

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4264**

**A BYLAW TO AMEND THE ANIMAL REGULATION AND IMPOUNDING BYLAW
(BYLAW NO. 1465)**

WHEREAS:

- A. Under Animal Regulation and Impounding Bylaw No. 1, 1986 (Bylaw No. 1465), the Capital Regional District has a program to compensate livestock owners whose animals are injured or killed by a dog over the age of four months, whose owner cannot be identified after diligent search and where the livestock owner has taken all reasonable precautions to avoid the loss;
- B. Whereas the Capital Regional District wishes to continue this program as three separate services, one for each electoral area, while maintaining a single animal control service;
- C. Whereas the Board of the Capital Regional District wishes to amend Bylaw No. 1465 to remove this program on a date the service establishment bylaws for the three new services are adopted;

NOW THEREFORE, the Board of the Capital Regional District in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 1465, Animal Regulation and Impounding Bylaw No. 1, 1986 is hereby amended as follows:
 - (a) As of January 1, 2022, by replacing sections 19 to 23 in their entirety with the following:

COMPENSATION SERVICES IN EACH ELECTORAL AREA

- 19. (1) Three separate services are established for livestock injury compensation as set out in the *Local Government Act* (collectively the “Compensation Services”):
 - (a) Juan de Fuca Electoral Area – Livestock Injury Compensation Service (Juan de Fuca) Bylaw No. 1, 2021 (Bylaw No. 4417);
 - (b) Salt Spring Island Electoral Area – Livestock Injury Compensation Service (Salt Spring Island) Bylaw No. 1, 2021 (Bylaw No. 4418); and
 - (c) Southern Gulf Islands Electoral Area – Livestock Injury Compensation Service (Southern Gulf Islands) Bylaw No. 1, 2021 (Bylaw No. 4419).
- 19. (2) For each Compensation Service, the Regional Board shall pay compensation to the owner of any sheep, goat, poultry for the purpose of providing meat and eggs, domestic rabbits, animals of the bovine species, swine, horses or fur-bearing animals as defined in the *Fur Farm Act* (the “Livestock”) killed or injured by any dog apparently over the age of four (4) months, the owner of which is unknown, and after diligent enquiry cannot be found in the amount of the lesser of:
 - (a) SEVENTY-FIVE (75%) PERCENT of the decrease in the market value of the animal as a result of its death or injury, or

(b) SEVEN HUNDRED AND FIFTY (\$750) DOLLARS.

20. The total annual maximum payable in each Service Area for these Compensation Services shall be as follows:

(a) The Juan de Fuca Compensation Service: \$3,000

(b) The Salt Spring Island Compensation Service: \$3,000

(c) The Southern Gulf Islands Compensation Service: \$3,000

21. (1) All claims pursuant to the provisions of this Bylaw shall be filed with the Animal Control Officer within three business days of the discovery of the animal's injuries in the form attached hereto as Schedule "D".

21. (2) No claim shall be authorized under this Bylaw unless:

(a) The Regional Board is satisfied that the owner submitting the claim has taken all reasonable precautions for protecting such Livestock;

(b) The loss is reported to the Animal Control Officer within three (3) business days of the discovery of the animal's injury in the appropriate form; and

(c) In the event the claim is more than the amount the Animal Control Officer is permitted to authorize under Section 22, confirmation from a veterinary professional that the injuries were caused by a dog over the age of four months.

22. The Animal Control Officer is hereby authorized to approve any claim under this Bylaw up to the amount of TWO HUNDRED AND FIFTY (\$250) DOLLARS. Any claim in excess of that amount shall be referred to the Regional Board.

23. Claims properly filed under the former compensation program shall be paid by the Regional Board in accordance with sections 19 to 22 if the injury was properly reported on or before December 31, 2021. Claims reported on or after January 1, 2022 shall be handled as claims under the respective Compensation Services.

2. This Bylaw may be cited for all purposes as "Animal Regulation and Impounding Bylaw No. 1, 1986, Amendment Bylaw No. 11, 2021".

READ A FIRST TIME THIS day of 2021

READ A SECOND TIME THIS day of 2021

READ A THIRD TIME THIS day of 2021

ADOPTED THIS day of 2021

CHAIR

CORPORATE OFFICER