



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: January 15, 2007
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Meeting Date: February 1, 2007

TO: Standing Committee on Planning and Environment
FROM: Chief License Inspector
SUBJECT: License By-Law Amendments: New Pet Store Regulations

RECOMMENDATION

- A. THAT Council approve amendments to the License By-Law which introduce new pet store regulations.
- B. THAT Council instruct the Director of Legal Services to prepare the necessary amendments to the License By-Law, generally in accordance with Appendix A.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services recommends approval of the aforementioned recommendations.

COUNCIL POLICY

The License By-Law provides for the issuing of licenses and regulates business, trades, professions and other occupations within the City of Vancouver.

Neither the License By-Law, nor any other City By-Law, regulates the handling of animals sold in pet stores.

PURPOSE

The purpose of this report is to seek Council's approval for an amendment to the License By-Law to introduce new pet store regulations outlining the duties, responsibilities and business practices of operators of pet store establishments in the city.

A separate report will address the prohibited sale of certain exotic/wild animals in the City.

BACKGROUND

Recently, Council approved a set of minimum standards for dog care in the Animal Control By-Law which animal welfare advocates and animal related professional organizations had been supporting for a long time. However, because there are no regulations governing the business practices of pet stores, the 10 licensed pet stores that sell animals in Vancouver operate under no restrictions. Animals may be placed in cages that are too small, restricting their mobility, or are placed in a cage with too many other animals, sometimes of an incompatible species, causing conflict. With no record of animal suppliers used by pet stores, animals can be obtained from any source, including puppy mills operating in rural British Columbia. The health and quality of animals originating from puppy mills can be very poor as such animals are bred largely for profit and are raised in crowded cages. Puppy mill operations in rural areas are largely unregulated and the pet store demand for these compromised animals fuels the continued operation of such businesses.

DISCUSSION

Certain animal advocate groups believe that the treatment of animals in some pet stores can be inadequate. Without standardized regulations for all pet stores, animals may spend time on metal grating or other harsh surfaces and experience mental abuse by being locked in small cages without the opportunity for play, exercise or contact. Cages may be covered with urine and feces and the overcrowding of animals can lead to other serious health problems. In some instances, untrained employees are responsible for performing tasks normally carried out by veterinarians. Although staff does not dispute such claims, site visits of some licensed pet stores in the city have shown that the establishments are generally operated in a professional manner.

The development of pet store regulations would control the treatment and quality of animals for sale. This approach is strongly supported by all animal advocate groups.

Certain municipalities in British Columbia already have regulations for pet stores, including Richmond, District of North Vancouver, City of North Vancouver and the Township of Langley.

Staff has reviewed the pet store regulations of Richmond and the City and District of North Vancouver and have found the following common requirements:

- Identify which establishments require a business license ie. licensed retail store, breeders, shelters, boarding facilities, etc. (all exclude municipal Animal Shelter).
- Establish the duties of pet store keeper (skilled workers; supervises handling; provides care for animal)
- Establish cage care and dimensions

- Segregation of ill/injured animals
- Veterinary care
- Records are to be kept of purchase, sale or acquisition (name of supplier/breeder; date of purchase; description of animal)
- Register must be kept (to be maintained or at least 12 months; be available for inspection at all times; and include the name and address of animal supplier and purchaser)
- Purchasers must be provided with certain information (ie. address of pet store; description of pet sold - sex, age, colour & markings; description of tattoo, breed, record of vaccination; certified form indicating inoculation and de-worming)
- Public notices must be posted (display notice of written description of each animal and country of origin)
- Establish certain prohibitions - incompatible animals cannot be put together; exotic/wild animals; selling of dyed-haired pets; selling of pets that show signs of having an infectious disease; nutritional deficiency; parasitism; fractures or congenital deformities
- Establish mechanisms of enforcement

Staff has reviewed regulations in other cities, submissions from BC SPCA and Vancouver Humane Society and comments from the pet industry. Based on this information, staff have drafted regulations to address potential pet store issues. The proposed pet store regulations are included in Appendix A. These regulations, which do not include a prohibition of the sale of exotic/wild animals which is addressed in a separate report, are to be enforced by Animal Control Officers.

INDUSTRY CONSULTATION

A letter, with attached draft pet store regulations, was mailed to all licensed pet store owners at the end of November 2006 notifying of the city's intention to adopt pet store regulations in the near future. This letter also advised recipients that a meeting with staff to discuss any issues/concerns with the proposed pet store regulations was to be held on December 14, 2006.

Although staff received two telephone calls from pet store representatives voicing specific concerns with the proposed regulations, no one attended the scheduled meeting. The concerns expressed by the two callers have been considered in the draft pet regulations presented to Council.

FINANCIAL IMPLICATIONS

None

CONCLUSION

After having approved new minimum standards for the care of dogs throughout the City in July 2005, it is reasonable for Council to expand its animal welfare standards to pet stores. A bylaw that regulates the operation of a pet store business and controls the treatment and

quality of animals for sale is consistent with regulations in some neighbouring municipalities and is a responsible approach for the City of Vancouver.

A separate report will address the prohibited sale of certain exotic/wild animals in the city.

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DRAFT LICENSE BY-LAW AMENDMENTS

1. Include the definitions along the following lines:

Animal - means a mammal, reptile, amphibian or bird.

Cat - means a member of the feline species, regardless of age or sex.

Dog - means a member of the canine species, regardless of age or sex.

Enclosure - means a cage, kennel, tank, container, receptacle or other enclosure used to contain or confine animals.

Pet Store - means the use of premises to offer to sell or to sell, at retail or wholesale, animals, except for animal shelters and commercial kennels.

Pet Store Licensee - means a person who carries on the business of a pet store.

Registered Veterinarian - means a veterinarian registered under the Veterinarians Act.

Rodents - means all species of chinchillas, degus, hamsters, hedgehogs, mice and rats.

Small Birds - means canaries, cockatiels, finches, parakeets and lovebirds.

2. Include a new section containing provisions similar to the following:

Duties of Pet Store Licensee - General

Every pet store licensee must ensure that:

- (a) animals are provided with sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, veterinary care, and any other care required to maintain the health, safety and well-being of such animals; and
- (b) no animals are handled by members of the public except under the supervision of a pet store employee.

Duties of Pet Store Licensee - Enclosures

1. Every pet store licensee must ensure that enclosures where animals are kept are:

- (a) maintained in good repair;
 - (b) kept in a clean and sanitary condition;
 - (c) disinfected and free of offensive and disagreeable odours;
 - (d) kept free of all animal waste;
 - (e) appropriately ventilated to maintain acceptable air quality and humidity; and
 - (f) suitably lighted.
2. Every enclosure in which an animal is kept must:
- (a) be proportionate in size to the size and species of animal and allow room for the animal to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement; and
 - (b) be equipped with a clean water source accessible at all times and a food container suitable for the species of animal.
3. In addition to the requirements of section 2, every enclosure in which a cat is kept must:
- (a) have a floor with an impermeable surface;
 - (b) be constructed to support the weight of the cat without bending; and
 - (c) have a litter pan made from non-absorbent material or a disposable pan containing sufficient litter.
4. In addition to the requirements sections 2 and 3, every enclosure in which more than one cat is kept must provide an elevated platform, surface or surfaces, of adequate size to hold the occupants.
5. In addition to the requirements of section 2, every enclosure in which a dog is kept must:
- (a) have a floor with an impermeable surface; and
 - (b) be constructed to support the weight of the dog without bending.
6. Every enclosure in which birds are kept must:
- (a) be constructed of materials which are impervious to moisture;
 - (b) have a removable, impermeable bottom; and
 - (c) be of sufficient size and dimension to enable each bird confined therein an amount of perch space to fully extend its wings in every direction while all birds are perched.
7. In addition to the requirements of section 6, every enclosure in which finches or canaries are kept must:
- (a) contain two perches, mounted so as to encourage flight between each perch; and
 - (b) have space for the birds to sit when all birds are perched at the same time.

Duties of Pet Store Licensee - Veterinary Care

1. Every pet store licensee must:
- (a) ensure:
 - (i) that any animal which is ill or injured is promptly examined and treated by a registered veterinarian; and

- (ii) that any necessary euthanasia and disposal of an animal is performed by, or under the supervision of, a registered veterinarian; and
- (b) post in a conspicuous place, and make accessible to all employees of the pet store, the name and telephone number of a registered veterinarian who may be contacted to provide all necessary health-related services.

Duties of Pet Store Licensee - Segregation of Ill or Injured Animals

1. Every pet store licensee must provide an area for the segregation of animals which are injured, ill, or in need of special care, treatment or attention, from other animals in the pet store.
2. In addition to the provisions of section 1, every pet store licensee who has an animal in his or her care, which either is, or appears to be, suffering from a disease transmittable to humans or other animals, must
 - (a) allow for the prompt examination of such animal by a registered veterinarian, or if a registered veterinarian is unavailable, by any person qualified and experienced in the care and treatment of the species concerned, with follow up by a registered veterinarian; and
 - (b) notify the Medical Health Officer if instructed to do so by a registered veterinarian after examination; and
 - (c) ensure that such animal is kept isolated from healthy animals, until it has been determined by the registered veterinarian and/or Medical Health Officer that such animal is free from the disease in question.
3. Where an operator has received confirmation from a registered veterinarian and/or a Medical Health Officer in accordance with section 2, that an animal:
 - (a) is diseased, the pet store licensee must not permit such animal to come into contact with, or be in danger of transmitting the disease to other animals; or
 - (b) is suffering from an incurable disease, the pet store licensee must make arrangements to have it immediately destroyed in a manner approved by the Medical Health Officer.

Duties of Pet Store Licensee - Pet Store Register

1. For all dogs and cats only, every pet store licensee must:
 - (a) keep and maintain a legible pet store register in the pet store, containing a record of all transactions in which animals have been acquired or disposed of by the pet store; and
 - (b) produce the pet store register for inspection at the request of a licence inspector and provide copies of any entries required by the licence inspector.
2. Each transaction recorded in the pet store register must be retained for at least 12 months from the date of the transaction.
3. The pet store register required under section 1(a) must contain the following information in respect of each dog or cat acquired by the pet store licensee:
 - (a) the name and address of supplier, or other person or company from whom the animals were purchased or otherwise acquired;

- (b) the date of purchase or acquisition;
- (c) a description of the species, sex and colouring of the animal purchased or acquired and, where applicable, the tattoo or microchip number or other identifying markings;
- (d) the date the animal was sold or otherwise disposed of by the pet store licensee; and
- (e) where an animal has been disposed of other than by sale, the method of and reason for such disposition.

Duties of Pet Store Licensee - Information Provided to Purchasers

1. With the exception of rodents and small birds, every pet store licensee must, at the time an animal is sold, provide the purchaser with a written record of sale containing the following information:

- (a) a description of the animal;
- (b) the date of sale;
- (c) the name and address of the pet store;
- (d) a description of the animal, including its species, sex, age, colour and markings;
- (e) a description of any tattoo;
- (f) the breed or cross breed, if applicable; and
- (g) a record of all vaccinations.

2. For all dogs or cats sold, with the exception of animals owned by and sold for the BC SPCA, a pet store licensee must, in addition to the information required under section 1, provide the purchaser with a certificate indicating the proof and date of inoculation and de-worming.

3. With the exception of rodents and small birds, every pet store licensee must, at the time an animal is sold, provide the purchaser with written instructions on the proper care and feeding of the animal, including:

- (a) appropriate diet, including any special dietary needs;
- (b) proper handling techniques;
- (c) basic living environment and type of enclosure, if applicable, including appropriate temperature, lighting, humidity control, or other requirements specific to the animal;
- (d) any exercise needs; and
- (e) any other care requirements to maintain the health and well-being of the animal.

Pet Store Licensee - Prohibitions

A pet store licensee must not:

- (a) confine incompatible species of animals in the same enclosure;
- (b) separate any animal from its mother prior to it being weaned, except for birds which have been separated for the purpose of hand feeding; or
- (c) sell, offer to sell, or display to the public:
 - (i) any animal which suffers from or exhibits signs of an infectious or contagious disease, a nutritional deficiency, parasitism, fractures or congenital deformities; and
 - (ii) any dangerous or exotic animal prohibited under the Animal Control By-Law or Business Prohibition By-Law.