



City of Richmond

Report to Committee

To: General Purposes Committee

Date: May 9, 2003

From: Rebecca Bittel
Staff Solicitor


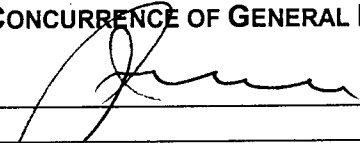
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Re: Amendment of Pet Store Regulations re. the Sale of Exotic Animals

Staff Recommendation:

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

Rebecca Bittel
Staff Solicitor

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Staff Report

Origin

At the meeting of the General Purposes Committee on April 22, 2003, staff were directed to prepare an amendment to the Business Regulation Bylaw No. 7148 in accordance with the 'Alternate Approach' set out in the staff report dated April 7, 2003.

Analysis

Staff was directed to address the following issues regarding the regulation of the sale of exotic animals:

- (a) whether there should be any discrimination in the types and sizes of snakes;
- (b) whether the sale of exotic animals should be restricted to captive-bred species;
- (c) prohibiting the sale of reptiles to anyone under the age of 18;
- (d) the need for education to be provided in the sale of all types of pets;
- (e) requiring pet store operators to keep a pet registry for reptile and other exotic animals;
- (f) requiring pet store operators to provide information on potential health risks to purchasers;
- (g) prohibiting the sale of red-eared slider turtles.

Having reviewed these issues, staff are recommending the passing of Amendment Bylaw No. 7504 which contains the following requirements for pet store operators:

- (a) Provide purchasers with instructions on the proper care and feeding of any animal sold;
- (b) Provide all purchasers of reptiles with information regarding salmonella and preventative measures;
- (c) Place notices on reptile enclosures identifying the type of species, the length it will reach on maturity, and how long it may live;
- (d) Post information regarding the risks of salmonella in areas where reptiles are sold;
- (e) Limit the sales of reptiles to captive-bred;
- (f) Prohibit the sale of certain species which are not suitable as household pets, including venomous or toxic animals, larger snakes and lizards, common green iguanas, crocodylians, and aquatic turtles (which includes red-eared sliders).

These regulations are aimed at requiring pet store operators to educate purchasers of pets, both in terms of the needs of the animals as well as the commitment required to care for them. Salmonella information is to be provided to purchasers of reptiles in the interests of public health. Staff are recommending that sales of reptiles be limited to captive-bred animals in order to discourage the removal of such animals from their country of origin.

The list of prohibited species was developed in consultation with interested groups, including local pet stores and reptile enthusiasts and there was considerable consensus regarding which

animals ought not to be sold in pet stores. However, as noted in the prior staff report, there remains strong opposition to the sale of reptiles from animal welfare groups. Two common pets that were included on the prohibited list are aquatic turtles (e.g. red-eared sliders) and green iguanas. This was suggested by the pet store operators in recognition that these are the pets which most commonly end up in animal shelters.

The current bylaw requires pet store operators to keep a register of all transactions in which animals have been acquired or disposed of by the pet store so there is no need for a specific provision dealing with reptiles in this regard.

It is unclear whether an age limit on the sale of reptiles is warranted and enforcement would be problematic due to the limited resources available. Staff recommend that no age limit be imposed at this time, but that the situation be monitored for action in the future if necessary.

Housekeeping Amendments

Two further amendments have been included as a matter of housekeeping. 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).

The current bylaw requires pet store operators to keep cats and dogs in cages which have a floor with an "impermeable surface". The City has received a request from a pet store operator to use flooring that is generally solid, but has slots which permit fluid to drain. The SPCA and City Bylaw Enforcement Officers have reviewed this flooring and agree that it is suitable for use in animal cages and will not cause any discomfort to the animals. To address this, the wording of the bylaw requirements for cages has been amended to permit alternate flooring which is acceptable to the enforcement officer.

Financial Impact

None to the City.

Conclusion

Further to the direction received from Council, the proposed bylaw amendments clarify the requirements surrounding the sale of exotic animals, including a significant educational component and restrictions on the types of species which may be sold. These requirements are aimed at ensuring that pet stores operate responsibly.

Rebecca Bittel
Staff Solicitor

RB:rb



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

The Council of the City of Richmond enacts as follows:

1. Clause (a) of subsection 11A.2.3 and clause (a) of subsection 11A.2.5 are amended by adding the following after “impermeable surface”: “or such other flooring as is approved by the **Animal Control Officer**.”

2. Bylaw No. 7148 is amended by adding the following as subsections 11A.6.3 and 11A.6.4:

11A.6.3 Every **pet store operator** 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) exercise needs, if any; and
- (e) any other care requirements to maintain the health and well-being of the **animal**.

11A.6.4 For all **reptiles** sold, a **pet store operator** must, in addition to the information required under subsections 11A.6.1 and 11A.6.3, provide the purchaser with written information regarding the risks of contracting salmonella and measures to prevent such contraction.

3. Bylaw No. 7148 is amended by deleting subsection 11A.7.1 and substituting the following:

11A.7.1 A **pet store operator** must not:

- (a) confine incompatible species of **animals** in the same cage;
- (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 **prohibited animal**;
 - (ii) any **reptile** which is not **captive bred**;
 - (iii) any **animal** whose colour has been altered or enhanced with dye, whether applied externally or by ingestion;
 - (iv) any **animal** which suffers from or exhibits signs of an infectious disease, a nutritional deficiency, parasitism, fractures or congenital deformities.

4. Bylaw No. 7148 is amended by adding the following as section 11A.7 and re-numbering the remaining section accordingly:

11A.7 Duties of Pet Store Operator - Reptiles

11A.7.1 Every pet store operator must:

- (a) place a notice on the outside of each enclosure holding a **reptile** clearly setting out the following information:
 - (i) the type of species, identified by both common name and scientific (Latin) name, contained in the enclosure;
 - (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**;

and
- (b) post signs in any area where **reptiles** are displayed with information regarding the risks of contracting salmonella and measures to prevent such contraction.

5. Section 25.1 of Bylaw No. 7148 is amended by:

- (a) deleting the definitions of “animal”, “cat”, “companion animal”, “domestic animal”, “furbearing animal”, “household pet”, and “wild animal”; and
- (b) adding the following definitions in alphabetical order:

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

CAPTIVE BRED means bred in captivity such that both parents were in human care at the time of mating.

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.
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.

6. 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** (which includes **reptiles** and arachnids), regardless of whether the venom glands have been removed.
3. The following **reptiles**:
 - (a) All snakes that reach a length of two (2) metres or more on maturity and the following snakes:
 - (i) Amethyst python (*morelia amethystina*);
 - (ii) Burmese python (*python molarus bivittatus*);
 - (iii) Reticulated python (*python reticulatus*);
 - (iv) African rock python (*python sebae sebae*);
 - (v) Indian rock python (*python molurus*);
 - (vi) Green anaconda (*eunectes murinus*);
 - (vii) Yellow anaconda (*eunectes notaeus*)

- (b) All lizards that reach a length of one (1) metre or more (measured from snout to tail) on maturity and the following lizards:
 - (i) African Nile monitor (*varanus niloticus*);
 - (ii) Asian water monitor (*varanus salvator*);
 - (iii) Papuan monitor (*varanus salvadorii*);
 - (iv) Common green iguana (*iguana iguana*);
 - (v) Tuatara (*spheodonitida*);
 - (c) All crocodilians (such as alligators, crocodiles, caimans, and gharial);
 - (d) All aquatic turtles; and
 - (e) All tiger salamanders and axolotyls (Mexican salamanders or 'walking fish').
4. All arachnids falling under the conventional classification of "Old World";
 5. All bullfrogs;
 6. All scorpions except the *Pandinus* species;
 7. All millipedes, centipedes, mantids, stickbugs, and Madagascar hissing cockroaches.
 8. 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)
 - 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 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.

- 7. 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.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK