



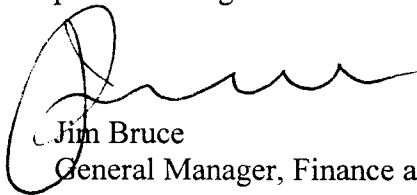
**City of Richmond**

**Report to Committee**

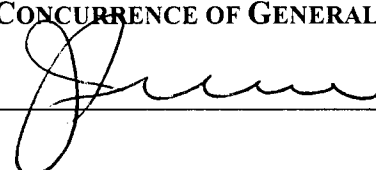
**To:** General Purposes Committee **Date:** April 7, 2003  
**From:** Jim Bruce **File:** 8060-01-7504  
 General Manager, Finance and Corporate Services  
**Re:** **Clarification of Pet Store Regulations re. the Sale of Wild Animals**

**Staff Recommendation:**

That Bylaw No. 7504 which amends Business Regulation Bylaw No. 7148 to clarify the prohibition against the sale of wild or exotic animals be given first, second and third readings.



Jim Bruce  
 General Manager, Finance and Corporate Services

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ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Bylaws .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Business Licences .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

## Staff Report

### Origin

A new pet store recently applied for a business licence to open a business on No. 3 Road. In the course of processing the application, the issue of what types of animals are permitted to be sold was raised. The current Business Regulation Bylaw No. 7148 prohibits the sale of certain animals. The definition used leaves it open to interpretation to determine what animals may or may not be sold. In order to provide guidance to pet store operators and to the SPCA staff who enforce our animal-related bylaws, staff recommend that Council take this opportunity to clarify what animals may be sold in Richmond.

### Analysis

#### 1. Background

Business Regulation Bylaw No. 7148 prohibits the sale of any animal which is “not ordinarily tame or domesticated, and includes any exotic animal.” “Exotic animal” is not defined. This definition makes it largely a matter of interpretation to determine whether any particular animal may be sold. It requires a determination of whether an animal is “ordinarily tame or domesticated” or “exotic”. There can be some debate over whether certain animals fall within the definition. For example, it is unclear what types of birds, if any, would be considered “ordinarily tame” or “exotic”. Also, some may argue that ferrets fall within the definition and other would argue they do not. It is difficult to say at what point an animal is sufficiently domesticated as to be considered “ordinarily tame”. The most contentious issue and the one that prompted this report is whether or not reptiles are permitted. Under the current wording, staff are of the view that no reptiles can be considered “ordinarily tame or domesticated” and therefore cannot be sold in Richmond pet stores.

No other Lower Mainland municipalities regulate the types of animals that may be sold by pet stores, other than the District of North Vancouver which has a bylaw with wording similar to Richmond’s. Some municipalities prohibit the keeping of certain species in the municipality and have bylaws which contain a prohibited species list. This approach has been adopted by Maple Ridge, Toronto, Ottawa, Kitchener and Seattle.

The City of Ottawa has recently undergone a comprehensive review of its animal control bylaws as part of the amalgamation of municipalities process and a new animal care and control bylaw was brought in on April 1, 2003. Included in this bylaw is an extensive prohibition on the keeping of certain exotic animals, particularly reptiles, with grand-fathering provisions for current owners (See Attachment 1 for prohibited species list). The rationale given for the sweeping ban on exotic pets is the difficulty owners face both in providing proper care for such animals as well as in finding new homes for such animals when they no longer want them or are unable to care for them.

#### 2. Research

Not surprisingly, there are extremely divergent views on the subject of the sale of wild animals. Most people would agree that tigers and bears ought not to be sold or kept in Richmond.

However, the matter becomes more contentious when it comes to reptiles (snakes, lizards and turtles). On one side are animal welfare groups who strongly oppose the sale of all reptiles, as well as the breeding and keeping of them. On the other, are pet industry advocates and reptile enthusiasts who favour reasonable restrictions on sale and ownership, but not an outright ban.

The SPCA opposes the sale of wild or exotic animals and states in its Policy Statement on Exotic or Wild Animals that “the keeping of these animals in captivity is justified only for reasons of conservation, species preservation and education, provided the physical, psychological and animal husbandry needs are fully met” (See Attachment 1 – BC SPCA Policy Statement). This position is supported by the Rainforest Reptile Refuge Society which runs a shelter in Surrey for mistreated and unwanted reptiles as well as various animal welfare groups, such as Zoocheck Canada, the Vancouver Humane Society, and the World Society for the Protection of Animals.

There are numerous reptile enthusiasts clubs who oppose the prohibition against keeping exotic animals, such as the Westcoast Society for the Protection and Conservation of Reptiles and the Canadian Reptile Owners Coalition.

The Pet Industry Joint Advisory Council (PIJAC) represents the interests of pet store operators and others in the pet industry. This body developed an exotic animal policy and advocates the use of a prohibited species list which it has prepared (see Attachment 2). With respect to reptiles, this list prohibits only venomous ones.

### **3. Public Consultation**

Staff looked at using a prohibited species list in the pet store regulations and sought feedback regarding this approach. Feedback was received from:

- the SPCA
- Rainforest Reptile Refuge
- Westcoast Society for the Protection and Conservation of Reptiles (WSPCR)
- Zoocheck Canada Inc.
- World Society for the Protection of Animals
- Vancouver Humane Society
- Pet Industry Joint Advisory Council

Feedback was also sought from local pet stores - Pet Habitat, Petcetera, and SuperPet – but only Pet Habitat responded. However, the Pet Industry Joint Advisory Council generally represents the interests of pet store operators.

The reptile enthusiast groups and pet store advocates are generally in favour of a prohibited species list which does not ban all reptiles. However, the animal welfare groups - the SPCA, Zoocheck Canada, the World Society for the Protection of Animals, and the Vancouver Humane Society - are opposed to the sale and keeping of exotic pets, particularly reptiles. Council was previously provided with a memo attaching the submissions from the various groups on the issue.

#### 4. Recommended Regulatory Approach

In determining the appropriate approach for Richmond, it should be remembered that the importation of animals is already dealt with, both at the federal level by the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA) and internationally by the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) to which Canada is a signatory.

From the City's perspective, in terms of exercising its regulatory authority, the concerns to be addressed are public health and safety and animal welfare. Staff initially considered recommending a middle ground approach that would prohibit certain species, but generally allow snakes (less than 3 metres long) and lizards (less than 2 metres long) and require certain information to be provided to prospective purchasers. However, the preponderance of feedback from interested groups weighed in favour of maintaining the prohibition on exotic animals, including reptiles, and this accords with the research conducted by staff.

Staff research and public feedback was focussed on reptiles as they are the most contentious aspect of the prohibition against exotic animals and it was the proposed sale of reptiles in the newly opened pet store which triggered this report. Based on the feedback received and on the research completed, staff are of the view that the City is justified in maintaining the current ban on the sale of reptiles for a variety of reasons:

- Reptiles (snakes, lizards, and turtles) are often purchased when they are very young by people who do not realize how large the animal will become at maturity, nor how long it will live. For example, a turtle that is just a couple of inches long when purchased, can grow to twelve inches and live for over 25 years. People often want to get rid of a reptile once it has reached full size as it has become more difficult to house and care for and is no longer as 'cute' as it was as a youngster.
- People often do not understand how to properly and adequately care for reptiles. The Rainforest Reptile Refuge receives many animals who have not been properly fed or have sustained burns from the heating units in their enclosures.
- It is difficult to find new homes for reptiles and there are very few places for such animals to go. They often end up at the Rainforest Reptile Refuge in Surrey or, worse, they are released into natural areas where they may die in an unsuitable environment or, alternatively, they may thrive, multiply and ultimately upset fragile local ecosystems.
- Reptiles pose serious health risks to humans. According to the US Centers for Disease Control (CDC), an estimated 70,000 people get salmonella from contact with reptiles in the US each year. Salmonella is a naturally occurring bacterial organism found in the digestive tracts of many animals which is typically shed in fecal matter. It is easily transmitted to humans and causes diarrhea, fever, vomiting and abdominal pain. The CDC reports that up to 90% of reptiles are carriers of this bacteria.

According to the Rainforest Reptile Refuge in Surrey, they deal with more than 100 incidents per year (an 'incident' being either a reptile brought in or a phone call regarding an animal needing

help). The refuge receives more than 20 calls per month from owners of red-eared slider turtles who no longer want them. The most common unwanted pets that end up at the refuge are:

1. Iguanas
2. Red-eared Slider Turtles
3. Boa Constrictors
4. Small Birds
5. Geckos

Staff are recommending that the City maintain its current ban on the sale of reptiles and clarify what animals may and may not be sold in the City. It is not recommended to extend the prohibition to the keeping of animals at this time as (a) the City has not been made aware of problems with respect to the keeping or breeding of exotic animals in Richmond and therefore there is no call for regulation in this regard; and (b) a prohibition on the keeping of reptiles raises serious problems in terms of enforcement. Grandfathering provisions would be required for current owners of exotic pets and enforcement would then become embroiled in issues over whether an animal was acquired before or after the new restrictions were brought in. If ownership of exotic animals becomes an issue in the future, the matter can be re-visited at that time.

#### **5. Alternative Approach**

If Council is not inclined to maintain the current prohibition on the sale of reptiles, staff recommend that a direction be given to bring forward a bylaw amendment that regulates the sale of reptiles by requiring:

- (a) notices to be posted on the outside of each reptile enclosure setting out the following information:
  - (i) the type of species, identified by both common name and scientific (Latin) name;
  - (ii) the approximate length the reptile will reach on maturity, measured from snout to tail; and
  - (iii) the maximum natural life-span of the reptile;
- (b) information regarding the risks of salmonella and preventative measures to be posted in any area where reptiles are displayed and provided to purchasers of reptiles.

Staff also recommend that if snakes are to be sold, sales of the following species be prohibited: all types of boa constrictors, pythons, and monitors.

#### **6. Housekeeping Amendment**

As a housekeeping matter, a minor amendment has been made to the definition of "cat" to make the Business Regulation Bylaw consistent with the Animal, Bird & Beekeeping Regulation Bylaw No. 7137 (considered a "kitten" until 6 months, rather than 4 months old).

**Financial Impact**

None to the City.

**Conclusion**

The proposed amendment to the Business Regulation Bylaw No. 7148 regarding pet store operations will clarify the requirements surrounding the sale of animals in Richmond. The prohibited species list will assist pet store operators and the SPCA, who are charged with enforcement, in determining what animals may or may not be sold in Richmond. The proposed changes will help promote public health and safety and animal welfare and ensure that pet stores in Richmond operate responsibly.



Rebecca Bittel  
Staff Solicitor

RB:rb

## BC SPCA POLICY STATEMENT

### EXOTIC OR WILD ANIMALS

The BC SPCA opposes the commercial trade in and the keeping of exotic or wild animals as pets. The Society believes the keeping of these animals in captivity is justified only for reasons of conservation, species preservation and education, provided the physical, psychological and animal husbandry needs are fully met.

#### Comment:

Exotic or wild animals are inappropriate pets for the following reasons:

- [a] They have not been bred and managed over an extended period of time to draw out desirable behavioural and temperament traits.
- [b] Captive non-domestic animals still retain their natural hunting and territorial defence mechanisms.
- [c] They are often acquired as pets without the knowledge of their physiological, social, environmental and behavioural needs, which are difficult to meet in captivity.
- [d] Escapes and abandonment are common, placing the animal at risk.
- [e] Ownership is often short-term, the animals becoming unwanted pets, difficult to place.
- [f] Undue suffering occurs and mortality rates are high through inappropriate capture and transportation.
- [g] Exotic animals hold special risks to humans and domestic animals through disease.

**Animal -** mammals, birds, reptiles, amphibians, fish and arthropods intended as pets.

**Exotic animal -** Any animal, native or non-native, that has not been subject of domestication through generations of selective and controlled breeding, thereby adapted to living in close association with humans.

**Wild Animal -** Any animal that lives in the wild or in a natural state, not subjected to domestication through a process of selective or controlled breeding.

**PIJAC CANADA'S EXOTIC ANIMAL POLICY**  
**SUGGESTED LIST OF PROHIBITED SPECIES**

- All artiodactylous ungulates, except domestic goats, sheep, pigs and cattle
- All canidae, except the domestic dog
- All crocodylians (such as alligators and crocodiles)
- All edentates (such as anteaters, sloths and armadillos)
- All elephantidae (elephants)
- All Erinacidae (except the African pigmy hedgehog)
- All felidae, except the domestic cat
- All hyaenidae (hyenas)
- All marsupials (except sugar gliders)
- All mustelidae (such as skunks, otters and weasels) except the domestic ferret
- All non-human primates (such as gorillas and monkeys)
- All pinnipeds (such as seals, fur seals and walruses)
- All perissodactylous ungulates, except the domestic horse and ass
- All procyonidae (such as raccoons, coatis and cacomistles)
- All pteropodidae (bats)
- All raptors, diurnal and nocturnal (such as eagles, hawks and owls)
- All ratites (such as ostriches, rheas and cassowaries)
- All ursidae (bears)
- All venomous reptiles
- All viverridae (such as mongooses, civets and genets)





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## Business Regulation Bylaw No. 7148, Amendment Bylaw No. 7504

The Council of the City of Richmond enacts as follows:

1. Clause (d) of subsection 11A.7.1 of Bylaw No. 7148 is amended by deleting the words “wild animal” and substituting “prohibited animal”.
2. Section 25.1 of Bylaw No. 7148 is amended by:
  - (a) deleting the definitions of “animal”, “cat” and “wild animal” and substituting the following in alphabetical order:

**ANIMAL** means any non-human mammal, **reptile**, amphibian or bird.

**CAT** means a member of the feline species which is six (6) or more months of age.

**PROHIBITED ANIMAL** means the **animals** specified in Schedule B, which is attached and forms part of this bylaw.

- (b) adding the following definitions in alphabetical order:

**REPTILE** means any **animal** belonging to the class of **animals** known as reptilia, including but not limited to snakes, lizards, crocodiles, turtles and tortoises.

**TOXIC** means capable of causing a seriously harmful or fatal reaction in a human adult or child by means of a bite, sting, scratch or physical contact.

**VENOMOUS** means possessing venom which is seriously harmful or fatal to a human adult or child.

3. Bylaw No. 7148 is amended by adding the following as Schedule B:

### SCHEDULE B

#### PROHIBITED ANIMALS:

1. All **animals** whose importation, possession or sale is prohibited because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation or agreement.
2. All **venomous** or **toxic animals** (including arachnids), regardless of whether the venom glands have been removed.
3. All **reptiles**.
4. The following species:
  - Artiodactyla, (such as cattle, goats, sheep, pigs)
  - Canidae (such as wolves, jackals, foxes and hybrids thereof), except the domestic **dog**
  - Chiroptera (bats, including flying foxes)
  - Crocodylians (such as alligators, crocodiles, and caimans)
  - Edentates (such as anteaters, sloths and armadillos)
  - Elephantidae (elephants)
  - Erinacidae (except the African pigmy hedgehog)
  - Felidae, except the domestic **cat**
  - Hyaenidae (hyenas)
  - Lagomorpha (such as hares and pikas), except rabbits
  - Marsupials (such as kangaroos, opossums, and wallabies), except sugar gliders derived from self-sustaining captive populations
  - Mustelidae (such as mink, skunks, otters, badgers and weasels), except the domestic ferret
  - Pinnipeds (such as seals, fur seals and walruses)
  - Perissodactylous ungulates (such as horses, donkeys, and mules)
  - Primates (such as gorillas, chimpanzees, lemurs and monkeys)
  - Procyonidae (such as raccoons, coatimundi and cacomistles)
  - Raptors, diurnal and nocturnal (such as eagles, hawks and owls)
  - Ratites (such as ostriches, rheas and cassowaries)
  - Rodentia (such as gophers, muskrats, groundhogs, beavers, porcupines and prairie dogs), except rodents which do not exceed 1,500 grams and are derived from self-sustaining captive populations
  - Ursidae (bears)
  - Viverridae (such as mongoose, civets, and genets)

\*The **animals** listed in brackets are examples only and do not limit the generality of the listed class of species.

4. This Bylaw is cited as "Business Regulation Bylaw No. 7148, Amendment Bylaw No. 7504".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**APPENDIX A  
SCHEDULE OF PROHIBITED ANIMALS**

- **All protected or endangered animals** - All animals, native or exotic, whose possession or sale is prohibited because they are designated as *protected* or *endangered* pursuant to an international, federal, or provincial law, regulation, rule or agreement, and any of the following animals:
- **All dogs, other than domesticated dogs** (*Canis familiaris*) including but not limited to: wolf, fox, coyote, hyaena, dingo, jackal, raccoon dog, bush dog, and any hybrid offspring of a wild dog and domesticated dog.
- **All cats other than domesticated cats** (*Felis catus*) including but not limited to: lion, tiger, leopard, ocelot, jaguar, puma, panther, mountain lion, cheetah, wild cat, cougar, bobcat, lynx, serval, and any hybrid offspring of a wild cat and domesticated cat.
- **All bears**, including polar, grizzly, brown and black bear.
- **All fur bearing animals of the family Mustelidae** including, but not limited to weasel, marten, mink, badger, ermine, skunk, otter, pole cat, wolverine, except the domestic ferret (*Putorius furo*).
- **All Procyonidae**, including raccoon, kinkajou, cacomistle, cat-bear, panda and coatimundi.
- **All carnivorous mammals of the family Viverridae** including, but not limited to, civet, mongoose, and genet.
- **All bats** (Chiroptera)
- **All non-human primates**, including, but not limited to, monkey, ape, chimpanzee, gorilla and lemur.
- **All squirrels** (Sciuridae)
- **Reptiles** (Reptilia)
  - All Helodermatidae (gila monster and Mexican bearded lizard);
  - All front-fanged venomous snakes, even if de-venomized, including, but not limited to,
    - All Viperidae (viper, pit viper);
    - All Elapidae (cobra, mamba, krait, coral snake);
    - All Atractaspididae (African burrowing asp);
    - All Hydrophiidae (sea snake);
    - All Laticaudidae (sea krait);
  - All venomous, mid- or rear-fanged, Duvernoy-glanded members of the family Colubridae, even if de-venomized;

- Any member or hybrid offspring of the family Boidae, including, but not limited to the common or green anaconda and yellow anaconda;
  - Any member of the family Pythonidae, including but not limited to,
    - The African rock python;
    - The Indian or Burmese python;
    - The Amethystine or scrub python;
  - Any member of the family Varanidae, including
    - The white throated monitor;
    - Bosc's or African savannah monitor;
    - The water monitor;
    - The Komodo monitor or dragon;
    - The Bornean earless monitor;
    - The Nile monitor;
    - The crocodile monitor;
  - Any member of the family Iguanidae, including the green or common iguana;
  - Any member of the family Teiidae, including but not limited to the golden, common or black and white tegu;
  - All members of the family Chelydridae, including snapping turtle and alligator snapping turtle;
  - All members of the order Crocodylia, including, but not limited to alligator, caiman and crocodile;
  - All other snakes that reach an adult length larger than three meters;
  - All other lizards that reach an adult length larger than two meters.
- **Birds (Aves)** All predatory or large birds, including but not limited to Eagle, Hawk, Falcon, Owl, Vulture and Condor.
  - **Arachnida and Chilopoda**  
All venomous spiders, including, but not limited to, tarantula, black widow and solifugid; scorpion; All venomous arthropods including, but not limited to centipede.
  - **All large rodents (Rodentia)**, including, but not limited to gopher, muskrat, paca, groundhog, marmot, beaver, prairie dog, viscacha, and porcupine.
  - **All even-toed ungulates (Artiodactyla)** including, but not limited to, deer, antelope, sheep, giraffe and hippopotamus.
  - **All odd-toed ungulates (Perissodactyla)** other than domesticated horses (*Equus caballus*), including but not limited to zebra, rhinoceros and tapir.
  - **All marsupials**, including but not limited to, Tasmanian devil, bandicoot, kangaroo, wallaby, opossum, wombat, koala bear, cuscus, numbat and pigmy, sugar and greater glider.
  - **Sea mammals (Cetacea, Pinnipedia and Sirenia)**, including but not limited to, dolphin, whale, seal, sea lion and walrus.

- **All elephants** (Proboscidea)
- **All hyrax** (Hyracoidea) (*shrew mouse, rock badger, rock rabbit*)
- **All pangolin** (Pholidota) *Scaly anteater*
- **All sloth and armadillo** (Edentala)
- **All insectivorous mammals** (Insectivora); including aardvark (Tubulidentata), anteater, shrew, otter shrew, mole and hedge hog.
- **Gliding lemur** (Dermoptera)
- **All other venomous or poisonous animals**