



Memorandum

Item-SF-23-03

Safety and Facilities Services Department Municipal Law Enforcement and Licensing Services

Date: January 31, 2023

To: Safety and Facilities Services Committee

From: Phil Lyon, Director Municipal Law Enforcement and Licensing Services
Tracy Adams, C.A.O.

Re: Additional Information related to Report CORP-22-52 "Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa"

1. Purpose

On September 13, 2021, the Corporate Services Committee directed staff to report on the recommendations listed in Appendix II of Report OACAC-21-31 concerning pet stores.

On September 12, 2022, the Corporate Services Committee considered Report CORP-22-52 and deferred it until the February 2023 Committee meeting in order to give additional time to the Oshawa Animal Care Advisory Committee (O.A.C.A.C.) to review the report and ask questions.

Report CORP-22-52 is to be considered in conjunction with this memo.

2. Report CORP-22-52

The purpose of Report CORP-22-52 "Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa", dated September 7, 2022, is to respond to Council direction CORP-21-39, to provide a report on the following recommendation from the Oshawa Animal Care Advisory Committee (O.A.C.A.C.) concerning amendments to the Responsible Pet Owners By-law 14-2010, as amended regarding pet stores:

"That current by-laws and/or regulations be amended to incorporate the recommendations listed in Appendix II of Report OACAC-21-31 concerning pet stores that sell animals in Oshawa."

In follow-up to Committee's deferral on September 12, 2022, staff delivered a presentation to the O.A.C.A.C. on September 27, 2022 to overview the report and related recommendation and responded to any questions or concerns that were raised.

3. Recommendation

That the Corporate Services Committee recommend to City Council:

That CORP-22-52, dated September 7, 2022, "Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa" be received for information.

Public Report

To: Corporate Services Committee

From: Tracy Adams, Commissioner,
Corporate Services Department

Report Number: CORP-22-52

Date of Report: September 7, 2022

Date of Meeting: September 12, 2022

Subject: Proposed Animal Welfare Standards for Pet Stores in the City
of Oshawa

Ward: All Wards

File: D-2200

1.0 Purpose

The purpose of this report is to respond to the direction of City Council to item CORP-21-39, to provide a report on the following recommendation of the Oshawa Animal Care Advisory Committee (O.A.C.A.C.) concerning amendments to the Responsible Pet Owners By-law regarding pet stores:

“That current by-laws and/or regulations be amended to incorporate the recommendations listed in Appendix II of Report OACAC-21-31 concerning pet stores that sell animals in Oshawa.”

Attachment 1 is CORP-21-39 “Fifth Report of the Oshawa Animal Care Advisory Committee – Proposed Amendments to the Responsible Pet Owners By-law concerning Pet Stores.”

Attachment 2 is an excerpt from New Tecumseth’s Business Licensing By-law No. 2008-119 related to pet store standards.

2.0 Recommendation

That the Corporate Services Committee recommend to City Council:

That CORP-22-52, dated September 7, 2022, “Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa” be received for information.

3.0 Executive Summary

Not Applicable

4.0 Input From Other Sources

The following City branch was consulted as part of this review: Legal Services

Additionally, staff reviewed Pet Shop By-laws and Business Licensing By-laws from:

- Brampton, Cambridge, Kingston, Kitchener, London, Markham, Montreal, Newmarket, New Tecumseth, Oakville, Orangeville, Ottawa, Richmond Hill, Toronto, Vaughan, Waterloo, and Windsor.

5.0 Analysis

5.1 Background

The Responsible Pet Owners By-law 14-2010, as amended (R.P.O. By-law) broadly regulates the care, control, and the keeping of all animals in the City of Oshawa. In 2017 Council approved [CORP-17-88](#) which amended the R.P.O. By-law to create a licensing system for pet stores that adopt and/or sell dogs and cats. The intent of this licensing system was to more efficiently administer the newly established ban on the sale of cats and dogs, with the exception of those sourced from adoption. The licence required such pet stores to keep records confirming the source of their cats and dogs. In addition to regulating the keeping of animals and the licensing of pet stores, the by-law also established broad standards with respect to the control and well-being of animals (in many areas, including pet stores). This includes requirements for food and water, humane treatment, access to veterinary care, and more. The R.P.O. By-law is enforced by the City's Municipal Law Enforcement Officers.

Additionally, Ontario's Provincial Animal Welfare Services Act, 2019, S.O. 2019 c. 13 (P.A.W.S. Act) and associated regulation O. Reg. 444/19: Standards of Care and Administrative Requirements establishes broad requirements for animal welfare and standards of care including access to adequate food, water, light, sanitary conditions and exercise, veterinary care, and more. The P.A.W.S. Act is enforced by provincial animal welfare inspectors, and or local police.

In June 2021, the Corporate Services Committee considered CORP-21-39 "Fifth Report of the Oshawa Animal Care Advisory Committee – Proposed Amendments to the Responsible Pet Owners By-law concerning Pet Stores" (**Attachment 1**). The O.A.C.A.C. developed a proposed list of amendments to promote animal health and safety, and improve consumer protection by mitigating the sale of sick animals. Following Council's consideration of that report, staff were directed to consider amending the R.P.O. By-law with enhanced animal welfare standards specific to animals in pet stores, based on municipal benchmarking conducted by the O.A.C.A.C. This report addresses that direction.

5.2 O.A.C.A.C. Proposed Standards

The O.A.C.A.C. proposed animal welfare standards to the R.P.O. By-law (**Attachment 1**) addresses:

- Animal Health and Safety – to ensure that animals are provided clean sanitary environments and proper veterinary care where required.
- Public Health and Consumer Protection – that sick animals are not being sold to people or spreading diseases into the community.

The O.A.C.A.C. provided pet shop by-laws, business licensing by-laws, staff reports and other relevant documents from eighteen (18) municipalities concerning pet store animal sales, licensing systems, and welfare standards. Amongst these municipalities, the following eight (8) had animal welfare standards specific to pet stores:

- Brampton, Markham, Newmarket, New Tecumseth, Oakville, Orangeville, Waterloo, and Windsor.

Some common elements amongst the eight (8) by-laws include:

- Animals are kept in sanitary, adequately sized cages or containers
- Animals shall be provided with fresh water and fed periodically with the particular food requirements of that species
- Animals shall be provided with reasonable exercise

The proposed pet stores standards from the O.A.C.A.C. were modelled after New Tecumseth's Business Licensing By-law No. 2008-119 (**Attachment 2**).

5.2.1 R.P.O. By-law Standards

Oshawa's R.P.O. By-law has broad standards that address animal welfare, health, and safety, including but not limited to:

- The animal is provided with shelter, food and water that is appropriate to the animal's species
- The animal is treated humanely
- The animal is forthwith examined and treated by a veterinarian when the animal's health reasonably requires it
- The animal is not kept in conditions that could pose a risk to the animal's health or safety

The existing broad animal welfare standards in the R.P.O. By-law allow staff to address a wide range of situations that may not be explicitly defined in the by-law, where more prescriptive standards may restrict the City's ability to effectively enforce the by-law and respond effectively to such issues.

5.2.2 P.A.W.S. Act Standards

Many of the standards proposed by the O.A.C.A.C. for inclusion in the R.P.O. By-law exist in O. Reg. 444/19 of the P.A.W.S. Act, including:

- Every animal must be provided with an adequate and appropriate resting and sleeping area, and be sanitary with the appropriate light and ventilation
- Every animal must be provided with adequate and appropriate food and water
- Every animal must be provided with adequate and appropriate space to enable the animal to move naturally and to exercise

5.3 Analysis

After reviewing the by-laws and other resources provided by the O.A.C.A.C., staff recommends maintaining the existing standards in the R.P.O. By-law for three (3) main reasons:

- Broad standards are less restrictive in addressing animal welfare issues and more effective for enforcement.
- The proposed standards would be a duplication of what already exists in the R.P.O. By-law and the P.A.W.S. Act.
- The City has received one (1) complaint regarding animal welfare in pet stores, which did not lead to a violation.

5.3.1 More Restrictive Standards

The standards in the R.P.O. By-law and the P.A.W.S. Act are broad in scope in the sense that they apply to a wide range of animals. Animal welfare standards that are more specific (e.g. unique and more prescriptive animal welfare standards for pet stores) may result in a more restrictive interpretation of those standards, limiting the City's ability to enforce the by-law.

There is a need to achieve a balance between having broad standards which are sufficient in allowing the City to address animal welfare issues, and establishing prescriptive standards that inform the public on providing a basic level of care for animals. The current R.P.O. By-law achieves that balance, and is robust enough to address all animal concerns, within and outside of pet stores. The adoption of more specific standards may diminish the City's ability to respond to such issues.

5.3.2 Duplication of Standards

The standards being proposed by the O.A.C.A.C. already exist in both the R.P.O. By-law and the P.A.W.S. Act. Specifically, standards around the keeping of animals (e.g. adequate shelter, light, ventilation, etc.), the feeding of animals (e.g. access to the appropriate food and water for their species), and access to veterinarian care. Adopting the proposed amendments by the O.A.C.A.C. would be duplicating standards that already exist in two (2) pieces of legislation.

6.0 Financial Implications

There are no financial implications directly related to this report.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report responds to the Oshawa Strategic Plan Goals of Accountable Leadership.



Phil Lyon, Director,
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,
Corporate Services Department

Oshawa Animal Care Advisory Committee: Bylaw and Regulatory Working Group

Update on proposed “Positive Pet List” update to bylaws:

After last month’s presentations by Rob Laidlaw of Zoo Check Canada, Michele Hamers of World Animal Protection and our own Martin Field about this topic – Councillor Nicholson requested that similar presentations be made directly to the Council Committee. Therefore work on this issue by our working group is suspended pending the outcome of those presentations and the subsequent Committee discussion.

New Item: Pet Store Regulations

Further to our previous work with respect to improving the regulation of pet store’s animal sales, and based on our discussion during last month’s meeting, we have spent some time examining how other regions regulate pet stores. Please see attached as Appendix I an analysis of some of the different regions bylaws / regulations with respect to pet store animal sales, provided by Martin. Based on our analysis we have drafted a proposed set of improvements to either the RPO bylaw or the business licensing regulations concerning pet stores - attached as Appendix II. These were largely modelled after a similar update to bylaws done by New Tecumseth.

Motion

Motion to recommend to the Corporate Services and Community Services Committees that they amend current bylaws and/or regulations to incorporate the recommendations listed in Appendix II with respect to pet stores who sell animals in Oshawa.

Animal Health and Safety – to ensure that animals are provided clean sanitary environments and proper veterinary care where required.
Public Health & Consumer protection – that sick animals are not being sold to people or spreading diseases into the community.

City of Brampton

By-law 270-2016

To amend Schedule 20 to Business Licensing By-law 332-2013 regarding Licensing of Pet Shops Section 4 (r).

Page 3

<https://www.brampton.ca/EN/City-Hall/Bylaws/2016/270-2016.pdf>

Business Licensing By-law 332-2013 Schedule 20.

Section 4 (r) Pages 72-74

<https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/Business%20Licensing.pdf>

City of Cambridge

Council Meeting No.14-16 Tuesday, May 17, 2016 Reports Referred to Council: Item 19. (Page 14). Regulating the Sale of Cats and Dogs in Pet Stores.

<file:///C:/Users/marfi/Downloads/3568CBCA4AC300DCE053AC191DF04AF1.pdf>

City of Kingston

By-Law Number 2006-213 A By-Law To License, Regulate and Govern Certain Businesses

Schedule P2–Pet Stores: Provisions - Reason for Licensing/Conditions & Special Conditions (1);(2);(3)

<https://www.cityofkingston.ca/documents/10180/16904/Business+Bylaw.pdf/389bb24b-2ef1-4036-afa6-62fa013873d5?t=1549054762000>

Staff Report No: ARCP-13-013. Report from Cynthia Beach, Commissioner, Sustainability & Growth.

https://www.cityofkingston.ca/documents/10180/1343237/ARC_A0613-13013.pdf/bb071e7d-9805-42d4-9def-208820cb36e5?t=1609863792333

City of Kitchener

Licensing & Regulation of Businesses. Schedule 19.2 – Pet Shop.

Every Pet shop Licensee, when acquiring an animal for the purpose of offering the animal for sale, shall obtain the animal only from the following sources:

a) municipal animal shelter; b) registered humane society; c) registered shelter; or d) rescue group.

City of London

Business Licensing By-law L-131-16: Schedule 14 - Pet Shop

<https://london.ca/by-laws/business-licensing-law-l-131-16>

City of Markham

Business Licensing By-law 2018-19

Licensing and Regulation of Stationary Businesses: Schedule 25 (Page 86) [https://www.markham.ca/wps/wcm/connect/markham/53681425-7479-4975-99eb-d7f33fca4d8c/2018-90+-+Consoildated.pdf?](https://www.markham.ca/wps/wcm/connect/markham/53681425-7479-4975-99eb-d7f33fca4d8c/2018-90+-+Consoildated.pdf?MOD=AJPERES&url&CACHEID=ROOTWORKSPACE.Z18_2QD4H901OGV160QC8BLCRJ1001-7479-4975-99eb-d7f33fca4d8c-npTHg0V)

[MOD=AJPERES&url&CACHEID=ROOTWORKSPACE.Z18_2QD4H901OGV160QC8BLCRJ1001-7479-4975-99eb-d7f33fca4d8c-npTHg0V](https://www.markham.ca/wps/wcm/connect/markham/53681425-7479-4975-99eb-d7f33fca4d8c-npTHg0V)

City of Montreal

<https://www.cbc.ca/news/canada/montreal/pet-stores-animal-shelters-breeders-1.4709009>

Town of Newmarket

Pet Shop Sourcing Media Article

<https://www.toronto.com/news-story/10057673-pet-stores-pet-owners-face-tighter-rules-in-newmarket/>

Compliance Agreement <https://www.newmarket.ca/LivingHere/Documents/Business%20Licenses/Form%20-%20Pet%20Shop%20-%20Licensing%20Sourcing%20Agreement.pdf>

Animal Control and Pet Store Licensing Staff Report to Council Report Number: 2020-40 : Pages 5 & 7-9.

<https://pub-newmarket.escribemeetings.com/filestream.ashx?DocumentId=21279>

Town of New Tecumseth

Additional Memorandum Document, including Business Licensing By-law, 2008-119, as amended.

https://newtecumseth.civicweb.net/document/104989/ADMIN-2021-09%20-%20Additional%20Information%20Memorandum.pdf?handle=FDDADA4933674A2FBEF5D4E14D55DEFE&fbclid=IwAR0te_3zX7qkb4tHBYgvt96hCsz1PqtyxC4YhM3VUx4EIHNRiAw0oJLUv0

Town of Oakville

BY-LAW NUMBER 2015-075 A by-law to provide for the licensing and regulation of various businesses in the Town of Oakville.

Schedule 26. 2(9). Pages 94 & 95

<https://www.oakville.ca/assets/general%20-%20business/By-law%202015-075%20Licensing%20By-law%20-%20Consolidated.pdf>

Town of Orangeville

Pet Shop By-law 2021-10 <file:///C:/Users/marfi/OneDrive/Documents/Pet%20Shop%20Orangeville%20By-law%202021-010.pdf>

Highlights - November 9, 2020: Pet Shop By-law 95-2005 Amended.

<https://www.orangeville.ca/en/news/council-highlights-november-9-2020.aspx>

By-law to amend By-law 95-2005 being a By-law to license and regulate pet shops in the Town
<https://www.orangeville.ca/Modules/Bylaws/Bylaw/Details/d16ef45d-b7d5-481a-b2da-714f29715cf8>

City of Oshawa

Public Report CORP-16-57. Page 5: Assessment & Page 7: Conclusion

http://app.oshawa.ca/agendas/corporate_services/2016/06-20/REPORT_CORP-16-57.pdf

Staff Report CORP-17-88. December 4, 2017

http://app.oshawa.ca/agendas/Corporate_Services/2017/12-04/REPORT_CORP-17-88.pdf

Pet Shop License & Sourcing Restriction <https://www.oshawa.ca/business-and-investment/pet-store-licences.asp>

City of Ottawa

Ottawa Business Journal

<https://www.obj.ca/article/ottawa-council-approves-pet-shop-ban-commercially-bred-dogs-cats>

City of Richmond Hill

By-Law 6-17 A By-law to amend Chapter 826 of the Town of Richmond Hill Municipal Code, being By-Law 189-05, as amended, relating to business licensing (Pet Shops).

Article 5: Pet Stores

<https://www.richmondhill.ca/en/shared-content/resources/documents/Community-Standards-By-laws/826---Pet-Shops-6-17.pdf>

City of Toronto

BY-LAW No. 182-2013 To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting pet shops.

<https://www.toronto.ca/legdocs/bylaws/2013/law0182.pdf>

City of Vaughan

ANIMAL CONTROL (Consolidated Version – Enacted as By-law 066-2020) Provision

20.0 (Pet Shops) Page 14. [https://www.vaughan.ca/cityhall/by_laws/Bylaws/066-2020%20\(Consolidated\).pdf](https://www.vaughan.ca/cityhall/by_laws/Bylaws/066-2020%20(Consolidated).pdf)

City of Waterloo

By-law 2014-085 Business Licensing & Regulation: Schedule 29 - Pet Shop (Page 63)

City of Windsor

By-law No. 395-2004 LICENSING AND REGULATION OF VARIOUS BUSINESSES

Schedule P1 – Pet Shops Provisions 5.1 (Pages 96-99)

<https://www.citywindsor.ca/cityhall/By-laws-Online/Documents/395-2004-Business-Licensing-Bylaw.pdf>

Bylaw / Regulatory updates: Pet Stores

The following additional regulations shall be added to the requirements of all registered Pet Store licensees:

- to promote animal health and safety by ensuring that animals are provided clean sanitary environments and proper veterinary care as required; and
- to safeguard public health & provide improved consumer protection by mitigating the sale of sick animals and the spread of diseases into the community.

Every Person who owns or operates a Pet Store shall comply with the following requirements:

1. Every Pet Store shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
2. Every animal shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of animal housed therein.
3. Every cage or other container used for the keeping or housing of any animal shall:
 - (a) be of adequate size to permit any such animal to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only birds, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or containers, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
4. Fresh water shall be provided daily to every animal in sufficient quantity to maintain at all times a potable supply available to such animal.
5. Animals shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal kept within the Pet Store.
7. All enclosed dogs or cats shall be provided with reasonable exercise.
8. Pet Store's shall:
 - (a) permit only persons to attend to the care, feeding and cleaning of animals in the pet shop

or kennel, who have been adequately trained, commensurate with their responsibilities, by the pet shop or kennel owner, and who demonstrate that they are able to discharge their responsibilities in a positive, caring manner;

- (b) ensure that appropriate staff are onsite during business hours and are responsible for the care and safe keeping of animals;
- (c) keep posted in a conspicuous place for employees, instructions for the cleaning, care and feeding of animals;
- (d) not display any animal in an exterior display window;
- (e) not permit to be sold, offer for sale, or give away any animal before it has reached the normal weaning age, based on known requirements of that particular species;
- (f) not permit to be sold, offer for sale, or give away any prohibited animal, as identified in the City's Prohibited Animal By-law;

- (g) not keep or sell any sick, injured, or diseased animals unless under the direction of a veterinarian;
 - (h) provide every adopter with a health assessment from a licensed Veterinarian to verify the animal has received up to date veterinary care;
 - (i) give the adopter on any adoption all available information pertaining to the disposition of any dog or cat, a receipt showing the name and address of the animal organization and the adopter, the date of adoption, the adoption price, the breed or crossbreed, sex, age, and description;
 - (j) maintain a registry of each dog or cat brought in for adoption or otherwise obtained. Each entry shall be made at the time each dog or cat or comes into the possession of any Owner, employee, or Person associated with the Pet Store and shall include:
 - (i) the date of adoption;
 - (ii) a full description of the dog, cat or rabbit;
 - (iii) the name, address, and contact information of the Person or organization from whom the dog, cat or rabbit was obtained; and
 - (iv) retain the register in respect of each transaction for the period of thirty-six (36) months thereafter and be made available to City Licensing Officer or Municipal Law Enforcement Officers upon request.
9. Where a City Licensing Officer or Municipal Law Enforcement Officer determines that an animal appears to require medical attention, they may require the licensee or the animal organization that owns the animal to take the animal to a qualified Veterinarian forthwith.

The Corporation of the
Town of New Tecumseth

By-law

Number 2021-046

"Business Licensing and Regulation By-law -Amendment No. 7 By-law"

A by-law to amend By-law No. 2008-119 being the Business and Regulation
By-law for the Town of New Tecumseth

Whereas the Council of The Corporation of the Town of New Tecumseth
enacted Business and Regulation By-law 2008-119 on the 14th day of July, 2008 to
licence and regulate various businesses;

And Whereas the Council of The Corporation of the Town of **New** Tecumseth
deems it necessary to amend Business Licensing and Regulation By-law 2008-119
to include licensing and regulating provisions for Pet Stores;

Now Therefore the Council of The Corporation of the Town of New Tecumseth does
hereby enact as follows:

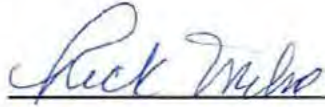
1. That Business Licensing and Regulation By-law 2008-119, as amended, be
amended as follows:
 - a) That Schedule **A-4** attached hereto be inserted after Schedule A-3.
 - b) That Schedule #1 be amended to include the following after Tow Truck
Fees: Pet Stores \$150.00
 - c) That Schedule #2 be amended to include the following after Tow
Truck Licensing:

Pet Store Licensing - January 1 to December 31
2. That the following section shall come into force and effect on September 30,
2021:

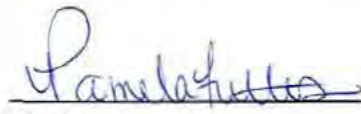
Section 6
 - a) only permit a cat, dog and/or rabbit within the Pet Store for the
purpose of adoption, where facilitated through adoption and where
the cat, dog and/or rabbit has been obtained from one (1) of the
following sources:
 - Municipal Animal Shelters;
 - Humane Societies or OSPCA'S
 - a Reputable Animal Rescue Group
3. That this by-law shall be cited as the "Business Licensing and Regulation
By-law -Amendment No. 7 By-law".

4. That this by-law shall come into force and take effect on the date of final passing thereof.

Read a first, second and third time and finally passed this 12th day of April, 2021.



Mayor



Clerk

**Schedule A-4
To
By-law 2008-119**

Pet Stores

Animal Health and Safety - to ensure that animals are provided clean sanitary environments and proper veterinary care where required. Public Health & Consumer protection - that sick animals are not being sold to people or spreading diseases into the community.

1. DEFINITIONS

"Animal" means any member of the Animal kingdom other than a human;

"Applicant" means a Person applying for a Business Licence to carry on a Business, activity, or undertaking pursuant to this By-law;

"Attendant" means any Person other than a licensed Owner or Operator who provides Services designed to appeal to the needs of a particular Business;

"Bird" means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

"Manager" means the Town of New Tecumseth Supervisory, Municipal Law Enforcement Services or their designate;

"Municipal Law Enforcement Officer" means an individual appointed by the Town as a Municipal Law Enforcement Officer or any other individual designated by the Town to enforce this By-law;

"Municipality" or "Town" means The Corporation of the Town of New Tecumseth;

"Operator" or "Owner" means any Person that operates or owns a Business as identified in this By-law;

"Prohibited Animal" means an Animals identified as a "Prohibited Animals" as listed in the Town's Wildlife and Prohibited Animals By-law Schedule 'A', as amended;

"Person" includes a natural Person, corporation, partnership or party, and the Personal or other legal representatives or a Person to whom the context can apply according to law;

"Pet Store" means a Premises in which the primary purpose of Animals or Birds for use as pets, or goods and merchandise associated with such Animals or Birds, are offered or kept for Retail sale or rental to the public;

Reputable Animal Rescue Groups non-profit organizations that provide the provenance of animals, essential vet care including vaccinations, rabies and spay or neuter and complete medical records to the adopter.

"Veterinarian" means a Person qualified and authorized to practice veterinary medicine.

2 LICENCES

2.1 Licence Requirements for Pet Store Owners

No person shall own or operate a Pet Store that offers or keeps for retail sale, adoption or rental to the public an Animal without a Licence to do so issued by the Town of New Tecumseth.

2.2 Specific Regulations

Every Person who owns or operates a Pet Store shall comply with the following requirements:

1. Every Pet Store shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
2. Every Animal shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of Animal housed therein.
3. Every cage or other container used for the keeping or housing of any Animal shall:
 - (a) be of adequate size to permit any such Animal to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only Birds, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or containers, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any Animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such Animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such Animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
4. Fresh water shall be provided daily to every Animal in sufficient quantity to maintain at all times a potable supply available to such Animal.
5. Animals shall be fed periodically each day in accordance with the particular food requirements of each type or species of Animal kept within the Pet Store.
6. Every Applicant licensed or required to be licensed with the Town under this By-law shall:

- a. only permit a cat, dog and/or rabbit within the Pet Store for the purpose of adoption, where facilitated through adoption and where the cat, dog and/or rabbit has been obtained from one (1) of the following sources:
 - (i) Municipal Animal Shelters;
 - (ii) Humane Societies or OSPCA'S
 - (iii) a Reputable Animal Rescue Group;
 - b. provide to every adopter of a cat, dog and/or rabbit or a health assessment from a licensed Veterinarian to verify the Animal has received up to date veterinary care;
 - c. provide all enclosed cats, dogs and/or rabbits reasonable exercise;
 - d. not keep or sell any sick, injured, or diseased Animals unless under the direction of a veterinarian;
 - e. not display any Animal in an exterior display window;
 - f. not permit to be sold, offer for sale, or give away any Animal before it has reached the normal weaning age, based on known requirements of that particular species; and
 - g. give the adopter on any adoption all available information pertaining to the disposition of any cat, dog and/or rabbit a receipt showing the name and address of the animal organization and the adopter, the date of adoption, the adoption price, the breed or crossbreed, sex, age, and description.
7. Every Pet Store shall maintain a registry of each cat, dog and/or rabbit brought in for adoption or otherwise obtained. Each entry shall be made at the time each cat, dog and/or rabbit or comes into the possession of any Owner, employee, or Person associated with the Pet Store and shall include:
- a. the date of adoption;
 - b. a full description of the cat, dog and/or rabbit
 - c. the name, address, and contact information of the Person or organization from whom the cat, dog and or rabbit was obtained; and
- the Pet Store shall retain the register in respect of each transaction for the period of twelve (12) months there-after and be made available to the Manager upon request.
8. Every Pet Store shall ensure that an Attendant in charge of and responsible for the care and safe keeping of Animals within the Pet Store remains on site at all times during the Business hours of operation.
9. Prohibited Animals, as identified within the Town's Wildlife & Prohibited Animal By-law shall not be placed in any Pet Store.
10. Every Person licensed under this By-law shall make every reasonable effort to obtain the name, address and description of

anyone offering to sell or give to the licensee any Animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Nottawasaga OPP Police Services.

11. Where the Licensing Officer or Municipal Law Enforcement Officer determines that an Animal appears to require medical attention, they may require the licensee or the animal organization that owns the Animal to take the Animal to a qualified Veterinarian forthwith.