care of dog due to injury.
 - Increase the number of allowable dogs from 2 to 3. Noted that Salmon Arm allows 5 dogs per household. Chilliwack may have useful language in bylaw for multiple dogs.
 - Why limit to 3 dogs? Eliminate the number entirely? Consideration for agility/training of dogs. Maybe separate kennels and breeders from residential ownership?
 - Concerns of aggressive pack mentality when having more than 2 dogs. People that don't like dogs don't want to have a bunch of dogs with a neighborhood of houses with multiples of dogs. Three or more dogs are a 'pack' and can breed a pack mentality.
 - Owners are not going to buy more dogs just because the bylaw changes, expenses are what would be the significant factor as to how many dogs a person chooses to own.
 - Mandatory spay and neuter for multiple dog owners. Not all owners have unneutered dogs for breeding, and just don't want to neuter for other reasons.
 - If you want more than 2 dogs, increasing fees with number of dogs per household.
- d. Wording for fees – instead of late fee – early purchase is a 'discount'.
- Expressed appreciation for the implementation of the issuance of tickets for no dog licenses instead of a warning. Upon owner purchasing and providing proof of purchase of license within 14 days, ticket fee would be cancelled. Effect of this being implemented has increased sales, reduced work load required as follow up when warnings issued.
- e. Snowbirds – we ask dog owners who are out of town during the winter months to come to the RDCO office to purchase their dog license where the fee can be waived. Possible changes to improve service, reduce complaints?
- Option to purchase dog license online and pick up tag when return home?
 - Not everyone is computer savvy and wont purchase online.
 - If person can prove they have been out of the country, waive late fee.
 - No complaints noted as being received from committee members.
 - Why not send in payment and pick up tag when upon return to country?
- f. Refunds when dog has just passed away. Staff currently provide refunds if within a reasonable amount of time.
- Tag is not transferable. If new pet dog is purchased they must purchase a new tag. Change so the old tag can be transferred to new dog.
- g. Seeing eye/guide dogs, working and therapy dogs –exempt because owner requires use of assistance dog.
- Keep as is, seeing-eye and guide dogs, can prove they are trained dogs. St John's therapy dogs can be in use for periods as short as 2 weeks and are not necessities.
- h. Transfer of licenses within BC - will exchange license in at no charge if license purchased within BC. Other municipalities extend it to all of Canada.
- Agree. Try to be a bit more dog friendly.
 - What about from owners that currently have more than 3 dogs? Only 2 permitted.

- i. Bylaw states a dog away from owner's premises may be off leash on others private property, ie from Orchard Park Mall or a vineyard in rural area, regardless of consent from property owner.
 - Why not make it a private residence.
 - With permission of the owner of the private property.

- j. Aggressive dogs – if dog when on property occupied by the person responsible for the dog, kills another dog, is not a dog bylaw violation.
 - How do you prove provocation and what is provocation?
 - This instance occurs in private property is not a rare occasion.
 - Concerns about liabilities, lawsuits, Owner might have ability to sue other person or business. Shouldn't be a bylaw officer concern.
 - Alan (Dog Control Officer) stated instances such as complaints at apartments, duplex, complex, common areas where dogs are both at home and also in a common area & they attack.
 - Could bylaw not just be worded to include language for common property.
 - Is this up to each strata council such as a kennel takes responsibility for common areas? This would likely cause even fewer stratas to allow pets.
 - Should keep residential common property separate from business. For residential worded as 'other than commercial or business from residential.

- k. Dog deemed aggressive, if nothing is noted in the file in the following 24 months, status of dog goes back to a 'normal' dog. If dog impounded again, fee schedule returns to the initial fee.
 - Should go back to the \$25 fee.
 - There are two levels of aggression, dogs that threaten to bite, and dogs that bite. May need to look at the circumstances surrounding levels of aggression.
 - Lots of dogs deemed aggressive in error.
 - Impound fee should include the history.

- l. Adoptions of dogs – currently doesn't indicate a fee. Would like to build rapport for adoption, and adoption system. What is reasonable for an adoption fee?
 - They pay the impound fees for the dogs. New owner adopting dog can easily be a friend of the previous owner and can adopt the dog at the lower fee and return dog to the original owner. Many dogs go to SPCA, or out of town to avoid previous owners doing this.
 - Concern about dogs not being adopted due to high fees.
 - Bad dogs are likely going to return to the pound again at some point if they are with the same owner.
 - RDCO staff suggest dogs get posted on website as dogs available for adoption.
 - Calgary had good adoption program, used it as an alternative and fees were comparable.
 - Penticton pound adopts out a lot of dogs, change name and photo a bit, and don't send a lot to SPCA.
 - Concerns over length of dogs in pound for extended periods of time, over a year in some instances. Staff care for dogs, however, disputes take time, court dates are full, if owner is going to challenge, and it could be 12 – 15 months- this is only for dogs under destruction

order application to the court. All other dogs, bylaw states 72 hours to hold dogs. Dogs at pound are not suffering, walked, groomed, veterinarian, and cared for.

COUGLIN/CAPOZZI

CARRIED

Old Business:

Update regarding previous discussions - cat bylaw, discussed June 30, 2010.

- Helena stated extensive work has been done with local media, pet stores, and possible backyard breeders towards awareness to sell only spayed and neutered felines.
- Update on possible cat bylaw? Recent conversation indicates city staff may be coming forward with a report discussing cat bylaw to be brought forward in the next few weeks.

COUGLIN/CAPOZZI

CARRIED

5. Other Business:

a. Court of Appeal – Visinski. v. Regional District of Central Okanagan.

Mr. Visinski found guilty under the bylaw, on his appeal, Supreme Court overturned the guilt, based on the bylaw not having authority as a service in the City of Kelowna. RDCO appealed and on June 22, 2011, decision was overturned finding Mr. Visinski guilty of the offence and imposing a fine of \$200.00 to be restored. This will allow RDCO to continue dealing with issues pertaining to dangerous dogs.

b. Off leash parks – possible additional locations

- Water treatment plant at Raymer (in City of Kelowna).
- Lakeshore by Gyro Beach – piece of triangular park.
- Brants Creek – old grist mill, land around it.


a) City of Kelowna Survey - Beach Access for Dogs

- Suggested recommendation to relay information to council that the survey can be done at a much lower cost.

Meeting adjourned at 7:06pm.

Possible next meeting tentatively scheduled for September/October 2011.

Certified to be True & Correct:


C. Hodge, Chair


R. Mueller, Staff