

Item

Meeting

2006 Feb 13



City of  
Burnaby

COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2006 February 7

**FROM:** DIRECTOR FINANCE

**SUBJECT: BYLAW #12015 - PROPOSED AMENDMENTS TO BURNABY  
ANIMAL CONTROL BYLAW TO REGULATE  
TETHERING/CHAINING OF DOGS**

**PURPOSE:** To provide information requested by Council.

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**RECOMMENDATIONS:**

the Burnaby Animal Control Bylaw be amended to include tethering regulations specific to business situations as noted in this report.

a copy of this report be sent to:

Society Judith Stone, Animal Advocates

Box 114, 103 – 1075 Marine Drive

North Vancouver, BC V7P 3T6

**REPORT**

Council, at the Open Council meeting held on 2006 January 09, TABLED Bylaw #12015 Burnaby Animal Control Bylaw 1991, Amendment Bylaw 2006 to regulate the tethering and chaining of dogs in Burnaby. Arising from information presented by the delegate Judith Stone, Animal Advocates Society, with regard to the possible impact of the proposed changes to the Animal Control Bylaw, Council introduced and adopted the following motion:

“THAT staff prepare a report on the concerns raised by Delegation 2(A) related to the proposed amendments to the Burnaby Animal Control Bylaw.”

This report provides the information requested by Council and recommends tethering regulation relating to dogs kept at businesses.

In the presentation to Council, the Animal Advocates Society delegation spoke in support of the principle of the proposed amendment to the animal control bylaw and identified areas of the bylaw amendment that are of concern. The following information addresses each of the concerns raised in the delegation's presentation.

### **Unattended Tethering**

The proposed bylaw allows a dog to be tethered unattended for not more than one (1) hour in a day. This provision is intended to provide for the occasional situation where an owner requires temporary, unattended control of the dog. Examples of situations when this may occur include a dog temporarily tethered outside the store while the owner is in the store and a dog is unattended and tethered in a front yard while the owner is temporarily inside the house. This provision is intended to balance convenience to the owner by allowing for this type of temporary control of the dog, with safety for the dog in these temporary situations when it might otherwise be left uncontrolled.

### **Car-lot Dogs**

Dogs that are regularly tied up at a business location (ex: car-lot, lumber yard) to provide security on the property are referred to as 'car-lot' dogs. These dogs are often tethered or chained during business hours and un-tethered in an enclosed lot after business hours. The delegation notes that the bylaw will not address these situations of continuous tethering as the dogs may be deemed "attended to" by employees of the business. In considering the proposed bylaw, this situation could skirt the humane intent of the bylaw and would present enforcement challenges in business situations. The BCSPCA advises that tethering is an issue based on the emotional and psychological well being of tethered animals and, therefore, the SPCA supports a bylaw amendment that would see the tethering regulations applicable to business situations. To provide for clarity with respect to keeping dogs at businesses and to allow for effective bylaw enforcement, a bylaw provision to prohibit the tethering of dogs kept at businesses is recommended.

### **Yard Dogs**

Dogs that are regularly kept outside a primary residence or building in runs, pens, yards, sheds and other confined areas are often referred to as 'yard dogs'. The Animal Advocates Society feels that the proposed tethering regulations can result in owners keeping previously tethered dogs as 'yard dogs'. This organization supports a ban on 'yard dogs' and specifically, a ban on the keeping of dogs outside of the primary building except for one hour a day while attended by a responsible adult on the property.

The proposed tethering bylaw is expected to have a positive impact with respect to animal welfare. Evidence to the contrary has not been found. Many healthy, well socialized dogs are kept in back yards, runs and other enclosures for periods of time.

Where there are concerns with conditions in these situations, the Animal Control Bylaw provides for standards of care for animals that are applicable to dogs kept outdoors. These provisions address needs relating to shelter, sanitation, health and exercise for dogs and are administered by the SPCA. The SPCA also enforces the Prevention of Cruelty to Animals Act which provides authority for relieving distress in animals. In recognizing there are many healthy dogs that are at times kept in some form of enclosure (backyard, run, pen) and with the previously noted regulations currently in place to address inhumane situations, a ban on 'yard dogs' is not recommended at this time.

## **Conclusion**

The proposed tethering regulations, with the additional provision for no tethered dogs at businesses as recommended in this report, will address a significant concern with respect to the humane treatment of animals. Animal regulation relating to tethering is not common in the region and, if adopted, this bylaw may be used as an example for other communities. Through our relationship with the BCSPCA, animal care and control within the City will be continually measured and further amendments to the bylaw can be forwarded for Council consideration as required.

Rick Earle  
DIRECTOR FINANCE

CMC:ae

Copied to: City Solicitor  
BCSPCA Attn: Mark Takhar, Burnaby/Vancouver Branch Manager