

TO: CITY MANAGER
FROM: DIRECTOR FINANCE
SUBJECT: PET STORE REGULATION

DATE: 1999 JULY 20
File: A53

PURPOSE: To provide information to Council.

RECOMMENDATION:

1. **THAT** a copy of this report be sent to:

Animal Advocates Society of British Columbia
2667 Haywood Avenue
West Vancouver, BC V7V 1Y7

REPORT

At its meeting of 1999 July 12, Council received correspondence requesting delegation from Judith Stone, President of the Animal Advocates Society of B.C. To provide information to Council and respond to the concerns of the Animal Advocates, staff met with Judith Stone on 1999 July 13. At that time concerns over the living conditions and treatment of animals for sale in three Burnaby pet stores were detailed.

This report has been prepared to provide Council with information about the S.P.C.A. response to concerns raised by the Animal Advocates; the legislative context for the prevention of cruelty to animals in pet stores; and staff efforts in the assessment of the need for municipal regulation of the sale of exotic animals in Burnaby.

The Animal Advocates assert that their chief concerns are that:

- animals spend time on metal grating or other harsh surfaces
- animals experience mental abuse through the denial of play, exercise or contact
- cages are covered with urine and feces
- overcrowding leads to other health problems
- small cages are stacked one on top of another
- untrained employees perform veterinary functions.

Finally, the Animal Advocates requested that Burnaby enact a bylaw regulating the operation of pet stores, similar to that adopted in the City of North Vancouver in 1998, but with more stringent prohibition and regulation language.

S.P.C.A. RESPONSE

Under legislation enacted by the Province of British Columbia, the S.P.C.A. appoints employees as Special Provincial Constables to enforce the Prevention of Cruelty to Animals Act. S.P.C.A. inspectors have investigated concerns about pet store animals' health and living conditions based upon the items raised by the Animal Advocates Society noted above.

In their investigation of 1999 July 16, the S.P.C.A. could find no violation of the Prevention of Cruelty to Animals Act or the Burnaby Animal Control Bylaw at any of the three stores visited. The stores were clean and well maintained. The animals were healthy and well taken care of. While no further action is warranted at this time, the S.P.C.A. will continue to regularly monitor these and other Burnaby pet stores.

In the past three years, the Burnaby S.P.C.A. has received a total of thirty-three complaints regarding these three pet stores. Most complaints dealt with overcrowding of animals or unclean conditions. Of the thirty-three complaints, three were found to have a legal basis for complaint. All of these three founded complaints were remedied with the store's cooperation.

LEGISLATIVE CONTEXT

The Prevention of Cruelty to Animals Act currently gives S.P.C.A. inspectors the power to enter into a pet establishment to ascertain whether or not the conditions and treatment of animals for sale are acceptable. While the Act does not specify minimum standards of care and confinement, it does empower an inspector to act to correct a situation that is in their opinion deficient. The B.C. S.P.C.A. also publishes a Recommended Code of Practice for the Care of Pet Shop Animals which is available to any owner/operator of a pet establishment.

Burnaby has previously addressed concern over the treatment of animals by both private citizens and commercial enterprises by amending the Burnaby Animal Control Bylaw to include:

- standards of maintenance for dogs and other animals
- limits on the exploitation of wild animals in circuses, exhibitions or other performances
- limits on the number of reptiles and snakes kept as pets
- limits on the number of rodents kept for the feeding of pets.

A survey of Lower Mainland municipalities Animal Control Bylaws is included as Attachment 1. Burnaby's response on these issues is consistent with other Lower Mainland municipalities.

EXOTIC ANIMALS

In addition to general concerns about pet stores, the Animal Advocates have expressed support for a bylaw to regulate or prohibit the sale of exotic animals. Staff have been monitoring the trade in exotic animals in recent years as a result of a Council request for information on the sale of exotic animals in Burnaby.

Staff have surveyed retail pet stores in Burnaby and have learned that a large variety of animals are available for purchase. Aside from cats and dogs, the following animals are available for sale or order in Burnaby pet stores:

- amphibians such as frogs, neuts and salamanders
- insects including crickets, preying mantis, spiders and other insects which are sold as pet food
- reptiles such as boa constrictors, corn snakes, geckos, iguanas, pythons and turtles
- rodents such as chinchilla, ferrets, gerbils, guinea pigs, hamsters, mice, miniature hedgehogs, rabbits, rats and squirrels
- tropical fish, both fresh and salt water

Pet store operators have indicated they supply any animal that can be legally sold in B.C.

While many Lower Mainland municipalities in recent years have adopted legislative prohibitions against the use of exotic or wild animals in public performances, there is no overall trend to develop regulations to control the retail sale of exotic animals as pets.

Many Burnaby pet store operators provide animal care advice in verbal or written form to new pet owners. This practice is not limited to exotic animals. A number of pet retailers also sell books dealing with the best means of caring for new pets. Staff feel that the provision of complete information about exotic animals would prevent impulse buying of exotic pets.

NEXT STEPS

There is a diversity of opinion on the level of care provided for animals in pet stores, and the perception of physical or mental distress these animals experience. As well, this diversity of opinion extends to the question of exotic animals as pets. As a result, staff are recommending that a working group consisting of the Animal Advocates Society of B.C. pet store proprietors, the S.P.C.A. and Licence staff be created to examine these issues.

The terms of reference for this working group should include the development of guidelines to address the following:

- cage construction materials, particularly flooring
- duties and responsibilities of pet store proprietors, including:
 - record keeping
 - training/qualifications of employees
 - veterinary care of ill or injured animals
- requirement to provide information on all pet species sold, including:
 - care and grooming
 - country of origin and required federal and provincial documentation
 - estimated adult animal size
 - exercise requirement
 - feeding
 - habitat requirement
 - veterinary care requirement
 - where to get more information

Staff recognize that existing provincial legislation and the Burnaby Animal Control Bylaw may already provide for some of these requirements. Efforts will be made to ensure that duplication of existing regulations does not occur.

Unless otherwise directed, staff will convene the proposed working group and report back to Council in the early Fall.


Rick Earle
DIRECTOR FINANCE

RG:dh
Attachment

cc: Animal Shelter Superintendent

LOWER MAINLAND MUNICIPALITIES
ANIMAL CONTROL BYLAWS

LOCATION	PET STORE REGULATIONS	EXOTIC/WILD ANIMAL BYLAW	PERFORMING ANIMAL BYLAW	STANDARDS OF MAINTENANCE
BURNABY	NO	NO	YES	YES
COQUITLAM	NO	NO	YES	YES
DELTA	NO	NO	YES	YES
LANGLEY TOWNSHIP	NO	YES	YES	NO
MAPLE RIDGE	NO	NO	YES	YES
NEW WESTMINSTER	NO	NO	YES	YES
NORTH VANCOUVER - CITY	YES	NO	YES	YES
NORTH VANCOUVER - DISTRICT	YES	NO	YES	YES
PORT COQUITLAM	NO	NO	NO	NO
PORT MOODY	NO	NO	NO	NO
RICHMOND	NO	NO	NO	YES
SURREY	NO	*	YES	YES
VANCOUVER	NO	NO	YES	YES

* Species specific bylaws regulating domestic/hobby purposes - i.e. bees, pigeons.

Burnaby Finance Department

File

1999 July 21

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