



To: General Purposes Committee
From: Alan Clark
Manager, Zoning
Re: Regulation of Pet Stores

Date: September 5, 2002
File: 0107-08-01

Staff Recommendation

That Bylaw No. 7223 which amends Business Regulation Bylaw No. 7148 as it relates to Pet Store Regulation be introduced and given first, second and third readings.

Alan Clark
Manager, Zoning

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

Staff Report

Origin

In response to the initiatives of the Cat and Dog Companion Animal Task Force, Council directed staff to bring forward bylaw amendments to address various issues identified and highlighted by the force.

Analysis

One of the issues identified by the task force as needing attention was the health and welfare of animals in pet store businesses.

In conducting our research, staff were somewhat amazed that, with the exception of the Corporation of The City of North Vancouver, no other lower Mainland Municipalities have any regulations in place for control or protection of animals in pet stores, and neither did the S.P.C.A.

Based on observations, together with input from the public, staff are of the opinion that it would be appropriate to have a bylaw to regulate the carrying on of a pet store business in the City of Richmond for the purposes of preventing cruelty to animals and protecting the public by preventing and minimizing nuisances and misleading business practices.

The regulations contained in Amendment Bylaw No. 7223 which amends Business Regulation Bylaw No. 7148 were developed based on the concerns identified by the Cat and Dog Companion Animal Task Force and in consultation with the SPCA who will be charged with enforcement of the new provisions. The proposed regulations require animals in pet stores to be properly cared for. Pet store operators would also be required to keep a record of all animals offered for sale, including where the animals come from. This may assist the SPCA in addressing issues surrounding 'puppy mills'.

Financial Impact.

Nil.

Conclusion

A bylaw that regulates the carrying on of a pet store business and controls and protects the health and welfare of animals is clearly a responsible approach.



Alan Clark
Manager, Zoning

AJC:ajc



**Business Regulation Bylaw No. 7148,
Amendment Bylaw No. 7223**

The Council of the City of Richmond enacts as follows:

1. Subsection 1.1.1(b) of Bylaw No. 7148 is amended by adding “Animal Control Officer” following “Medical Health Officer”.
2. Bylaw No. 7148 is amended by adding the following as Part Eleven A:

PART ELEVEN A: PET STORE REGULATION

11A.1 Duties of Pet Store Operator - General

11A.1.1 Every **pet store operator** must ensure that:

- (a) all persons who attend to the care of **animals** have the skill, knowledge, ability, training and supplies necessary for the humane care of such **animals**;
- (b) no **animals** are handled by members of the public except under the supervision of a **pet store** employee; and
- (c) all **animals** are provided with sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, veterinary care, and any other care required to maintain the health, safety and well-being of such **animals**.

11A.2 Duties of Pet Store Operator - Cages

11A2.1 Every **pet store operator** must ensure that cages or other places where **animals** are kept are:

- (a) maintained in good repair;
- (b) kept in a clean and sanitary condition;
- (c) regularly disinfected and free of offensive and disagreeable odours to the satisfaction of the **Medical Health Officer**;
- (d) kept free of all **animal** waste, which the **pet store operator** must dispose of in a manner approved by the **Medical Health Officer**; and

- (e) well-ventilated.
- 11A.2.2 Every cage in which an **animal** is kept must:
- (a) be proportionate in size to the size and species of **animal** and allow room for the **animal** to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement; and
 - (b) be equipped with appropriate containers for food and water.
- 11A.2.3 In addition to the requirements of subsection 11A.2.2, every cage in which a **cat** or **kitten** is kept must:
- (a) have a floor with an impermeable surface;
 - (b) be constructed to support the weight of the **cat** or **kitten** without bending; and
 - (c) have a litter pan made from non-absorbent material or a disposable pan containing sufficient litter.
- 11A.2.4 In addition to the requirements of subsection 11A.2.2 and 11A.2.3, every cage in which more than one **cat** or **kitten** is kept must provide an elevated platform, surface or surfaces, of adequate size to hold the occupants.
- 11A.2.5 In addition to the requirements of subsection 11A.2.2, every cage in which a **dog** or **puppy** is kept must:
- (a) have a floor with an impermeable surface; and
 - (b) be constructed:
 - (i) to support the weight of the **dog** or **puppy** without bending; and
 - (ii) so that it can be easily cleaned and sanitized.
- 11A.2.6 Every cage in which birds are kept must:
- (a) be constructed of materials which are impervious to moisture and easy to clean and disinfect; or
 - (b) have a removable, impermeable bottom; and
 - (c) be of sufficient size to enable each bird to fully extend its wings in all directions.
- 11A.2.7 In addition to the requirements of subsection 11A.2.6, every cage in which finches or canaries are kept must:

- (a) contain two perches, mounted so as to encourage flight between each perch; and
- (b) have adequate space for the birds to sit comfortably when all birds are perched at the same time.

11A.3 Duties of Pet Store Operator - Segregation of Ill or Injured Animals

- 11A.3.1 Every **pet store operator** must provide an area for the segregation of **animals** which are injured, ill, or in need of special care, treatment or attention, from other **animals** in the **pet store**.
- 11A.3.2 In addition to the provisions of subsection 11A.3.1, every **pet store operator** who has an **animal** in his care, which either is, or appears to be, suffering from a disease transmittable to humans or other **animals**, must:
 - (a) immediately notify the **Medical Health Officer**; and
 - (b) ensure that such **animal** is kept isolated from healthy **animals**, until it has been determined by the **Medical Health Officer** that such **animal** is free from the disease in question.
- 11A.3.3 Where an **operator** has received notice from the **Medical Health Officer** in accordance with subsection 11A.3.2, that an **animal**:
 - (a) is diseased, the **pet store operator** must not permit such **animal** to be kept in any place where it may come into contact with, or be in danger of transmitting the disease to other **animals**; or
 - (b) is suffering from an incurable disease, the **pet store operator** must make arrangements to have it immediately destroyed in a manner approved by the **Medical Health Officer**.

11A.4 Duties of Pet Store Operator - Veterinary Care

- 11A.4.1 Every **pet store operator** must:
 - (a) post in a conspicuous place, and make accessible to all employees of the **pet store**, the name and telephone number of a veterinarian who may be contacted to provide all necessary services; and
 - (b) ensure:
 - (i) that any **animal** which is ill or injured is promptly examined and treated by a veterinarian; and
 - (ii) that any necessary euthanasia and disposal of an **animal** is performed by, or under the supervision of, a veterinarian.

11A.5 Duties of Pet Store Operator – Pet Store Register

11A.5.1 Every **pet store operator** must:

- (a) keep and maintain a legible **pet store** register in the **pet store**, containing a record of all transactions in which **animals** have been acquired or disposed of by the **pet store**; and
- (b) produce the **pet store** register for inspection at the request of a **licence inspector** and provide copies of any entries required by the **licence inspector**.

11A.5.2 Each transaction recorded in the **pet store** register must be retained for at least 12 months from the date of the transaction.

11A.5.3 The **pet store** register required under subsection 11A.5.1(a) must contain the following information in respect of each **animal** acquired by the **pet store operator**:

- (a) the name of the person or company from whom the **animal** was acquired;
- (b) the date of purchase or acquisition;
- (c) a description of the sex and colouring of the **animal** purchased or acquired and, where applicable, the tattoo or microchip number or other identifying markings;
- (d) the date the **animal** was sold or otherwise disposed of by the **pet store operator**; and
- (e) where an **animal** has been disposed of other than by sale, the method of and reason for such disposition.

11A.6 Duties of Pet Store Operator - Information Provided to Purchasers

11A.6.1 Every **pet store operator** must, at the time an **animal** is sold, provide the purchaser with a written record of sale containing the following information:

- (a) a description of the **animal**;
- (b) the date of sale;
- (c) the name and address of the **pet store**;
- (d) a description of the **animal**, including its sex, age, colour and markings;
- (e) a description of any tattoo;

- (f) the breed or cross breed, if applicable; and
- (g) a record of all vaccinations.

11A.6.2 For all **dogs, cats, puppies, or kittens** sold, a **pet store operator** must, in addition to the information required under subsection 11A.6.1, provide the purchaser with a certificate, dated and signed by a veterinarian:

- (a) verifying the health of the **dog, puppy, cat or kitten**; and
- (b) indicating proof of inoculation and de-worming.

11A.8 Pet Store Operator - Prohibitions

11A.8.1 A **pet store operator** must not allow:

- (a) incompatible species of **animals** to be confined in the same cage;
- (b) any **animal** to be separated from its mother prior to it being weaned, except for birds which have been separated for the purpose of hand feeding;
- (c) any **animal** to be sold or offered for sale whose colour has been altered or enhanced with dye, whether applied externally or by ingestion;
- (d) any **wild animal** to be sold, offered for sale, or displayed to the public; and
- (e) any **animal** to be sold or offered for sale which suffers from or exhibits signs of an infectious disease, a nutritional deficiency, parasitism, fractures or congenital deformities.

2. Bylaw No. 7148 is amended by inserting the following in Section 25.1 (Definitions) in alphabetical order:

ANIMAL means:

- (a) **furbearing animal**;
- (b) **household pet**;
- (c) **wild animal**,
- (d) **companion animal** and
- (e) **domestic animal**.

ANIMAL CONTROL OFFICER means:

- (a) a **Licence Inspector**; or
- (b) a person employed by the **Contractor** to undertake animal control services.

ANIMAL SHELTER	means any facility designated by Council as an animal pound, as provided for in the <i>Local Government Act</i> .
COMPANION ANIMAL	means an animal kept as a pet or as a guide animal.
CONTRACTOR	means the person, firm or society with whom the City has entered into an agreement for (i) the operation of an animal shelter ; (ii) the provision of animal control services; (iii) the provision and supplying of Animal Control Officers ; (iv) the licencing of dogs ; and (v) the issuing of tickets under the provisions of the Municipal Ticket Information Authorization Bylaw.
DOMESTIC ANIMAL	means an animal that is: (a) tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for the use of people, and (b) designated by order of the Lieutenant Governor in Council to be a domestic animal under the <i>Livestock Protection Act</i> .
FURBEARING ANIMAL	means any fox, beaver, marten, mink, muskrat, otter, racoon, skunk, chinchilla, fisher, or other like animal , other than a household pet .
HOUSEHOLD PET	means a domesticated animal or bird normally kept: (a) in a one-family dwelling , a two-family dwelling or a multiple-family dwelling ; and (b) for pleasure rather than utility.
KITTEN	means a member of the feline species which is less than 4 months of age.
PET STORE	means a retail store where animals are offered for sale or sold to the public, but excludes an animal shelter .
PUPPY	means a member of the canine species which is less than 4 months of age.
WILD ANIMAL	means an animal not ordinarily tame or domesticated, and includes an exotic animal.

3. This Bylaw is cited as "Business Regulation Bylaw No. 7148, Amendment Bylaw No. 7223".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Sp. factor

MAYOR

CITY CLERK