

F.2 Bylaw for Animal Responsibility, Amendment Bylaw (No. 2)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaw **be given third reading:**

1. Animal Responsibility Bylaw, Amendment Bylaw (No. 1) No. 22-011

CARRIED UNANIMOUSLY

DRAFT

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.

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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	24th	day of	February	2022
READ A SECOND TIME the	24th	day of	February	2022
READ A THIRD TIME the		day of		2022
ADOPTED on the		day of		2022

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