

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4416**

**A BYLAW TO CONVERT THE ANIMAL CONTROL FUNCTION OF DIVISION XXII OF THE
SUPPLEMENTARY LETTERS PATENT OF THE CRD TO SERVICES
OPERATED UNDER AN ESTABLISHING BYLAW**

WHEREAS:

- A. Under Supplementary Letters Patent (SLP), Division XXII, OIC 446, dated February 16, 1979, the Regional Board was granted the function of animal control for all electoral areas in the regional district, a regulatory service;
- B. The municipalities of Colwood, Langford, Metchosin, View Royal and Sooke were subsequently incorporated and, as a result, no longer participate in the service as participants, other than as clients by contract, with the only remaining participants being the electoral areas of Salt Spring Island, Southern Gulf Islands, and Juan de Fuca; and
- C. The *Local Government Act* authorizes the Capital Regional District Board to convert a function established by SLP to a service exercised under the authority of a bylaw establishing the service;
- D. The Board wishes by bylaw adopted in accordance with the *Local Government Act*, to convert the service operated under SLP Division XXII to a service exercised under the authority of an establishing bylaw and, by the same bylaw, amend the power to the extent that it could if the power were in fact exercised under the authority of the establishing bylaw;
- E. The written consent of at least two thirds of participants has been obtained in accordance with the *Local Government Act*, by way of Electoral Area Director consenting on behalf of the electors;

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

Service

- 1. The function of animal control as granted by Division XXII of Supplemental Letters Patent dated February 16, 1979 by Order In Council 446/1979 is hereby converted and established as the Regional District Animal Control Service.

Boundaries

- 2. The boundaries of the service area are the boundaries of the Salt Spring Island Electoral Area, Southern Gulf Islands Electoral Area, and Juan de Fuca Electoral Area.

Participating Areas

3. The participants in the service are the Salt Spring Island Electoral Area, Southern Gulf Islands Electoral Area, and Juan de Fuca Electoral Area.

Cost Recovery

4. As provided in Section 378 of the *Local Government Act*, the annual costs of providing the Service, net of grants and revenue, shall be recovered by one or more of the following:
 - (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*], Part 11 of the *Local Government Act*;
 - (b) Fees and charges imposed under Section 397 of the *Local Government Act*;
 - (c) Revenues raised by other means authorized under the *Local Government Act* or another Act;
 - (d) Revenues received by agreement, enterprise, gift, grant or otherwise.

Cost Apportionment

5. The annual cost of the service, net of grants and other revenues, shall be apportioned on the basis of the converted value of land and improvements in the service area among the participating areas of the service.

Service Powers

6. In providing the service established by this Bylaw, the Regional District may, without limiting the generality of section 1 and in accordance with its powers under the *Local Government Act* and other applicable enactments:
 - (a) Acquire, design, construct, operate, maintain, and administer pounds, kennels, and other animal impoundment or containment facilities;
 - (b) Enter into an agreement with a municipality or public authority on such terms as are mutually agreed to provide animal control services to that municipality or public authority;
 - (c) Make regulations for the purpose of animal control;
 - (d) Operate a system of dog licensing;
 - (e) Seize, impound, detain, and sell unlicensed dogs, and dogs and other animals unlawfully at large which the Regional District has the authority to regulate; and
 - (f) Declare dogs dangerous in accordance with the *Community Charter* and other applicable enactments.

Citation

7. This Bylaw may be cited for all purposes as "Animal Control Service Establishing Bylaw, 2021".

READ A FIRST TIME THIS	9 th	day of	June,	2021
READ A SECOND TIME THIS	9 th	day of	June,	2021
READ A THIRD TIME THIS	9 th	day of	June,	2021
APPROVED BY TWO-THIRDS OF PARTICIPANTS THIS	14 th	day of	June,	2021
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	28 th	day of	July,	2021
ADOPTED THIS	8 th	day of	September,	2021



CHAIR



CORPORATE OFFICER