

E.1.a.e Restricting Sale of Cats, Dogs, and Rabbits in Victoria

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council:

1. Bring forward the Animal Responsibility Amendment Bylaw No.22-011 for first and second readings.
2. Schedule an Opportunity for Public Comment at a regular Council meeting as an opportunity to make representations on the proposed bylaw in accordance with section 59 of the Community Charter.
3. Provide notice of the intention to adopt the Animal Responsibility Amendment Bylaw No.22-011 through advertising of the Council agenda.

Council discussed:

- *Language around "sale" vs "adopt"; potential loopholes in the bylaw that could be exploited, and ways of drafting this bylaw in ways to avoid this*

Amendment:

Moved By Councillor Andrew

Seconded By Councillor Loveday

Amendment to the amendment:

4. That Upon adoption of the bylaws, Council direct staff to write to other municipalities in the CRD to encourage them to adopt similar bylaws.

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Councillor Isitt joined the meeting at 12:13 p.m.

Councillor Isitt recused himself from the meeting at 12:14 p.m.

On the main motion as amended:

CARRIED UNANIMOUSLY

F.1 Restricting Sale of Cats, Dogs, and Rabbits in Victoria

Committee received a report dated January 4, 2022 from the City Clerk regarding amendments to the Animal Responsibility Bylaw that prohibit the sale of cats, dogs, and rabbits in retail stores, except by recognized animal rescue societies and animal shelter organizations and advise on the implications of the proposed prohibition.

Moved By Councillor Alto

Seconded By Councillor Andrew

That Council:

1. Bring forward the Animal Responsibility Amendment Bylaw No.22-011 for first and second readings.
2. Schedule an Opportunity for Public Comment at a regular Council meeting as an opportunity to make representations on the proposed bylaw in accordance with section 59 of the Community Charter.
3. Provide notice of the intention to adopt the Animal Responsibility Amendment Bylaw No.22-011 through advertising of the Council agenda.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of February 3, 2022

To: Committee of the Whole **Date:** January 4, 2022
From: Curt Kingsley, City Clerk
Subject: Restricting Sale of Cats, Dogs, and Rabbits in Victoria

RECOMMENDATION

That Council:

1. Bring forward the Animal Responsibility Amendment Bylaw No.22-011 for first and second readings.
2. Schedule an Opportunity for Public Comment at a regular Council meeting as an opportunity to make representations on the proposed bylaw in accordance with section 59 of the Community Charter.
3. Provide notice of the intention to adopt the Animal Responsibility Amendment Bylaw No.22-011 through advertising of the Council agenda.

EXECUTIVE SUMMARY

In March 2018, Council directed staff to amend City Bylaws to prohibit the sale of cats, dogs, and rabbits of all ages, other than for adoption from a recognized animal rescue society or shelter organization.

The *Animal Responsibility Bylaw* does not currently restrict sale of any type of animal. The City does not collect information about the availability of cats, dogs, and rabbits for sale through its business licensing system. Staff research indicates that no stores currently sell them. Similarly, the City does not have any data that directly indicates that the sale of cats, dogs, or rabbits at stores has an impact on municipal resources. However, staff reviewed animal-related calls for service to the Victoria Animal Control Services and Victoria Police Department and found that animals have an impact on municipal resources, which could warrant municipal intervention.

To implement Council's resolution, the *Animal Responsibility Bylaw* could be amended to prohibit sale of cats, dogs, and rabbits of all ages, except for by a recognized animal rescue society or animal shelter organization. Adoption of cats, dogs, and rabbits could continue from a network of animal rescue societies and animal shelter organizations. The impact of this amendment on municipal services is unclear because the City does not collect data about the impact of dogs, cats, and rabbits sold by retail stores in the City of Victoria. However, staff anticipate that it may help prevent future impacts to citizens and the use of municipal resources in relation to pets.

PURPOSE

The purpose of this report is to provide amendments to the Animal Responsibility Bylaw that prohibit the sale of cats, dogs, and rabbits in retail stores, except by recognized animal rescue societies and animal shelter organizations and advise on the implications of the proposed prohibition.

BACKGROUND

On March 15, 2018, Council adopted the following motion:

Amend our Animal Control Bylaw to prohibit the sale of cats, kittens, dogs, puppies, and rabbits in pet stores and other types of retail premises. The only exemption is if these animals are offered for adoption from a recognized animal rescue society or shelter organization at which time the current bylaw policy would still apply.

The Council Member Report that established this direction is attached as Attachment A.

The *Animal Responsibility Bylaw* contains regulations that apply to stores that sell animals. The City does not currently ban the sale of cats, dogs, and rabbits. The Bylaw requires that a business keep a register of cats, dogs, and rabbits that it acquires and disposes of in addition to other information that must be kept. The Bylaw also requires that a rabbit be neutered or spayed before sold to a customer. The *Animal Responsibility Bylaw* is attached as Attachment B.

ISSUES AND ANALYSIS

Current Trends

The BC SPCA encourages all municipalities to adopt a ban on the sale of dogs, cats, and rabbits.

The sale of cats, dogs, and rabbits in stores in other municipalities has been linked to negative impacts on municipal services. Some municipalities have adopted regulations to reduce the number of cats, dogs, and rabbits that are abandoned or surrendered at municipal or other animal shelters. The following municipalities in British Columbia have enacted pet store bans: Burnaby, Delta, New Westminster, the District of North Vancouver, the City of North Vancouver, Richmond, and Vancouver. Esquimalt, Oak Bay, and Saanich do not restrict sale of cats, dogs, rabbits.

Impact on Municipal Resources

Staff are unable to identify any stores that currently sell cats, dogs, or rabbits. However, these animals are available for adoption from a network of animal rescue societies and animal shelter organizations, including from Victoria Animal Control Services. There is no available and reliable data about the impact of sale of cats, dogs, and rabbits from stores on municipal resources. Staff examined the available data provided by Victoria Animal Control Services and the Victoria Police Department to gain understanding of potential impacts of pet ownership on municipal resources.

The City contracts Victoria Animal Control Services for animal control services, which also provides services to other municipalities in the region. VACS collects data related to impoundments, canine-related, feline-related violations, and miscellaneous violations. Attachment C shows data about impoundments, dogs and cats at large, dog and cat welfare and cruelty concerns, and aggressive or threatening dog and dog attacks on human or animals. This data indicates some impact of pet ownership on municipal resources; however, it is unknown if these animals were sold in Victoria.

Similarly, the Victoria Police Department data indicates the impact of pet ownership on municipal resources, but not if these animals were sold in Victoria. Attachment C shows the number of animal related calls for service received and dispatched. Vic PD officers are dispatched in response to:

- Dog bites
- Animals in distress – i.e., dog left in a hot car and the owner cannot be contacted
- Dogs barking when VACS is not available, and the animal may be in distress
- Aggressive or predatory animals that cause a public safety risk

The City's data indicates that pet ownership impacts City resources and citizens, therefore actions are warranted to limit these impacts.

Impact on Sale of Cats, Dogs, and Rabbits

Few if any stores in Victoria sell cats, dogs, or rabbits. The proposed amendment is intended to prevent increased impacts to citizens and municipal resources. It would not apply to private sellers who may use other methods to sell cats, dogs, and rabbits, such as online. Expanding the scope of the proposed amendment to include these private sellers would be difficult to enforce.

Legal Implications

Municipalities in BC have authority provided under the Community Charter to regulate both businesses and animals. Court decisions have confirmed that municipalities may regulate animal businesses so long as there is a proper municipal purpose supporting the regulation.

Bylaw Amendment

The proposed bylaw amendment will prohibit stores from selling cats, dogs, and rabbits of any age in Victoria. Sale of these animals could still occur by recognized animal rescue societies and animal shelter organizations which administer robust adoption processes that promote responsible pet ownership and match prospective owners and pets according to their needs. Shelters and organizations could continue to work with stores to provide space for adoption.

Given that there are no federal or provincial registry of animal shelters and rescues, staff defined “registered animal shelters or rescue organizations” as:

- a) Municipal animal shelters;
- b) Animal shelters or rescues that are registered charities with the Canada Revenue Agency; and,
- c) Animal shelters or rescues that are not-for-profit organizations under the B.C. Societies Act, except for member funded societies.

This definition is used by the City of Vancouver for the same purposes and encompasses popular and legitimate sources of animals in need of adoption.

Staff recommend keeping the current regulations that require a store to keep a register to document on what dates the animal was placed in the store and removed from the store.

The proposed change requires several amendments to the Animal Responsibility Bylaw. If Council wishes to adopt the proposed amendment, ‘house-keeping’ amendments to the definition of cat, dog, and rabbit would be needed to sections that rely on the current definitions, such as those that limit the number of cats or dogs in a premises at one time.

The proposed amendments are included in Attachment D.

Consultation with Businesses

Staff are not aware of any business that sells these animals or that any business has contacted staff to express concern about Council's direction. Staff did not conduct engagement with businesses for this reason. To proceed, the City would advertise Council's agenda and an opportunity for public comment at a Council meeting to satisfy the consultation requirement.

OPTIONS AND IMPACTS

Option 1 – Proceed with proposed amendments to ban sale of cats, dogs, and rabbits (Recommended)

This option would require an opportunity for public comment at a Council meeting to give notice of its intention and provide an opportunity for persons who consider they are affected by the bylaw to make representations to council. It is unknown if any businesses have an interest in this matter. The proposed amendment would ensure that animal shelter and rescue organization could continue to seek help from stores to facilitate adoptions.

Option 2 – Do not proceed with amendments to the Animal Responsibility Bylaw

This option would mean that the *Animal Responsibility Bylaw* would continue to allow the sale of cats, dogs, and rabbits of any age. The requirement to keep a register of cats, dogs, and rabbits sold would remain. SPCA would continue to enforce if there are concerns about animal welfare.

Accessibility Impact Statement

The recommendation has no accessibility implications. Registered charities and non-profit organizations providing assistance animals, such as guide and service dogs, would not be impacted by a proposed ban.

2015 – 2018 Strategic Plan

The recommended option has no Strategic Plan implications.

Impacts to Financial Plan

The recommended option has no financial implications.

Official Community Plan Consistency Statement

This issue has no specific Official Community Plan implications.

CONCLUSION

The City may regulate sale of animals by a business for municipal purposes. Council direction to ban retail sale of cats, dogs, and rabbits of all ages would support municipal purposes of reducing and preventing abandoned or surrendered pets in the city and contribute to preventing impacts on municipal resources and citizens associated with pet ownership. A ban may reduce the number of abandoned or surrendered cats, dogs, and rabbits, and prevent future sales of these pets and its impacts on municipal services and citizens.

Respectfully submitted,

Monika Fedyczkowska
Legislative and Policy Analyst

Curt Kingsley
City Clerk

Susanne Thompson
Deputy City Manager

Report accepted and recommended by the City Manager.

List of Attachments

Attachment A: Council Member Report

Attachment B: Animal Responsibility Amendment Bylaw

Attachment C: Data about Animal-Related Calls for Service

Attachment D: Animal Responsibility Amendment Bylaw 22-011



Council Member Report

For the Committee of the Whole Meeting of February 22, 2018

To: Committee of the Whole **Date:** February 19, 2018
From: Councillor Thornton-Joe
Subject: Proposed Animal Control Bylaw Amendment – Banning Sales in Pet Stores

BACKGROUND

Several years ago amendments were made in the City of Victoria's Animal Control Bylaw to address concerns about the sale of puppies, kittens and rabbits in pet stores. Evidence found that many of these animals were bought due to impulse buying and without screening of suitability. At the time there were approximately three pet stores in the City. The changes at that time were to include in the language under Pet Stores:

Sale of Rabbits

37. A pet store operator must not sell or give away a rabbit unless the rabbit has been spayed or neutered.

38. A pet store operator must:

- a. keep and maintain a pet store register in the pet store containing a record of each transaction in which the operator acquires or disposes of a rabbit, cat or dog, including the following information;
 - i. the name and address of the person from whom the operator acquired the animal;
 - ii. the date of the acquisition;
 - iii. the animal's date of birth;
 - iv. a description of the sex and colouring of the animal, and of any tattoo, microchip number, or other identifying marking;
 - v. the date the operator disposed of the animal;
 - vi. if the disposition is other than by sale, the method of and reason for the disposition;
- b. produce the pet store register for inspection by an animal control officer or bylaw officer,
- c. provide copies of any entries required by an animal control officer or bylaw officer, and;
- d. retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction.

Pet store record of sale:

39. At the time of the sale of an animal, a pet store operator must

- a. provide the purchaser with a written record of sale including the following information;
 - i. the date of the sale;
 - ii. the name and address of the pet store;
 - iii. a description of the animal;
 - iv. a description of any tattoo, microchip number, or other identifying marking;
 - v. the breed or cross breed, if applicable, and

- b. if the animal is a dog or cat, provide the purchaser with;
 - i. a health certificate from a registered veterinarian, and
 - ii. a record of medical treatment, vaccinations and de-worming.

All the above was included because it was found that often dogs and cats were being brought in from puppy or kitten mills and were under aged, malnourished and did not have the appropriate vaccinations and de-worming. Many of these animals eventually ended up in animal rescue organizations because the animal did not work out for the family, had constant health problem or many other reasons. Since then, many of the pet stores in the City have closed and animals such as dogs, puppies, cats, kittens or rabbits are rarely sold. Since our last amendment, the City of Richmond became the first City in Canada to amend their bylaws to include this and New Westminster, Vancouver, Toronto and many others have followed. To add such policy would add our names to the list of Cities already amending their bylaws on this important animal welfare issue.

MOTION

Move to amend our Animal Control Bylaw to prohibit the sale of cats, dogs and rabbits in a pet store or other type of retail premises. The only exception to this are animals offered for adoption from a recognized animal rescue society or shelter organization at which time the current bylaw policy would still apply.

Respectfully submitted,



Councillor Thornton-Joe



ANIMAL RESPONSIBILITY BYLAW

BYLAW NO. 11-044

This consolidation is a copy of a bylaw
consolidated under the authority of
section 139 of the *Community Charter*.
(Consolidated on August 13, 2018 up to
Bylaw No. 18-077)

This bylaw is printed under and by
authority of the Corporate Administrator
of the Corporation of the City of Victoria.

NO. 11-044

ANIMAL RESPONSIBILITY BYLAW**A BYLAW OF THE CITY OF VICTORIA**

(Consolidated to include Bylaws No. 12-020, 12-021, 14-054, 18-050 and 18-077)

The purpose of this Bylaw is to consolidate, update, and introduce new regulations relating to animals.

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Under its statutory powers, including sections 8(3)(k), 47 and 48 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

PART 1 - INTRODUCTION

Title

- 1 This Bylaw may be cited as the "ANIMAL RESPONSIBILITY BYLAW".

Definitions

- 2 In this Bylaw

"animal"

means any member of the animal kingdom, other than a human being;

"animal control officer"

means a person designated as an animal control officer for the purposes of section 49 of the *Community Charter*;

"cat"

means an animal of the species *Felis domesticus* that is apparently over the age of twelve weeks old;

"chicken"

means an animal of the species *Gallus gallus domesticus*;

"dangerous dog"

means a dog that has been designated as a dangerous dog under section 28;

"dog"

means an animal of the species *Canis familiaris* that is apparently over the age of twelve weeks old;

"farm animal"

means any domesticated animal normally raised for food, milk or as a beast of burden and includes cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen but does not include poultry or bees;

"guinea pig"

means an animal of the species *Cavia porcellus* that is apparently over the age of twelve weeks old;

“keep”

means to lodge, possess, have care and control of, harbour, board, or feed on a regular basis;

“lot”

has the same meaning as in the *Zoning Regulation Bylaw*;

“motor vehicle”

means a self-propelled vehicle other than a motorized wheelchair;

"owner"

in respect of any animal includes

- (a) a person possessing or harbouring the animal, and
 - (b) a person who has care, custody or control of the animal,
- and "owns" has a corresponding meaning;

“poultry”

means any domesticated bird that is normally kept for its eggs, meat, or feathers, and includes chickens;

"poundkeeper"

means

- (a) the City employee appointed pursuant to section 4(a), or
- (b) the person under contract with the City to act as a poundkeeper pursuant to section 4(b),

and includes the poundkeeper’s assistants and, in the case of a contractor, employees.

“rabbit”

means an *Eastern cottontail* or *European rabbit* that is apparently more than twelve weeks old;

“self-contained dwelling unit”

has the same meaning as in the *Zoning Regulation Bylaw*.

Application

- 3
 - (1) Sections 18 to 20 do not apply to an animal control officer acting in the course of the officer's employment.
 - (2) Sections 19(4), 32(3)(b) and 35(1) do not apply to a person with a disability with respect to a guide animal certified under the *Guide Animal Act*.
 - (3) Sections 19(1), 19(4) and 32(3)(b) do not apply to a police officer with respect to a police dog.
 - (4) Section 19 does not apply to a person with respect to a dog participating in a show, exhibition or performance that is being conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture.
 - (5) Section 19 does not apply to a dangerous dog.
 - (6) Section 20 does not apply to peafowl in Beacon Hill Park.
- 3A
 - (1) If, in the opinion of Council, application of any provision in Parts 4 or 7 of this Bylaw would result in undue hardship, Council may, by resolution, exempt a person or property from the application of that provision.
 - (2) Council may impose terms and conditions as part of an exemption under subsection (1), including a time limit on the application of the exemption.

PART 2 – ADMINISTRATIVE DUTIES OF THE POUNDKEEPER

Appointing a poundkeeper

- 4 Council may
 - (a) appoint, by resolution, an employee of the City to be a poundkeeper or poundkeeper's assistant, or
 - (b) enter into an agreement with a qualified contractor to act as the poundkeeper and to manage a dog licensing program for the City.

Keeping records

- 5 The poundkeeper must keep the following records for each impounded animal:
 - (a) the date the animal was impounded;
 - (b) a description of the animal;
 - (c) if applicable, the place where the animal was seized;
 - (d) if applicable, the name and address of the person who brought the animal to be impounded;

- (e) if applicable, the name and address of the person who redeems the animal and, if the person who redeems the animal is not the owner, the name and address of the owner of the animal;
- (f) the date when the animal was redeemed or otherwise disposed of;
- (g) a description of the method of and reason for the disposition;
- (h) the amount of money, if any, recovered in respect of the animal.

Monthly reporting

- 6 At the end of every month the poundkeeper must submit a report to the City, containing:
- (a) the information referred to in section 5;
 - (b) a complete record of any dog bites which occurred in that month, including:
 - (i) information concerning the severity of the bite;
 - (ii) the breed of the dog;
 - (iii) the name and address of the owner of the dog, if known;
 - (iv) the name of the person bitten; and
 - (v) the details of any charges under the Bylaw.

Money received

- 7
- (1) All money received by the poundkeeper pursuant to this Bylaw is the property of the City.
 - (2) The poundkeeper, if not employed by the City, must once every month pay over to the City all money received.
 - (3) On demand at any time during business hours, the poundkeeper must produce books of accounts and records for inspection by the Director of Finance or the Manager of Bylaw and Licensing Services.

PART 3 – ANIMAL WELFARE

Animal abandonment

- 8 The owner of an animal must not abandon the animal.

Basic animal care requirements

- 9 The owner of an animal must ensure that the animal is provided with:

- (a) clean, potable drinking water;
- (b) suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
- (c) clean and disinfected food and water receptacles that are located so as to avoid contamination by excrement;
- (d) the opportunity for regular exercise sufficient to maintain good health; and
- (e) necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering.

Outdoor shelter requirements

- 10(1) An owner of an animal must ensure that the animal has protection from all elements and must not allow the animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.
- 10(2) A person must not keep an animal outside, unless the animal is provided with a shelter that provides
 - (a) protection from heat, cold and wet that is appropriate to the animal's weight and type of coat,
 - (b) sufficient space to allow the animal the ability to turn about freely and to easily stand, sit and lie in a normal position, and
 - (c) protection from the direct rays of the sun.

Sanitation requirements

- 11 A person must not keep an animal in a shelter, pen, cage or run unless the shelter, pen, cage or run is clean, sanitary and free from wild vermin.

Tying animals

- 12 No owner shall cause, permit, or allow a dog:
 - (a) to be hitched, tied, or fastened to a fixed object in such a way that the dog is able to leave the boundaries of the owner's property;
 - (b) to be hitched, tied, or fastened to a fixed object where a choke collar forms part of the securing apparatus, or where a rope or cord is tied directly around the dog's neck;
 - (c) to be tethered other than with a collar that is properly fitted to that dog and attached in a manner that will not injure the dog or enable the dog to injure itself by pulling on the tether;

- (d) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the dog;
- (e) to be hitched, tied, or fastened to a fixed object unattended at any time; or
- (f) to be hitched, tied, or fastened to a fixed object for longer than four hours within a 24 hour period.

Animals in an enclosed space

- 13 (1) A person must not confine an animal in an enclosed space, vehicle or vessel unless the person provides sufficient ventilation and water to prevent the animal from distress.
- (2) If a person confines an animal in an enclosed space, vehicle or vessel that is stationary, the person must ensure that the space, vehicle or vessel is in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.

Transport of animals in motor vehicles

- 14 A person must not transport an animal in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the animal is adequately confined or secured in a body harness or other manner of fastening that is adequate to prevent the animal from jumping or falling off the vehicle or otherwise injuring itself.

Exercising dogs from a motor vehicle or bicycle

- 15 (1) A person must not exercise a dog by allowing it to run next to a moving motor vehicle.
- (2) A person must not exercise a dog by allowing it to run next to a bicycle unless the dog is attached to the bicycle by an apparatus that allows the person to retain two-handed control of the bicycle at all times.
- (3) Subsection (2) does not apply to a person exercising a dog in an off leash area if:
 - (a) the dog is not being held; and
 - (b) bicycle riding is allowed in the area.

Animal performances

- 16 (1) A person must not operate or carry on a public show, exhibition, carnival or performance in which animals are required to perform tricks, fight or otherwise participate for the amusement or entertainment of an audience.

- (2) Despite subsection (1), a person may operate or carry on:
- (a) an exhibition or performance involving horses or in which individuals ride horses or ponies;
 - (b) an exhibition involving dogs;
 - (c) a display or showing of animals in an agricultural fair or pet show; or
 - (d) an event that is conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture;

if the person does not use or treat any animal in an inhumane manner for profit or advantage.

Traps

- 17 A person must not use, set or maintain a trap or device that is designed to capture an animal by the foot or leg.

Animal Cruelty

- 17A Notwithstanding any other provision of this Bylaw, no person shall:

- (a) tease, torment, or provoke any animal;
- (b) cause, permit or allow an animal to suffer;
- (c) train or allow any animal to fight other animals; or
- (d) choke, kick or punch an animal.

PART 4 – ANIMAL CONTROL

Animals on private property

- 18 (1) The owner of an animal must not allow the animal to be on any private lands or premises without the consent of the occupier or owner of the lands or premises.
- (2) Subsection (1) does not apply to a person who keeps bees.
- (3) A person may keep chickens only on the same lot where he or she resides.

Dogs in public places

- 19 (1) The owner of a dog must not allow the dog to be in a public place unless the dog is firmly held on

- (a) a leash not exceeding 2.4 m in length, or
 - (b) a retractable lead not exceeding 8 m in length when fully extended,

by a person competent to restrain the dog.
- (2) Despite subsection (1), the owner of a dog may allow the dog to be in an off leash area of a park shown on a map included in Schedule A without being firmly held if
 - (a) the dog is in the area during the times listed in Column 2 of the table in Schedule A opposite the name of the park in Column 1,
 - (b) the dog is under the effective control of a competent person,
 - (c) the off leash area is not being used under a permit issued by the Director of Parks, Recreation and Culture, and
 - (d) the off leash area has not been closed by the Director of Parks, Recreation and Culture.
- (3) For the purposes of paragraph (2)(b), a dog is under the effective control of a person if
 - (a) the person can see the dog, and
 - (b) when the person calls the dog, the dog returns to the person within three calls.
- (4) Despite subsection (1), the owner of a dog must not allow the dog to be in any of the following public places during the times specified:
 - (a) all times in that part of Beacon Hill Park shown as a dogs-prohibited area on the map in Schedule B;
 - (b) all times in Pioneer Square;
 - (c) all times in Ross Bay Cemetery;
 - (d) from June 1 to August 31 on Gonzales Beach;
 - (e) all times in playground areas that
 - (i) surround slides, swings, structures for climbing and other similar equipment for children's use, and
 - (ii) are covered with sand, wooden chips or rubberized surfacing;
 - (f) all times on the all-weather sports field, known as Finlayson Field, in Topaz Park.

Other animals in public places

- 20 (1) The owner of a snake or other reptile must not allow the snake or other reptile to be in a public place unless the animal is securely confined in a cage or other container.
- (2) The owner of an animal other than a dog or reptile must not allow the animal to be in any public place unless the animal is under the direct control of a competent person.
- (3) An owner of a cat or rabbit must not cause the animal to be in an off leash area of a park shown on a map included in Schedule A.

Requirements for keeping bees

- 21 (1) A person who keeps bees must
- (a) provide adequate water for the bees on the person's property,
 - (b) maintain the bees in a condition that will reasonably prevent swarming, and
 - (c) keep hives at least 7.6 m away from each property line, unless there is a solid fence or hedge at least 1.8 m tall parallel to the property line.
- (2) The Fence Bylaw applies to a fence erected in accordance with paragraph (1)(c).

Secure enclosure of outdoor rabbits

- 22 A person must not keep rabbits in an outdoor pen, cage or run, unless the pen, cage or run is securely enclosed to prevent escape.

Animals damaging public property

- 23 The owner of an animal must not allow the animal to damage or destroy any building, structure, tree, shrub, plant, or turf in a public place.

Animals chasing or harassing

- 24 The owner of an animal must not allow the animal to chase, harass, molest, attack, injure or kill a person or animal.

Limits on the number of animals

- 25 (1) No person may keep, or allow to be kept, at any one time, on a lot more than six dogs or cats, or any combination of dogs or cats greater than six.
- (2) No person may keep, or allow to be kept, at any one time, on a lot more than four rabbits or guinea pigs or any combination of rabbits and guinea pigs greater than four.

- (3) No person may keep, or allow to be kept, at any one time, on a lot more than fifteen female chickens or other poultry, or any combination of chickens or other poultry greater than fifteen.
- (4) Subsections (1) and (2) do not apply to animals kept:
 - (a) during business hours on premises where a registered veterinarian practices veterinarian medicine;
 - (b) by an animal groomer, or an animal daycare where those uses are permitted in accordance with the Zoning Regulation Bylaw; or
 - (c) at an animal shelter or in a veterinary hospital where those uses are permitted in accordance with the Zoning Regulation Bylaw.
- (5) For the purposes of subsections (1) and (2) each self-contained dwelling unit on a lot shall be considered a separate lot such that the limits provided for in those subsections apply to such self-contained dwelling unit provided that no animals are kept on the shared or common property or outside buildings located on the property.

Dogs in heat

- 26 (1) Except as permitted by subsection (2), the owner of a female dog in heat must confine her within a building or kennel until she is no longer in heat.
- (2) The owner of a female dog in heat may allow the dog to leave the building or kennel in order to urinate or defecate on the person's private lands if the person
 - (a) firmly holds the dog on a leash, and
 - (b) immediately returns the dog to the building or kennel upon completion of the urination or defecation.

Farm animals

- 27 (1) A person must not keep a
 - (a) farm animal,
 - (b) rooster, or
 - (c) peafowl.
- (2) The prohibition in subsection (1) does not apply to:
 - (a) a person who is licensed to operate a business using a horse drawn sightseeing vehicle pursuant to the Vehicles for Hire Bylaw with respect to horses used in the business;

- (b) the Beacon Hill Farm Society with respect to farm animals and peafowl kept at the Beacon Hill Children's Farm; and
- (c) a person who brings a farm animal into the City for an event conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture.

PART 5 – DANGEROUS DOGS

Designating dangerous dogs

- 28 (1) An animal control officer may designate a dog as a dangerous dog if the dog
- (a) bites a human or animal without provocation,
 - (b) has a known propensity, tendency or disposition to attack a human or animal without provocation, or
 - (c) has previously been designated as a dangerous dog and endangers the safety of a human or animal.
- (2) A designation under subsection (1) may be for any time period that an animal control officer considers appropriate, considering
- (a) the circumstances of the incident,
 - (b) the severity of the incident, and
 - (c) any previous incidents.
- (3) After designating a dog as a dangerous dog, an animal control officer must inform the owner of the dog in writing of
- (a) the designation and its length, and
 - (b) the responsibilities of the owner of a dangerous dog.

Control of dangerous dogs

- 29 (1) Except as allowed under subsection (2) and subject to subsection (3), the owner of a dangerous dog must not allow the dangerous dog to be in a public place or on any private lands and premises unless the dog is
- (a) firmly held by a person competent to restrain the dog on a leash not exceeding 2.4 m in length, and
 - (b) properly fitted with a humane basket muzzle that allows the dog to pant and drink.

- (2) A person may allow a dangerous dog to be in areas of private lands or premises that are exclusively owned or occupied by that person so long as the dog is securely confined
 - (a) indoors,
 - (b) on a deck that is no less than 3 m above ground level, or
 - (c) in a rear yard and inside a pen, enclosure or fenced area that
 - (i) is adequately constructed to prevent the dog from escaping,
 - (ii) is locked to prevent casual entry by another person, and
 - (iii) has been inspected and approved by an animal control officer.
- (3) A person must not allow a dangerous dog to be
 - (a) on school grounds,
 - (b) within 30 m of any playground apparatus, or
 - (c) in any of the public places listed in section 19(4) during the times specified in that section.

Signage

- 30 (1) The owner of a dangerous dog must display a sign in the form prescribed in Schedule C at each entrance to
 - (a) the property and building in or upon which the dog is kept, and
 - (b) any deck, pen, enclosure or fenced area used to securely confine the dog.
- (2) A sign displayed in accordance with subsection (1) must be
 - (a) attached so that it cannot be removed easily by passersby, and
 - (b) visible and capable of being read from any adjacent sidewalk, street or lane.
- (3) A person must not deface or remove a sign that is required to be displayed under subsection (1).

Duties of a dangerous dog owner

- 31 The owner of a dangerous dog must
 - (a) allow an animal control officer or the poundkeeper to photograph the dog, on demand,

- (b) within two working days of moving to a new residence, provide an animal control officer or the poundkeeper with the owner's new address,
- (c) within two working days of selling or giving away the dog, provide an animal control officer or the poundkeeper with the name, address and telephone number of the new owner,
- (d) within two working days of the death of the dog, provide an animal control officer or the poundkeeper with a veterinarian's certificate of the death, and
- (e) immediately advise an animal control officer or the poundkeeper if the dog is loose or has bitten or attacked any person or animal.

PART 6 – DOG LICENCES

Obtaining dog licences

- 32 (1) The owner of a dog over the age of 4 months must hold a valid licence issued by the City for the dog.
- (2) Every licence expires on December 31 of the calendar year for which the licence is issued.
- (3) A person may obtain a licence for a dog by
- (a) applying to the City for a licence, and
 - (b) paying the fee prescribed in Schedule D.
- (4) Despite paragraph (3)(b), a person may obtain a licence for a dog without paying the prescribed fee if
- (a) the dog has been sterilized within the 12 months prior to the application for a licence, the person provides proof of sterilization, and a free licence has not previously been issued for that dog under this subsection, or
 - (b) the person holds a valid licence for the dog issued in another jurisdiction and surrenders the licence tag from the other jurisdiction.
- (5) A person who obtains a licence on or after March 1 must pay the late purchase fee prescribed in Schedule D in addition to the licence fee.
- (6) The late purchase fee provided for in subsection (5) does not apply to a person who obtains a licence for a dog that was purchased or acquired in the calendar year for which the licence is issued.
- (7) An owner may obtain a replacement licence tag if a valid licence tag is lost or destroyed by paying the fee prescribed in Schedule D.

Collars and licence tags

- 33 (1) A licence consists of a written receipt and a licence tag designed to be attached to a dog collar.
- (2) The owner of a dog over the age of 4 months must not allow the dog to be anywhere except on premises normally occupied by the owner unless the dog wears a collar with a valid licence tag attached to the collar.
- (3) If a dog does not wear a collar to which the licence tag is attached in a conspicuous place, it shall be presumed not to be licensed until the contrary is proven.
- (4) A person must not remove a collar or licence tag from a dog, unless that person is
- (a) the owner,
 - (b) a person authorized by the owner,
 - (c) the poundkeeper, or
 - (d) an animal control officer.

PART 7 – ANIMAL NUISANCES

Noisy dogs

- 34 In addition to the requirements of the Noise Bylaw the owner of a dog must not allow the dog to bark, howl or cry
- (a) continuously for ten minutes or more without significant periods of rest,
 - (b) sporadically for a cumulative total of 15 or more minutes within 1 hour, or
 - (c) otherwise in such a manner as to cause a nuisance.

Animal waste

- 35 (1) The owner of a dog must not allow the dog to defecate
- (a) in a public place, or
 - (b) on any private property other than the property of the owner
- unless the owner immediately removes the excrement and lawfully disposes of it.
- (2) A person who grooms an animal in a public place must remove and lawfully dispose of any hair or other debris that result from the grooming process.

- (3) A person must not store, deposit, spread, or compost, or allow to be stored, deposited, spread, or composted, poultry manure on a lot except in accordance with subsection (4).
- (4) A person may store or compost poultry manure on a lot on which poultry is kept only if it is
 - (a) stored in a single fully enclosed container that is not more than one metre by one metre by one metre in size; and
 - (b) located at least three metres from the nearest property line.

Feeding wildlife

- 36 (1) A person must not intentionally feed or leave food out for the purposes of feeding
- (a) deer,
 - (b) raccoons,
 - (c) squirrels, or
 - (d) feral rabbits.
- (2) A person must not intentionally feed or leave food out for the purposes of feeding
- (a) rock doves (pigeons),
 - (b) crows, or
 - (c) gulls
- within the area outlined in black on the map in Schedule E.
- (3) Subsections (1) and (2) do not apply to a person who is engaging in hunting or trapping wildlife in accordance with the *Wildlife Act* and its regulations.
 - (4) A person must not keep, or allow to be kept, any animal feed outside a building unless it is stored in a fully enclosed container that is capable of keeping out rats, raccoons, and other wildlife.

PART 8 – PET STORES

Sale of rabbits

- 37 A pet store operator must not sell or give away a rabbit unless the rabbit has been spayed or neutered.

Pet store register

38 A pet store operator must

- (a) keep and maintain a pet store register in the pet store containing a record of each transaction in which the operator acquires or disposes of a rabbit, cat or dog, including the following information:
 - (i) the name and address of the person from whom the operator acquired the animal;
 - (ii) the date of the acquisition;
 - (iii) the animal's date of birth;
 - (iv) a description of the sex and colouring of the animal, and of any tattoo, microchip number, or other identifying marking;
 - (v) the date the operator disposed of the animal;
 - (vi) if the disposition is other than by sale, the method of and reason for the disposition;
- (b) produce the pet store register for inspection by an animal control officer or bylaw officer,
- (c) provide copies of any entries required by an animal control officer or bylaw officer, and
- (d) retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction.

Pet store record of sale

39 At the time of the sale of an animal, a pet store operator must

- (a) provide the purchaser with a written record of sale including the following information:
 - (i) the date of sale;
 - (ii) the name and address of the pet store;
 - (iii) a description of the animal;
 - (iv) a description of any tattoo, microchip number, or other identifying marking;
 - (v) the breed or cross breed, if applicable; and
- (b) if the animal is a dog or cat, provide the purchaser with

- (i) a health certificate from a registered veterinarian, and
- (ii) a record of medical treatment, vaccinations and de-worming.

PART 9 – SEIZING AND IMPOUNDING ANIMALS

Authority to seize and impound

- 40 (1) An animal control officer may seize
- (a) a dog if the owner does not hold a valid licence for the dog as required by section 32(1),
 - (b) an animal that is in a public place in contravention of sections 19, 20 or 29,
 - (c) an animal that is on any private lands or premises without the consent of the occupier or owner of the lands or premises, or
 - (d) an animal that is on unfenced land and not securely tethered or contained.
- (2) The poundkeeper shall impound any animal seized under subsection (1) and delivered to the pound by an animal control officer and may impound any animal brought to the pound by any other person.

Releasing an animal before its arrival at the pound

- 41 (1) If the owner or the agent of the owner appears and claims an animal that has been seized at any time before the animal has been taken to the pound, an animal control officer must release the animal to the owner or agent if the person
- (a) proves ownership of the animal to the satisfaction of the animal control officer or, in the case of an agent, satisfies the animal control officer of the agent's authority to redeem the animal,
 - (b) pays any applicable licence fees, and
 - (c) pays to the animal control officer half of the applicable impoundment fee set out in Schedule D.
- (2) Subsection (1) does not apply if the animal that has been seized is a dangerous dog.

Informing the owner of impoundment

- 42 If the poundkeeper knows the name and address of the owner of an animal which has been impounded, the poundkeeper will inform the owner verbally or by mail within 24 hours of the impoundment.

Redeeming an animal from the pound

- 43 (1) The owner of an impounded animal or the owner's agent may redeem the animal from the pound by
- (a) proving ownership of the animal to the satisfaction of the poundkeeper or, in the case of an agent, satisfying the poundkeeper of the agent's authority to redeem the animal, and
 - (b) paying to the poundkeeper
 - (i) any applicable licence fees,
 - (ii) the applicable impoundment fees prescribed in Schedule D,
 - (iii) the applicable maintenance fees prescribed in Schedule D for each day or part of a day that the animal was impounded,
 - (iv) the costs of any special equipment, resources or boarding facilities required to seize, impound or maintain the animal, and
 - (v) any veterinary costs incurred in respect of the animal during the impoundment period.
- (2) Despite subsection (1), the poundkeeper may detain a dangerous dog for a period of up to 14 days before allowing the owner or the owner's agent to redeem the animal.

No liability for injury to animal

- 44 No provision of this Bylaw shall be construed as making the poundkeeper, an animal control officer or the City liable to the owner of any animal for injury to, sickness or death of the animal.

Disposition of unredeemed animals

- 45 (1) An animal becomes the property of the City if it is not redeemed within 96 hours after
- (a) its impoundment, or
 - (b) the expiration of an impoundment period set under section 43(2).
- (2) If an animal becomes the property of the City under subsection (1), the poundkeeper may
- (a) sell it on behalf of the City,
 - (b) give it away, or
 - (c) put it to death in a humane manner.

Euthanization of impounded animals

- 46 The poundkeeper may have an impounded animal humanely euthanized at any time if
- (a) a registered veterinarian certifies that the animal is suffering from an infectious or contagious disease, or
 - (b) the poundkeeper is satisfied that the animal has been so seriously injured that its death is imminent.

Prohibition against breaking into pound

- 47 A person must not
- (a) break open or in any manner directly or indirectly aid or assist in breaking open the pound,
 - (b) enter the pound without the permission of the poundkeeper, or
 - (c) take or release any animal from the pound without the consent of the poundkeeper.

Prohibition against hindering the poundkeeper or officers

- 48 (1) A person must not hinder, delay or obstruct
- (a) the poundkeeper,
 - (b) an animal control officer, or
 - (c) a bylaw officer
- in the performance of their duties under this Bylaw.
- (2) Without limiting the generality of subsection (1), a person must not
- (a) release an animal from a trap set by an animal control officer, or
 - (b) tamper with, damage, move or remove a trap set by an animal control officer.

PART 10 – PENALTIES AND ENFORCEMENT

Provision of information

- 49 (1) If a person occupies premises where a dog is kept or found, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- (a) the person's name, address and telephone number;

- (b) if the person is not the dog owner, the dog owner's name, address and telephone number;
 - (c) the number of dogs kept on the premises;
 - (d) the breed, sex, age, name and general description of each dog kept on the premises;
 - (e) whether each dog kept on the premises is licensed.
- (2) If a person has apparent custody of a dog, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- (a) the person's name, address and telephone number;
 - (b) if the person is not the dog owner, the dog owner's name, address and telephone number;
 - (c) the place where the dogs owned or in the custody of the person are kept;
 - (d) the breed, sex, age, name and general description of each dog owned or in the custody of the person;
 - (e) whether each dog owned or in the custody of the person is licensed.

Entering property for inspection

49.1 In accordance with section 16 of the *Community Charter* but without limiting section 49 of the *Community Charter* an animal control officer at reasonable times may enter onto and into real property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

Offences

- 50 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw, and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
 - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw continues is a separate offence.

PART 11 – GENERAL PROVISIONS

Severability

- 51 Each section of this Bylaw shall be severable. If any provision of this Bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this Bylaw.

Repeal

- 52 The following bylaws are repealed:
- (a) Bylaw No. 92-189, the “Animal Control Bylaw”, and
 - (b) Bylaw No. 79-89, the “Animal Protection Bylaw.”

Coming into force

- 53 (1) Except for Part 8, this Bylaw comes into force on the date of adoption.
- (2) Part 8 comes into force on January 1, 2012.

READ A FIRST TIME the	21st	day of	July	2011
AMENDED the	25th	day of	August	2011
READ A SECOND TIME the	25th	day of	August	2011
AMENDED the	13th	day of	October	2011
READ A THIRD TIME the	13th	day of	October	2011
ADOPTED on the	27th	day of	October	2011

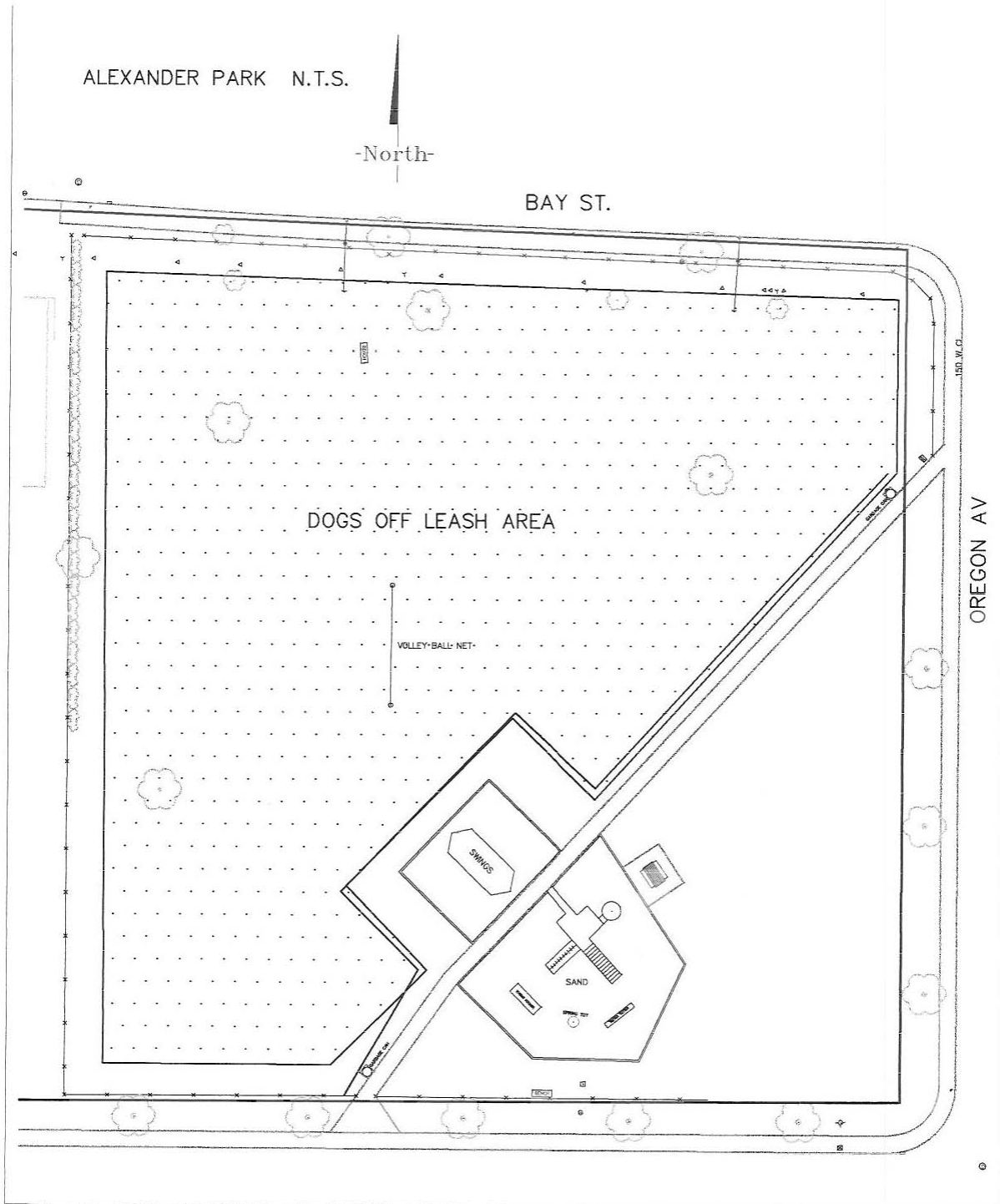
“ROBERT G. WOODLAND”
CORPORATE ADMINISTRATOR

“DEAN FORTIN”
MAYOR

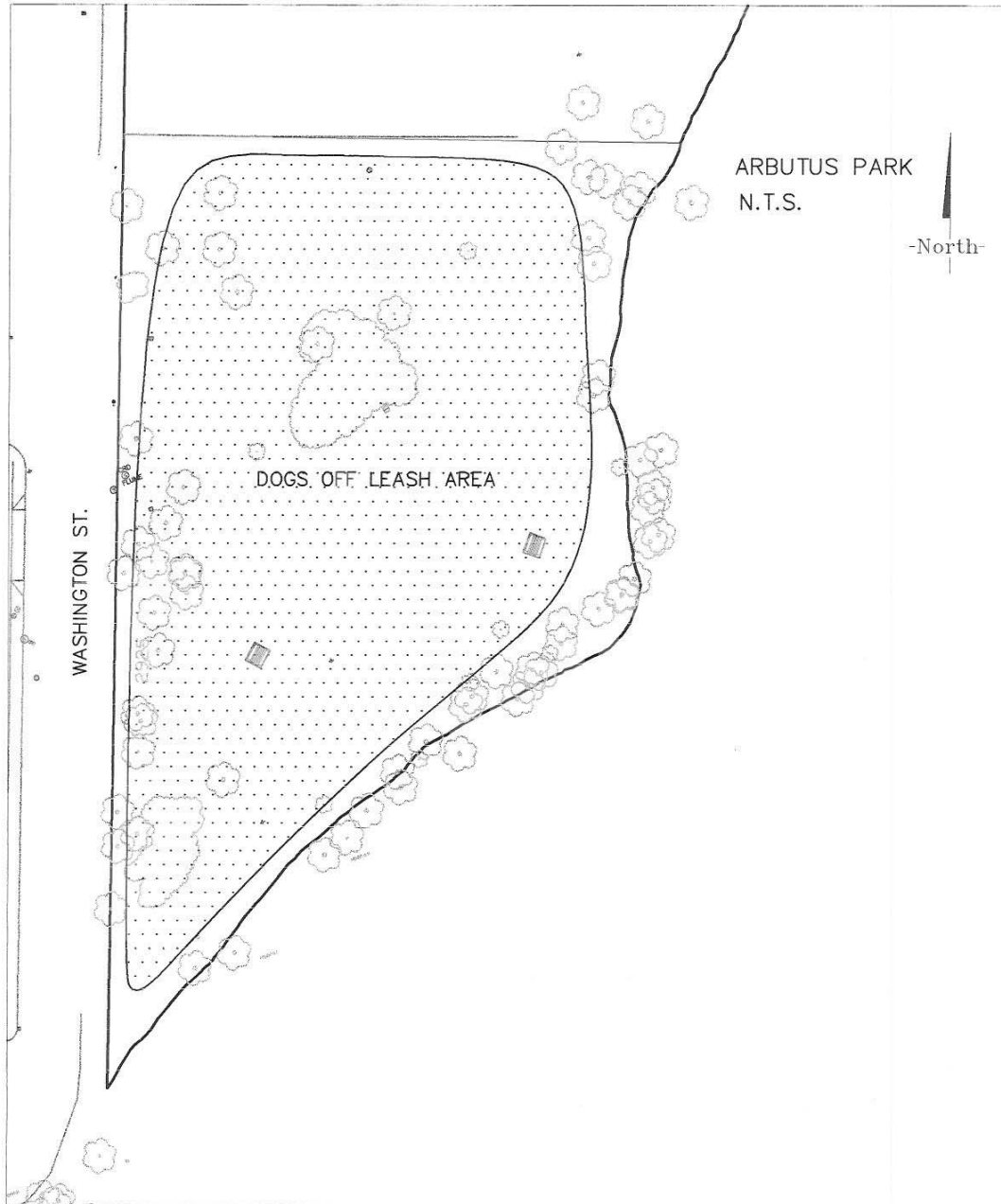
Schedule A**Dog Off Leash Areas and Times (Section 19(2))**

Column 1 Park	Column 2 Times
Alexander Park	all days 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m.
Arbutus Park	all days 6:00 a.m. - 10:00 p.m.
Banfield Park	all days 6:00 a.m. – 9:00 a.m. & 5:00 p.m. - 10:00 p.m. April 1 to Sept. 30 all days 6:00 a.m. - 10:00 p.m. Oct. 1 to March 31
Beacon Hill Park south of Dallas Road, from Douglas Street to Clover Point Park	all times
Clover Point Park	all times
Gonzales Beach	all times Sept 1 to May 31
Oswald Park	all days 6:00 a.m. - 10:00 p.m.
Pemberton Park	all days 6:00 a.m. - 10:00 p.m.
Redfern Park	all days 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m.
Songhees Hilltop Park	all days 6:00 a.m. - 10:00 p.m.
Topaz Park – Off leash area	Monday to Friday 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m. Saturday & Sunday 6:00 a.m. – 8:00 a.m. & 5:00 p.m. - 10:00 p.m.
Topaz Park – Alternate off leash area	all days 6:00 a.m.-10:00 p.m.
Vic West Park	all days 6:00 a.m.-10:00 p.m.

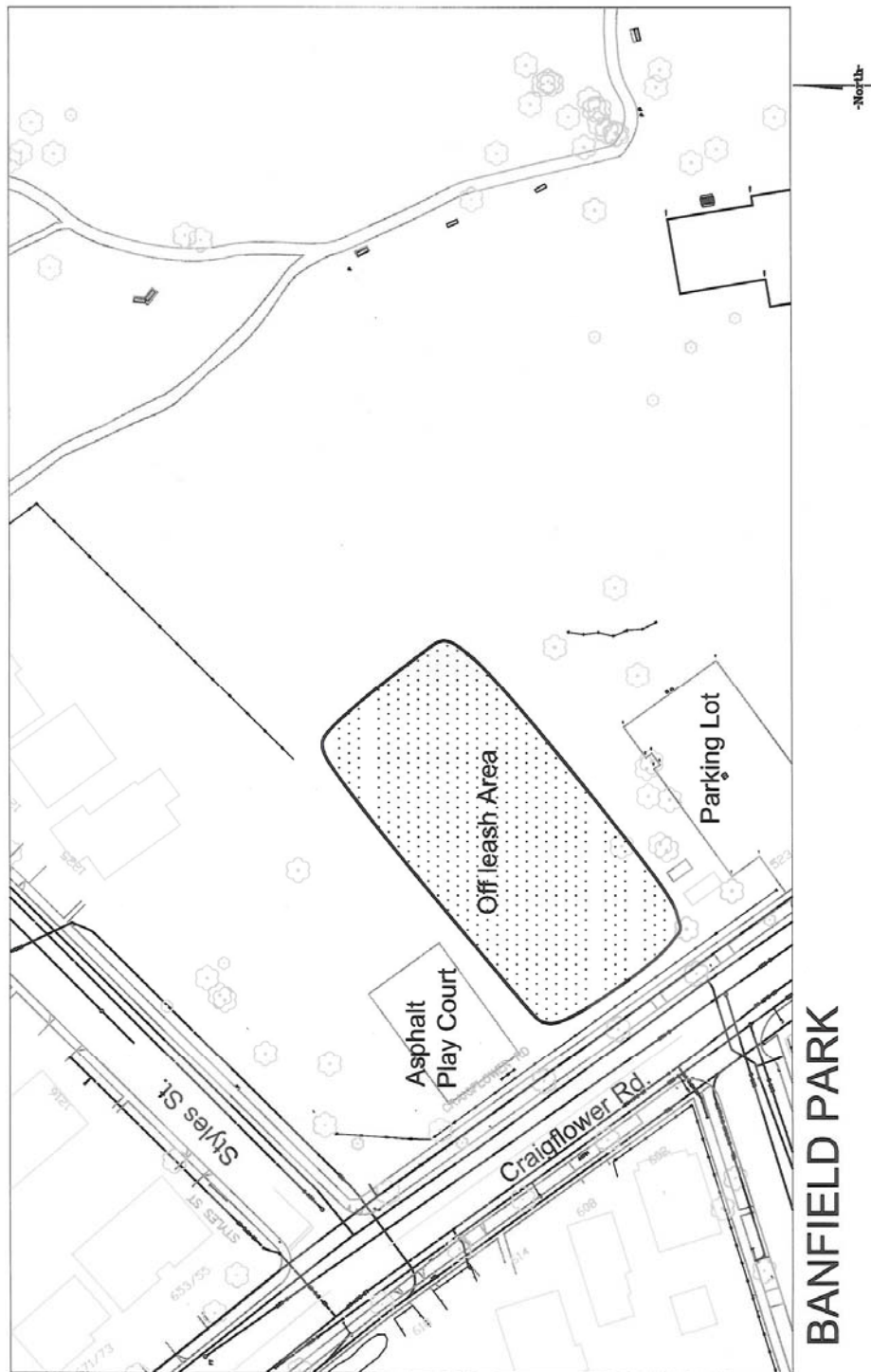
Map of Off Leash Area Alexander Park



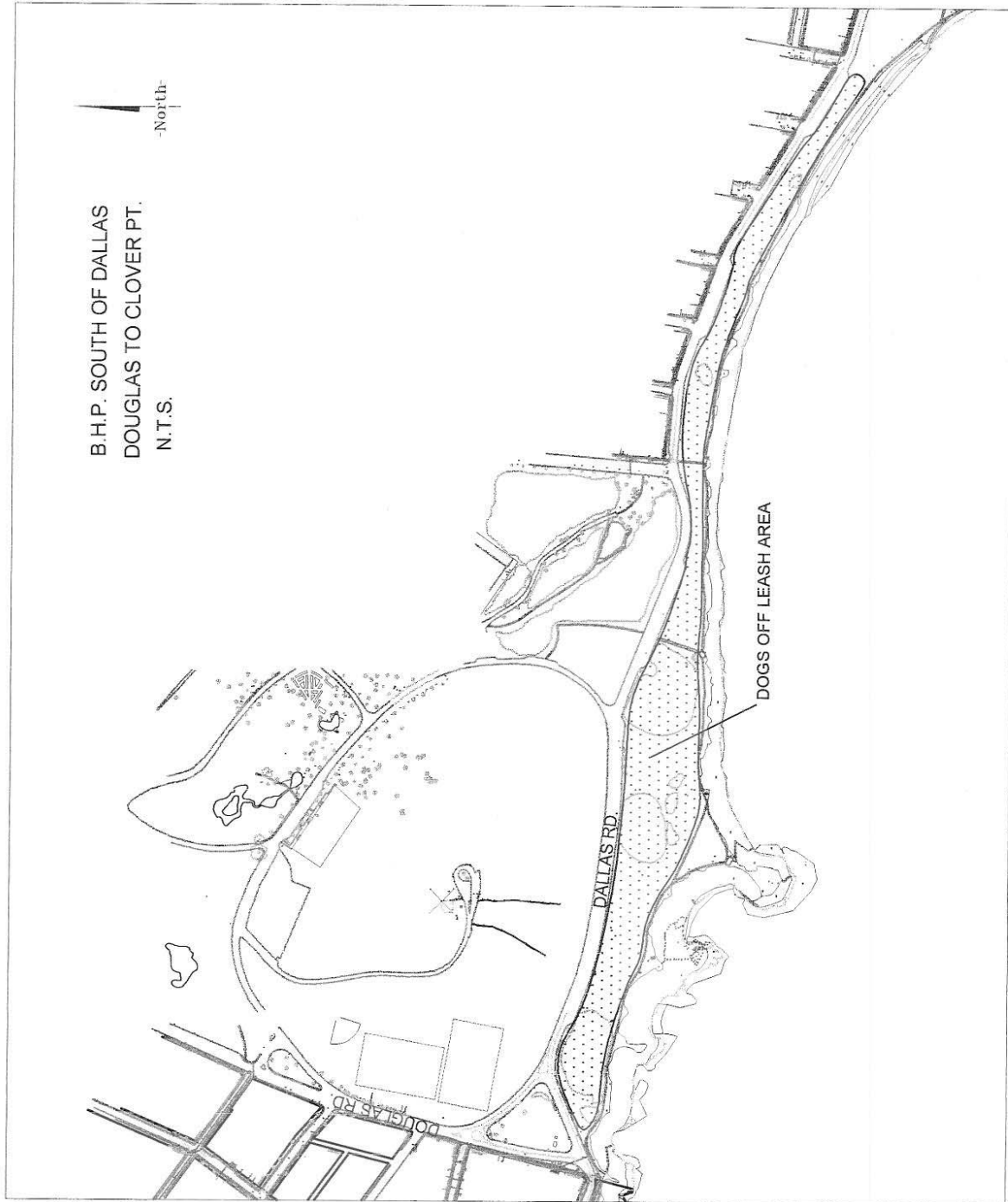
**Map of Off Leash Area
Arbutus Park**



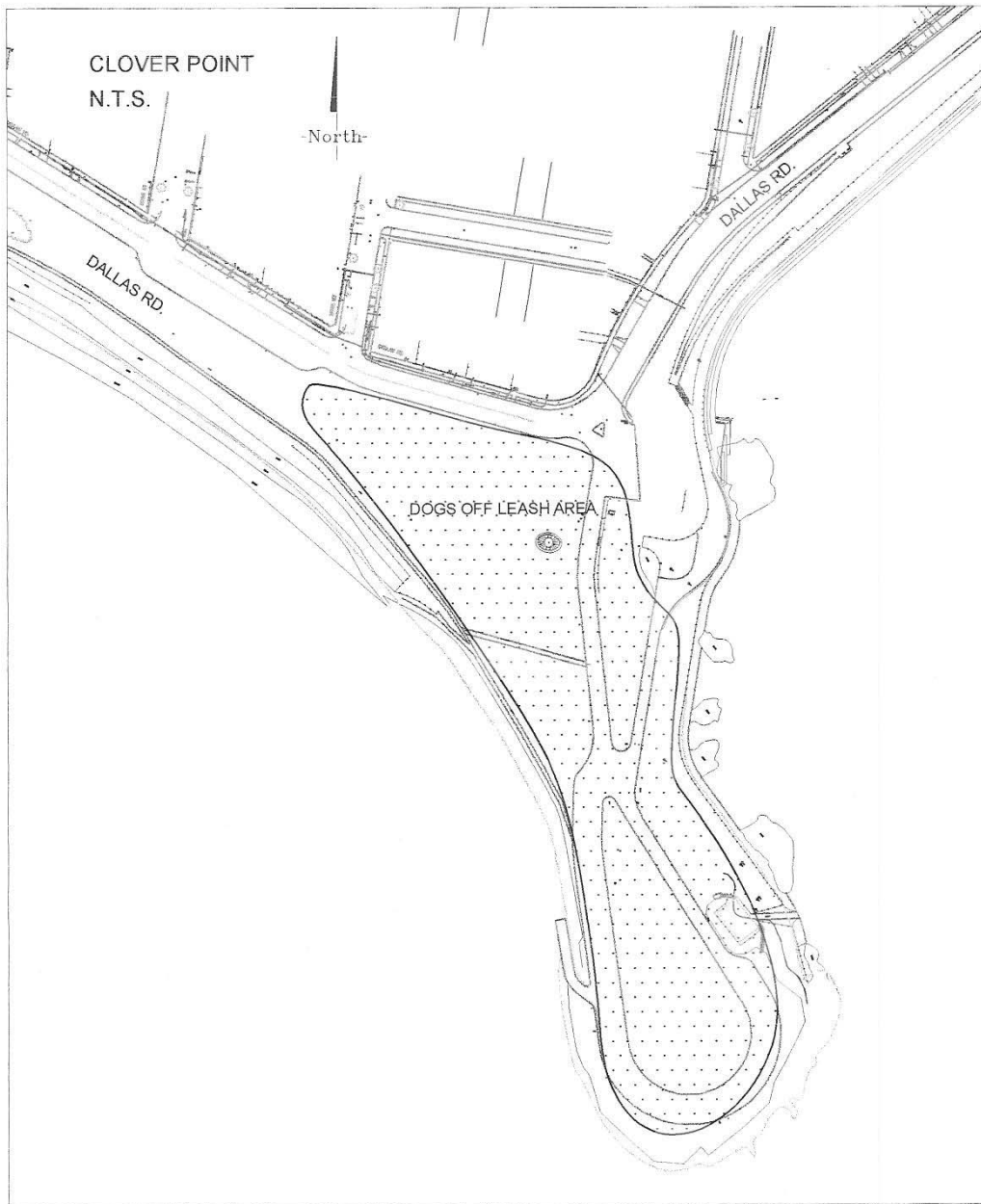
**Map of Off Leash Area
Banfield Park**



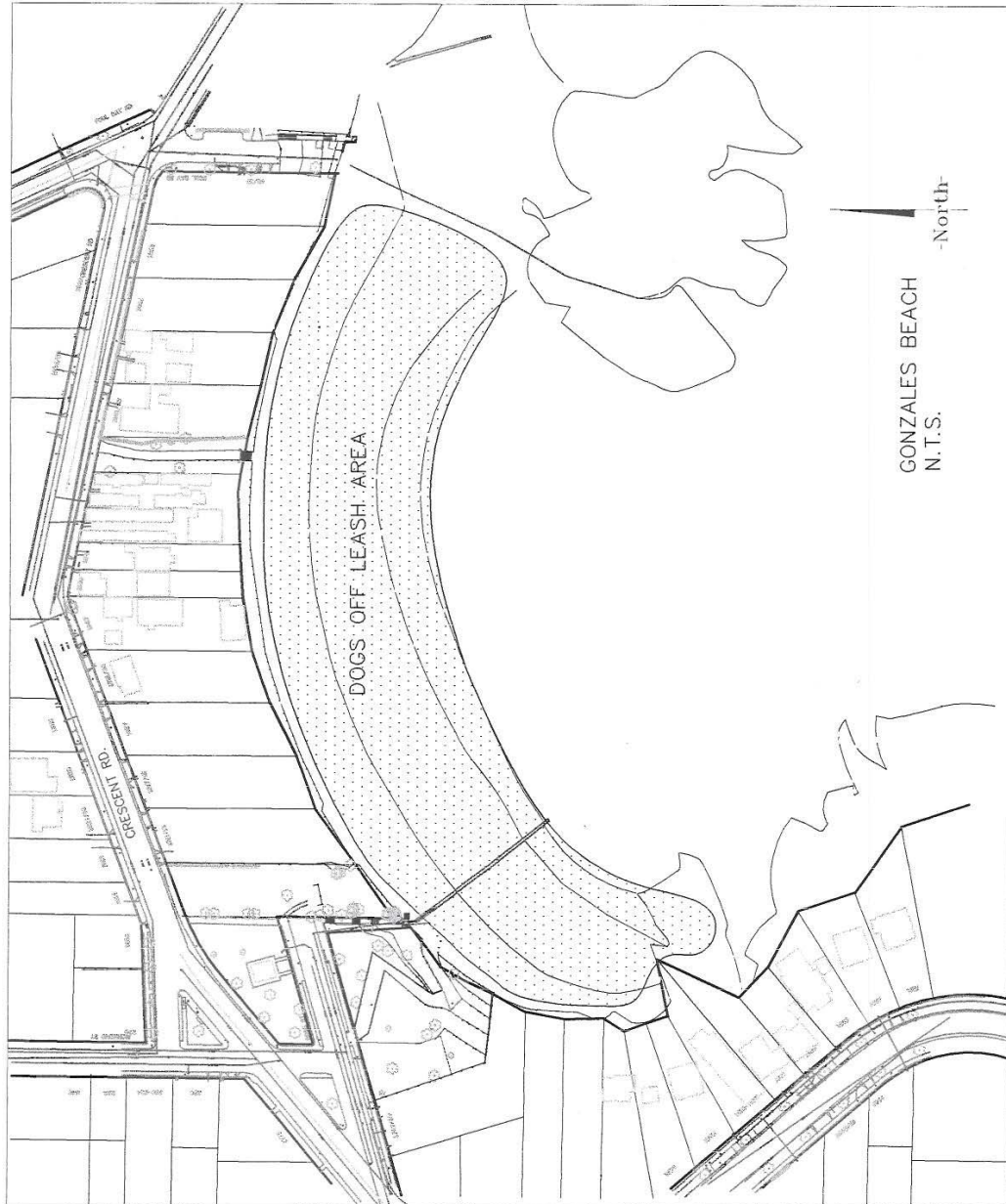
**Map of Off Leash Area
Beacon Hill Park
south of Dallas Road
from Douglas Street to Clover Point Park**



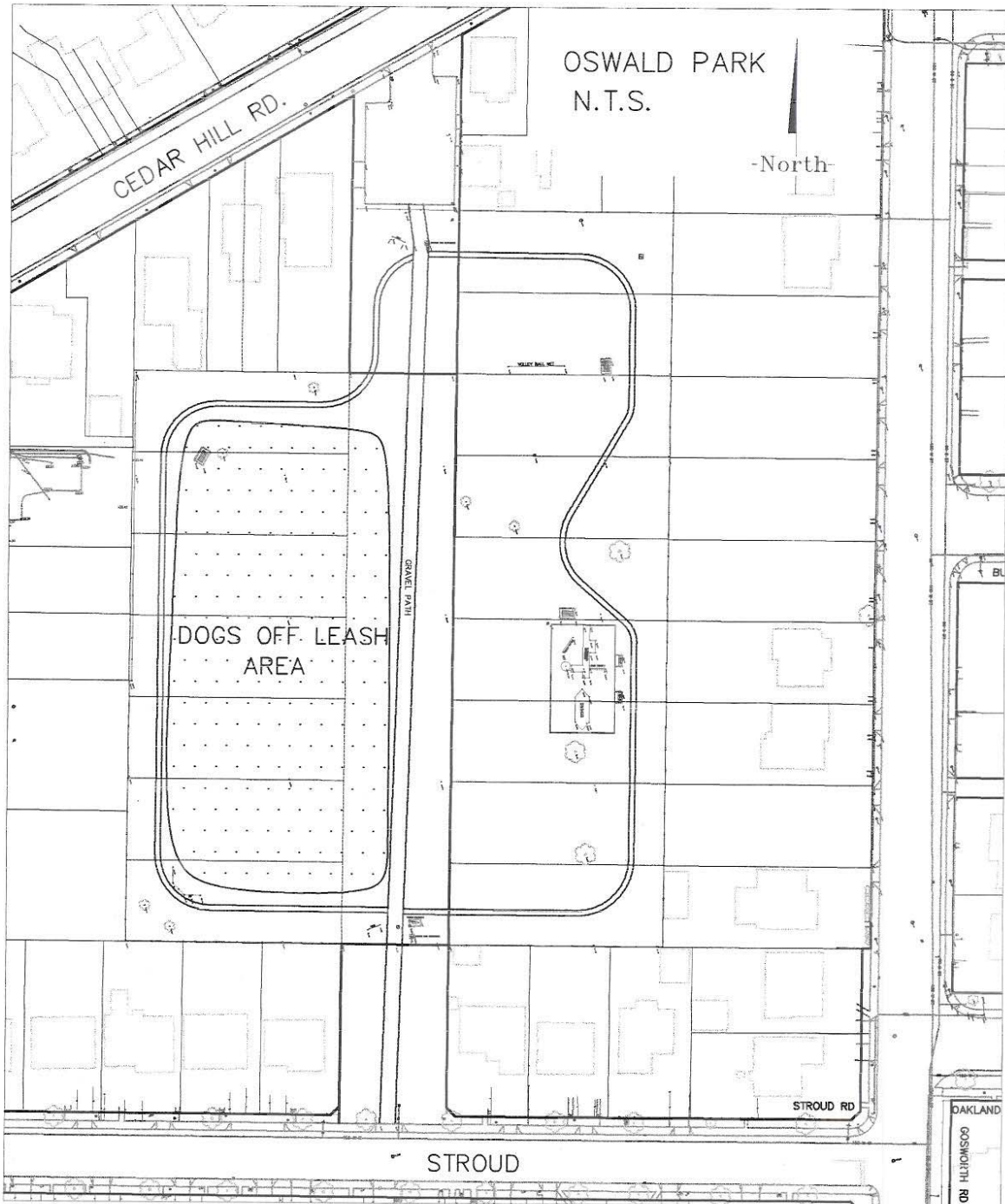
**Map of Off Leash Area
Clover Point Park**



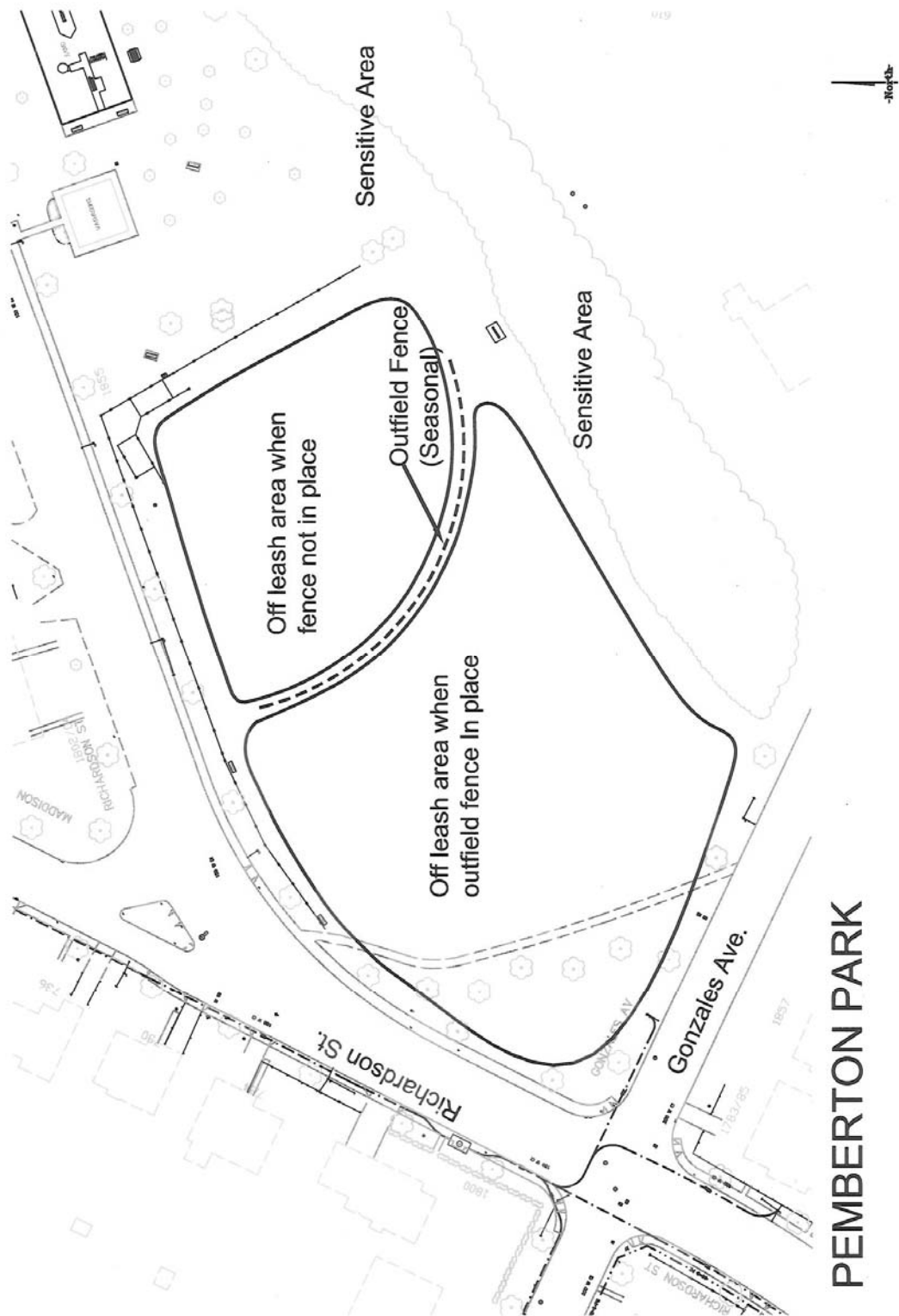
**Map of Off Leash Area
Gonzales Beach**



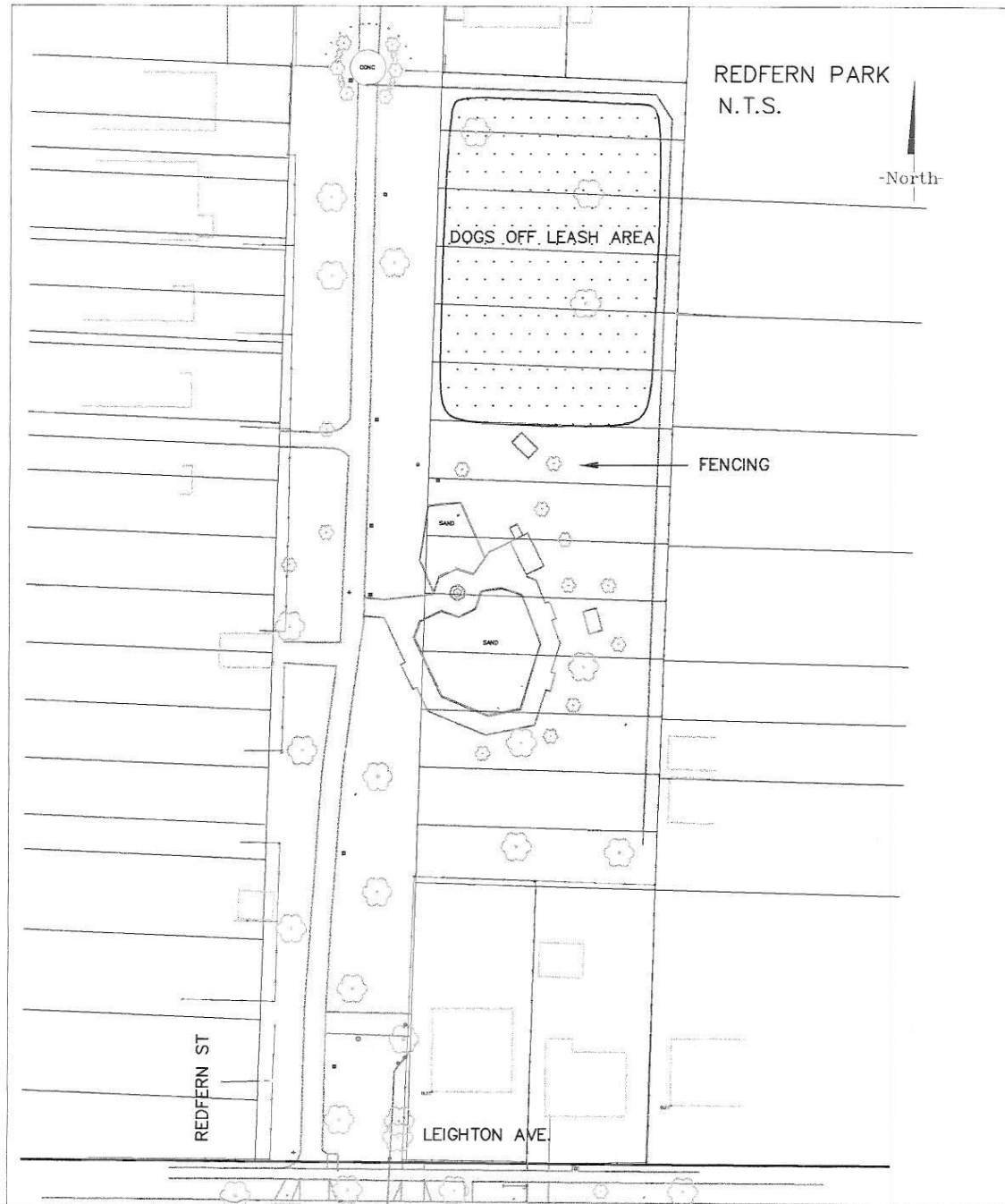
**Map of Off Leash Area
Oswald Park**



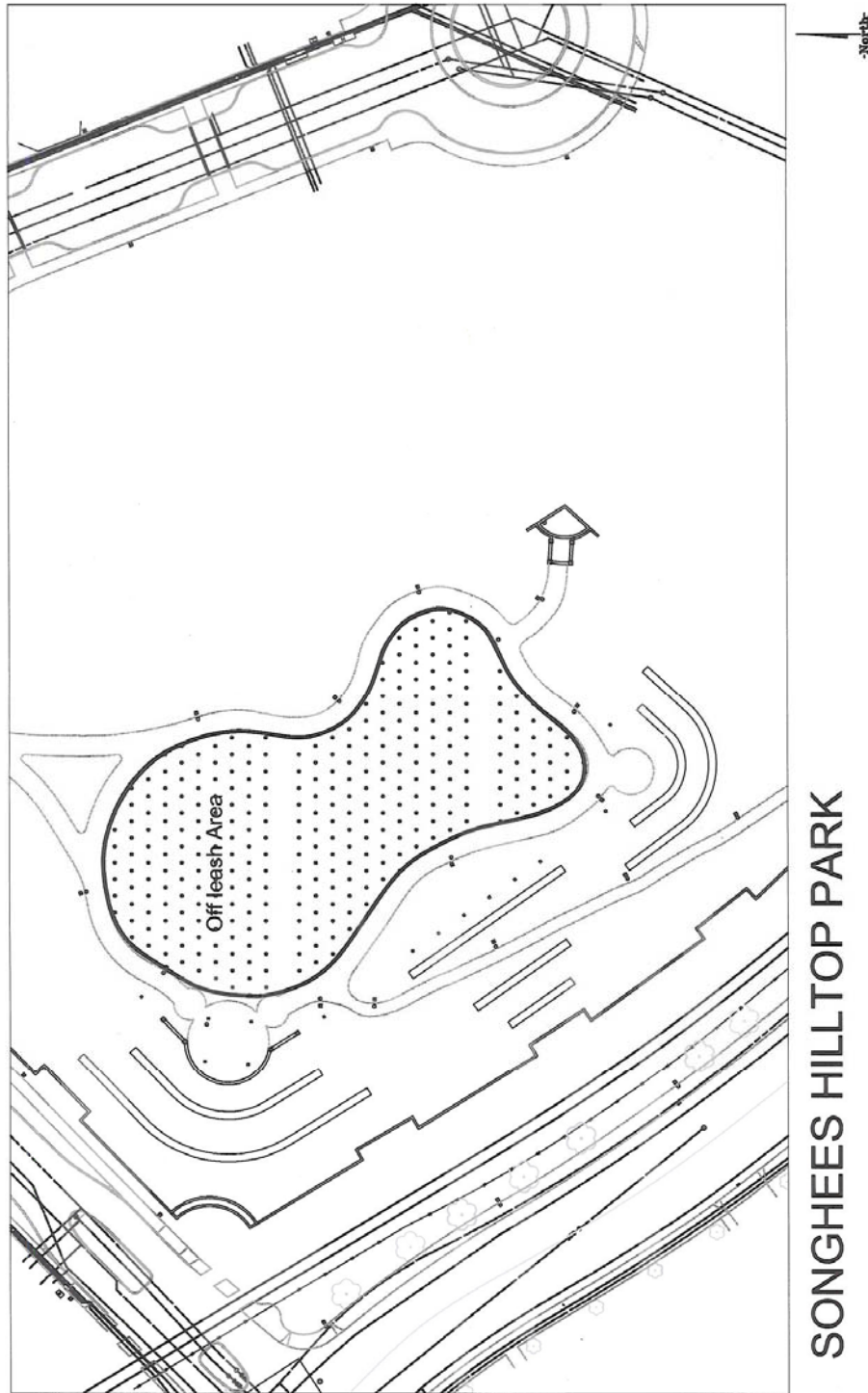
Map of Off Leash Area Pemberton Park



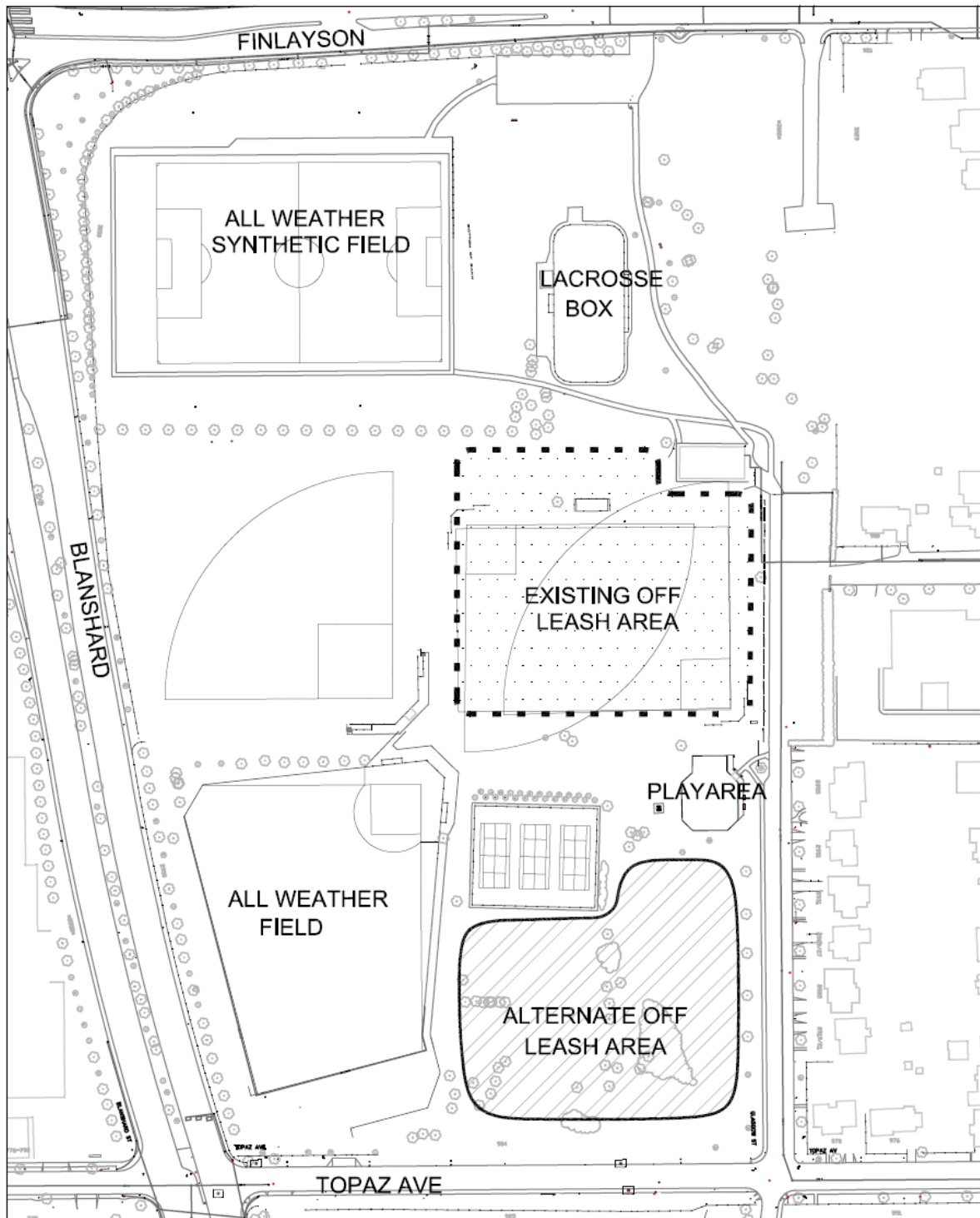
**Map of Off Leash Area
Redfern Park**



**Map of Off Leash Area
Songhees Hilltop Park**



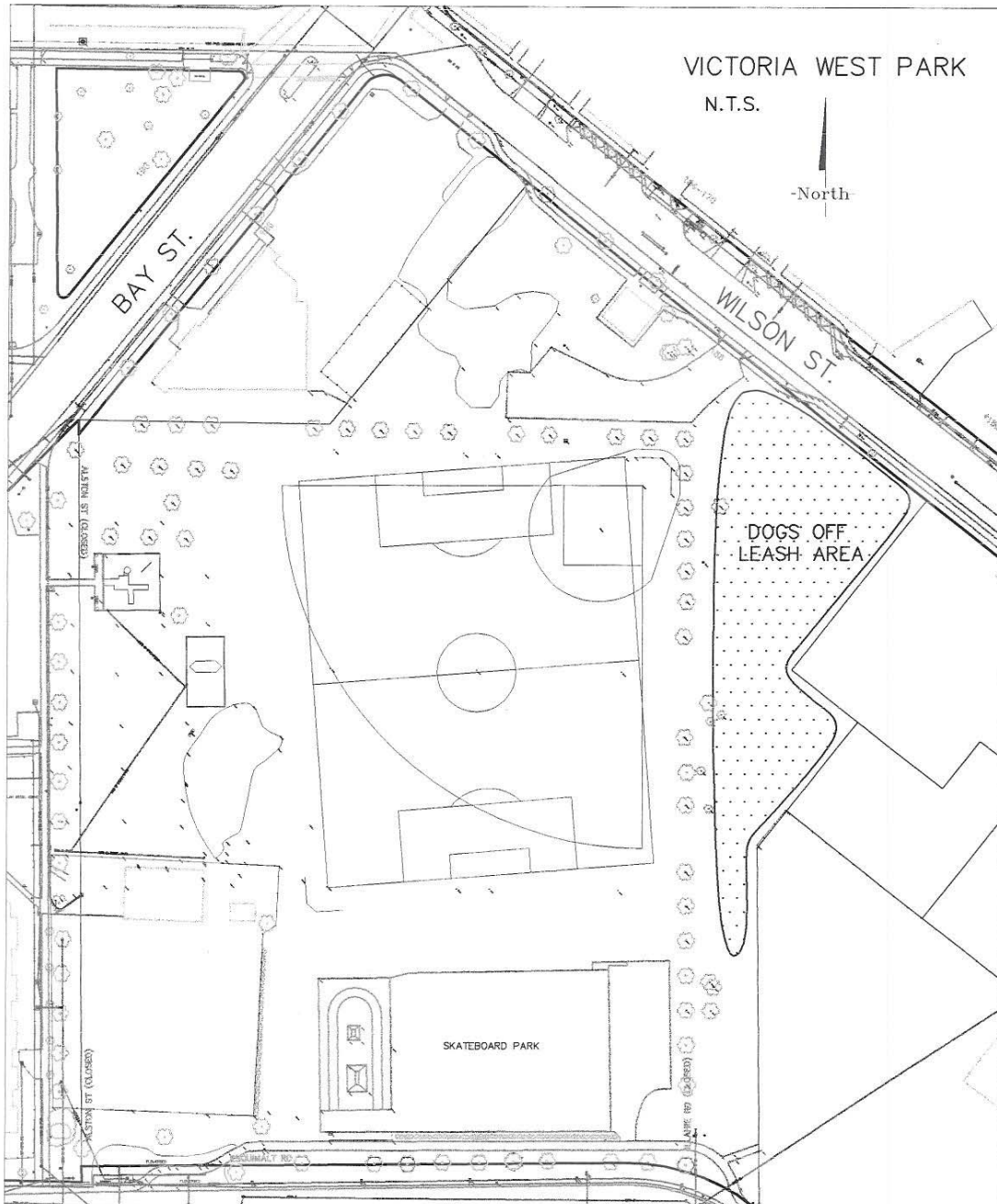
**Map of Off Leash Area and Alternate Off Leash Area
Topaz Park**



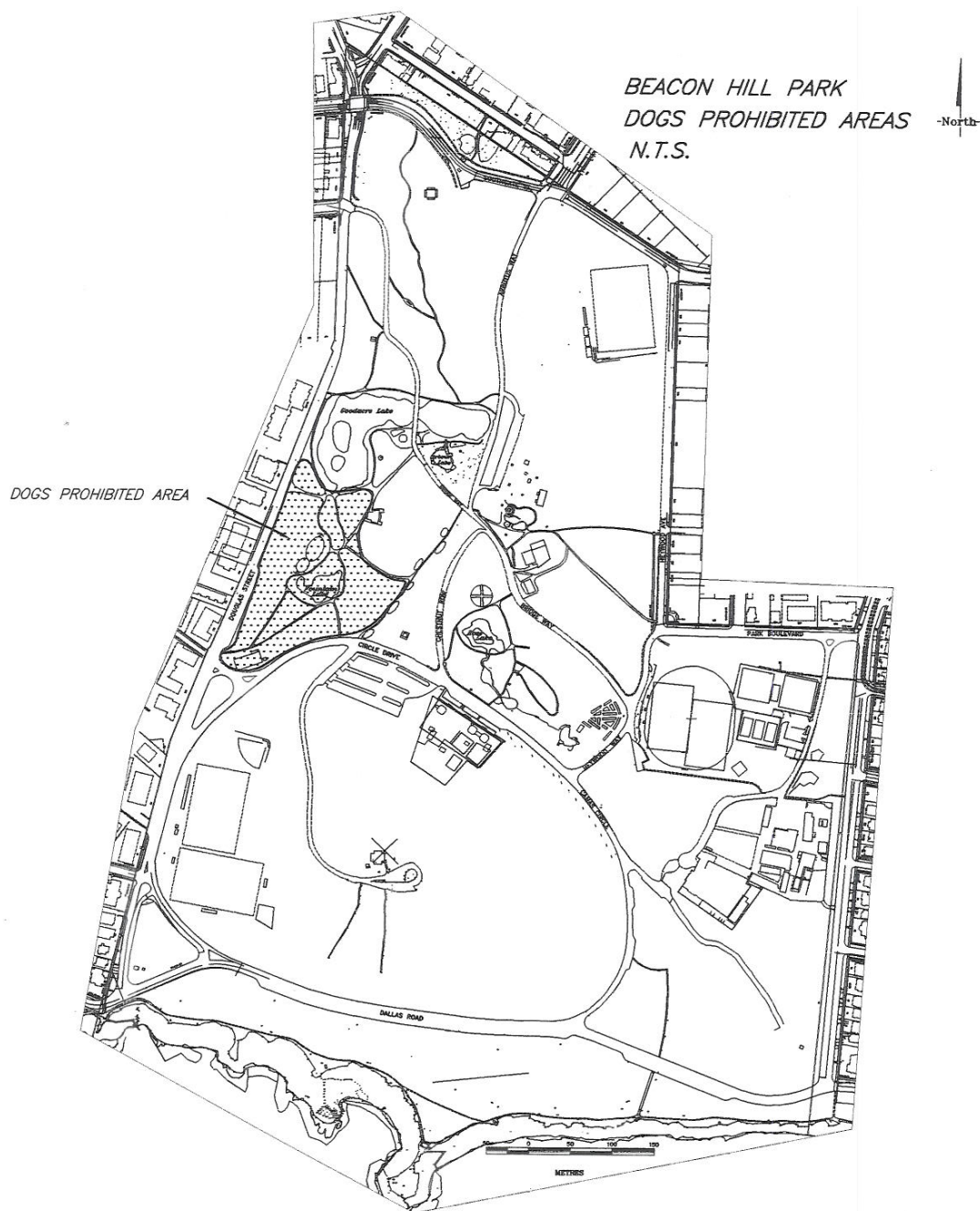
MAP OF OFF LEASH AREA TOPAZ PARK

North

**Map of Off Leash Area
Vic West Park**



Schedule B
Dogs-Prohibited Area in Beacon Hill Park (section 19(4)(a))



Schedule C
Dangerous Dog Sign (Section 30(1))

WARNING
DANGEROUS DOG ON PREMISES



Schedule D**Fees****Dog licence fees (Section 32)**

Description	Fee
1. Sterilized dog licence	\$30.00
2. Unsterilized dog licence	\$40.00
3. Late purchase	\$20.00
4. Replacement licence tag	\$5.00

Impoundment fees (Section 43(b)(ii))

Description	Fee
5. Call out fee for all impounds conducted between 5:00 p.m. and 9:00 a.m.	\$50.00
6. Licensed dog	
(i) First impound	\$50.00
(ii) Second impound	\$100.00
(iii) Third and subsequent impound	\$150.00
7. Unlicensed dog	
(i) First impound	\$100.00
(ii) Second impound	\$200.00
(iii) Third and subsequent impound	\$300.00
8. Cat	\$25.00

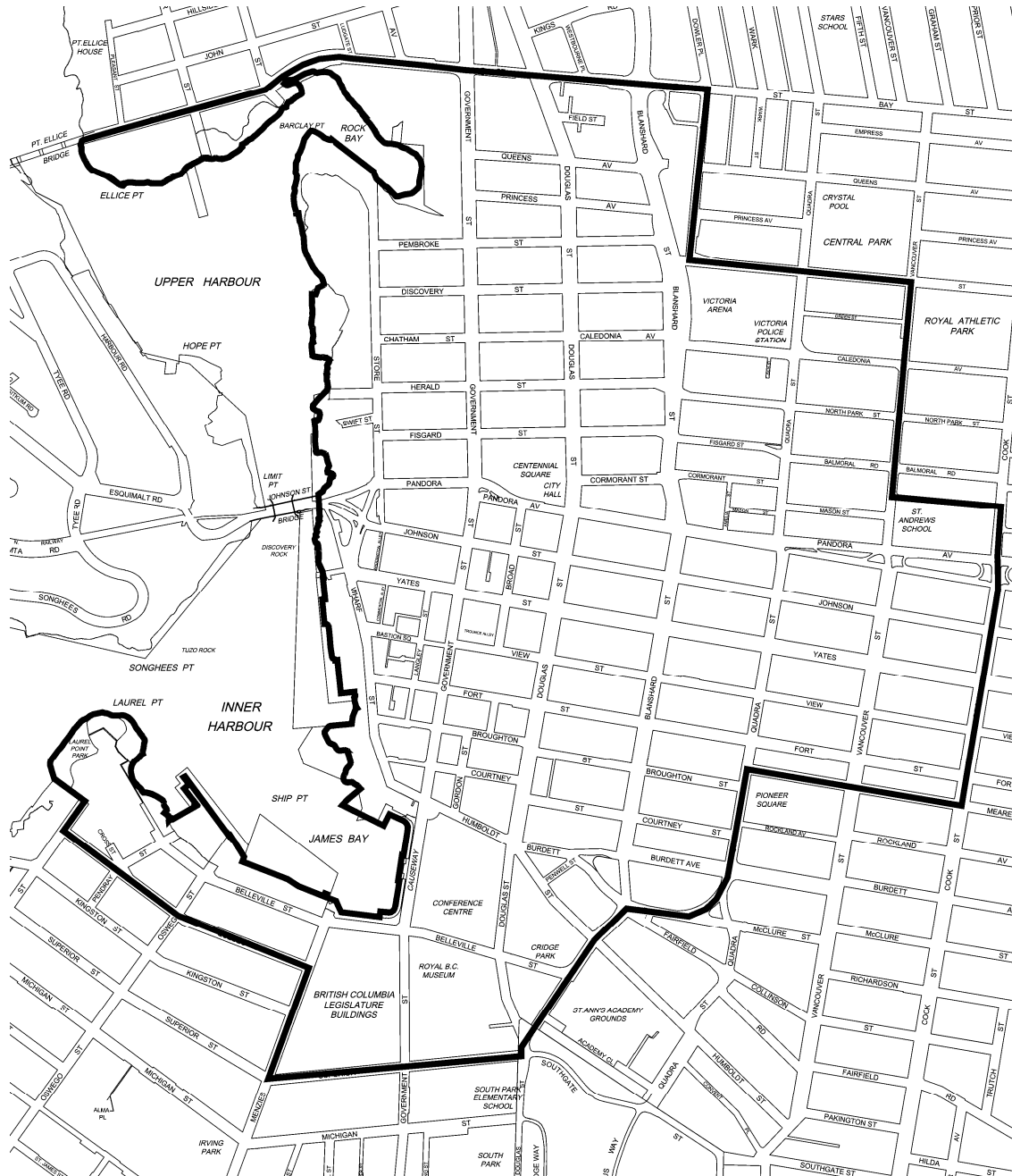
Description	Fee
9. Bird, rabbit, rodent or other animal	\$10.00

Maintenance fees (Section 43(b)(iii))

Description	Fee
10. Dog	\$15.00
11. Cat	\$10.00
12. Bird, rabbit, rodent or other animal	\$5.00

Schedule E

Prohibited wildlife feeding area (Section 36(2))



Attachment C – Data About Calls for Service Related to Animals

Table 1 – VACS Data - Impoundments in 2020 and 2021

2021													
	J	F	M	A	M	J	J	A	S	O	N	D	YTD
Dog	10	10	11	9	19	14	13	N/A	13	N/A	N/A	N/A	N/A
Cat	3	1	10	14	3	6	6	N/A	14	N/A	N/A	N/A	N/A
Other	0	2	4	3	2	2	10	N/A	10	N/A	N/A	N/A	N/A
2020													
	J	F	M	A	M	J	J	A	S	O	N	D	YTD
Dog	9	9	12	8	10	12	9	9	17	19	2	5	121
Cat	4	5	3	6	4	10	9	5	4	5	2	3	60
Other	1	0	1	0	0	3	1	4	0	10	3	3	26

Table 2 – VACS Data - Dog and Cat Related Violations in 2020 and 2021

Dogs		
	2020	2021
At large	201	138
Aggressive or Threatening	128	110
Welfare and Cruelty Issues	92	117

Cats		
	2020	2021
At large	46	44
Welfare and Cruelty Issues	9	6

Table 3 - Victoria Police Department Data – Animal Related Calls

	2019	2020
Calls Received	134	186
Calls Dispatched	99	141

NO. 22-011
ANIMAL RESPONSIBILITY BYLAW, AMENDMENT BYLAW (NO. 2)
A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Animal Responsibility Bylaw to ban sale of cats, dogs, and rabbits in retail stores.

Contents

- 1 Title
- 2 Amendment
- 3 Consequential Amendments
- 4 Commencement

Under its statutory powers, including sections 8(2), 8(3)(a) and 64 of the *Community Charter*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “Animal Responsibility Bylaw, Amendment Bylaw (No. 2)”.

Amendment

- 2 The Animal Responsibility Bylaw No. 11-044 is amended as follows:
 - (a) In the Contents section, by deleting “37 Sale of Rabbits” and replacing it with
“37 Sale of Cats, Dogs, and Rabbits”
 - (b) In the Contents section, by deleting “39 Pet Store Record of Sales”
 - (c) By deleting each of the definitions of cat, dog, and rabbit in section 2 and replacing them with the following definitions:
 - ““cat”

means any animal of the species *Felis domesticus*, regardless of age or sex;
 - “dog”

means any animal of the species *Canis familiaris*, regardless of age or sex;
 - “rabbit”

means an Eastern Cottontail rabbit or European rabbit, regardless of age or sex;”

- (d) By adding the following definition directly after the definition of “owner”
 ““pet store”

means the use of premises to offer to sell, or to sell, at retail or wholesale, animals, except for animal shelters and commercial kennels;”,

- (e) By deleting section 25(1) and replacing it with:

“25 (1) No person may have on a lot more than six dogs or cats, or any combination of dogs or cats greater than six, except for dogs and cats that are younger than the age of 12 weeks.”,

- (f) By deleting the heading “Sale of rabbits” and section 37 and replacing them with:

“Sale of cats, dogs, and rabbits

37 (1) A pet store operator must not sell, offer for sale, advertise for sale, or display to the public, at retail or at wholesale, a cat, dog, or rabbit, except that these animals may be displayed to the public in accordance with section 37(2)

(2) A pet store operator may display to the public a cat, dog, or rabbit, if they are being offered for adoption by a:

- (i) municipal animal shelter,
- (ii) shelter or rescue organization that is a registered charity with the Canada Revenue Agency, or
- (iii) society registered under the BC Societies Act, other than a member-funded society. ,

(3) A pet store operator must not display a rabbit that is being offered for adoption unless the rabbit has been spayed or neutered.”,

- (g) By deleting section 38 and replacing it with:

“

38 (1) In this section:

“qualified organization” means an organization of a type described in section 37(2).

(2) A pet store operator must keep and maintain a register in the pet store containing the following information for any cats, dogs, or rabbits displayed to the public in the pet store:

- (a) the name of the qualified organization, that is offering the cat, dog, or rabbit for adoption,
- (b) the date that the cat, dog, or rabbit was placed in the pet store for display to the public by the qualified organization, and
- (c) the date that the cat, dog or rabbit was removed from the pet store by the qualified organization.

(3) A pet store operator must:

- (a) retain the information required under 38(2) related to each cat, dog, or rabbit in the register for at least 12 months after the cat, dog, or rabbit was removed from the pet store;
- (b) produce the register for inspection by an animal control officer or bylaw officer, and
- (c) provide copies of any entries required by an animal control officer or bylaw officer.”,

(h) By deleting the heading “**Pet store record of sale**” and by deleting section 39.

Consequential Amendments

- 3 The Ticket Bylaw 10-071 is amended by repealing Schedule C and replacing it with a new Schedule C attached to this Bylaw as Schedule 1.

Commencement

- 4 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2021
READ A SECOND TIME the	day of	2021
READ A THIRD TIME the	day of	2021
ADOPTED on the	day of	2021

CITY CLERK

MAYOR

Schedule C
Animal Responsibility Bylaw
Offences and Fines

Column 1 - Offence	Column 2 - Section	Column 3 - Set Fine	Column 4 - Fine if paid within 30 days
Unlawfully abandon animal	8	\$150.00	\$125.00
Fail to ensure proper care of animal	9	\$150.00	\$125.00
Shelter does not meet standards	10	\$150.00	\$125.00
Unsanitary conditions	11	\$150.00	\$125.00
Unlawful restraint on animal	12	\$150.00	\$125.00
Enclose animal – insufficient air/water	13(1)	\$250.00	\$200.00
Enclose animal – no protection from sun	13(2)	\$200.00	\$175.00
Unlawful animal transport in motor vehicle	14	\$150.00	\$125.00
Exercise dog using motor vehicle	15(1)	\$200.00	\$175.00
Unlawfully exercise dog with bicycle	15(2)	\$100.00	\$75.00
Unlawful animal exhibition/show	16(1)	\$500.00	\$500.00
Use illegal trap	17	\$500.00	\$500.00
Animal unlawfully on private property	18(1)	\$150.00	\$125.00
Dog in public place without restraint	19(1)	\$100.00	\$65.00
Dog in prohibited public place	19(4)	\$100.00	\$65.00
Snake/reptile unlawfully in public place	20(1)	\$125.00	\$100.00
Uncontrolled animal in public place	20(2)	\$100.00	\$65.00
Cat/rabbit unlawfully in off leash area	20(3)	\$75.00	\$45.00
Improper husbandry of bees	21(1)	\$150.00	\$125.00

Fail to keep rabbits secure	22	\$150.00	\$125.00
Allow animals to damage public property	23	\$200.00	\$175.00
Allow animal to unlawfully chase/harass people/animals	24	\$300.00	\$250.00
Keep excess number of dogs	25	\$100.00	\$75.00
Fail to confine female dog in heat	26(1)	\$100.00	\$75.00
Unlawfully keep farm animal/bird	27(1)	\$125.00	\$100.00
Dangerous dog unlawfully in public/private place	29(1)	\$500.00	\$500.00
Dangerous dog in prohibited public place	29(3)	\$500.00	\$500.00
Fail to display dangerous dog sign	30(1)	\$125.00	\$100.00
Remove/deface sign	30(3)	\$125.00	\$100.00
Owner fails to comply with conditions	31	\$300.00	\$250.00
No dog licence	32(1)	\$125.00	\$100.00
Fail to display licence tag	33(2)	\$50.00	\$35.00
Unlawfully remove licence tag	33(4)	\$125.00	\$100.00
Noisy dog	34	\$150.00	\$125.00
Fail to remove excrement	35(1)	\$100.00	\$65.00
Fail to remove grooming debris	35(2)	\$75.00	\$45.00
Unlawfully feed wildlife	36(1)(a) or (b)	\$350.00	\$300.00
Unlawfully feed wildlife	36(1)(c) or (d) and 36(2)	\$125.00	\$100.00
Unlawfully sell, display for sale, or advertise for sale a cat/dog/rabbit	37	\$200.00	\$175.00
Fail to keep/maintain records	38(2)	\$150.00	\$125.00
Fail to retain records for 12 months	38(3)(a)	\$150.00	\$125.00
Fail to produce records	38(3)(b)	\$200.00	\$175.00
Fail to provide information	38(3)(c)	\$150.00	\$125.00

Enter pound/take animal unlawfully	47	\$500.00	\$500.00
Obstruct/hinder official	48	\$500.00	\$500.00
Fail to provide required information	49	\$250.00	\$200.00

2022

CITY OF VICTORIA | Legislative Services

Restricting Cats, Dogs, and Rabbits

COMMITTEE OF THE WHOLE | FEBRUARY 3, 2022

Background

- Council direction – March 15, 2018
- Victoria has authority to regulate businesses and animals
- SPCA encourages municipalities to implement a ban
- Ban in effect in many BC municipalities, but not in the CRD



Scope of Recommendation

- Prohibit sale of cats, dogs, and rabbits by retail stores
- Does not restrict sale by animal rescue societies and animal shelter organizations
- Allows retail stores to provide adoption spaces
- Does not apply to private sellers not in a storefront premises



Implications of Recommendation

- Does not impact any retail store
- Could prevent abandoned/surrendered pets and other matters that impact municipal resources
- Does not apply to assistance animals