

Backgrounder: Dangerous Dogs

What is a Dangerous Dog?

The Capital Regional District Bylaw No. 1465 defines a dangerous dog as "any animal that has attacked or bitten, attempted to attack or bite or chased any person, or animal or wildlife; but excludes any attack by a dog on other animals or wildlife engaged in molesting livestock."

The Law and Dangerous Dogs

Local bylaws, provincial statutes and criminal code provisions provide several means of dealing with dangerous dogs. The CRD Bylaw Services Division is prepared to use any of them to protect the public.

If a dog performs a vicious act it must be muzzled and leashed.

Dogs that are likely to kill or injure, or have killed or injured, can be ordered destroyed by the Provincial Court.

If an owner cannot or will not control a dangerous dog, the above provision is used.

Anybody finding a dog running at large and harassing people or domestic animals can kill the dog except in the case of dog fights. Note however, the Community Charter does not supersede restrictions on discharging weapons. Permits for discharging weapons in restricted areas are issued by the Ministry of Environment.

Owners of Dangerous Dogs can be:

1. Fined: Dogs that act viciously are deemed not to be under effective control. This is a by-law offense.
2. Fined Up to \$2,000 and imprisoned for five years: Assault charges could be laid if a dog is purposefully allowed to attack a person. This is a criminal offence.
Penalty ranges from fines up to \$2,000 to five years imprisonment.
3. Charged: Criminal negligence charges are possible if an owner fails to control a dog with vicious propensity.
Penalty for criminal negligence causing bodily harm is punishable by up to ten years imprisonment. If someone is killed the penalty could be life imprisonment.
4. Sued: Civil Liability. Owners of vicious dogs can be successfully sued for damages if it can be proved their dog caused an injury and if the owner cannot establish they were

unaware of this propensity. They may also be found liable for negligence if they failed to control their dog.

5. Not Insured: It is possible that awards can surpass insurance coverage. Dog owners that have knowledge of vicious behavior by their dogs, and do not inform their insurance companies, may find their insurance invalidated.

Owner's Responsibility

Owners of dogs must ensure their dogs do not harass persons or animals. This is the case even when the dog is on the property of the owner. Too many faultless people, such as delivery persons, are hurt by dogs which the owners proudly describe as "protective." Such dogs are in fact confused, out of control and dangerous.

If you own a dog that displays any type of aggression, keep it away from people and put up warning signs for visitors. Do not keep it where the public will have to confront it.

Victims Responsibility

Persons who have been bitten, or viciously pursued by dogs, should report each incident to the Bylaw Services Division. Thus the safety of the community is enhanced and attacks on defenseless people, such as children, may be avoided.

Wildlife Protection

Deer chasing by dogs is against the law. Persons who allow a dog to chase wildlife, contrary to the regulations of the Wildlife Act, are subject to a fine of up to \$1000 or imprisonment for up to six months (Wildlife Act, Section 80).

Dogs may be killed by a Conservation Officer or Peace Officer, if they are at large in a wildlife management area, or if they are running at large and harassing wildlife (Wildlife Act, Section 81).

CRD Bylaw Services Department Commitment

All reported dangerous acts by dogs are thoroughly investigated and documented. Actions deemed necessary are taken to safeguard persons and animals.