

NO: R050

COUNCIL DATE: March 12, 2018

REGULAR COUNCIL

TO: Mayor & Council **DATE: March 8, 2018**

FROM: Manager, Bylaw Enforcement & Licensing Services **FILE: 3900-20-13680**
City Solicitor

SUBJECT: Ban on Retail Sales of Dogs, Cats and Rabbits

RECOMMENDATION

The Bylaw Enforcement & Legal Services Divisions recommend that Council:

1. Receive this report for information;
2. Approve amendments to the Business License By-law, 1999, No. 13680 (the "By-law"), effective June 1, 2018 as documented in Appendix "I" of this report;
3. Approve amendments to the Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, effective June 1, 2018 as documented in Appendix "II" of this report;
4. Approve amendments to the Bylaw Notice Enforcement By-law, 2017, 18691, effective June 1, 2018 as documented in Appendix "III" of this report; and
5. Authorize the City Clerk to bring forward the related bylaw amendment as described in this report for the required readings and adoption.

INTENT

The purpose of this report is to update Council on the recent review of retail sales of dogs, cats and rabbits conducted by staff, as well as to obtain approval for amending the current By-law, which would increase the welfare of animals in our community and decrease the surplus of abandoned animals.

BACKGROUND

The Surrey Animal Resource Centre (SARC) handles over two thousand animals annually on behalf of the City of Surrey. Some of these animals are unclaimed by owners and left at the shelter to be rehomed. The animal population fluctuates somewhat throughout the year but there are always homeless animals awaiting adoption.

On September 11, 2017, Council heard a delegation from the Paws for Hope Organization requesting the City consider banning the retail sale of dogs, cats and rabbits. The presentation outlined a variety of challenges the community faces such as overpopulation, behavioural issues in the pet population and the condition of animals sold in retail environments. Following the delegation presentation, Council requested staff to review the matter and report back.

There are currently 22 licensed pet retail locations in the City of Surrey. None of them sell dogs or cats as they have already established partnerships with animal shelters or rescues that provide homeless animals available for adoption through the store front “satellite” adoption model. Several of the stores do currently sell rabbits.

DISCUSSION

To prepare this report, Staff reviewed internal practices and conducted a scan of practices by local governments across Canada. Staff also reviewed existing bylaws and procedures related to animals. Staff further consulted with organizations such as Paws for Hope and the BC Society for the Prevention of Cruelty to Animals (BCSPCA).

Findings from Review

Many jurisdictions in Canada have previously implemented regulations prohibiting or restricting the sale of dogs, cats and rabbits.

There is an increasing number of rabbits being found abandoned in public spaces that are then taken to the Surrey Animal Resource Centre. In 2017, SARC handled over 70 rabbits, with only three being reunited with owners. Currently, there are 30 rabbits at the shelter. The volume of animals available in the shelter is one reason to consider a ban on sales of animals in pet stores. Another concern is the condition of animals sold in retail environments. There are many examples of physically and/or behaviourally unwell animals being sold in stores which lead to significant costs for veterinary care and/or chronic behaviour issues with the animal.

Based on the above discussion, staff recommend the By-law amendments as listed below. These include a ban on the sale of dogs, cats and rabbits effective June 1, 2018. The three month implementation period will allow retailers the needed time to develop a strategy for rabbits currently in their care, as well as develop partnership agreements with animal shelters or rescues to promote the adoption of homeless rabbits.

SUSTAINABILITY CONSIDERATIONS

This Report supports the following Desired Outcomes in the Sustainability Charter 2.0:

Health & Wellness, DO 5: Services and programs are responsive to shifting health and social needs, and local and external factors.

Economic Prosperity and Livelihoods, DO 13: Surrey businesses demonstrate stewardship in their products, services, and practices.

CONCLUSION

Based on the above discussion, the Bylaw Services and Legal Services Divisions recommend that Council:

- Approve amendments to the Business License By-law, 1999, No. 13680 effective June 1, 2018 as documented in Appendix "I" of this report;
- Approve amendments to the Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, effective June 1, 2018 as documented in Appendix "II" of this report;
- Approve amendments to the Bylaw Notice Enforcement By-law, 2017, 18691, effective June 1, 2018 as documented in Appendix "III" of this report; and
- Authorize the City Clerk to bring forward the related bylaw amendment as described in this report for the required readings and adoption.

Jas Rehal, CPA, CMA
Manager, Bylaw Enforcement & Licensing Services

Craig MacFarlane
City Solicitor

JR/mm

Appendix "I": Proposed Amendments to the Business Licensing By-law No. 13680

Appendix "II": Proposed Amendments to the Surrey Municipal Ticket Information Utilization By-law No. 12508

Appendix "III": Proposed Amendments to the Surrey Bylaw Notice Enforcement By-law No. 18691

CITY OF SURREY

BYLAW NO. 19520

A bylaw to amend the provisions of "Business License By-law, 1999,
No. 13680", as amended.

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The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. "Business License By-law, 1999, No. 13680", as amended, is hereby further amended as follows:

a) By inserting a new definition in Section 2 beneath the definition of "Personal Training Centre" to read as follows:

"Pet Store means a retail store where animals are offered for sale or are sold to the public, but does not include:

- (a) the Surrey Animal Resource Centre located at 17944 Colebrook Road or any other animal shelter owned or controlled by the City of Surrey;
- (b) animal shelters or rescues that are registered charities with the Canada Revenue Agency; or
- (c) animal shelters or rescues that are not-for-profit organizations under the Societies Act [SBC 2015] c. 2015, as amended, with the exception of member funded societies."

b) By renumbering existing section 55.1 (1) to section 55.2 (1).

c) By inserting a new section 55.1 (1) to read as follows:

"Pet Stores

55.1 (1) an owner or operator of a pet store must not sell, offer for sale, or display to the public any animal that:

- (a) is not a domestic animal as defined by the Community Charter; or
- (b) is a dog, cat, or lagomorpha, such as rabbits, hares, or pikas."

2. This Bylaw shall be cited for all purposes as "Business License Bylaw, 1999, No. 13680, Amendment Bylaw, 2018, No. 19520"

PASSED FIRST READING on the ____ day of _____, 2018.

PASSED SECOND READING on the ____ day of _____, 2018.

PASSED THIRD READING on the ____ day of _____, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ____ day of _____, 2018.

_____MAYOR

_____CLERK

CITY OF SURREY

BYLAW NO. 19521

A bylaw to amend the provisions of "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508", as amended.

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The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508", as amended, is hereby further amended as follows:

a) By inserting the following row beneath Section 6 in Schedule 3:

"7. Sale of prohibited animal 55.1(1) \$500.00"

2. This Bylaw shall be cited for all purposes as "Surrey Municipal Ticket Information Utilization Bylaw, No. 12508, Amendment Bylaw, 2018, No. 19521"

PASSED FIRST READING on the ____ day of _____, 2018.

PASSED SECOND READING on the ____ day of _____, 2018.

PASSED THIRD READING on the ____ day of _____, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ____ day of _____, 2018.

_____MAYOR

_____CLERK

CITY OF SURREY

BYLAW NO. 19522

A bylaw to amend the provisions of "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as amended.

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The Council of the City of Surrey, ENACTS AS FOLLOWS:

- 1. "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as amended, is hereby further amended as follows:
 - a) By inserting the following row at the bottom of the table in Schedule A – Contraventions and Penalties, Part 1:

13680	55.1(1)	Sale of prohibited animal	\$450.00	\$400.00	\$500.00	Yes
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- 2. This Bylaw shall be cited for all purposes as "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691, Amendment Bylaw, 2018, No. 19522"

PASSED FIRST READING on the ____ day of _____, 2018.

PASSED SECOND READING on the ____ day of _____, 2018.

PASSED THIRD READING on the ____ day of _____, 2018.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the ____ day of _____, 2018.

_____MAYOR

_____CLERK

