

The Corporation of the District of North Vancouver

Bylaw 8470

A bylaw to regulate the keeping of pigeons in the District of North Vancouver

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as "Pigeon Regulation Bylaw 8470, 2021".

Definitions

2. In this bylaw:

"*District*" means the Corporation of the District of North Vancouver or the geographic area within the municipal boundaries of the District, as the context requires;

"*loft*" means any building, structure or coop in which pigeons are housed or kept;

"*owner*" has the meaning prescribed in the *Community Charter*, SBC 2003, c. 26, as amended or replaced;

"*parcel*" means a lot, block, or other area in which land is held or into which land is subdivided, including a strata lot and a lot created under the *Strata Property Act*, SBC 1998, c. 43, as amended or replaced; and

"*pigeon*" means any member of the *Columba* genus, including birds commonly referred to as common pigeons, racing pigeons, fancy pigeons, utility pigeons and flying or sporting pigeons.

General Regulations

3. A person shall not keep *pigeons* in the *District* except on a parcel of land having an area of at least 550 square metres (5,920 square feet).
4. A person shall not keep *pigeons* on any parcel unless the person applies for, obtains and keeps in good standing a permit for the keeping of *pigeons* by submitting an application to the *District* together with the applicable fee prescribed in the Fees and Charges Bylaw 6481, if any, along with any additional information required by the *District's* General Manager – Planning, Properties and Permits or designate.

5. Any person who keeps *pigeons* must ensure that there is a *loft* on the *parcel* upon which the *pigeons* are to be kept that meets the following requirements:

- (a) the *loft* must be constructed only in a rear yard;
- (b) the *loft* must be situated in compliance with the following minimum setbacks:
 - (i) From a rear lot line 1.5 metres (4.9 feet)
 - (ii) From an interior side lot line 3.0 metres (9.8 feet)
 - (iii) From a dwelling unit, school, place of worship or building used for human habitation or occupancy 9.0 metres (29.5 feet)
- (c) the *loft* must provide at least 0.19 square metres (2.0 square feet) of floor space for each *pigeon* over the age of 1 month; and
- (d) the *loft* must be constructed to be dry, light and have adequate ventilation.

6. Any person who keeps *pigeons* must ensure that:

- (a) all *pigeon* feed is stored in accordance with all applicable *District* bylaws;
- (b) all leftover feed, trash, and manure is removed and disposed of in a timely manner and in accordance with all *District* bylaws so as to prevent obnoxious odours, health hazards, attraction for pests and wildlife, or conditions that could interfere with the health or well-being of a *pigeon*;
- (c) the *loft* is kept secured at all times except when that person or another person with his or her permission is present;
- (d) the *loft* and all components of it are maintained in good and sanitary condition at all times and all cleanings from the *loft* are disposed of in a manner that will not create a nuisance or health hazard and in accordance with all applicable *District* bylaws;
- (e) all *pigeons* are kept within the *loft* at all times except for limited periods necessary for exercise, training or competition when such *pigeons* must remain under that person's control or the control of another person with that person's permission; and
- (f) their *pigeons* do not stray, perch, roost, rest or nest upon any *parcel* other than the *parcel* identified in the permit upon which the *loft* is located.

7. If a person keeping *pigeons* suspects that a *pigeon* is infected with a reportable or notifiable disease under the *Animal Health Act*, as amended or replaced, SBC 2014, c. 16, that person shall immediately consult a licenced veterinarian to diagnose the condition. If the diagnosis is confirmed, the person shall immediately notify the Medical Health Officer and comply with the instructions of the Medical Health Officer.

Inspection

8. The *loft* may be inspected by the *District* for compliance with the provisions of this bylaw as a condition of issuing a *pigeon* permit.

Prohibitions

9. A person must not:
 - (a) keep or permit to be kept more than 20 *pigeons* on any *parcel*;
 - (b) have or permit more than one *loft* per *parcel*;
 - (c) keep *pigeons* in, upon or under any building used for human habitation; or
 - (d) deposit manure in the municipal sewage or storm drain system or compost manure in such a way as to allow manure to enter the municipal sewage or storm drain system.

Offence and Enforcement

Entry

10. Bylaw Enforcement Officers, are authorized, in accordance with section 16 of the *Community Charter* SBC 2003, c. 26, as amended or replaced, to enter at any reasonable time onto a *parcel* to inspect and determine whether the regulations of this bylaw are being complied with.

Obstruction

11. A person must not interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or designate or other person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

Violations

12. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw; or who neglects or refrains from doing any act or thing which violates any of the provisions of this bylaw will be liable to the penalties hereby imposed and each day that such violation is permitted to exist will constitute a separate offence.

Penalty

13. Every person who commits an offence contrary to the provision is liable on summary conviction to a penalty of not more than the maximum permitted under the *Offence Act*, RSBC 1996, c. 338, as amended or replaced, in addition to the costs of the prosecution.

Designation of Bylaw

14. This bylaw is designated under section 264 of the *Community Charter* as a bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officer

15. Bylaw Enforcement Officers, Animal Services Officers, Medical Health Officers and Members of the Royal Canadian Mounted Police are authorized to enforce this bylaw.

Ticketing

16. Pursuant to sections 264(1)(c) and 265(1)(a) of the *Community Charter*, the table below sets out the designated expressions for offences under this bylaw with the corresponding bylaw section number and fine amount:

DESIGNATED EXPRESSION	SECTION	FINE
<i>Parcel</i> too small	3	\$100
Keep <i>pigeons</i> without permit	4	\$100
<i>Loft</i> not meeting requirements	5	\$100
Improper storage of <i>pigeon</i> feed	6(a)	\$100
Improper disposal of <i>pigeon</i> waste	6(b)	\$100
<i>Loft</i> not secured	6(c)	\$100
<i>Loft</i> not in sanitary condition	6(d)	\$100
<i>Pigeons</i> not in <i>loft</i> or under control	6(e)	\$100
Allow <i>pigeons</i> to stray	6(f)	\$100
Fail to consult veterinarian	7	\$100
Fail to report to Medical Health Officer	7	\$100
Keep more than 20 <i>pigeons</i>	9(a)	\$100
Have more than one <i>loft</i>	9(b)	\$100
Keep <i>pigeons</i> in building	9(c)	\$100
Deposit manure in municipal storm system	9(d)	\$100
Obstruct bylaw enforcement officer	11	\$100

Severability

- 17. If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

Repeal

- 18. The District of North Vancouver Pigeon Prohibition Bylaw 8402, 2019 is hereby repealed.
- 19. Bylaw Notice Enforcement Bylaw 7458, 2004 Amendment Bylaw 8403, 2019 (Amendment 46) is hereby repealed.

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ADOPTED

Mayor

Municipal Clerk

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Municipal Clerk

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