

**Subject: Pet Shop By-law Amendment**

**Department: Corporate Services**

**Division: By-law/Property Standards**

**Report #: CPS-2020-012**

**Meeting Date: 2020-11-09**

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### **Recommendations**

**That report CPS-2020-012 Pet Shop By-law Amendment be received;**

**And that staff bring forward a by-law to amend Pet Shop By-law 95-2005 to only permit a dog or cat within a pet shop for the purpose of sale if sourced through a municipal animal shelter, registered humane society, registered shelter, or a recognized animal rescue group.**

### **Background and Analysis**

At the April 15, 2019 Council meeting, a delegation presented recommendations to Council requesting that the Town's Pet Shop By-law 95-2005 be amended to ban the sale of cats, dogs and rabbits in pet stores and other retail outlets within the municipality and only permit these animals to be obtained from registered organizations such as animal shelters, humane societies or rescue groups. As a result, Council directed staff to investigate and develop options in relation to a ban of pet sales for profit unless obtained from specific sources.

At the June 22, 2020 Council meeting, staff's report in relation to an amendment to the Pet Shop By-law was received.

As a result of Council's resolution from the June 22, 2020 meeting, public consultation was solicited through a public meeting held on October 5, 2020 and an on-line survey on the Town's website from September 17, 2020 to October 9, 2020.

At the public meeting, comments relevant to support or concerns associated with an amendment to the Pet Shop By-law were submitted electronically and in written format by members of the public. The minutes from the October 5, 2020 public meeting are included with this report as Attachment 1.

A summary of comments received include:

Public Concerns / Comments	Staff Recommendation
Delegates from various organizations provided comments and outlined the benefits in relation to banning the sales of dogs, cats and rabbits in pet shops.	By-law amendment for Council's consideration.
Delegates commented that the Town should establish a permitted list rather than a prohibited list and stated the permitted list is concise and easier to understand.	Permitted lists were not included in the scope of this by-law review. Should Council wish staff to review, direction would need to be given.
Delegates commented on exotic animal welfare.	Exotic animals were not included in the scope of this by-law review. Should Council wish staff to review, direction would need to be given.

The on-line survey that was available on the Town's website from September 17, 2020 to October 9, 2020 received a total of 181 responses. The survey results are included with this report as Attachment 2.

Highlights from the survey responses include:

<ul style="list-style-type: none"> <li>• 76% were a resident of the Town of Orangeville</li> <li>• 71% agree that the Town should restrict where pet stores source their animals for the purpose of sale <ul style="list-style-type: none"> <li>• 29% of responses that did not agree with restricting where pet stores source their animals for the purpose of sale commented that: <ul style="list-style-type: none"> <li>▪ why regulate pet stores and no other type of business</li> <li>▪ some prefer purchasing their pet from a pet store regardless of where the animal is sourced</li> <li>▪ there are restrictions in place already to ensure the well-being of animals being sold</li> <li>▪ onus is on purchaser</li> <li>▪ even breeders have bad practices</li> </ul> </li> <li>• If the Town were to restrict where pet stores source their animals from, responders who agreed support the following sources: <ul style="list-style-type: none"> <li>▪ 60% - Municipal Animal Shelter</li> <li>▪ 65% - Registered Humane Society</li> <li>▪ 61% - Registered Animal Shelter</li> <li>▪ 61% - Recognized Animal Rescue Group</li> </ul> </li> </ul> </li> </ul>
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<ul style="list-style-type: none"> <li>▪ 1% - Other (comments from responders include: registered breeders, northern dogs through registered shelters, no to any pet store sales)</li> </ul>
<ul style="list-style-type: none"> <li>• Fees collected by pet stores for animals sourced from municipal animal shelters, humane societies and other animal shelters or rescue groups should:             <ul style="list-style-type: none"> <li>• 26% - generate a profit</li> <li>• 62% - strictly cover expenses incurred</li> <li>• 12% - Other (no profit should be made, no selling animals in pet stores, establish a profit margin/cap, cover expenses/small profit)</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Animals that responders feel should be acquired from the sources listed above include:             <ul style="list-style-type: none"> <li>• 62% - Dog</li> <li>• 68% - Cat</li> <li>• 61% - Small animals (rabbit, guinea pig, ferret)</li> <li>• 34% - Other (comments from responders include: reptiles, birds, turtles, hamsters, all animals, do not sell animals in pet stores, businesses should decide the source)</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• 51% are satisfied with the current regulations in the Pet Shop By-law</li> <li>• 49% are not satisfied with the current regulations in the Pet Shop By-law and commented that:             <ul style="list-style-type: none"> <li>▪ no provision for verification that staff have been trained per rules and regulations</li> <li>▪ no provision for not carrying animals from puppy mills or other illegal sources</li> <li>▪ size of cage is inhumane – just because the animal can stand and turn around does not make for a comfortable safe living space</li> <li>▪ animals should not be sold for profit</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Other comments provided include:             <ul style="list-style-type: none"> <li>• current stores should be given a sunset clause (i.e. 1 year seems to be a good standard)</li> <li>• sourcing from the four proposed sources would benefit pet owner and animal</li> <li>• current by-law seems to be working fine – there isn't a problem so leave it alone</li> <li>• bought many pets from pet shop and no problems at all</li> </ul> </li> </ul>

The Town's current Pet Shop By-law contains a licensing regime, regulations for animal welfare and humane conditions, the requirement to keep a register of who/where animals are purchased and their medical history, and the ability for an officer to inspect the licensed premises.

Should Council wish to proceed with an amendment to Pet Shop By-law 95-2005 to only permit a dog or cat within a pet shop for the purpose of sale if sourced through a municipal animal shelter, registered humane society, registered shelter, or a recognized animal rescue group, staff will bring forward a By-law at the November 23, 2020 meeting.

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## **Strategic Alignment**

### **Orangeville Forward – Strategic Plan**

Priority Area: Municipal Services

Objective: Delivered with a focus on customer service and review and update governance policies

### **Sustainable Neighbourhood Action Plan**

Theme: Corporate and Fiscal

Strategy: Not applicable

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## **Notice Provisions**

Not applicable.

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## **Financial Impact**

The Pet Shop By-law licencing fee be amended to an \$80 annual fee.

The fee includes costs for the processing of the application and enforcement:

- Acceptance and processing of an application (intake, payment processing and circulation)
- Review of the application (zoning)
- Inspection
- Issuing of licence
- Database entry and tracking
- Education and enforcement

The current by-law sets the application fee at \$100 with a renewal fee of \$50.00.

