



**AGENDA
DISTRICT OF PORT HARDY
COMMITTEE OF THE WHOLE MEETING
6:00 pm TUESDAY JANUARY 26, 2016
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**

Mayor: Hank Bood
Councillors: Pat Corbett-Labatt, Dennis Dugas, Jessie Hemphill, Rick Marcotte, Fred Robertson, John Tidbury

Staff: Allison McCarrick, Chief Administrative Officer; Abbas Farahbakhsh, Director of Operational Services; Heather Nelson-Smith, Director of Corporate Services; Adrian Maas, Director of Financial Services; Leslie Driemel, Recording Secretary

<u>Page</u>		<u>Time:</u>	
	A. CALL TO ORDER		
	B. APPROVAL OF AGENDA		
	Motion required	1.	2.
	C. DELEGATION		
	No delegations		
	D. STAFF REPORTS		
1-9	1. H. Nelson-Smith, Director of Corporate Services (Jan.18/16) re: Zoning Regulation Bylaw Review.		
	Recommendation to Council / direction to staff	1.	2.
10-32	2. H. Nelson-Smith, Director of Corporate Services (Jan.18/16) re: Animal Control Bylaw Review.		
	Recommendation to Council / direction to staff	1.	2.
33-41	3. Email from Staff Sgt. G. Brownridge to H. Nelson-Smith, Director of Corporate Services (Jan.7/16) re: Special Events Bylaw		
	Recommendation to Council / direction to staff	1.	2.
42-45	4. A. McCarrick, CAO (Jan 20/16) Establishment of a Personnel Committee		
	Recommendation to Council / direction to staff	1.	2.
	E. NEW BUSINESS		
	No new business		
	F. ADJOURNMENT		
	Motion required	1.	2. Time:



DISTRICT OF PORT HARDY STAFF REPORT

TO: Allison McCarrick, CAO
FROM: Heather Nelson-Smith
SUBJECT: Zoning Regulation Bylaw Review
DATE: January 18, 2016

November 2, 2015 resolution:

Approved as recommended: THAT staff be directed to amend the zoning regulation to allow for the change in the wording to include the following:

Those properties located in the residential 1 and residential 2 zones that no longer permit manufactured homes be authorized to make alterations to their buildings, permitting that the alterations or additions conform to the current zoning, and follow all building code regulations. AND THAT Council and staff review the current Zoning regulation to see what other items may need to be amended to ensure that all amendments are included in the process. AND THAT until the zoning amendment has been adopted, staff be permitted to allow building permit applications that conform to the direction of Council.

The attached is a review of the zoning regulation as per the direction of Council. I have only included the relevant sections that I have reviewed, however an electronic word version will be emailed to all of Council prior to the meeting.

- The definition of a modular or manufactured home required a review- the definition as it stands would not allow for someone to buy a prefabricated home, such as a Linwood home (which is not a trailer, it is manufactured off site and then assembled on the property) *Definition Prefabricated homes, often referred to as prefab homes or simply prefabs, are specialist dwelling types of prefabricated building, which are manufactured off-site in advance, usually in standard sections that can be easily shipped and assembled.*
- Non-conforming situations – the wording has been added to include an exemption. Residential zoning included.
- Boat, vehicle and trailer parking in residential zones- has been added for discussion, we give a maximum for each one, but not a maximum gross vehicle weight per property. Basically what this regulation says is it is okay to park the following per lot: *That could be up to 8 vehicles per lot- not including the ones being driven*
Possible wording:
Parking or storage of vehicles for single dwellings sited on a lot shall not exceed combined total of more than (four) motor vehicles, recreational vehicles, recreational boats. Where a duplex is situated, the total shall not exceed 3 per dwelling unit.
- Urban Hens- we currently do not have an application process- we have had issues with people just erecting coops and being in the wrong area of the yard, or too many birds etc... Should we consider an application process?

Recommendation:

That the above staff report be included in an upcoming Committee of the Whole agenda as presented for Council discussion and direction.

Respectfully submitted,

I agree with the recommendation.



Heather Nelson-Smith, DCS



Allison McCarrick, CAO

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A manufactured home dwelling may include what is commonly referred to as a "manufactured home", "mobile home", "modular home" or "pre-fabricated home" that meets these criteria, but does not include a Recreational Vehicle.

Comment [HNS1]: This would mean that you couldn't purchase a home like a Linwood home and place on the property. all residential zones only allows homes to be built on site

"Dwelling, Secondary Suite" means an accessory dwelling unit contained within and subordinate to the principal single detached dwelling on the same parcel.

"Dwelling, Single Detached" means a building consisting of one dwelling unit having independent exterior walls but does not include a carriage home dwelling, float home dwelling or manufactured home dwelling.

"Dwelling Unit" means one or more habitable rooms, constituting a self-contained unit with one or more separate entrances and containing cooking, eating, living, sleeping and sanitary facilities, for the purposes of human habitation.

"Education Services" means uses related to education, training or instruction purposes including but not limited to: elementary and secondary schools, community colleges, universities, technical and vocational schools and accessory administration offices or maintenance and storage facilities that are required for the daily operation of the service or facility.

"Exhibition Grounds" means an area with uses related to entertainment, recreation, themed events including but not limited to, the display and demonstration of arts, crafts, livestock, or industrial products, and includes an amusement park, recreation area, or horse racing track.

"Family Resource Centre" means a centre providing counselling services to the residents of the community, including offices and meeting space.

"Fence" means a structure that encloses or provides a visual and physical barrier for all or part of an area on a parcel, but does not include a retaining wall.

"Floor Area" means the horizontal area of the floor of a building measured from the exterior face of exterior walls.

"Floor Area, Gross" means the sum total of the floor area of each storey of a building.

"Foreshire" means the area of land in tidal areas between the high tide and the mean low tide.

"Forestry" means the harvesting of trees through logging activities such as felling and trimming of trees and transportation of logs, and includes silviculture activities related to the cultivation and maintenance of forests. Forestry does not include the processing of logs into finished lumber or wood products.

"Frontage" means that length of a parcel boundary that immediately adjoins a highway other than a lane or walkway.

"Funeral Home" means a building where the deceased are prepared for burial or cremation and where funeral services, wakes and memorial services are held and other related funeral home uses are conducted, but specifically excludes crematorium.

PART 2: ADMINISTRATION

2.1 GENERAL CONFORMITY

Land, including the surface of water, must not be used or occupied, and buildings and structures must not be constructed, reconstructed, altered, located or relocated, or used, unless in conformity with the specifications of this Bylaw. No person shall use, occupy, or permit any person to use or occupy, any land, water body surface, building or structure in conflict with regulations of this Bylaw.

2.2 NON-CONFORMING SITUATIONS

Non-conforming situations, as defined herein, are subject to Provincial legislation.

Exception- Those properties located in the Residential 1 and Residential 2 zones that no longer permit manufactured homes (as per definition of this bylaw) and followed all previous zoning regulations will be authorized to make alterations to their buildings, permitting that the proposed alterations or additions conform to the current zoning, and follow all building code regulations.

2.3 OTHER LEGISLATION

In addition to the regulations contained in this Bylaw, Provincial and/or Federal legislation and regulations may apply. Compliance with this Bylaw must not be assumed to satisfy the requirements imposed by applicable Provincial and Federal legislation and regulations.

2.4 ENFORCEMENT

Those persons employed by the District of Port Hardy, as appointed by bylaw or resolution adopted by Council, or other such person as may be appointed by Council by resolution or bylaw, are hereby authorized to enforce the regulations of this Bylaw and may enter onto any parcel or land, and enter into any building or structure at any reasonable time, to ascertain whether the regulations of this Bylaw are being adhered to.

2.5 VIOLATION

Any person who:

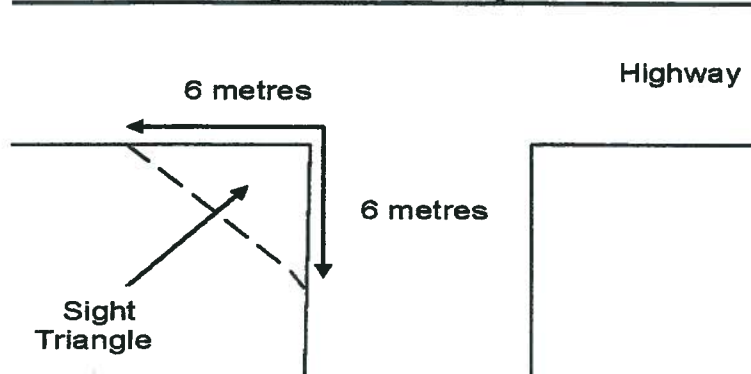
- (1) violates any provision of this Bylaw;
- (2) causes or permits any act or thing to be done in violation of any provision of this Bylaw;
- (3) neglects to do or refrains from doing any act or thing required by this Bylaw; or
- (4) fails to comply with an order, direction or notice made by the District in association with the provisions of this Bylaw;

is guilty of an offence and each day in which the offence continues, constitutes a new and distinct offence.

2.6 PENALTY

Any person who commits an offence in accordance with this Bylaw is liable, on conviction, to the penalties prescribed by the Offence Act or other Provincial legislation as applicable. Each day that such violation is caused to continue, or allowed to continue, constitutes a separate

Figure Five – Site Triangle



3.18 PANHANDLE PARCELS

The panhandle of a panhandle parcel shall not be included in the calculation of the minimum parcel area for the purposes of subdivision.

3.19 BOAT, MOTOR VEHICLE AND RECREATIONAL VEHICLE STORAGE IN RESIDENTIAL ZONES

- (a) No parcel in any Residential Zone shall be used as a wrecking yard or for the storage of derelict vehicles or more than two unlicensed motor vehicles;
- (b) No parcel in a Residential Zone, whether improved or not, shall be used as a wrecking yard or storage yard;
- (c) No front or side yard in a Residential^(HNS3) Zone shall be used for parking or storage of a recreational vehicle or boat, except as follows:
 - (1) One recreational vehicle up to 15 metres (49.2 feet) in length may be parked in a front or side yard provided it is located no closer than 1.0 metre (3.28 feet) to any side parcel line;
 - (2) One boat up to 15 metres (49.2 feet) in length may be parked in a front or side yard provided it is located no closer than 1.0 metre (3.28 feet) to any side parcel line; or
 - (3) One boat and one recreational vehicle having a combined length of 15 metres (49.2 feet) may be parked in a front or side yard provided they are located no closer than 1.0 metre (3.28 feet) to any side parcel line.
- (d) No commercial vehicle, truck, bus, contractor's equipment, dismantled or wrecked automobile, boat, trailer or any similar commercial vehicle, craft or conveyance shall be parked or stored in the open in a Residential Zone, except the following which may be parked or stored in the rear yard only, provided they are located no closer than 1.0 meter (3.28 feet) to the rear parcel line:
 - (1) One truck or commercial vehicle not exceeding 8,600 kilograms (18,960 pounds) gross vehicle weight;
 - (2) Trucks, commercial vehicles or equipment being used directly in the construction, repair, servicing or maintenance of the buildings or structures on that parcel;
 - (3) One dismantled or wrecked commercial vehicle for a period of not more than 30 consecutive days;
 - (4) One commercial boat or vessel not exceeding a length of 6.0 meters (19.69 feet).

- (e) The parking and storage of recreational vehicles in a rear yard in a residential zone shall be limited to one vehicle or trailer which cannot exceed a length of 6.0 meters and must be located at least 1.0 metre (3.28 feet) from the rear parcel line.

3.20 BUILDING ELEVATIONS IN RELATION TO WATERCOURSES

No ground floor of a building on a parcel may be constructed lower than 1.0 metre above the 200 year flood level for that parcel where it can be determined. If the 200 year old flood level cannot be determined or information is not readily available, no ground floor of a building or development on a parcel may be constructed lower than 1.5 metres (4.92 feet) above the present natural boundary of a watercourse on that parcel.

3.21 COMBINED COMMERCIAL AND RESIDENTIAL USE

- (a) In a zone in which combined commercial and residential use is permitted, the following shall apply:
 - (1) One dwelling unit is permitted for each separate and distinguishable commercial unit in the development;
 - (2) The dwelling units must be contained in the same building as the commercial units.
 - (3) In a building more than one storey in height, only the ground floor may only be used for commercial purposes; and,
 - (4) The floor area requirements associated with apartment dwelling units as prescribed by the RM-1 Zone shall apply.

3.22 STAFF ACCOMMODATION

- (a) In zones where staff accommodation is permitted as an accessory use, the following shall apply:
 - (1) There shall be no more than four dwelling units;
 - (2) The dwelling units shall be located within the principal building or attached to it by at least one complete common wall. As an exception to this requirement, where the principal use, building or structure involves bulk storage of petroleum, fuel, lubricants, paint or chemical products, the accessory staff accommodation may be provided in dwelling units located within one accessory building;
 - (3) Dwelling units used for staff accommodation shall not exceed 70 square metres (753.47 square feet) in floor area each; and,
 - (4) A recreational vehicle shall not be used for staff accommodation.

3.23 URBAN AGRICULTURE

3.23.1 Small Scale Urban Agriculture

- (a) Small Scale Urban Agriculture is a permitted as an accessory use in a Residential Zone subject to the following conditions:
 - (1) A greenhouse is subject to the setback requirements for an accessory building for the zone in which it is located and the maximum footprint of the greenhouse shall not exceed 28 square metres (301.4 square feet);
 - (2) Artificial lighting is permitted within a greenhouse, provided that the lighting is not permitted to spill out onto adjacent parcels. Lighting must be directed downwards and/or shielded to prevent spillage of light onto adjacent parcels; and,

- (3) One advertising sign is permitted provided it is in the form of a free standing sign located on the parcel on which the Small Scale Urban Agriculture use is located, or a fascia sign attached to the dwelling on that parcel, and the sign is not backlit nor illuminate light, and does not exceed 1.0 square metre (10.76 square feet) in total surface area.

3.23.2 Urban Hens

- (a) The keeping of Urban Hens is a permitted accessory use on parcels in the R-1, R-1s, R-2 and RR-1 Zones, and with respect to the R-3 Zone, on a parcel in a subdivision development in which each Manufactured Home Dwelling is located on its own parcel, subject to the following conditions:
- (1) Up to 4 urban hens are permitted on parcels that are less than or equal to 450 square metres (4,842.8 square feet) in area;
 - (2) Up to 6 urban hens are permitted on parcels that are greater than 450 square metres (4,842.8 square feet) in area;
 - (3) No roosters, cocks or cockerels are permitted;
 - (4) A structure must be provided to house the urban hens and said enclosure must provide a minimum of 0.37 of a square metre (4 square feet) per urban hen;
 - (5) A structure used to enclose urban hens, whether portable or stationary, is subject to the setback requirements for accessory buildings and structures for the zone in which it is located however, if the structure used to enclose the urban hens is located on a corner parcel, it shall not be located in the side exterior yard;
 - (6) Only one structure for the purpose of housing urban hens is permitted on a parcel and it shall not exceed 9.3 square metres (100 square feet) in area or 2.0 metres (6.5 feet) in height above grade;

Comment [HNS4]: No application process- should we consider an administrative policy to help us control the regs?

3.23.3 Mason Bees

- (a) The keeping of mason bees is a permitted accessory use in all zones.

3.24 SUSTAINABLE BUILDING TECHNOLOGIES

3.24.1 Renewable and Co-generation Energy Devices

- (a) Renewable and co-generation energy devices are a permitted in all zones, under the following conditions:
- (1) There must be an active principal use on a parcel in order to locate a renewable energy or co-generation device on the parcel; and
 - (2) The production of the renewable or co-generation energy as well as any device used to produce the energy must comply with all municipal, provincial and federal statutes and regulations including, but not limited to, a the BC Building Code.

3.24.2 Solar Energy Devices

- (a) Solar energy devices shall be permitted in any zone provided that they:
- (1) Are attached to or located within a principal or accessory building or alternatively, if they take the form of a standalone accessory structure, then they shall be subject to the provisions for accessory buildings and structures of the applicable zone in which it is located;
 - (2) Do not extend beyond the outermost edge of the roof; and,
 - (3) Do not exceed the maximum permitted height of the applicable zone.



DISTRICT OF PORT HARDY STAFF REPORT

TO: Allison McCarrick, CAO
FROM: Heather Nelson-Smith
SUBJECT: Animal Control Bylaw Review
DATE: January 18, 2016

We deal with a growing number of animal complaints and through each incident we find new items within our bylaw that need to be addressed.

Cats:

Biggest animal control issue is cats- Cats are creating nuisances for neighbours and their owners. We have neighbours who do not want to take additional steps to prevent the cats from entering their property and owners do not want to keep their cats indoors.

If the cat enters upon a property and the property owner can trap the cat and take it to the shelter, the owner then has to pay a fine to release the animal, and the following week they are all going through the same issue.

Port McNeill for instance, has a licensing requirement for cats- however it was implemented to ensure that when feral cats were being collected, domestic cats were identifiable.

Other municipalities have a regulation in which cats aren't permitted at large.

Regulations could be added to ensure that traps aren't baited- or that traps have to be signed out from the municipality.

Issues with both sides:

Cat Owners –

- Take the risk letting their cats outdoors of contracting viruses and diseases.
- Un-fixed cats spray and re populate.
- For some, cats have been left to roam for years, it is difficult to rehabilitate a cat to be an indoors.
- Keeping cats in your own yard, takes training.
- There is a general acceptance by cat owners that cats are meant to roam free.

Neighbours-

- Have a deal with spraying (a smell that does not come out).
- Defecation in gardens- rendering vegetables un edible.
- Scratching or damaging outdoor furniture.
- Stalking neighbour bird feeders.
- Tormenting the neighbours animals (dogs, cats, etc..)

In light of all of the complaints we had received- Anika and I developed the attached to bring awareness to the issue and see if we could educate. This notice has not been sent out, pending a discussion with Council.

Wording in the bylaw, section 4.9 the amount of animals one is allowed to have should be discussed to see if we need to put a limit per property or dwelling.

Recommendation:

That the above staff report be included in an upcoming Committee of the Whole agenda as presented for Council discussion and direction.

Respectfully submitted,

I agree with the recommendation.



Heather Nelson-Smith, DCS



Allison McCarrick, CAO



**DISTRICT OF PORT HARDY
BYLAW 11-2012**

**A Bylaw to Provide for the
Care and Control of Animals**

GIVEN THAT the District of Port Hardy wishes to regulate the care and the control of animals within the District;

The Council of the District of Port Hardy in open meeting assembled, ENACTS as follows:

PART 1

1. Title

- 1.1 This bylaw may be cited as the "District of Port Hardy Animal Care and Control Bylaw No. 11-2012".

2. Definitions

- 2.1 In this Bylaw, unless the context otherwise requires:

Animal means any member of the Kingdom Animalia excluding humans.

Animal Control Officer means the person or persons or company designated by the Council of the District of Port Hardy to administer the provisions and regulations of this bylaw and shall include the operator of the Animal Shelter.

Animal Shelter means the facility designated by the municipality, which is used for the temporary housing and care of animals that have been impounded pursuant to the Bylaw.

At large means an animal that is not on the property of the owner and that is not on a leash and/or under the control of a person responsible.

Business Licence means a licence issued by the District of Port Hardy under the provisions of the Business Licence Bylaw.

Cat means a male or female domesticated cat.

Cattery means any establishment which houses more than three cats or in which any number of cats are kept for breeding and/or boarding purposes.

Dangerous dog means any dog to which any of the following applies:

- i) that has killed or seriously injured a person;
- ii) has killed or seriously injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog; or
- iii) an animal control officer has reasonable grounds to believe is likely to kill or seriously injure a person.

District means the Corporation of the District of Port Hardy.

Dog means a male or female domesticated dog.

Impervious means through which water will not pass.

Inspector means a person designated by the municipality to be responsible for enforcing this bylaw, except where otherwise provided.

Kennel Commercial means a kennel specifically set up for boarding, breeding and training of dogs not owned by the kennel operator.

Kennel Hobby means a kennel where not more than three (3) dogs or cats are kept on the premises for breeding or showing purposes. The operator of the hobby kennel must reside on the property on which the hobby kennel is operated. There shall be no boarding or training of dogs not owned by the kennel operator or the property owner. One dog not owned by the hobby kennel operator or property owner may be kept in the hobby kennel for breeding or show purposes.

Kept means to be owned and to be provided with food and shelter.

Licence means a dog licence issued in accordance with the provisions of this bylaw.

Licensing Officer means a person appointed by the municipality for the purpose of processing and issuing licences under this bylaw.

Livestock Animals (Large) means, but is not limited to, dairy and beef cattle, bulls, goats, pigs, sheep, donkeys, mules, horses, ostriches, emus and cassowaries.

Livestock Animals (Small) means, but is not limited to, pigeons, chickens, rabbits, ducks, geese and other game birds.

Microchip means an FDX-B International Organized for Standardization (ISO) standard microchip and reader device implanted in an animal by, or under the supervision of, a veterinarian.

Muzzle means a device which covers or secures the mouth of an animal and is designed to prevent it from biting.

Neutered means the sterilization of a female animal by removing the ovaries or of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

Open Air Run means an area used for exercising or airing dogs or cats.

Owner means any person, partnership, association or corporation that owns, possesses or has control, care or custody over an animal.

Peace Officer means a police officer, constable or other persons employed for the preservation and maintenance of the public peace.

Rodents include rats and mice.

Vermin includes fleas, lice, worms and other parasitic insects and animals.

Wildlife means wildlife as defined by the *BC Wildlife Act* and/or other animals indigenous to Canada whose ownership in captivity violates Provincial or Federal Canadian statutes.

PART 2 – ANIMAL CARE AND CONTROL

3. Licensing of Dogs

- 3.1 No person shall own or keep any dog aged eight months or more within the municipality unless such dog is licensed as provided by this bylaw.
- 3.2 The owner of a dog shall obtain an annual licence for such dog by paying the fee outlined in the District of Port Hardy Rates Bylaw on or before the first day of January in each year or upon their dog reaching the age of eight (8) months. Written proof of neutering is required in order to qualify for the neutered animal rate.
- 3.3 The owner shall ensure that any dog taken off the owner's property shall bear permanent identification in the form of a visible veterinary tattoo or identifiable microchip and shall cause the animal to wear around the neck a collar to which shall be attached the current licence tag issued for that dog by the municipality.
- 3.4 The licence fee will be fifty (50) percent after June 30th for any dog that is moved with its owner into the municipality or that is newly acquired by its owner after that date.
- 3.5 Dogs that are trained and required as a guide or for assistance to a disabled person shall be licensed but the licence fee shall be waived for such dogs.
- 3.6 No licence is required for a dog sojourning in the District for a period of less than one (1) month.
- 3.7 The municipality shall keep a complete registry of all licensed dogs indicating the dates of registration, the name and description of each dog and the name and address of each owner.
- 3.8 The owner of any licensed dog shall, within thirty days of the owner's change of address, notify the municipality of such change of address.
- 3.9 If a person becomes the owner of a dog after the first day of January in any year, that person must immediately apply for a licence or a transfer of a valid previously issued licence from the District and pay the applicable fee.
- 3.10 Every dog licence and tag issued under this bylaw expires on the 31st day of December of each year.

Comment [HNS1]: Can we change this word to staying ?

4. Responsibilities of Owners – Animal Control

- 4.1 No person shall own, keep, possess or harbour any dog or cat over the age of eight

months in the District unless:

- a) the animal has been neutered by a veterinarian; or
- b) a Breeder holds a valid and subsisting business licence for the current licence year; or
- c) the owner provides proof that the animal is a registered show animal.

4.2 As an exception to section 4.1, a Breeder who provides proof that their dog or cat is either too young for breeding purposes or too old or ill to be neutered may retain such animal without holding a current business licence.

4.3 An owner shall ensure his or her animal does not run at large within the municipality.

4.4 Notwithstanding section 4.3, a dog is not required to be on a leash while in a designated off-leash area as shown on Schedule A.

4.5 If an animal defecates on any public or private property other than the property of its owner, the owner shall remove such feces immediately.

4.6 An owner shall ensure his or her animal does not vocalize for longer than ten (10) consecutive minutes or in any manner which might reasonably disturb any person.

4.7 No owner of a dog shall permit his or her dog, without provocation, to:

- a) chase, bite or attack any person or domesticated animal; or
- b) cause damage to any property.

4.8 The owner or possessor of any dog that is lawfully not on a leash pursuant to section 4.4 shall:

- a) keep the dog under control by verbal command at all times; and
- b) ensure that the dog does not cause injury to any person or other animal or cause damage to any property.

4.9 No person shall own more than 3 dogs and 3 cats unless they are licensed as a cattery or dog kennel.

5. Responsibilities of Owner – Animal Care

5.1 An owner shall ensure his or her animal is provided with:

- a) clean, potable drinking water and food of sufficient quantity and quality to allow for healthy growth and the maintenance of healthy body weight;
- b) food and water receptacles that are kept clean and disinfected and located so as to avoid contamination by excreta;
- c) the opportunity for regular exercise sufficient to maintain good health, including daily opportunities to be free of a confined area and exercised regularly under appropriate control; and

Comment [HNS2]: This would mean that my house of 3 people could have 18 animals

- d) necessary veterinary care when such animal exhibits signs of pain, injury, illness or suffering.
- 5.2 An owner shall not keep an animal which normally resides outdoors, or which is kept outdoors for extended periods of time, unless such animal is provided with an outdoor shelter:
- a) which has a total area that is at least twice the length of the animal in all directions and that also allows the animal to turn around freely and adopt normal resting postures;
 - b) which ensures protection from heat, cold and dampness that is appropriate to the weight and type of protective outer coat of such animal;
 - c) which provides sufficient shade to protect the animal from the direct rays of the sun at all times; and
 - d) which is regularly cleaned and sanitized and removed of excreta daily.
- 5.3 No owner shall keep his or her animal in an unsanitary environment.
- 5.4 For the purposes of section 5.3, an environment is considered unsanitary when it contains objects that may cause injury to any person or animal or where it contains an accumulation of fecal matter, an odour, insect infestation, rodent attractants or other conditions which endanger the health of any person or animal or which disturbs or are likely to disturb the enjoyment, comfort or convenience of any person or animal.
- 5.5 No person may cause an animal to be hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus or where a rope or cord is tied directly around the animal's neck.
- 5.6 No person may cause an animal to be hitched, tied or fastened to a fixed object for longer than six (6) hours within a 24 hour period.
- 5.7 No person may cause an animal to be confined in an enclosed space or vehicle, including a car, without adequate ventilation. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.
- 5.8 No person may transport an animal in a vehicle outside the passenger compartment or in an uncovered passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.
- 6. Impoundment**
- 6.1 Any person may seize any dog or cat found at large and deliver it to the animal shelter.
- 6.2 A dog or cat seized pursuant to section 6.1 shall be considered impounded at the time and place it comes under the control of the Inspector, Animal Control Officer or a peace officer.

- 6.3 The Animal Control Officer shall:
- a) impound such dog or cat; and
 - b) make all reasonable efforts to determine the identity of the owner of such dog or cat and to inform such person that the animal has been impounded, whether the animal is alive or dead.
- 6.4 Any dog or cat impounded shall be provided with the basic animal care provisions described in section 5 of this bylaw and with the requirements set out in A Code of Practice for Canadian Kennel Operations (Canadian Veterinary Medical Association, 2007).
- 6.5 The animal shall remain impounded for a minimum of 72 hours (not including the date of impoundment, Sundays or Statutory Holidays) unless the animal is claimed by its rightful owner. If not claimed within that time, the animal shall become the property of the municipality and may:
- a) be adopted for such price as has been established under the District of Port Hardy Rates Bylaw, unless the animal is a dangerous dog; or
 - b) after reasonable attempts have been made to place the animal, be euthanized by a veterinarian.
- 6.6 During the impoundment period, if an animal is in critical distress, the Animal Control Officer shall follow the District of Port Hardy Critical Distress Policy. The animal's owner shall not be entitled to any compensation.
- 6.7 During the impoundment period, the Animal Control Officer shall:
- a) provide such veterinary care for an injured or ill impounded animal as may be necessary to sustain its life; and
 - b) be entitled to recover from the owner the cost of veterinary care provided while the animal was impounded, in addition to any other fees due to the municipality for redemption of the animal.
- 6.8 Notwithstanding any other provision of this bylaw, if it is found that any impounded animal is unduly dangerous, the Animal Control Officer may, in consultation with a veterinarian, destroy such animal if he is of the opinion that such animal constitutes a hazard. All reasonable attempts will be made to notify the owner, if known, prior to euthanizing the animal. The animal's owner shall not be entitled to any compensation.
- 7. Redeeming or Adopting an Animal**
- 7.1 The owner of any impounded animal may redeem the animal from the Shelter upon proving ownership and paying to the Animal Control Officer:
- a) all unpaid and overdue dog licence fees and impoundment fees in accordance with the District of Port Hardy Rates Bylaw;
 - b) all fees payable for the care and feeding of the animal for each day the animal was impounded in accordance with the District of Port Hardy Rates Bylaw; and
 - c) all costs of treatment by a Veterinarian, together with any related travel costs,

where an animal that has been seized or impounded is injured or ill and requires veterinary treatment.

- 7.2 Before returning an impounded animal to its owner, the Animal Control Officer shall:
- a) ensure the animal is properly licenced; and
 - b) record the name and address of the person or persons claiming to be the owner, as well as the dates the animal was impounded and redeemed.
- 7.3 The Animal Control Officer shall try to have adopted any animal which has not been redeemed with 72 hours after impoundment (not including the date of impoundment, Sundays or Statutory Holidays).
- 7.4 Any unneutered dogs and cats adopted from the Shelter shall be neutered, at the expense of the adopting family, prior to release. Where the animal is too young for the surgery, the adopting family shall pay the cost of the surgery to the District prior to taking custody of the animal. The District will pay the Veterinary Hospital upon receipt of proof of surgery.
- 7.5 If, after trying for 96 hours, the Animal Control Officer is not able to have adopted any animal under section 7.3, the Animal Control Officer may cause to have the animal destroyed by a Veterinarian.

8. Dangerous Dogs

- 8.1 The classification of a dog as a dangerous dog will be done by the Animal Control Officer if, after careful consideration of the facts, in his opinion the dog is dangerous. Owners of dogs that have been declared as dangerous will be contacted promptly in written form.
- 8.2 Once a dog has been declared dangerous, the only way in which this declaration can be determined to be incorrect is by the Court. This can be done by the owner in defending an application to destroy the dog.
- 8.3 The Animal Control Officer or any Peace Officer may take the necessary steps to enter on any premises and seize and impound any dangerous dog that has killed or seriously injured a person or other animal and may either impound the dog in accordance with this bylaw or may apply to the Provincial Court within 21 days for an order that the dog be destroyed.
- 8.4 The Provincial Court, on application and on being satisfied that a dog is dangerous, may order that the dog be destroyed.
- 8.5 No person shall own or keep any dangerous dog unless such dog is licensed as a dangerous dog with the municipality by an owner who is over the age of eighteen and who has paid the applicable fee as shown in the District of Port Hardy Rates Bylaw.
- 8.6 In order to obtain such licence, an owner of a dangerous dog shall supply the municipality with written confirmation from a licensed veterinarian that such dog has been neutered.

- 8.7 When such dog is off the property of the owner, the owner shall ensure that it is properly fitted with a muzzle and on a leash not longer than one metre and that it is under the control of a responsible person over the age of eighteen.
- 8.8 When such dog is on the property of the owner, the owner shall ensure that it is either securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent it from escaping and to prevent the entry of any person not intended to access such dog. Such pen or structure shall comply with section 5 of this bylaw and shall not be within one metre of the property line or within three metres of a neighbouring dwelling unit.
- 8.9 The owner of such dog shall display a sign at each entrance to the property and building in which such dog is kept, declaring in legible writing and with a recognizable symbol that the dog is dangerous.
- 8.10 The owner of such dog shall promptly notify the municipality's animal control department if the dog is found to be running at large.
- 8.11 If the owner of a dangerous dog is unwilling or unable to comply with the requirements of this section, said dog shall be seized and impounded for a fourteen day holding period, after which the dog shall be euthanized by a Veterinarian.
- 8.12 A dangerous dog, or a dog that, unprovoked, is known to have bitten or attacked a person or other animal, that is surrendered to the Animal Control Officer shall not be available for adoption and will be euthanized immediately unless ordered held by the Contagious Disease Nurse or designate.
- 8.13 Except where the Animal Control Officer has made an application to the Provincial Court for an order that a dangerous dog be destroyed or has determined that the dangerous dog suffers from rabies or other incurable disease and is to be destroyed, or the dangerous dog is in isolation after having bitten a person or animal, the owner of a dangerous dog impounded pursuant to this bylaw may reclaim such dangerous dog at any time before its destruction, on application to the Animal Control Officer. The applicant must show proof of ownership of the dangerous dog, make payment of all fees, costs and charges incurred in respect of the seizure and impoundment, boarding or maintenance together with any applicable licensing.
- 9. Female Dog in Heat**
- 9.1 Every owner of a female dog in heat shall confine it or cause it to be confined in a building or enclosure so that it cannot come in contact with other dogs, except that such a dog may be conveyed under the control of a competent person to a veterinary clinic or a boarding kennel.
- 9.2 Notwithstanding section 9.1, where a female dog in heat has been impounded under the provisions of this bylaw, the dog shall remain in the control of the Animal Control Officer until the expiration of the dog's ovulatory period. The owner shall be responsible for all maintenance fees for the duration of the impoundment.

10. Breeders and Owners of Show Animals

- 10.1 The owner of an unneutered dog or cat kept for show purposes must provide proof that the animal is a registered show animal.
- 10.2 Every owner of an unneutered dog or cat must ensure that the dog or cat is not permitted to be running at large within the District.
- 10.3 No female dog or cat shall:
 - a) be mated if it is less than one year old;
 - b) give birth to more than six litters; and
 - c) give birth before the end of the period of twelve months beginning with the day on which it last gave birth.
- 10.4 Accurate breeding and care records shall be kept by the Breeder and made available for inspection by any officer of the municipality, a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals or a licensed veterinarian, authorized by the local authority to inspect the premises.

11. Regulations for the Keeping of Livestock

- 11.1 The keeping of both large and small livestock for hobby farm purposes will be permitted in the appropriate zone, provided there are not any health or environmental problems.
- 11.2 No cows, horses or other large livestock shall be kept in the District within 60 metres (200 feet) of a neighbour's premises occupied as a dwelling.
- 11.3 The owner, possessor or harbourer of large or small livestock shall not permit animal excrement to accumulate in such manner as to be offensive to smell or to be unsanitary. Animal excrement shall be disposed of regularly. If a nuisance or health problem arises such disposal shall be in a manner approved by the Environmental Health Officer.

12. Fencing of Livestock

- 12.1 Where livestock is kept in open fields, the owner of the property must provide adequate fencing to keep such livestock from roaming beyond property boundaries.
- 12.2 If livestock is kept on a property and if that property also abuts a highway, then the owner shall erect fences along the boundary of that property abutting the highway for the purpose of preventing livestock from straying upon the highway.
- 12.3 If a fence is required under section 12.2, the fence posts shall be a minimum of 1.2 metres (4 feet) in height above ground level and no more than 3.6 metres (12 feet) apart and of adequate strength so that livestock cannot dislodge or break the posts by applying minimum force.
- 12.4 If a fence is required under section 12.2, the fencing may be a minimum of three (3) strands barbed wire or three (3) rails of chain link. Where barbed wire is used there will

be orange or red ribbon on the top strand no more than three (3) metres (10 feet) apart.

12.5 No person shall allow a fence, which is used for the purpose of holding livestock, to fall into a state of disrepair.

13. General

13.1 The Animal Control Officer shall seize and impound any animal which is at large within the municipality. The Animal Control Officer shall, if possible, inform the owner of any animal that the animal has been seized and impounded. If the owner of the animal is not known to the Animal Control Officer, or if the Animal Control Officer is unable to contact the owner, then the Animal Control Officer shall, within 24 hours of the impoundment, post a notice of such seizure and impoundment on the notice board at the Animal Shelter. This notice is deemed to be sufficient notice to the owner of the seizure and impoundment of the animal.

13.2 When the Animal Control Officer has reason to believe that an animal is not receiving proper care, treatment or shelter, the Animal Control Officer may enter onto the property at any reasonable time to determine the health and well being of an animal on the property and to ascertain whether the provisions of this bylaw are being observed.

13.3 The Medical Officer, Health Officer, Mayor, Judge or Senior Police Officer in the municipality may order any animal found to be suffering from an infectious, contagious or incurable disease to be destroyed. The Animal Control Officer, on receiving such order, shall forthwith attend to having the animal euthanized by a veterinarian. The animal's owner shall not be entitled to any compensation.

PART 3 – COMMERCIAL KENNELS AND CATTERIES

14. Licence Requirements

14.1 No person shall own, operate, manage, control, supervise or have on any property a kennel or cattery without holding a current and valid District of Port Hardy business licence.

14.2 The applicant shall provide a list of the maximum number of dogs or cats to be kept at the subject property.

14.3 The licensing officer shall refuse any licence application which does not meet with all of the requirements of this bylaw.

14.4 In the event that a licence application is refused, the licensing officer shall give notice in writing to the applicant by registered mail or personal delivery.

15. Municipal Confirmation

15.1 Prior to the issuance a business licence, the Inspector shall confirm that:

a) there have not been any bylaw violations during the previous licensing year;

- b) a site inspection has been conducted to verify the suitability of the property for a commercial kennel and the maximum number of dogs or cats to be kept at the kennel or cattery; and
- c) the site plan and type of kennel or cattery meets the applicable municipal zoning requirements.

16. General Regulations

16.1 No person shall use a building or part of a building for a kennel or a cattery unless it complies with the following regulations. It shall:

- a) have a ceiling height of not less than eight (8) feet measured perpendicularly from the floor;
- b) have floors constructed of material that is impervious and readily cleaned;
- c) be lit by windows admitting unobstructed natural daylight, the glass area of which shall equal one-tenth (1/10) of the floor area and fifty (50%) percent of which shall open in order that proper ventilation may be attained or alternately to the foregoing, shall be equipped with the following:
 - i) artificial light providing evenly distributed illumination equivalent to at least ten (10) foot candles at a distance of thirty (30) inches from the floor and working surfaces and such artificial light sources shall be in use except when equivalent natural light is present or during the night or rest periods;
 - ii) the installation of mechanical apparatus to provide at least one (1) complete change of air per hour;
- d) have interior walls and ceilings constructed of/or containing at least three (3) inches of insulation or its equivalent for the purpose of soundproofing;
- e) be connected to the municipal water supply system;
- f) have an adequate supply of running hot water available in the premises at all times for the purpose of washing the animals and cleaning the premises so that they are capable of being kept in a clean and healthy condition;
- g) be adequately heated;
- h) have, in the case of a building having pens, suitable bedding on which the animals may sleep or eat and there shall be such bedding for each pen;
- i) have, in the case of buildings having pens, a four (4) foot wide hallway fronting each pen;
- j) have one (1) isolation pen for each twenty (20) animals or fraction thereof either in the kennels or in the veterinary hospital
- k) have a suitable whelping area;
- l) have a service area containing the following facilities and accommodation:
 - i) a public waiting room and office, separate or combined;

- ii) food storage and preparation room equipped with adequate refrigeration equipment and a sink with running hot and cold water;
 - iii) adequate toilets and wash basins available for the use of staff;
 - iv) grooming room with a plumbing fixture for the bathing of animals to be connected with running hot and cold water;
 - v) a hopper sink supplied with running hot and cold water for the cleaning of the pens and runs;
- m) be painted when necessary and, together with pens, kept at all times in good repair;
- n) be kept at all times, together with pens and yards, in a clean and sanitary condition and free from vermin and rodents;
- o) be kept, together with pens and yards, disinfected and free of offensive and disagreeable odours to the satisfaction of the Medical Health Officer or the Inspector;
- p) be kept free of manure, dung, refuse and liquid waste which the operator shall dispose of in a manner approved by the Medical Health Officer; and
- q) have a competent person available at all times.
- 16.2 The operator of a kennel or cattery shall take effective precautions to ensure that animals under his care are properly controlled and restrained from barking, yelping and howling. Dogs are to be restrained to pens between 8:00 p.m. and 8:00 a.m.
- 16.3 The operator of a kennel or cattery shall ensure that animals are fed and watered from utensils which have been washed daily and the design of which hampers tipping of them.
- 16.4 Notwithstanding anything in any other bylaw, no person shall have, operate, maintain or carry on or permit to be operated, maintained or carried on, any kennel or cattery within the District of Port Hardy except on a property designed for such use by the current District of Port Hardy Zoning Bylaw.
- 16.5 Every person operating, maintaining or allowing to carry on a kennel or cattery operation shall comply with the following regulations:
- a) supply pens or cages of design, finish and size so as not to restrict the animal unnecessarily and so as to permit ready cleaning of the pens or cages, with an outside kennel run of three (3) feet wide by twelve (12) feet long and minimum of six (6) feet high;
 - b) each run shall be separated one from another with a wall or fence constructed of concrete, wood or suitable metal mesh fence.
- 16.6 A fence of at least six (6) feet in height, constructed of wood, masonry, stone or concrete shall be placed around that portion of the property used for kennel purposes including, without limiting the foregoing, open air runs so as prevent visibility from without. The fence shall be situated not less than ten (10) feet from the kennel

building or from the building and its runs and shall be kept in good repair by the owner or operator of the kennel.

16.7 Kennel buildings shall have interior/exterior walls constructed of a smooth impervious material to a height of four (4) feet above the floor. Each pen shall have a doorway connecting it to a hallway which shall be provided with a door. Without limiting the foregoing, such door may be a Dutch-door type.

16.8 Kennel and cattery operators shall:

- a) maintain a register of animals in the kennel clearly providing the following information:
 - i) the name, address and telephone number of the owner of the animal;
 - ii) the name and breed of the animal; and
 - iii) the breeding record of all animals housed there.
- b) make available the register to the inspection of the Police or the Inspector at all reasonable times; and
- c) display prominently in the public waiting room the rates charged for services rendered by the kennel or cattery personnel.

PART 4 – HOBBY KENNELS

17. Licence Requirements

- 17.1 No person shall own, operate, control or have on any property a hobby kennel without holding a current and valid District of Port Hardy business licence.
- 17.2 The licensing officer shall refuse any licence application which does not meet with all of the requirements of this bylaw.
- 17.3 In the event that a licence application is refused, the licensing officer shall give notice in writing to the applicant by registered mail or personal delivery.

18. General Regulations

- 18.1 Animals kept in a hobby kennel shall be housed within the owner's premises.
- 18.2 The premises shall contain a suitable whelping area.
- 18.3 The property, together with pens and yards, must:
 - a) be kept at all times in a clean and sanitary condition and free from vermin and rodents;
 - b) be kept disinfected and free of offensive and disagreeable odours to the satisfaction of the Medical Health Officer or the Inspector;
 - c) be kept free of manure, dung, refuse and liquid waste which the operator shall dispose of in a manner approved by the Medical Health Officer; and

d) have a competent person available at all times.

18.4 The operator of a hobby kennel shall take effective precautions to ensure that animals under his care are properly controlled and restrained from barking, yelping and howling. Dogs are to be housed in the residence between 8:00 p.m. and 8:00 a.m.

18.5 The operator of a hobby kennel shall ensure that animals are fed and watered from utensils which have been washed daily and the design of which hampers tipping of them.

18.6 Every person operating a hobby kennel for dogs shall:

a) provide an outside kennel run a minimum of three (3) feet wide by twelve (12) feet long and a minimum of six (6) feet high; or

b) a fenced area with a fence that is sufficient to contain the dog(s).

18.7 Hobby kennel operators shall:

a) maintain a register of animals in the kennel clearly providing the name, breed and the breeding record of all animals housed there; and

b) make available the register to the inspection of the Police or the Inspector at all reasonable times.

PART 5 – GENERAL

19. Schedules

Schedule "A" – Off-leash Zones – attached to this bylaw forms part of this bylaw.

20. Inclusivity

In this bylaw, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.

21. Severability

If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

22. Violation

Any animal owner who contravenes any section of the bylaw is subject to a minimum fine of \$100.00 and a maximum fine of \$2,000.00. For each day that a violation is permitted to exist, it shall constitute a separate offence.

23. Repeal

Animal Control Bylaw 12-2010 and Kennel Operation Bylaw No. 662, 1987 are hereby repealed.

Read a first time the 22nd day of May, 2012.

Read a second time the 22nd day of May, 2012.

Read a third time the 22nd day of May, 2012.

Third reading rescinded the 12th day of June, 2012.

Read a third time, as amended, the 12th day of June, 2012.

Adopted the 26th day of June, 2012.

Original signed by:

Director of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
Animal Care and Control Bylaw 11-2012

Director of Corporate Services

SCHEDULE "A"
OFF-LEASH ZONES

Public property where dogs are permitted without a leash if under the control of a responsible individual:

- Tsuiquate Park from Kin Hut to the Waste Water Treatment Plant
- Duval Forestry Road
- Lot B, Plan VIP51959 (9250 Trustee Road) – undeveloped District of Port Hardy lot adjoining North Island Mall and the Trustee Road entrance to the mall

CATS & DOGS

ANIMAL CONTROL

December 2015

Cats

CATS AT LARGE AND LIVE TRAPS



As per Section 4.3 of the District of Port Hardy – Animal Care and Control Bylaw 11-2012, Section 4.3.: *“An owner shall ensure his or her animal does not run at large within the municipality.”* *“At Large”* is defined in the same bylaw as: *“an animal that is not on the property of the owner and that is not on a leash and/ or under the control of a person responsible.”*

What this means is that a property owner/ occupier has the right to set a live trap upon the property that they occupy. When a cat is trapped, whether it be feral or domestic, the said animal may be delivered to the animal shelter. An escalating fee is applied to claim an impounded pet, as well, the owner of the impounded pet may be subject to further fines and fees.

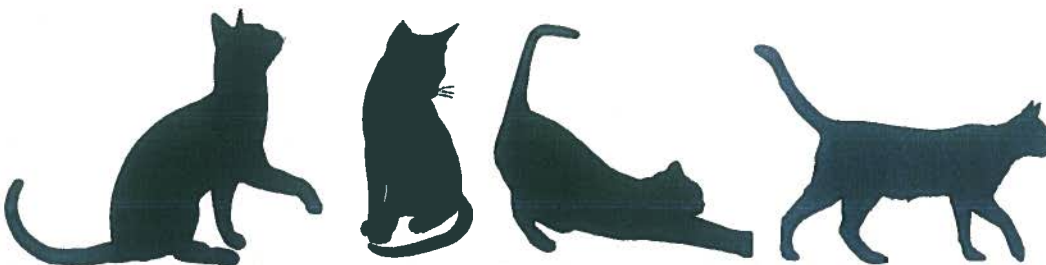
Most cat owners are usually unaware that their pet is causing a nuisance for their neighbours. On the other side, some frustrated neighbours are unable to enjoy their homegrown produce due to the excessive cat feces found buried in their garden. Furthermore, as a roaming cat develops its territory, they may begin to mark or spray property not belonging to that pet owner.

Other municipalities have implemented bylaws prohibiting cats from roaming, and the cat must be restrained to their owner's property. As well, licensing has been extended from dogs to include cats. As an immediate solution, some cat owner's have begun to keep their cat indoors. For cats that need outside time, a diligent cat owner could consider erecting a "cat condo"

Port Hardy's municipal bylaw currently reads that only dogs, and not cats, must be licensed at 8 months, allowing time for the dog to be spayed or neutered so the owner can take advantage of a reduced licensing rate.

We need your help spreading the word so that we can all live together harmoniously in our neighbourhoods and enjoy our properties to the fullest.

- Anika Kelly – Animal Control Officer



Did you know?

It is your responsibility to ensure that your cat stays within your own yard?

Cats who are let outdoors without supervision are vulnerable to the dangers of cars, other animals, cruel people, and diseases (in addition to a dramatically lowered life expectancy).

Some of the diseases that affect cats include, rabies, Feline leukemia, heartworms and distemper.

Many people consider free roaming cats to be pests. They do not want cats to urinate, defecate, dig, eat plants, or kill birds on their property.

Fortunately cats can live happy lives indoors, and they can be given opportunities to explore the outdoors under supervision. Like dogs, cats should be allowed outdoors for walks on leashes that are attached to harnesses and to explore securely fenced yards. There are products like cat condos, or cat fence-in areas that can be used to contain cats and help keep your feline companions safe in your yard.

-PETA (People for the Ethical Treatment of Animals)

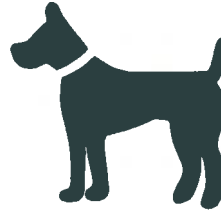
CATS & DOGS

ANIMAL CONTROL

December 2015

Dogs

MUST BE WITHIN YOUR CONTROL AT ALL TIMES



What does that mean? (Bylaw 211-2012)

1. An owner shall ensure that his or her animal does not run at large within the municipality.
2. A dog is not required to be on a leash while in a designated off-leash Park.
3. The owner or possessor of any dog that is lawfully not on a leash shall:
 - a) keep the dog under control by verbal command at all times, and
 - b) ensure that the dog does not cause injury to any person or other animal or cause damage to any property.

Did you know?

That Port Hardy has 3 designated Dog off Leash Parks?

1. Tsulquate Park from Kin Hut to the Waste Water Treatment Plant

2. Duval Forestry Road

3. The undeveloped District of Port Hardy lot adjoining North Island Mall and the Trustee Road entrance to the mall.

Responsible Pet Ownership

Commit to your pet by avoiding impulsive decisions when selecting. Do your homework and make sure that the pet you select meets your lifestyle and financial arrangements. Provide appropriate exercise, properly train your pet.

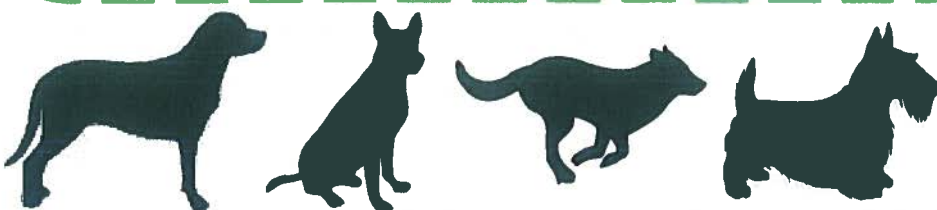
Invest— Recognize that pet ownership required an investment of time and money; Make sure that your pet received regular preventative health care maintenance (vaccinations, parasite control)

Obey— Clean up after your pet; obey all local bylaws, including licensing requirements and noise control;

Identify— Make sure your pet is properly identified in case they go missing.

Limit your pets reproduction by getting him/her spayed or neutered.

Prepare— Make sure that you have items in your emergency kit for your pet; make alternate arrangements when you can no longer care for your pet; and recognize any decline in your pet's quality of life and make timely decisions in consultation with a veterinarian



If Your Dog Poops



You must scoop...

Even If No One Sees You!!

Contact Animal Control

250-949-6113

CATS AND NEIGHBORS

Neighbors can be wonderful! We can share common interests in cats. We can help each other when we go on vacation, taking care of cats and mail and so on. But not all encounters with neighbors are positive experiences. Our cats can sometimes cause us to interact with neighbors in ways we'd rather not. Occasionally our cats do something—or our neighbors or their pets do something—that causes conflict.

KEEPING PEACE IN THE NEIGHBORHOOD

Cats are very social creatures. They like to hang out with others and wander into neighbor's yards. Here are tips for keeping peace with the neighbor:

YOUR CAT

If your cat goes outside and likes to visit your neighbors, here are some things you can do to let neighbors know that you are a responsible cat owner:

- Whenever your cat goes outside, put a very bright breakaway collar on her. Make sure that your phone number is on the collar, and add a bell. The collar will let others know that your cat is not a stray, and the bell warns birds as well.
- Feed your cat well and make sure he or she is fixed. A well-fed, spay/neutered cat is not likely to roam very much.
- Train your cat to stay in your yard (see Outside/Inside Training), stop letting her outside, or restrict her outdoor access to the daytime only. (The less your cat roams unattended, the less conflict you will cause in the neighborhood. Cats prowl more at twilight, when birds and mice come out.)

True Story

There was a biscuit factory in England that was losing thousands of dollars' worth of food to mice. The owners tried traps and even hunting dogs. But the dogs ate more biscuits than they saved. When all else failed, a dozen cats were brought in. Within two weeks, all the rats and mice were gone and the factory inventory was saved!

- Put water and a bird feeder in your backyard to keep your cat inside her own area.
- Praise your cat when she brings home mice, but say nothing about birds. Don't yell at your cat for killing prey, because that will only confuse her. It's natural for cats to bring home their food or live cat "toys." Quietly dispose of any prey when she's not looking. Feeding more natural or raw foods may cut down on the amount of prey she brings home.
- Get to know your neighbors. Tell them that you own a cat and that you don't like your cat going into other people's yards. Give them permission to scare your cat should she go into their yard. Give them your phone number and tell them to feel free to call. Avoid making them afraid of you, which would make them more likely to call the police or animal pound instead of calling you.
- If a neighbor complains to you, be sympathetic. Tell him you understand his frustration, apologize, and promise to do something about it. Then follow through.

Did You Know?

- A study of feral cats found that b 30 constituted just 4 percent of the cats' diet.

- Ninety percent of birds escape cat attacks, but only 20 percent of mice escape.
 - Mouse “squeaks” are at the sound and frequency that cats hear best.
 - It’s been proven that better-fed cats make better mousers.

THE NEIGHBOR’S CAT

Cats like to hang out with cool people. So if someone else’s cat likes to hang out with you and your cat, it’s because he thinks you are neat. But there are things to consider when it comes to neighborhood cats:

- If a neighbor’s cat is hanging around, either tell him to go away each time, or let him hang around as long as he doesn’t start trouble. If you let him hang around, give attention to your cat only. This helps let your cat know that the strange cat is not really important in your life. She’ll have no reason to be jealous. Don’t touch a strange cat or let one inside your house—strange cats often won’t leave.
- If a neighbor’s cat is coming into your house through the cat door, you may need to surprise or squirt him sometime to scare him out of the house. Close the door when you are not at home to watch. It’s best to avoid the use of cat doors because they allow a cat come and go as she pleases, which can cause more problems. But if you must have a cat door, there are special magnetic doors and collars that will allow only your cat to go in and out. There are drawbacks with that kind of door—the collar does not breakaway and if she loses it, she won’t be able to get back in.
- Don’t complain to your neighbors about little things, such as their cat coming into your yard. Unless a situation is very serious, complaining often solves nothing and makes matters worse. It’s best not to complain about a dog that seldom chases your cats, because accidents do happen, and besides, occasionally upsetting your cat can make her more respectful of her outdoor privileges.

DETERRENTS/GUARDS

There are several ways to deter cats from getting into yards or gardens. There also are things that you should never use for this purpose.

- Bury landscape netting below the surface of loose dirt to prevent cats from using the soil as a litter box. They’ll get their claws caught and won’t want to dig there. Pine cones and decorative rocks also can help.
- Don’t use mothballs; the fumes can permanently damage cats’ kidneys. White onions or orange peels work for a short while. Cat owners we have worked with have consistently reported that spray deterrents/repellents don’t work, whether used inside or outside.
- If your cat is using a child’s sandbox as a litter box, cover it when the children are not playing in it. Try putting a litter box outside in your yard.
- Sprinkle ammonia or vinegar in the garbage before putting it out. This may deter cats, but won’t stop dogs or raccoons.
- If there is a special area of a yard that all cats must stay out of, try one of the electronic choices on the market. Sonar devices emit sound waves as a deterrent. One popular brand is CatStop Ultrasonic Repellent by Contech Electronic . A motion-activated sprinkler is another option, such as The Scarecrow by Contech Electronic . Although we strongly discourage squirting a cat in the face with water, if a cat is on the verge of being killed by a neighbor for trespassing, this is another fairly inexpensive alternative.

Position the motion activated sprinkler so that it comes on when the cat gets near the property line, and this can help with keeping your cat in the yard.

- A fence guard is a wire netting that attaches at the top of a fence. It's U-shape is designed to keep cats inside the yard. The cat can still climb the fence but the fence guard will prevent your cat from jumping over the top. Ads for fence guards often are found in the back of cat magazines, but ask your local pet stores and fencing companies about them too. Or search the internet for keywords such as "cat proof fence."
- Electronic fencing, also known as an "invisible" fencing, can help to keep a pet in the yard, but it should be used as a complement to outside training (see Outside/Inside Training), not as a substitute for it. The "fence" is installed by burying a wire along the perimeter of the property. The cat then wears a special device on his collar that the wire will detect. As the cat approaches the property line, the collar may vibrate and then emit a shock if the cat continues to walk toward it. Others just shock. Some models may require a special adapter to tone down the severity of the shock so that it's suitable for a cat. Manufacturers recommend that you teach your cat what the yard boundary is first, before you begin the vibration and shock treatment. It's cruel to just install a shocking device with no warning to the cat. That said, if you don't approve of using shock treatment to train your cats, it's very cheap and easy to train a cat to stay in the yard without installing expensive electronic gadgets. We don't recommend spending a lot of money on cat training, period. A good electronic fence can be very expensive. Don't settle for something cheap or you may not like the results. Call different companies. Ask what kind of guarantee they have, and how safe their product is for cats.
- Another option is to install a chain-link cat kennel. Make it so the cat can access it from the house by way of a cat door. Your cat can't roam, but she can still get fresh air. Put in an outdoor cat tree, shelves, or a dog house if you can. Add a padlock to help keep your kennel secured.
 - A dog will usually keep a cat out of its yard. Buy one for your neighbor. (Yeah, right!)

Shopping List

- landscaping netting
- pine cones or rocks
- ammonia or vinegar
- bright, breakaway collar with bell
- CatStop Ultrasonic Repellent by Contech Electronic
 - The Scarecrow by Contech Electronic

Optional

- fence guard
- outdoor kennel

Heather Nelson-Smith

From: Gordon BROWNRIDGE <Gordon.Brownridge@rcmp-grc.gc.ca>
Sent: January 7, 2016 12:15 PM
To: hnelson.smith@porthardy.ca
Subject: Special Events By-law
Attachments: Pemberton - special events bylaw_1.pdf

Hi Heather,

As per our phone call, I have attached a copy of Pemberton's Special Events By-law. When the promoter comes into town and puts on their huge festival, their policing costs go through the ceiling. Having this By-law allows them to liaise with Police Services to bill back a large portion of those costs. Below is the way it was explained to me for how it works in Pemberton:

The way the cost recovery works is that the Village will not issue a Special Event Permit to the Promoter until the RCMP sign off on the Event Operations Plan - Sec 6(2)(b)(iii). We will not sign off on the Event Operations Plan until the Promoter agrees to a Letter of Understanding (LOU) with Provincial Police Services to cover 70% of the total policing costs and the money must be deposited, in trust, with the Village - no money, no permit, no festival. The Province will cover the other 30% of the policing costs.

You can imagine the impact if a promoter came into Port Hardy and decided to put on a concert without the above being in place. The policing costs for the Pemberton event were close to half a million dollars, which is several years worth of budget for this detachment. I feel it is important to have this in place in order that we may ensure public safety in the event something like this comes to pass.

Thanks, let me know how it goes.

Gord,

Gord Brownridge (S/Sgt)
Detachment Commander
Port Hardy RCMP Detachment
7355 Columbia Street PO Box 86

VILLAGE OF PEMBERTON
Special Events Bylaw No.750, 2014

A Bylaw to regulate Special Events within the boundaries of the municipality

WHEREAS the Village of Pemberton Council recognizes the importance of Special Events in enhancing the quality of life, tourism, culture, recreation and education and in providing economic benefits to the local economy;

AND WHEREAS Council deems advisable the provision of adequate health, safety, sanitation and protective measures of persons attending special events where large numbers of people are in attendance, or may be anticipated to be in attendance;

AND WHEREAS planning for and accommodating a special event which is expected to involve extraordinary costs to the Village for policing, highway and traffic control, water and other services, and dealing with potential adverse impacts such as nuisance;

NOW THEREFORE, the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw is cited as the "Village of Pemberton Special Events Bylaw 750, 2014".

2. DEFINITIONS

In this Bylaw:

"Applicant" means an applicant for a permit and the holder of the issued permit;

"Application" means a special event permit application in a form as established by the Chief Administrative Officer;

"Attendees" means all people who are present at an event or activity and includes all participants, staff, volunteers, contractors and employees;

"Chief Administrative Officer" means the Chief Administrative Officer for the Village or the person appointed to act in his or her place;

"Council" means the Council of the Village of Pemberton;

"Commercial Event" means a special event held where a fee is charged for attendance or that is held for the purpose of business or otherwise for profit or gain;

"Day" means the whole or any part of a period of 24 hours from midnight to midnight;

"Fire Department" means the Village of Pemberton Fire Department or any other Fire Department that the Village holds agreements for service with;

“Highway” includes a street, road, lane, bridge, sidewalk, boulevard, road shoulder any other way open to public use, and any road shoulder, adjacent land or ditch on municipal or Crown land, but does not include a private right of way on private land;

“Major Event” means a special event that is likely to be attended by more than one thousand (1,000) individuals or more per day;

“Minor Event” means a special event that is likely to be attended by less than (1,000) individuals per day;

“Permit” means a special event permit issued under this Bylaw in a form as prescribed by the Village;

“Police” means the Royal Canadian Mounted Police (RCMP) or any other police agency that is responsible for policing the Village of Pemberton;

“Site” means the land described in a Permit, on which a special event is to be held;

“Special Event” means any festival, concert, exhibition, show, performance, competition, involving music, sports or athletics, or of a theatrical, community or cultural nature, that is likely to be attended by 300 or more individuals, whether or not held as a commercial undertaking, where any part of the event is held outdoors;

“Village” means the Village of Pemberton;

“Special Event Guideline Form” means a set of guidelines in a form approved by the CAO for special events within parks or on land owned or under the control of the Village.

3. PERMIT REQUIREMENTS AND EXEMPTIONS

(1) The following Special Events require a Permit:

(a) A Special Event that is a Major Commercial Event

(b) A Special Event that is a Minor Commercial Event;

(c) Special Events that last more than twelve (12) consecutive hours from set-up to take down of the event; and

(d) Special Events that are less than twelve (12) consecutive hours of a particular day, but that carry over into the next day.

(2) The following events do not require a Permit:

a. Special Events held or sponsored by the Village;

b. Special Events held by Sea to Sky School District No. 48 & No. 93;

c. Special Events held outdoors that can facilitate the attendance of less than 300 people and applied for by a local business or a community or rate payer

association incorporated under the *Society Act* and operating within the Village unless the event is a "Commercial Event";

- d. Special Events facilitated by organizations or groups that hold a valid Parks & Public Space Use Permit issued by the CAO;

4. **PROHIBITION**

- (1) A person must not publicize or hold a Special Event described in Section 3 (1), or permit, suffer or allow the publication or holding of a Special Event, in the Village except in accordance with this Bylaw.
- (2) Prior to publicizing or holding a Special Event described in Section 3 (1) the owner of land, the owner's authorized agent or representative, or other person responsible for the Special Event must submit a complete Application to the CAO, together with full payment of the Application fee, and must obtain a Permit for that Special Event as provided for in this Bylaw.

5. **APPLICATION FEE AND ADDITIONAL COSTS**

- (1) The following Application fee is to be paid to the CAO by the Applicant at the time of submitting the Application:
 - (a) **for Minor Events**: Two hundred dollar (\$200.00) Application fee
 - (b) **for Major Events**: Three hundred dollar (\$300.00) Application fee, plus:
 - i. \$100 for every one thousand (1,000) participants or any part thereof between two thousand (2,000) participants and ten thousand (10,000) participants; and.
 - ii. \$200 for every one thousand (1,000) participants or any part thereof between ten thousand (10,000) participants and twenty thousand (20,000) participants; and.
 - iii. \$300 for every one thousand (1,000) participants or any part thereof over twenty thousand (20,000) participants.
- (2) In addition to the Application fee, where and when Village staff resources are used in excess of fees collected for either a Minor or Major Event, an administration fee of actual cost plus 10% will apply and the owner of private lands used for the Special Event, as well as the Applicant named on the Permit, will be responsible to pay that amount to the Village within thirty (30) days of being delivered an invoice from the Village.

6. **OBTAINING A PERMIT**

(1) **Type of Event**

A fully complete Application for a Permit must be submitted to the CAO as follows:

- (a) for Minor Events: at least sixty (60) days prior to any Site preparations for the Special Event;
- (b) for Major Events: at least one hundred and eighty (180) days prior to any Site preparations for the Special Event.

(2) Required Information

- (a) An Application for a Permit shall be made in the form as approved by the CAO..
- (b) The Application must include the written approvals and any relevant supporting documentation by any or all of the following stakeholders, as the CAO deems necessary or advisable taking into account the size, scope, nature and location of the Special Event, sanitation, water and firefighting facilities, and the geography, weather, highway, traffic and other conditions potentially relevant to ensuring public health and safety and the avoidance of nuisance, hazards and other adverse effects:
 - (i) The registered owner and occupier of the land upon which the special event is to be held;
 - (ii) Vancouver Coastal Health - Office of the Medical Health Officer;
 - (iii) Royal Canadian Mounted Police;
 - (iv) Office of the Fire Commissioner, BC Forest Service Protection Branch and Pemberton Fire Rescue (as applicable);
 - (v) British Columbia Liquor Inspector (if liquor is to be sold during the event);
 - (vi) British Columbia Safety Authority;
 - (vii) British Columbia Ministry of Transportation & Infrastructure (if accessing on or near an arterial Highway)
 - (viii) British Columbia Ministry of Forests, Lands, and Natural Resource Operations (if access will be from a forest service road or if located adjacent to or within a wildfire hazard assessment area)
 - (ix) Agricultural Land Commission (proof of compliance with any requirements and any approvals as applicable)
 - (x) Other jurisdictions that could be affected by the Special Event;
 - (xi) Village of Pemberton Building Inspector and/or Compliance Officer;
 - (xii) Village of Pemberton Emergency Program Coordinator;
 - (xiii) Village of Pemberton Development Services Department;
 - (xiv) Village of Pemberton Public Works Department
- (c) The Application must include proof that owners and occupiers of property within one (1) kilometre of the site of the Special Event who may be affected have been notified in writing prior to submission of the application for the Special Event;
- (d) The Application must include a document, including a Site plan of the Special Event site and neighbouring properties as the CAO deems necessary or advisable, setting out in reasonable detail:
 - i. Applicant emergency information;
 - ii. Site access information;
 - iii. parking, traffic and noise Management Plans;,
 - iv. event layout and locations that include, as required, public and vendor sanitary facilities;
 - v. solid and liquid waste management plans;

- vi. staging;
- vii. vendors;
- viii. fire safety;
- ix. first aid care and facilities;
- x. security information;
- xi. an on-site and off-site signage plan; and
- xii. location of any hazards for the Special Event,

made in accordance with the Special Event Guidelines and to the satisfaction of the stakeholders listed in section 2 (b), and such other information the CAO deems necessary or advisable in the circumstances of the Special Event.

- (e) An application for a Special Event Permit must include a written agreement in a form acceptable to the CAO, to release, indemnify and save harmless the Village, its officers, elected officials, employees, agents and volunteers from and against any and all suits, claims, demands, complaints, or claims of any kind whatsoever that do or may arise as a result of publicizing, holding or carrying out the Special Event and all related activities, including, without limitation, for compensation for loss, injury or death to persons, loss of, injury or damage to property, and for reasonable legal expenses, unless directly caused by an intentional wrongdoing of the Village or its officers, officials, employees, agents or volunteers,
- (f) The CAO may exempt an applicant from providing some or all of the information and materials described in this section.

(3) Security

The Applicant must post Security as required under Section 8.

(4) Application Fee

The Applicant must pay the Application Fee as required under Section 5.

(5) Liability Insurance

The Applicant must provide the CAO with proof of insurance as a condition of granting a Special Event Permit, as follows:

- (a) The owner, occupier or promoter shall buy and keep in force at their own expense until completion of the Special Event, Personal Injury and Property Damage Liability Insurance;
- (b) Such insurance shall be for a minimum of \$5,000,000 coverage per occurrence;
- (c) Such insurance shall be in the name of the owner and any occupier, or promoter; shall name as an added covered agency the Village, and shall include a Cross Liability or Severability of Interests clause;
- (d) Such insurance shall be in a form and with an Insurer acceptable to the Village. Both Personal Injury and Property Damage sections are to provide coverage on an "Occurrence Basis"; and

- (e) If the CAO believes the nature of the proposed Special Event creates an unusual risk of injury to participants or spectators, or an unusual risk of damage to property, the CAO may require the applicant to provide additional insurance coverage.

(6) Business Licence

The Applicant must hold a valid Business License within the Village.

(7) Sign Permit

The Applicant must hold valid Sign Permits from the Village, the British Columbia Ministry of Transportation and Infrastructure and any other agency as required and authorized by those agencies.

7. COSTS, FEES AND EXPENSES

All costs and expenses incurred in meeting the requirements of this bylaw shall be by the applicant.

8. SECURITY FOR SERVICES AND COSTS

- a. As a condition of granting a Special Event Permit, the owner or occupier of the premises, or by the person or persons holding the Special Event must post a security deposit.
- b. An application must be accompanied by a refundable security deposit in the form of a standby irrevocable letter of credit or cash in the amount to be determined by the CAO based on the size, duration and type of Special Event and likelihood of the need for services set out in paragraph 8 (e) but in any event, in an amount not less than \$1,000 for a Minor Special Event and not less than \$10,000 for a Major Event.
- c. The CAO may set a higher or lower amount for the security required in subsection 8 (b) if the CAO believes that the scope, scale, and nature of the proposed Special Event creates an increased or decreased risk of damage to land and property.
- d. The Applicant and any owner or occupier of land where the Special Events are held shall be responsible for all costs incurred by the Village arising from or related to the Special Event, including but not limited to, the cost to provide policing, public works and fire services and all costs to restore the Site after the Special Event.
- e. The Village will hold any security deposit for up to one hundred and twenty (120) days following the conclusion of the Special Event, at which time the Village shall return the security or such portion of the security not returned under subsection 8 (g).

- f. Despite paragraph (e), if, in the opinion of Village, the Special Event causes damage or results in the Village incurring financial costs and expenses for the cleanup, repair, reconstruction or replacement of any public place or Village property which is not remedied immediately upon demand, the Village may from time to time draw down on the security posted to the extent of any cost incurred or expected to be incurred by the Village in connection with the cleanup, repair, reconstruction, or replacement.
- g. Either one or both of the Applicant and the owner or Occupier of Land where the Special Event is held shall, within one hundred and twenty-seven (127) days of the Special Event, pay any costs incurred by the Village as a result of the Special Event that exceed the security provided under 8(b).
- h. For the purposes of Section 5, damage caused by the Special Event includes damage caused by a participant or spectator at the Special Event.
- i. Any and all costs and expenses incurred by the Village in providing services to the land or improvements on which a special event is held shall be a debt owed to the Village by the land owners and if not paid in full by December 31st of the year in which the debt is incurred, may be collected as if for property taxes from the owner of property for which the Village service was provided or work carried out.

9. APPROVAL OF A PERMIT

- (a) A Permit for a Special Event will not be issued or may be withheld if:
 - i. The application is incomplete or inaccurate; or
 - ii. There are insufficient police or safety services available; or
 - iii. If the necessary approvals and permits from other agencies have not been obtained.
- (b) The applicant is responsible to ensure that the Special Event is held in compliance with all other applicable Acts, regulations, decisions, orders, Bylaws or legislation of any other person or body having jurisdiction over the subject lands.
- (c) Council delegates to the Chief Administrative Officer, or a person appointed to act in the absence of the Chief Administrative Officer, , the authority to approve, exempt, and revoke on behalf of the Village applications for either a Minor or Major Special Event Permit under this bylaw.

10. OFFENCE

- (a) A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of at minimum \$500 and a maximum penalty of Ten Thousand Dollars (\$10,000.00), the costs of prosecution and any other penalty or order imposed pursuant to the *Community Charter* or the *Offence Act* (British Columbia).

- (b) Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.
- (c) The penalties imposed under Section 9(a) shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

11. SEVERANCE

If any provision contained in the Bylaw is found by a Court of competent jurisdiction to be invalid, illegal or unenforceable, the validity, legality or enforceability of the remaining provisions contained herein shall not be in any way affected or impaired thereby to the extent that the purpose of the Bylaw may be fulfilled in the absence of the impugned provision or provisions of the Bylaw.

12. EFFECTIVE DATE

The Village of Pemberton Special Events Bylaw comes into full force and effect on the date of its adoption by Council.

READ A FIRST TIME this 7th day of January, 2014.

READ A SECOND TIME this 7th day of January, 2014.

READ A THIRD TIME this 21st day of January, 2014.

ADOPTED this 4th day of February, 2014.

Jordan Sturdy
Mayor

Sheena Fraser
Corporate Officer



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: January 20, 2016
TO: Mayor and Councillors
FROM: Allison McCarrick, Chief Administrative Officer
RE: **Establishment of a Personnel Committee**

PURPOSE

To determine if Council wishes to establish a Personnel Committee and if so the type of committee, Standing or Select, and terms of reference for the committee.

BACKGROUND

Due to the recent change over in senior staff positions within the District of Port Hardy, Council determined the need for a Personnel Committee to be involved with the hiring of senior staff. Past practice of the District was that hiring of senior staff positions was the sole duty of the Chief Administrative Officer.

The CAO may, dependant on the relationship with the position being hired and Council, request consultation and general direction from Council. Council's role of involvement with the hiring of senior staff in the past was only for the position of the CAO.

An email was circulated to over 30 Chief Administrative Officers within the Province. The question was asked if their Municipality or Regional District had a standing or select personnel committee with regards to senior staff and if so the terms of reference . It was also asked if there was any involvement from Council on the hiring of senior staff positions with the exception of the CAO position.

ANALYSIS

The email resulted in 17 responses. Out of the 17 responses none had a Standing or Select Personnel Committee responsible for the hiring of senior staff positions. All respondents emphasized the "one employee" concept with regards to Council's involvement in the hiring process.

However, the Bowen Island Municipality did have a Human Resources Select Committee. The terms of reference for this committee have been shared with us and are attached.

Standing Committee versus a Select Committee

Standing Committees

Standing Committees are established by the Mayor to deal with matters or areas of interest that are considered to be better dealt with by committee. At least half the members of a Standing Committee must be made up of members of Council. These committees may include as members, members of the public. (Finance, Operational Services)

Select Committees

Select Committees are established by Council to consider or inquire into any matter and to report their findings and opinions to Council. At least one Council member must be appointed by Council to be a member of a Select Committee. Council may appoint non Council members to a Select Committee. Select Committees tend to be task oriented and are appointed from time to time on an as needed basis. (Emergency Planning, Community Consultative)

FINANCIAL IMPLICATIONS

None

STAFF RECOMMENDATION

"THAT Council supports the concept of the "one employee" model and that the hiring of senior staff positions, with the exception of the CAO position, be determined by the Chief Administrative Officer; who, when he/she determines it necessary for the guidance of Council is able to request that assistance.

AND FURTHER THAT if Council so wishes, to establish a Select Committee to act in an advisory capacity to Council with regards to senior staff organizational structure, compensation matters and other human resource matters as determined by the Chief Administrative Officer."

Respectfully submitted,



Allison McCarrick
Chief Administrative Officer

BOWEN ISLAND MUNICIPALITY

Bowen Island Human Resources Committee Terms of Reference

PURPOSE:

To act as a source of support and advice for Council and the CAO with respect to human resource related matters.

MANDATE - RESPONSIBILITIES AND DUTIES:

The Committee is a select committee that acts in an advisory capacity to Council, and final decisions in all matters brought before the Committee rests with the Council.

The Committee will:

Provide advice and recommendations to Council and CAO as appropriate on:

- Staff organization structure;
- Senior staff appointments and proposed contractual arrangements;
- Human Resource and Compensation Policies.

Ensure job descriptions are available for relevant positions;

Ensure a performance appraisal system is in place and timely reviews are completed annually;

Coordinate on behalf of Council the performance appraisal process for the CAO and

Other matters as may be referred by the CAO and/or Council.

MEMBERSHIP – COMPOSITION AND TERM OF OFFICE:

The Committee shall consist of up to three (3) members from the community at large and up to three (3) members of Council, all appointed by Council, and the Chief Administrative Officer. Community members should be a resident or property owner of Bowen Island and have expertise relative to the mandate of the committee.

Committee members will be appointed within two months of the general election

The term of office of Committee members shall be three (3) years. Where a member resigns or ceases to act as a member Council may appoint a member to serve the remainder of the term. Committee members are eligible for reappointment.

Council, pursuant to section 144 of the *Community Charter* may rescind appointment of a committee member at anytime.

Committee members shall serve without remuneration.

HOLDING OF MEETINGS – QUORUM, VOTING AND CONDUCT:

The Committee shall elect a Chair at its first meeting after January 1st each year.

The Committee shall decide from time to time by resolution where and when its meetings shall be held. The Committee shall post notice of a schedule of regular meetings and of each meeting in accordance with the municipality's procedure bylaw.

Unless specified as a Closed Meeting for reasons allowed under the *Community Charter*, all meetings shall be open to the public.

Meetings of the Committee shall be conducted in accordance with Bowen Island Municipality Council Procedure Bylaw. In the absence of comment in the Procedure Bylaw, Robert's Rules of Order shall apply.

A quorum for a meeting of the Committee is 50% of the voting members.

Decisions of the Committee shall be decided by a majority vote with the names of those voting in the minority being recorded. Each voting member on the Committee shall have one vote.

ADMINISTRATION

All costs related to the functioning of the committee shall be charged to the Corporate Services Budget.

The minutes of the proceedings of all Committee meetings shall be recorded. All minutes once approved by the Committee shall be signed by the Chairperson.

A committee member will act as minute taker.

The Committee will report to Council as appropriate.

Approved by Council this 17th day of December, 2012.