

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 22, 2024

Item 11, Report No. 14 of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 22, 2024.

11. LICENSING OF WILDLIFE REMOVAL COMPANIES

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Community Services, dated April 16, 2024, be approved;**
- 2) That comments from the following speakers be received:**
 - 1. Elizabeth Naylor, President, Structural Pest Management Association of Ontario (SPMAO), Burnaby Drive, Keswick; and**
 - 2. Victoria Badham, Education and Outreach Manager, Toronto Wildlife Centre, Carl Hall Road, Toronto; and**
- 3) That Communication C2. from Darcy Alkerton, Owner/President, Nuisance Wildlife Control Inc., Spencerville, Ontario, dated April 14, 2024, be received.**

Recommendations

- 1. THAT the Business Licensing By-law 122-2022, as amended, be further amended, as generally set out in Attachment 1 to this report, and in a form satisfactory to Legal Services, to create licensing provisions for wildlife removal companies; and**
- 2. THAT the Fees and Charges By-law 224-2023, as amended, be further amended, as generally set out in Attachment 2 to this report, in a form satisfactory to Legal Services, to create a wildlife removal company licensing fee and wildlife removal company vehicle licensing placard fee.**

Committee of the Whole (2) Report

DATE: Tuesday, April 16, 2024

WARD(S): ALL

TITLE: LICENSING OF WILDLIFE REMOVAL COMPANIES

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

In response to instances of improper wildlife containment and removal practices which cause distress, injury or death to animals, staff seek to develop regulations for companies offering wildlife removal services in the City of Vaughan through the development of a new business licensing category. The new enforcement tools will ensure wildlife removal companies operate in a manner that minimizes the risk of harm or death to wildlife and implements consumer protection measures for the public.

Report Highlights

- Day-to-day operations of wildlife removal companies are largely unregulated.
- Animal Services has responded to complaints of wildlife removal companies using removal techniques that compromise the wellbeing of animals and put the public at risk.
- To minimize harm to animals and the public, staff are recommending that wildlife removal companies be required to obtain a business licence to operate in the City of Vaughan.
- If approved, Vaughan will be the first municipality in Ontario to regulate Wildlife Removal Companies.

Recommendations

1. THAT the Business Licensing By-law 122-2022, as amended, be further amended, as generally set out in Attachment 1 to this report, and in a form satisfactory to Legal Services, to create licensing provisions for wildlife removal companies; and

2. THAT the Fees and Charges By-law 224-2023, as amended, be further amended, as generally set out in Attachment 2 to this report, in a form satisfactory to Legal Services, to create a wildlife removal company licensing fee and wildlife removal company vehicle licensing placard fee.

Background

To address nuisance caused by wildlife on their properties, or intrusion within, property owners will seek the services of wildlife removal companies, which is a largely unregulated industry in Ontario. Complaints have been received by the Animal Services division of By-law and Compliance, Licensing and Permit Services that wildlife removal companies are not consistently carrying out the capture and relocation of animals in an ethical or humane manner. Although the Animal Control By-law sets forth broad requirements for the expected treatment of wildlife by all persons, it does not specifically regulate the activities of wildlife removal companies.

Previous Reports/Authority

[City of Vaughan Animal Control By-law 066-2020](#)

Analysis and Options

Wildlife removal companies remove wildlife from residential and commercial properties. Most frequently, the wildlife removed include squirrels, raccoons, skunks, and other small mammals. More than a dozen wildlife removal companies advertise as being Vaughan-based and are presently operating in the City of Vaughan. It is highly probable that many more companies located/based outside of Vaughan's municipal boundaries travel to Vaughan to offer services.

Although some activities of wildlife removal companies are governed in part by various provincial and federal acts and regulations, there is very little day-to-day supervision of these companies. Due to the lack of oversight of and regulations for wildlife removal companies, inhumane practices have been reported to and observed by Animal Services. Examples include young being needlessly separated from their mother, inhumane trapping, animals being confined without the necessities of life, inhumane euthanasia techniques, and improper relocation and disposal of remains.

Jurisdictional Scan

After completing a comprehensive jurisdictional scan, staff were unable to find any municipalities in Ontario who regulate wildlife removal companies, and only British Columbia specifically licenses wildlife removal companies at a provincial level. By proceeding with and introducing regulations through a business licensing framework as recommended within this staff report, the City will be setting a significant precedent in the care and control of wildlife by ensuring companies that offer and provide removal of

wildlife services do so in a humane and ethical manner, while establishing regulations to support consumer protection.

Industry Consultation

Email correspondence was sent to 24 wildlife removal companies that advertise they are Vaughan-based or provide services within the City, asking for feedback and providing an opportunity to speak with staff. One company responded with feedback, indicating their support for the new regulations.

Proposed Regulations

The proposed regulations include those which are standard for all business licence applications and the regulations for other contractor-type businesses operating in Vaughan, including insurance, vehicle signage, and staff identification requirements. Additional provisions have been developed specific to wildlife removal companies that function to ensure the safe and humane treatment of wildlife and greater consumer protection.

Criminal Record Check

All owners, operators and employees of wildlife removal companies will be required to submit a Criminal Record Check, from an Ontario Police Service, which meets the standard provisions under the licensing by-law and, in addition, must indicate that there have been no convictions under Sections 445, 446, and/or 447 of the Criminal Code of Canada, which are specific to animal cruelty and neglect.

Vehicles

Vehicles used by wildlife removal companies will be required to adhere to certain standards to ensure the safe and humane transportation of animals. In addition to being equipped with working and adequate temperature control measures to prevent distress to wildlife being contained, all vehicles must be equipped with adequate measures to contain and segregate wildlife from coming in to contact with any other animal or human occupant of the vehicle, and all animals must be securely contained within a primary enclosure within the vehicle.

Contracts

As a consumer protection measure, wildlife removal companies will be required to provide a written contract to their customers, specifying the work that will be performed and the payment schedule, prior to accepting any payments or commencing any work.

Bite Reporting Requirements

To limit the spread of zoonotic disease, wildlife removal companies will be required to report all bites or injuries to a person that result in breakage of skin to local public health unit and Vaughan Animal Services within 24 hours. Similarly, all bites on injuries caused

to a domestic animal by wildlife must be reported to Vaughan Animal Services within 24 hours.

Release Requirements

To ensure a reasonable chance of reunification and reintegration within their natural habitat, wildlife removal companies must release an animal no more than 1 kilometer away from the capture location. Further, any animals that cannot be released back in to the wild shall only be released to a Province of Ontario authorized wildlife rehabilitator or Vaughan Animal Services.

Policies and Procedures

To mitigate transmission of zoonotic diseases, such as rabies, and to ensure ethical and humane methods are used in the care and control of animals, it is critical that wildlife removal companies have standardized policies and procedures in place. Companies will be required to submit copies of their policies and procedures for cleaning and disinfection of vehicles and supplies, handling of injured and diseased animals, bites, and personal protective equipment requirements for staff.

Trap Requirements

The new regulations will prevent wildlife removal companies from using certain types of traps that are known to cause unnecessary and indiscriminate distress to animals, including the use of noxious and poisonous chemicals. Moreover, the by-law will stipulate time intervals at which companies will be required to check traps for captured animals, and for their release.

Log and Record Keeping Requirements

Wildlife Removal Company owners will be required to maintain logs pertaining to each wildlife capture and/or removal for a minimum of 1 year, which include information about the capture and and/or removal, such as the date, time and location, species and gender information, condition of the animal, removal of any habitats, and outcome.

Compliance with Other Legislation

To maintain their City of Vaughan business licence, companies will be required to remain in compliance with various pieces of legislation at the municipal, provincial, and federal levels that govern wildlife removal practices in part or any other applicable law.

Financial Impact

Wildlife removal companies will be subject to the same licensing fee that is collected for other contractor-type businesses. It is anticipated that this fee will be sufficient to recover costs associated with the administration and enforcement of this licensing category.

Operational Impact

It is anticipated that any operational impacts resulting from the implementation of this licensing category will be absorbed by the current staff complement.

Broader Regional Impacts/Considerations

There are no municipalities in Ontario known to licence wildlife removal companies. The passage of this new licensing category sets a precedent for municipal standards for these companies.

Staff consulted with stakeholders at animal welfare agencies that work alongside the City, and all expressed their enthusiasm for this new licensing category.

Conclusion

Urban expansion and changing natural habitats are displacing wildlife in our community, creating an urgent need to implement effective measures to ensure they are protected. By licensing wildlife removal companies, the City will not only engage in critical wildlife protection efforts, but will also create additional consumer protection measures for residents who hire wildlife removal companies, and health and safety precautions for the general public. As Vaughan will be the first municipality to create a licensing category for wildlife removal companies in Ontario, staff are hoping that other municipalities will follow suit and make clear that any company interacting with animals on behalf of residents must ensure that the health and safety of both animals and humans remains their top priority.

For more information, please contact: Susan Kelly, Director and Chief Licensing Officer, By-law and Compliance, Licensing and Permit Services, ext. 8952.

Attachments

1. Proposed Wildlife Removal Company Licensing By-law Amendments.
2. Proposed Wildlife Removal Company Fees and Charges By-law Amendments.

Prepared by

Alexandra Scarr, Policy Implementation Specialist, ext. 8448.
Christopher Slik, Manager Animal Services, ext. 8992.

Approved by

A handwritten signature in black ink, appearing to read "Gus Michaels".

Gus Michaels, Deputy City Manager,
Community Services

Reviewed by

A handwritten signature in black ink, appearing to read "Nick Spensieri".

Nick Spensieri, City Manager

Proposed Wildlife Removal Company Licensing By-law Amendments

1. That Business Licensing By-law 122-2022, as amended, be further amended by adding the following definitions to Part 3.0 in alphabetical order:

“Wildlife” means an animal that belongs to a species that is wild by nature of that particular region and includes human introduced game wildlife and specially protected wildlife;

“Wildlife Removal Company” means a *Licensed* company which removes *Wildlife* from areas that are not in their normal or usual habitat or causing a nuisance;

“Wildlife Removal Company Owner” means a Person who alone or with others Owns and/or has the ultimate control over and/or who directs the operation of the business, activity or undertaking carried out by a Wildlife Containment Company;

2. That Business Licensing By-law 122-2022, as amended, be further amended by adding **Part 16.2 Wildlife Removal Companies** to read as follows:

Part 16.2 Wildlife Removal Companies

- (1) In addition to the requirements set out in Part 4.2, every application for a *Wildlife Removal Company Licence* shall include:
 - (a) proof, satisfactory to the *Chief Licensing Officer*, that every employee or other *Person* under the *Applicant's* charge is insured in accordance with the *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, as amended;
 - (b) a photograph of the *Applicant* taken within thirty (30) days prior to the *Licence* application, such that the photograph is a clear likeness of the *Applicant*, and where the *Applicant* is a:
 - (i) *Sole Proprietorship*, such photograph shall be of the sole proprietor;
 - (ii) *Partnership*, such photograph shall be taken of at least one of the partners;
 - (iii) *Corporation*, such photograph shall be taken of at least one of the directors or officers of the *Corporation*;
 - (c) a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated not more than ninety (90) days prior to the

date application for the *Applicant*, and each employee of the *Applicant*; and

- (d) a map indicating service area.
- (2) In addition to the requirements set out in Part 4.2, every application for a *Wildlife Removal Company Licence* shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage.
- (3) Every *Applicant* for a *Wildlife Removal Company* shall register each vehicle used in the business by filing a list indicating for each vehicle, the make, model, year and the provincial vehicle plate number. In case of change of the information pertaining to the vehicles used in the business, such changes should be submitted to the *Chief Licensing Officer* in a form satisfactory to the *Chief Licensing Officer*.
- (4) Every *Wildlife Removal Company* shall ensure that every vehicle actively used in connection with the business, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a *Customer* or provide a quote, shall have visibly displayed on the dashboard a placard identifying the business name and *City Licence* number in a form satisfactory to the *Chief Licensing Officer*.
- (5) Placards, as provided for in section 16.2(4) are only transferable to other vehicles used primarily in connection with the business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the business.
- (6) Vehicle *Licensing* placards are subject to the fees set out in *Fees and Charges By-law*, as amended, or its successor by-law.
- (7) Every *Wildlife Removal Company* shall ensure all vehicles actively used in connection with the business are equipped with working and adequate temperature control measures to prevent distress to *Wildlife* being contained therein.

- (8) Every *Wildlife Removal Company* shall ensure that all vehicles actively used in connection with the business are equipped with adequate measures to contain separate *Wildlife* from coming in to contact with any other animal or human occupant of the vehicle.
- (9) Every *Wildlife Removal Company* shall ensure that all animals contained in a vehicle used in connection with the business are contained within a primary enclosure within the vehicle.
- (10) Every *Wildlife Removal Company* shall ensure that its employees wear identification or an article of clothing which identifies them as an employee of the company when responding to a call for service.
- (11) Every *Wildlife Removal Company* shall include its corresponding *City Licence* number on all of its outdoor *Sign* or other advertising or promotional device used in the *City* and shall comply with the *City's* Sign By-law, as amended or its successor by-law.
- (12) When a *Wildlife Removal Company* has been made aware of or has witnessed any bites or injuries caused to a *Person* by *Wildlife* that results in breakage of skin, such information must be reported by the *Wildlife Removal Company* to local public health unit and Vaughan Animal Services within 24 hours.
- (13) When a *Wildlife Removal Company* has been made aware of or has witnessed any bites or injuries caused to a domestic animal by *Wildlife*, such information must be reported to Vaughan Animal Services within 24 hours.
- (14) Every *Applicant* for a *Wildlife Removal Company Licence* shall, at the time of initial application and upon every renewal, provide a detailed log for the preceding year, in accordance with section 16.2(28) satisfactory to the *Chief Licensing Officer*.
- (15) Prior to accepting any payment from a *Customer* or commencing any work for a *Customer*, a *Wildlife Removal Company* shall provide a written contract to said *Customer*, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Wildlife*

Removal Company and presented to the *Customer* for acceptance and signature.

- (16) Prior to providing a written contract pursuant to section 16.2(15), a *Wildlife Removal Company* shall inform the *Customer* in writing of all local by-laws that affect or may affect the proposed *Services* and shall also inform the *Customer* in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract.
- (17) No *Wildlife Removal Company* shall release an animal more than one (1) kilometer away from the capture location.
- (18) No *Wildlife Removal Company* shall release an animal to any other *Person* other than a Province of Ontario authorized *Wildlife* rehabilitator or Vaughan Animal Services.
- (19) Every *Applicant* for a *Wildlife Removal Company Licence* shall, at the time of initial application, upon request by the *City*, or if any changes are made to the policies and procedures referred to hereafter, submit copies of all policies and procedures pertaining to the trapping, care, transfer, euthanasia and release of *Wildlife*, to the satisfaction of the *Chief Licensing Officer*, including the following:
 - (a) euthanasia, including methods, circumstances, and disposal;
 - (b) disposal of carcasses;
 - (c) cleaning and disinfection of vehicles and traps, including specific details regarding products, frequency and biohazard protocols;
 - (d) personal protective equipment requirements for staff;
 - (e) bite and injury protocol for staff and the public.
- (20) Every *Applicant* for a *Wildlife Removal Company Licence* shall provide, at the time of initial application, upon every renewal, and at any time as requested by the *City* a list of all staff employed by the company.
- (21) No *Wildlife Removal Company Owner* or employee shall use or permit the use of body-gripping traps, leg-hold traps, or any other traps prohibited

under the *Fish and Wildlife Conservation Act, 1997* for the purpose of trapping *Wildlife*.

- (22) Notwithstanding section 16.2(21), it does not apply to individuals licensed to use such devices under the *Fish and Wildlife Conservation Act, 1997*.
- (23) No *Wildlife Removal Company Owner* or employee shall use or permit the use of glue board traps.
- (24) Notwithstanding section 16.2(23), it does not apply if the intent is to use glue board traps to capture insects or vermin.
- (25) No *Wildlife Removal Company Owner* or employee shall permit an animal to be in distress while in a trap or otherwise contained.
- (26) All *Wildlife Removal Company Owners* shall ensure that all traps and nest boxes are checked at minimum every eight (8) hours and any captured *Wildlife* is released within one (1) hour of discovery.
- (27) No *Wildlife Removal Company Owner* or employee shall use or permit the use of noxious or poisonous chemicals or substances to subdue or aid in the removal of *Wildlife*.
- (28) *Wildlife Removal Company Owners* must maintain logs pertaining to each *Wildlife* capture and/or removal for a minimum of one (1) year, including:
 - (a) the location of the capture and/or removal;
 - (b) date of capture/removal;
 - (c) common name of the *Wildlife* captured and/or removed;
 - (d) gender and age class of *Wildlife*;
 - (e) bands or tags on *Wildlife*;
 - (f) description of all nests, dams, dens, or other structures destroyed or removed;
 - (g) if the capture or removal was live or deceased;
 - (h) location of release, if applicable;
 - (i) date and method of euthanasia, if applicable; and
 - (j) transfer information to authorized *Wildlife* rehabilitator (date, location).
- (29) Every *Wildlife Removal Company Owner* shall comply with all applicable

municipal, provincial and federal laws and regulations.

3. That Business Licensing By-law 122-2022, as amended, be further amended by adding *Wildlife Removal Company (Owner)* to Schedule A in alphabetical order.
4. That Business Licensing By-law 122-2022, as amended, be further amended by adding **Wildlife Removal Companies** to Schedule F after **Pet Shops, Kennels and Pet Grooming Establishments** to read as follows:

Wildlife Removal Companies

5.A. If an *Applicant* has:

- 1) any code 01 *Conviction*;
- 2) any code 02 *Conviction* within the last ten (10) years;
- 3) any code 03 *Conviction* within the last seven (7) years;
- 4) two or more code 03 *Convictions* within the last ten (10) years;
- 5) any code 04 *Conviction* within the last three (3) years;
- 6) two or more code 04 *Convictions* within the last five (5) years;
- 7) any code 05 *Conviction* within the last year;
- 8) any code 08 *Conviction*;
- 9) six (6) or more by-law related* *Convictions* within the last year concerning the *Licensed Business* or individual, or any other of the individual's businesses that are *Licensed* or are required to be *Licensed*, or any of the individual's prior *Businesses* that were *Licensed* or were required to be *Licensed*;
- 10) four (4) or more by-law related* *Convictions* within the last twelve (12) months immediately preceding the date of issuance; or
- 11) overdue by-law fines or penalties, unless the *Applicant* or *Licensee* provides proof that such fines or penalties have been subsequently paid, despite the application being complete and all fees paid, the *Licensing Office* shall refuse to issue or renew a licence. In the case of an existing licence, the *Licensing Office* shall suspend the licence.

5.B. The *Chief Licensing Officer* may, upon a new application for a *Licence* or renewal, as the case may require, issue, renew or reinstate a *Licence*, if at

the time of the said application for a *Licence* or renewal, the *Licensee's* record of convictions has fallen below the prescribed thresholds and therefore is in compliance with this By-law.

5.C. The *Chief Licensing Officer* may place conditions and/or issue a warning letter on a *Licence* if he or she has reasonable grounds or otherwise believes that a *Licensee* may be at risk of exceeding a threshold prescribed in this schedule or may otherwise be conducting his or her *Business* in a manner that is not in accordance with this By-law, other City by-laws, legislation and its regulations, or with honesty and integrity, and a warning letter under this section shall set out the specific applicable threshold.

* The *Chief Licensing Officer*, in her or his sole discretion, may determine whether a *Conviction* is a related *Conviction*.

Proposed Wildlife Removal Company Licensing By-law Amendments

1. That Fees and Charges By-law 224-2023, as amended, be further amended by adding
the following fee to Schedule N in alphabetical order:

CLASSES OF BUSINESS LICENSES	2024		2025		HST
	INITIAL FEE	RENEWAL FEE	INITIAL FEE	RENEWAL FEE	
Wildlife Removal Company	\$556.00	\$233.00	\$574.00	\$240.00	E
Wildlife Removal Company Vehicle licensing placard fee	\$10.00		\$11.00		E