

Subject: [Fwd: Re: Commercial Dog Walking Bylaw]
From: Brian Platts <bplatts@shaw.ca>
Date: Thu, 06 Apr 2006 19:38:30 -0700
To: Corrie Kost <kost@triumf.ca>

Subject: Re: Commercial Dog Walking Bylaw
From: Lyle Craver <lcraver@shaw.ca>
Date: Thu, 06 Apr 2006 19:19:58 -0700
To: Councillor Mike Little <mlittle@dnv.org>
CC: DNVCouncil <DNVCOUNCIL@dnv.org>, FONVCA <fonvca@fonvca.org>

Dear Mike,

As promised, here are my comments on your proposed amendments to the Commercial Dog Walker Bylaw and the original proposed Bylaw itself:

On your point 1, I'm not going to debate what the right "on/off" number is since it's clear you and I are not going to agree. I think "5 and 2" is an unreasonably high compromise which jeopardizes the public safety on the narrow track trails typical of North Vancouver particularly in Alpine areas. You clearly think promoting commercial enterprise is of equal importance to public safety. We're clearly not going to agree on this so I'll say no more on this subject.

Point 2 I agree with you – it's a duplication

Your point 3 I'm undecided on. Given your comments about 16 year old lifeguards I'm leaning your way.

Point 4 – I don't mind your dollar amounts but object to your allowing more than 4 walkers per company. That's an amendment from the original draft bylaw so subject to deleting that column we agree - I think the draft Bylaw had it right

Point 5 – that's reasonable

Points 6 and 7 – I like the vest idea BUT think the dog tags should have the same color as the walker's vest. The whole point of having the vest is to more readily identify which dog is from which company. As the draft bylaw stands all the dog tags will have the same design (approved by Richard Boulton) and will require replacing every year which I think is unnecessary and incurs additional expense. I say, make the tags match the vest color and keep them from year to year.

This saves the expense of replacing the tags every year and more importantly makes it easier for the public and bylaw enforcement to identify which dog belongs to which walker. I suggest you give dog handlers a choice of 6 or 7 colors on their application and give them 5 dog tags of the appropriate color with their licence. If they lose them, there should be a cost to replacing them as otherwise you have dog handlers getting more than 5 tags per handler.

Point 8: This is a philosophical point of difference as I do not believe a dog handler can control a dog off-leash he/she is walking for the first time.

Point 9: The original draft bylaw says WRITTEN behavioural history of each Client dog – you've deleted "written" in your amendments and that if intentional is wrong.

Point 10: I would expect a certain discretion on the part of Bylaw Enforcement when it comes to walkers passing each other – however clause 8.8 (p) is intended to bar walkers working together with 10 or more dogs in a pack and I support this laudable goal in the original draft Bylaw.

Point 11: Reducing the fine for failing to wear vest from \$200 to \$50 totally emasculates the bylaw – I hope this is simply a typo on your part. I don't believe it is a typo however since you would also reduce the fine for having dogs off leash near the park or trail entrance from \$200 to \$50. To me that's a critical part of the bylaw since the problem is that dogs allowed to jump out of the vehicle off-leash are the ones that run over neighbor's lawns and bushes.

Point 12: I completely support the M-F 7-3 restrictions and therefore completely disagree with your proposed amendment. The original draft bylaw had it right.

Overall I'd say you have some good points but the combined effect of what you propose is to emasculate the proposed bylaw and thus while there are several points in your suggested amendments I support I cannot support the majority of your points so urge Council to reject these. Our attitude should be "we'll steal a good idea from anybody" so Council should accept some of your amendments and reject the others.

If you are looking for additional points that ought to be in the Bylaw I would add the following to the bylaw:

- No dog in heat should be walked by walkers either on leash or off due to the effect on other dogs
- I would put a clause in the bylaw calling for double fines if a dog jumps up on any person or bites (or otherwise injures) a person. In either of these cases I would insist on a hearing for the revocation of that walker's permit. My overall thrust is that the safety of the public is paramount and a dog that jumps up or bites a human is out of control to an extent that shows negligence on the part of the walker. I do NOT think the onus should be on the victim to sue in civil court.
- I would urge whatever definition of "in control" is finally adopted by Council be added to the Parks Bylaw forthwith. This would have the effect of requiring the "in control" standard on ALL off-leash dogs whether walked by commercial walkers or not. This is long overdue and even if it weren't, the two bylaws should clearly be in synch with each other. I've seen a lot of abuses in this area with dog owners who exit the park 10 minutes before their dogs and claim Fido was "under control". I am fed up and tired of cleaning doggy doo off my curb-side planters.
- Section 2 (a) I would add point iii) "off trail in environmentally sensitive areas" to the definition of "Under Control". Ask Kevin Bell about dogs on the Maplewood Flats for a better idea of what I mean.
- Section 8.5 (a) Is it REALLY the intent of Council to lift the license of any commercial walker who gets a fine for ANY offence under the Bylaw? That seems draconian and I'd say "three strikes and you're out" is reasonable BUT *** as the draft Bylaw reads now *** a commercial walker loses his/her licence for ANY offence against the Bylaw. Surely that is not intended?
- Section 8.8 (i) I would double the fines for any offence committed by a dog with a history of misbehaviour or aggressive behaviour
- Section 8.8 (p) I would clarify the definition of "close proximity" – I would NOT however advocate deleting this section

Finally and most importantly, there is no penalty at all in the proposed Bylaw for commercial walkers found to be operating outside the approved areas. I would advocate a \$200 fine and a warning that any further violation will result in immediate forfeiture of licence. One warning and one warning ONLY.

If it seems I am being tough please understand that we are talking about licencing a group of people the vast

majority of which are NOT DNV residents who would use our publicly owned parks and trails for private profit in a situation where it is not at all consistent with public safety. As such DNV residents are entitled to demand a high duty of care of those who would use our parklands for commercial gain. If they are not prepared to accept these conditions, there are plenty of other municipalities in the Lower Mainland they can make their profits in. Our attitude should be "play by the rules and you're welcome. Push the limits and you're gone".

Please send this on to Messrs. Boulton and Nikkel - in particular I think the dog tag part of the Bylaw is dead wrong as written and needed amending so that the dog tags are of a color matching each walker's vest to assist identification by the public and Bylaw Enforcement. Changing them every year is simply an unnecessary expense that does nothing to advance the purpose of the proposed vests.

Best regards,
Lyle Craver
4797 Hoskins Road

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