



Animal Services By-law Update Presentation

General Committee
June 18, 2018





Topics to be Discussed

1. Introduction
2. City's Animal Care & Control By-law Update
 - Administrative Amendments
 - Prosecutorial Amendments
 - Other Recommended Amendments
3. Licensing of Pets Stores
 - Background
 - Proposed By-law Highlights
4. Questions?





Introduction

- Earlier this year, staff presented a Wildlife Inventory of all the services & programs Markham offers for both domestic animals & wildlife. Included in the Inventory was a number of next steps, including a review & update of the City's Animal Care & Control By-law.
- Shortly before the Wildlife Inventory presentation, there was an incident involving a pet store in Markham – it raised concerns regarding the care of animals & generated a request that a by-law be brought forward for the licensing of pet stores.
- This presentation will provide an overview of the proposed amendments to the Animal Care & Control By-law as well as the provisions of a proposed Pet Store By-law.





Animal Care & Control By-law

Administrative Amendments

- The current Animal Care & Control By-law was written in 2005 - making it 13 years old & in need of a number of administrative amendments including:
 - Compliance with the ODOA legislation.
 - Updated language (“Town” to “City”/ “Pound” to “Shelter”)
 - Updated powers of entry & the issuance Orders for investigations.
 - New authorities to issue Administrative Monetary Penalties for Offences & the ability to place unpaid penalties on municipal taxes for collection.
 - Updated powers to recover costs for enforcement & the ability to take corrective action where an Order has been issued & there is no compliance.



Animal Care & Control By-law

Prosecutorial Amendments

- These amendments are a result of experiences in Court.
 - Refine the wording for the provisions for “dogs at large” & for “dog bites” to include a Rebuttable Presumption clause that requires the dog owner to prove they are not responsible on a balance of probabilities.
 - Removal of the Animal Control Officer from adjudicating muzzle orders & giving this responsibility to the Licensing Committee.
 - New definitions for: Extreme Weather, Muzzle, Feral Cat, Prohibited Animal & Livestock.





Animal Care & Control By-law

Other Recommended Amendments

- These amendments are the result of consultation with the Animal Care Committee & the public.
 - Expanded Care for Animals provisions including a charge for keeping animals in vehicles, need for proper shelters including the size of the enclosure, as well as proper vet care.
 - Temporary exemption to the number of dogs & cats where the resident works with a recognized shelter or rescue.
 - Formally recognize the City's Trap Neuter & Return Program for feral cats.
 - Prohibit the feeding of wildlife with the exception of song birds.
 - Prohibit the keeping of pigeons in a residential zone.
 - Remove the ability to license a Prohibited Animal such as snakes.



Proposed Licensing of Pet Stores

Background

- Staff are aware of three pet stores in the City of Markham.
- The proposed by-law would only apply to businesses that sell domestic dogs & cats.
- Only retail pet stores would require a licence. This by-law would not apply to on-line sales of dogs & cats or to registered breeders.
- Currently the Cities of Toronto & Mississauga are the only two Ontario municipalities that license pet stores.
- A licence would be required annually by the business.
- The intent of the by-law is reduce the number of animals sourced from “puppy mills” while providing recognized shelters & rescues with an opportunity to re-home their animals.



Proposed Licensing of Pet Stores (Cont'd)

By-law Highlights

- A Schedule would be added to the current Stationary Licensing By-law to license & regulate pet stores in Markham to ensure:
 - Proper shelters & enclosures are provided for the animals.
 - Cleanliness of the enclosures.
 - Proper food, water & vet care is provided.
 - Properly trained personnel are on staff.
 - Proper record keeping is completed for both the purchase & sale of the animals.
 - Right of inspection for City staff & agents (OSPCA).
 - Only animals sources from recognized shelters & rescues to be sold.



Next Steps

- The Draft By-law will be placed on the June 26th Council agenda for adoption
- Information about the new By-law changes will be disseminated to the public via social media, etc.

Animal Protection and Services By-law



Questions?

