

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2020

Item 5, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 21, 2020.

5. NEW CONSOLIDATED ANIMAL CONTROL BY-LAW AND LICENSING BY-LAW AMENDMENTS

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, dated April 21, 2020:

Recommendations

1. THAT the changes, as substantially provided in Attachment 1 of this report, be incorporated into a new consolidated Animal Control By-law;
2. THAT the current Animal Control By-law and its related amendments be repealed;
3. THAT the amendments to the Licensing By-law 315-2005, as amended, as substantially provided in Attachment 2 of this report, be approved;
4. THAT the amendments to the Fees and Charges By-law 171-2013, as amended, as substantially provided in Attachment 3 of this report, be approved;
5. THAT the amendments to the Parks By-law 134-95, as amended, as substantially provided in Attachment 4 of this report, be approved; and
6. THAT staff be authorized to undertake any other actions required to implement the recommendations of this report, including any consequential amendments to other by-laws, in a manner acceptable to the City Solicitor.

Committee of the Whole (2) Report

DATE: Tuesday, April 21, 2020

WARD(S): ALL

TITLE: NEW CONSOLIDATED ANIMAL CONTROL BY-LAW AND LICENSING BY-LAW AMENDMENTS

FROM:

Mary Reali, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

This report seeks approval for the repeal of the current Animal Control By-law and its amendments and its replacement with a new consolidated Animal Control By-law that reflects evolving social attitudes and recent legislative changes. In addition, this report also seeks approval for the licensing of dog walkers in the interest of health and safety, consumer protection and nuisance control.

Report Highlights

- In line with the City of Vaughan By-law Strategy, the City is continuing to consolidate all by-laws to create relevant, effective, accessible and transparent regulations.
- A new Animal Control By-law and proposed changes to the Licensing By-law include strengthened animal care provisions, further restrictions on the commercialization of animals, more effective enforcement powers, licensing of dog walkers and revised provisions for kennels, pet shops and pet grooming establishments.

Recommendations

1. THAT the changes, as substantially provided in Attachment 1 of this report, be incorporated into a new consolidated Animal Control By-law;

2. THAT the current Animal Control By-law and its related amendments be repealed;
3. THAT the amendments to the Licensing By-law 315-2005, as amended, as substantially provided in Attachment 2 of this report, be approved;
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6. THAT staff be authorized to undertake any other actions required to implement the recommendations of this report, including any consequential amendments to other by-laws, in a manner acceptable to the City Solicitor.

Background

As part of the City's By-law Strategy, staff have been conducting reviews to ensure that the City's regulatory by-laws continue to meet the current and future needs of residents, businesses and visitors. To this end, reviews are driven by the goal of ensuring that regulatory by-laws are accessible, transparent and outcome based, while continuing to serve the needs of our community.

The City's Animal Control By-law has been in place since 2002 and has been amended numerous times to address specific issues as they arise. In addition to changing needs arising from development and demographic changes across the city, recent legislative changes, in particular the introduction of the Provincial Animal Welfare Services ("PAWS") Act, have prompted staff to undertake a wholesome and comprehensive review of the City's animal control regulations.

Jurisdictional comparison

Staff have reviewed existing regulations and conducted a cross-jurisdictional scan, comparing animal control by-laws in six municipalities, including those of Toronto, Mississauga, King, Vancouver, Markham and Oakville. This comparative review, in addition to identified needs and stakeholder and public input, revealed additional areas of regulation that are needed to strengthen and benefit the City's Animal Control By-law, as outlined below.

Stakeholder engagement

Staff have undertaken an internal and external stakeholder engagement process to develop a fulsome understanding of the current situation, concerns and recommendations with respect to the animal control regulations in Vaughan.

Staff have engaged extensively with members of the public, businesses, interest groups and animal services, including:

- members of the public;
- dog walkers;
- pet shops;
- pet grooming establishments;
- kennels;
- other pertinent organizations with interest (municipal animal shelters, SPCA or affiliates, registered humane societies);
- City of Vaughan staff;
- Vaughan Animal Services; and
- other municipalities.

The engagement process included:

- staff meetings;
- stakeholder meetings;
- providing information on the website;
- online web survey; and
- cross-jurisdictional research.

Staff meetings

Numerous staff meetings and discussions were held with other engaged departments and portfolios such as Vaughan Animal Services, Public Works, Parks Planning, Parks Operations and Legal Services. These meetings identified some general issues and opportunities, as well as corresponding recommendations and relevant initiatives.

Stakeholder meetings

Three stakeholder consultations were conducted with four separate stakeholder groups: individual dog walkers or companies, representatives of pet shops, pet grooming establishments and kennels. The consultations took place in November and December 2019. The meeting format of the consultations included a background presentation on the Animal Control By-law review, including information about areas being considered, outlined the consultation process, concerns, opportunities and relevant initiatives, as well as a participative question-and-answer period. All of the stakeholders were also engaged by email, encouraged to send their feedback by answering specific questions and sharing their concerns, interests and recommendations.

Online web survey

An online survey was launched on November 15 and ran until December 31, 2019. The respondents were asked to share their opinion on such topics as: prohibiting retractable leashes, limiting leash length, limiting the number of dogs a person can walk at a time, regulating the dog walking industry, prohibiting leaving animals tethered and unattended, prohibiting circuses and filming involving prohibited animals, greater

restrictions on animal trapping, prohibiting selling of animals by individuals and obligatory spaying and neutering of animals by pet shops.

Survey results

A total of 20 surveys were completed and answers were analyzed. Sixty-five percent of respondents were Vaughan residents. Thirty-five percent of respondents were representatives of dog walking businesses, others were not involved in any animal related business. The respondents remain undecided on such issues as filming involving exotic animals, prohibiting retractable leashes or limiting leash length. Sixty-five percent of respondents (including 61% of residents) believe circuses with exotic animals should be prohibited in Vaughan. Majority of survey participants believe dog walking industry should be regulated and that dog numbers should be limited (dog walking business representatives agreed with these opinions 85% and 71% respectively). Sixty-nine percent of responding residents wanted to prohibit unlicensed selling of animals by individuals. A majority of respondents agreed that pet shops should offer only spayed and neutered animals for adoption (77% of residents).

Website

Staff published information on the Animal Control By-law Review on the official website of the City of Vaughan By-law and Compliance, Licensing and Permit Services Department, vaughan.ca/bylaw. Stakeholders were also provided with the link to the review and were encouraged to revisit the site for ongoing updates.

Concerns about Animal Control Regulations

Staff heard the following from stakeholders:

- **Lack of off-leash dog parks in Vaughan, more signage and regulations in dog parks:** The Local Off-Leash Dog Area Strategy and community consultation kicked off in September 2019. The aim of the strategy is to locate and pilot local off-leash dog areas within existing neighbourhoods. Since the launch of the strategy, focus group workshops with dog owners, ratepayer groups and City staff had been conducted, as well as over 10 pop-up booths to promote the strategy, solicit feedback and identify possible locations for review and consideration. In addition, an online survey has recorded over 700 responses to date and will be available until March 31, 2020. By the help of this review, City is aiming to receive feedback on draft site selection criteria, level of service, and pilot locations.

In the course of the review of the Animal Control By-law and relevant amendments, residents and representatives of dog walking businesses in Vaughan raised concerns around the lack of amenities for dogs in the city. Some of the parks being used for dog walking are: Concord dog park, Bindertwine Park, and Boyd Conservation area. Residents also asked for stricter regulations

set in place to ensure safety of both dogs and humans in the dog parks, specifically more signage: 1) that no children under the age of 12 be allowed in the dog off-leash area; 2) educational signs around conduct with unfamiliar dogs (dangerous situations for kids); 3) signage that unaltered (not neutered) dogs not be allowed in off-leash zones (to mitigate the aggressive behavior of such dogs); 4) informational signage around the risks of bringing toys to dog parks (fights because of possessive behavior). All the received information and concerns were shared with the Parks Planning Department;

- **Increase in the number of dogs a person can walk at a time including dog off-leash area:** Many dog walking business representatives asked to increase the number of dogs in off-leash areas and that the number of dogs a person can walk at a time be within the range of 6 to 8. At the same time, other dog owners expressed their view that the number of dogs should be in the range of 3 to 4. However, some of the respondents suggested that the number should depend on the weight of the dog or a dog walker's experience. Some dog walkers asked to have no limits on the number of dogs in off-leash area for certain times, such as when such areas are mostly used by professional dog walkers (9am-5pm);
- **Dog walkers should be licensed:** respondents stated that there are a lot of benefits in licensing of dog walkers, and there should be relevant requirements for their licences, such as insurance, age limit, background check, etc.;
- **No rabies vaccination for cats kept indoors:** Some residents raised concerns that cats kept indoors do not need rabies vaccination because of the alleged risk of cancer connected with such vaccines;
- **Proper vaccination for pets kept in kennels, pet shops and pet grooming establishments:** Some of the respondents suggested that specific types of vaccines be obligatory in pet shops, pet grooming establishments and kennels, such as: Bortadella Bronchoseptica vaccine, rabies, vaccine for Distemper, Hepatitis, Parvo and Parainfluenza viruses; for cats - Feline Vial Rhinotracheitis, Calicivirus and Panleukopenia;
- **Staff per dog ratio for pet grooming establishments, pet shops, kennels:** Business representatives mostly agreed that there should be a sufficient number of competent staff at pet grooming establishments, pet shops and kennels in order to limit the potential risk of accidents;
- **Illegal home-based boarding:** Residents asked for more severe penalties, control and enforcement of illegal home-breeding and selling of pets;
- **Changing the licensing requirements for pet grooming establishments with respect to police clearances for employees:** Business representatives asked to change these requirements for their employees, especially at the time of renewal, as it was seen as an additional cost and time with no added value, as they know their employees and are ultimately responsible for their actions.

The current changes in the Animal Control By-law are also intended to address the recent changes in the provincial animal control regulations. Up until recently, Animal welfare law enforcement services in Ontario used to be provided by the Ontario Society for the Prevention of Cruelty to Animals (“OSPCA”) under the OSPCA Act. The OSPCA officially stopped providing those services on June 28, 2019. On December 5, 2019, the provincial government passed new animal welfare legislation – the Provincial Animal Welfare Services (“PAWS”) Act which according to the Province is creating the first fully provincial government-based animal welfare enforcement system in Canada with the strongest penalties in the country for people who violate animal welfare laws.

However, as the new system still needs time to be tested and is not yet fully operational, there exist some potential gaps in services needed to support responsible pet ownership in Vaughan. The City can address these gaps by providing greater authority to Animal Control Officers on seizure, impoundment of animals and inspections, including stricter regulations against obstruction of an Officer. The proposed changes are also intended to bring Vaughan in line with other municipalities.

The suggested amendments of the Animal Control By-law will help to provide improved animal care and responsible pet ownership through the enhancement and introduction of provisions regarding tethering, control, protective care and requirements for enclosures. Introduction of such provisions are also connected with the cessation of services previously provided by the OSPCA.

These proposed changes will support the new legislative requirements, while providing the necessary abilities to Vaughan Animal Services to ensure responsive service to community needs.

Licensing of Commercial Dog Walkers

The proposed amendments will amend three by-laws: the Animal Control By-law, the Licensing By-law and the Fees and Charges By-law. These amendments are a result of the introduction of a commercial dog walkers licence. Some of the biggest municipalities in Ontario, including Toronto and Mississauga, already license this type of business. The City’s current Animal Control By-law does not regulate the number of dogs a person can walk except when in an off-leash zone. Many dog walkers from other municipalities use this gap to their advantage by coming to the Vaughan to walk numerous dogs in our parks and open spaces. Along with increasing the number of dogs a commercial dog walker can walk simultaneously, staff are proposing to limit the number of dogs walked by one person.

Dogs on Commercial or Industrial Property

Commercial or industrial property occupants sometimes use dogs as a measure of securing premises. These dogs are often unattended overnight and even over

weekends. Staff are proposing that where such dogs are found, the property be adequately signed with the contact information of the occupant. Such information could be used and would provide immediate contact information for emergency services personnel, the public or City staff in the event of any emergency, incident or complaint. These steps will assist in safeguarding responders (emergency and none emergency), members of the public, welfare of the animals (dogs) and the property owner.

Redemption period

The *Animal for Research Act* states that the minimum period for redemption of a dog or cat that has been impounded is three days, excluding the day on which it was impounded and not counting holidays. Current provisions under the Animal Control By-law give owners five days to claim an animal after receiving a notice of seizure or impoundment. In order to bring the requirement in line with provincial regulations, it is recommended that the minimum number of days to claim such animals be amended to three business days.

Improvements for public safety

Some of the proposed amendments focus on improving public safety. For example, the requirement for the owners or custodians of dogs to have control of their dogs at all times will help to minimize the danger that might be caused by menacing or biting dogs, prevent entanglements and other dangerous situations. In 2019, Animal Services got 223 complaints regarding incidents involving bites or aggressive behavior, 10 of them were followed by orders pursuant to the Dog Owners Liability Act. As a part of the Animal Control By-law Review, Animal Services will now recognize a designation issued by another municipality for dogs that have bitten but were relocated to the City of Vaughan. This measure will allow the City to impose necessary conditions on incoming dogs with a biting history.

Fosters

New amendments will repeal exceptions on the number of animals provided for fosters. Whether animals are owned or being fostered temporarily, the number needs to be regulated under the same rationale. Foster animals are inherently high risk and require more time and attention, relating to medical or behavioural challenges that they often present.

Excessive Barking

Current Animal Control By-law provisions do not address the instances when dogs may be barking excessively, from both a nuisance perspective (i.e., disturb residents' peace) and an animal protection perspective (i.e., an animal in distress). Recommendations would prohibit owners from allowing their dog to bark, whine, cry or cause noise, which is constant, persistent, or excessive. This provision is in line with the Noise By-law and will provide more protection both to residents and animals.

New licensing requirements for pet shops, pet grooming establishments and kennels

Proposed amendments to the Licensing By-law, with respect to pet shops, pet grooming establishments and kennels, include stricter requirements for: vaccination, licences and tags, the number of employees to provide care of animals, maintenance of facilities, temperature requirements, maintaining of appropriate records, durable and impervious surfaces in enclosures, sufficient number of qualified personnel, and posting of instructions.

Circuses involving exotic animals

In line with humane animal welfare practices and in accordance with public opinion (65% of respondents), staff recommend prohibiting circuses involving exotic animals in Vaughan. This amendment will not only protect animals and reduce animal cruelty but also ensure public safety in cases when such animals may end up at large. Along with current practices, most circuses are moving to non-animal productions. The public benefit and benefit to animal welfare of such a restriction out-weighs any potential commercial interest of circuses who may wish to attend Vaughan in the future. There is no record of any circuses in Vaughan in the last 5 years.

Previous Reports/Authority

- [Item No. 3 of Report No. 3](#) of the June 24, 2014 the Priorities and Key Initiatives Committee: *City of Vaughan By-law Strategy* (approved by Council on June 24, 2014).
- [Animal Control By-law 53-2002](#) (approved by Council on February 11, 2002) and its following amendments: [By-law 272-2006](#) (approved by Council on June 26, 2006), [By-law 2-2010](#) (approved by Council on January 18, 2010), [By-law 118-2010](#) (approved by Council on June 8, 2010), [By-law 52-2014](#) (approved by Council on April 8, 2014), [By-law 016-2015](#) (approved by Council on January 20, 2015), [By-law 196-2015](#) (approved by Council on December 15, 2015), [By-law 124-2016](#) (approved by Council on September 20, 2016), [By-law 053-2017](#) (approved by Council on June 5, 2017), [By-law 044-2018](#) (approved by Council on March 20, 2018).

Analysis and Options

Animal Control By-law amendments

No.	Current regulation	Recommendation	Benefit
1	The Animal Control By-law 53-2002 has nine separate amendments (272-2006, 2-2010, 118-2010, 52-2014, 16-2015, 196-2015, 124-2016, 53-2017, 044-2018) that require consolidation.	Consolidate the Animal Control By-law and repeal all the previous amendments.	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
2	The Animal Control By-law does not define <i>Control</i> .	Add a definition of <i>Control</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
3	The Animal Control By-law does not define <i>Commercial Dog Walker Licence</i> .	Add a definition of <i>Commercial Dog Walker Licence</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
4	The Animal Control By-law does not define <i>Stray</i> .	Add a definition of <i>Stray</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
5	The Animal Control By-law has a definition of <i>Dwelling</i>	Add a definition of <i>Premises</i> . Amend the related corresponding	Will provide greater access to Animal Control Officers and

No.	Current regulation	Recommendation	Benefit
	<i>Unit</i> , that shall be changed to <i>Premises</i> .	provisions in the Animal Control By-law.	greater protection to animals.
6	The Animal Control By-law does not define <i>Protective Care</i> .	Add a definition of <i>Protective Care</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
7	The Animal Control By-law does not define <i>Tether</i> .	Add a definition of <i>Tether</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
8	The Animal Control By-law does not define <i>Extreme Weather</i> .	Add a definition of <i>Extreme Weather</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
9	The Animal Control By-law does not define <i>Mitigating Factor</i> , though in the provision on vicious and menacing dogs it is stated that no owner shall permit the dog to bite or attack without provocation a person or domestic animal.	Add a definition of <i>Mitigating factor</i> .	Will provide greater clarity to the public, provide greater protection both for the public and for the animals and make the regulations more effective and efficient for use by staff.
10	The Animal Control By-law does not define <i>Custody (Custodian)</i> .	Add a definition of <i>Custody</i> (where	Will provide more clarity to the public for ease of understanding, support

No.	Current regulation	Recommendation	Benefit
		<i>Custodian</i> has the same meaning).	voluntary compliance and will make the regulations more effective and efficient for use by staff.
11	The Animal Control By-law does not address the range of existing enclosures for different animals or requirements for these enclosures.	Delete the defined term of <i>Enclosed pen</i> , add a definition of <i>Enclosure</i> and change the wording in the By-law.	Will provide greater protection to animals and better animal care.
12	The Animal Control By-law does not define <i>Abandoned Animal</i> .	Add a definition of <i>Abandoned animal</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
13	The Animal Control By-law does not define <i>Distress</i> .	Add a definition of <i>Distress</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
14	The Animal Control By-law does not define <i>Menace</i> and <i>Menacing</i> .	Add definitions of <i>Menace</i> and <i>Menacing</i> .	Such definition will have broader application, provide better public service, consumer protection and animal care.
15	The Animal Control By-law had definitions of <i>Wild Animal</i> or <i>Wildlife</i> which are not consistent with provincial regulations.	Amend the definition of <i>Wild Animal</i> or <i>Wildlife</i> .	This amendment will define specific terms in line with provincial regulations and provide

No.	Current regulation	Recommendation	Benefit
			more transparency for the public.
16	The Animal Control By-law does not define <i>Relocate</i> .	Add a definition of <i>Relocate</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
17	The Animal Control By-law does not define a <i>Live Trap</i> .	Add a definition of <i>Live Trap</i> .	Will provide more clarity to the public for ease of understanding, support voluntary compliance and will make the regulations more effective and efficient for use by staff.
18	The Animal Control By-law has a definition of <i>Microchip Implant</i> , stating that it is an approved Canadian standard encoded identification device.	Amend the definition of <i>Microchip Implant</i> by calling it <i>Microchip</i> and replacing the words " <i>Canadian standard</i> " by " <i>universal</i> ".	Such definition will have broader application, provide better public service, consumer protection and animal care.
19	The Animal Control By-law calls aggressive and dangerous dogs <i>Vicious and Menacing</i> .	Amend the name of definition of <i>Vicious Dog</i> to <i>Biting Dog</i> and amend the relevant Part on <i>Vicious and Menacing Dogs</i> by renaming such dogs <i>Biting and Menacing</i> .	The word <i>Biting</i> gives a specific characteristic of a dog's behaviour and is more objective than <i>Vicious</i> . It provides greater clarity for the public and enhanced public safety.
20	The Animal Control By-law has some definitions that are not used in the By-law.	Repeal the definitions of <i>Purebred, Police Work Dog, Pound</i> and <i>Supervisor</i> .	Will simplify the by-law and create greater transparency for the public.

No.	Current regulation	Recommendation	Benefit
21	The fees listed in <i>Schedule A</i> of the Animal Control By-law do not correspond to the fees listed in the last amendment to the Fees and Charges By-law.	Repeal <i>Schedule A</i> with fees and charges prescribing that any fees shall be addressed in the Fees and Charges By-law.	Will provide greater clarity for the public and further ensures consistency between the Animal Control By-law and the Fees and Charges By-law.
22	The Animal Control By-law does not have a separate part on seizure and impoundment of animals specifying under what circumstances this should apply.	Add a separate Part called <i>Seizure and Impoundment</i> prescribing seizure and impoundment of animals under specific circumstances.	Will give authority to Animal Control Officers to seize and impound animals under specific circumstances. It will provide enhanced public safety and protection of animals.
23	The Animal Control By-law does not have a separate part on seizure and impoundment of prohibited animals.	Add a provision in Part <i>Seizure and Impoundment</i> on seizure and impoundment of prohibited animals.	Will give broader authority to Animal Control Officers to seize and impound prohibited animals that may cause danger to the public. It will provide enhanced public safety and protection of exotic animals.
24	The Animal Control By-law has a specific number of days (five) for an owner to claim a dog or a cat after receiving a notice.	Amend the minimum number of days specified for claiming a dog or a cat after being seized or impounded to three business days.	Will align requirements with the minimum redemption period in <i>Animal for Research Act</i> , which regulates municipal pound facilities. This provision will give more clarity to the public and the proposed time period is a common practice.
25	The Animal Control By-law states that an Animal	Repeal the provision that states that an	In accordance with current regulations and

No.	Current regulation	Recommendation	Benefit
	Control Officer shall give notice of the seizure to the owner of the dog or cat if such animals have a tag or a microchip.	Animal Control Officer shall give notice of seizure or impoundment to the owner of dog or cat if such animals have a tag or a microchip.	provincial legislation, Animal Control Officers will take all reasonable steps to find and notify the owner of a dog or cat that has been impounded.
26	The Animal Control By-law states that the Poundkeeper (i.e. the Director of By-law and Compliance) is responsible for seizure and impoundment of livestock at large.	Repeal the Part <i>Poundkeeper</i> and add a provision in the Part <i>Seizure and Impoundment</i> that the Director, or his or her designate, is responsible for seizure and impoundment of animals found at large.	The term <i>Poundkeeper</i> is not transparent to the public. Also, putting all these provisions under one section, makes it easier for the public to navigate through the by-law.
27	The Animal Control By-law has provisions on seizure and impoundment of animals running at large in Part 3 <i>Animals Running at Large</i> .	Repeal sections on seizure and impoundment of dogs and cats running at large and add them to the new Part <i>Seizure and Impoundment</i> .	Will provide greater clarity to the public, better align related provisions into newly proposed section for seizure and impoundment of all animals.
28	The Animal Control By-law does not specify that the owner or custodian shall have control of his or her dog at all times.	Add a provision to the Animal Control By-law specifying that the owner or custodian shall have control of his or her dog at all times.	Will ensure greater public safety, help mitigate against risk, supports responsible pet ownership and minimize situations that can lead to injury of people and pets.
29	The Animal Control By-law has a Part called <i>Animals Running at Large</i> which regulates animals at large and dogs in park and in off-leash zones.	Amend the Part <i>Animals Running at Large</i> by renaming it <i>Control of Animals</i> . Add provisions prohibiting having	Will help provide more protection both for the public and for the animals.

No.	Current regulation	Recommendation	Benefit
		animals not under control and off-leash.	
30	The Animal Control By-law has specific limitations for animals in an off-leash zone that are addressed to dog owners only.	Amend the provisions in Part <i>Control of Animals</i> stating that every owner or custodian of a dog shall comply with certain provisions when in an off-leash zone.	Will introduce enhanced regulations and requirements for the off-leash-zones that help provide more protection both for the public and for the animals.
31	The Animal Control By-law does not define that a commercial dog walker can walk with more than three dogs simultaneously.	Add a provision to the Animal Control By-law that no person shall have custody of more than three dogs at any time unless they have a Commercial Dog Walker Licence. If it is a licensed Commercial Dog Walker, that person can have custody of up to six dogs, except for the off-leash zones.	Will increase the number of dogs a person with a commercial dog walker licence can responsibly walk, as such people have professional experience in managing dogs and preventing dangerous situations. It will ensure public safety and enhanced animal care.
32	The Animal Control By-law does not define inspection. There is no provision specifying the reasons for Animal Control Officers to enter a property for an inspection.	Create a Part called <i>Inspections and Right of Access</i> stating that, in accordance with the <i>Municipal Act</i> , an Animal Control Officer may enter premises at any reasonable time for the purpose of carrying out inspections with respect to compliance to the by-law.	Will clarify and enhance Animal Control Officers' powers to inspection, enhance the protection to the animals and ensure better animal care.
33	The Animal Control By-law does not have specific requirements for entering a dwelling unit for inspection,	Create a provision in Part <i>Inspections and Right of Access</i> with specific exceptions and	Will references section 437 of the <i>Municipal Code</i> and provides specific requirements

No.	Current regulation	Recommendation	Benefit
	which are defined in the <i>Municipal Code</i> .	requirements when entering a dwelling unit.	for Animal Control Officers when entering a dwelling unit.
34	The Animal Control By-law does not have specific requirements for giving a notice when entering a dwelling unit for inspection, which are defined in the <i>Municipal Code</i> .	Create a provision in Part <i>Inspections and Right of Access</i> with specific requirements for a notice.	Will reference section 435(2) of the <i>Municipal Code</i> and provides specific requirements for giving a notice for entering a dwelling unit.
35	The Animal Control By-law does not have a provision that gives authority to the Animal Control Officers to issue orders.	Add a provision that an Animal Control Officer may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention to discontinue the contravention.	Will provide additional powers to Animal Control Officers, enhance protection to the animals and ensure better animal care.
36	The Animal Control By-law does not have a provision that gives authority to the Animal Control Officers to issue orders.	Add a provision that Animal Control Officers may make orders requiring the work to be done to correct the contravention of the By-law.	Will provide additional powers to Animal Control Officers, enhance protection to the animals and ensure better animal care.
37	The Animal Control By-law does not define inspection and what are Animal Control Officers allowed to require for an inspection.	Add a provision prescribing powers of an Animal Control Officer or any other designated person authorized by the City to require for the purposes of an inspection (documents, things relevant for inspection and information from any person relevant to	Will provide additional powers to Animal Control Officers, enhance protection to the animals and ensure better animal care.

No.	Current regulation	Recommendation	Benefit
		the inspection; make examinations, take tests, samples, photographs necessary for the purposes of the inspection).	
38	The Animal Control By-law does not have provisions about obstruction.	Add obstruction provisions as done within other by-laws, stating that any person who hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this By-law is guilty of an offence.	Will provide additional powers to Animal Control Officers, enhance protection to the animals and ensure better animal care.
39	The Animal Control By-law provides exception on the allowed number of dogs and cats for kennels, rescue groups, fosters, pet shops and pet grooming facilities.	Amend the provision in Part <i>Number of Animals</i> that provides exception on the allowed number of dogs and cats by repealing such exception for fosters.	Will provide enhanced animal care and protection. According to the Animal Services, foster animals are inherently high risk because of illnesses and behavioral issues, and controllable numbers are prudent.
40	The Animal Control By-law does not define protective care, reasons for taking an animal for the purpose of providing protective care, who is allowed to do that and the period of providing it.	Add a separate Part <i>Protective Care</i> , stating that the City can take an animal for the purpose of providing protective care, specifying the reasons for that and a specific time period (10 days).	Will provide enhanced protection for the animals, improve public service and emergency situations management.
41	The Animal Control By-law has no specific requirements for tethering.	Add specific requirements for a tether such as: no	Will ensure more humane treatment of animals and will ensure

No.	Current regulation	Recommendation	Benefit
		choke collar, choke chain or pronged collar; no rope, cord or chain directly around a dog's neck.	protection from potential injuries or theft.
42	The Animal Control By-law has no specific requirements for tethering.	Add a provision to the Animal Control By-law that an animal must not be left unattended while tethered.	Will ensure more humane treatment of animals and will ensure protection from potential injuries or theft.
43	The Animal Control By-law has no specific requirements for tethering.	Specify that an animal shall have access to water and shelter while tethered.	Will ensure more humane treatment of animals.
44	The Animal Control By-law prescribes that an owner of a vicious or a menacing dog may be asked to provide proof of a microchip to the Director without specifying the time period for that.	Amend the provision in the Part <i>Vicious and Menacing Dogs</i> by prescribing that, in case of a menacing or a biting dog, an owner may be required to provide proof of microchip's implantation to the Director within certain time period, i.e. 14 days.	Will provide greater clarity to the public, enhance the powers to require microchipping, support responsible pet ownership and provide greater protection for the public.
45	The Animal Control By-law does not prescribe that an owner or a seized or impounded dog or cat shall provide proof of a microchip to the Director.	Add a provision that, in case of a seized or impounded dog or cat, an owner may be required to provide proof of microchip's implantation to the Director within certain time period, i.e. 14 days.	Will provide greater clarity to the public, enhance the powers to require microchipping, support responsible pet ownership and provide greater protection for the public.
46	The Animal Control By-law prescribes non-compliance	Add a separate Part <i>Recovery of Expenses</i>	Will facilitate the collection of expenses.

No.	Current regulation	Recommendation	Benefit
	with this by-law, specifying the maximum sum of a fine without other specifications.	prescribing that the expenses may be added to the tax roll in the same manner as municipal taxes.	
47	The Animal Control By-law does not prescribe consequences for failing to obtain a licence for a dog for previous years of ownership.	Add a provision stating that an owner, who fails to provide a proof of licence for any preceding years of ownership of a dog, shall be required to pay a fee for each of these years prior to obtaining a licence for a current year.	Will require greater accountability and responsibility pet ownership.
48	The Animal Control By-law does not prescribe consequences for failing to obtain a licence for a cat for previous years of ownership.	Add a provision stating that an owner, who fails to provide a proof of licence for any preceding years of ownership of a cat, shall be required to pay a fee for each of these years prior to obtaining a licence for a current year.	Will require more responsibility from the owners of cats.
49	The Animal Control By-law has no specific size characteristics of an enclosure.	Amend the provision about enclosures and add their size characteristics (an animal shall be able to spread legs, wings and body, stand, turn, sit, lie down and perch).	Will ensure more humane treatment of animals.
50	The Animal Control By-law specifies the distance of an enclosure from a property	Amend the provisions on animal enclosures by deleting the distance of	All enclosures must meet requirements established by any other applicable law,

No.	Current regulation	Recommendation	Benefit
	line - not less than 1.4 metres.	an enclosure from the property line.	including but not limited to Zoning regulations and requirement under the Ontario Building Code. This amendment will put the regulatory responsibility on the appropriate legislation and provide greater consistency for the public.
51	The Animal Control By-law specifies that an animal enclosure shall be in sanitary condition without other recommendations.	Amend the provisions on animal enclosures by adding that they shall be: weather proof, in good state of repair, air ventilated, insulated, in a sanitary condition, not exposed to noxious odours and sounds, shall be escape proof, of such nature and condition that the animal would not be harmed, and its health would not be negatively affected. Every reptile, fish, and amphibian shall be provided with an enclosed space adequate for the needs of the species. Also, every animal shall be readily observed.	Will ensure more humane treatment of animals, lessen the opportunity for an animal to escape thereby improving public safety and emergency situation management.
52	The Animal Control By-law has no provision that an animal must not be left outdoors during extreme	Add a provision stating that no person is allowed to keep an animal outdoors during extreme weather unless	Will ensure more humane treatment for the animals.

No.	Current regulation	Recommendation	Benefit
	weather unless in an enclosure.	it has access to an enclosure that meets the requirements of this by-law.	
53	The current List of Prohibited Animals (Schedule B) in the Animal Control By-law is incomplete and lacks certain types of animals.	Add additional species to the List of Prohibited Animals (Schedule B).	Will provide more protection both for the public and for the animals and supporting deterring the illegal animal trade.
54	The Animal Control By-law provides an exception on keeping of certain prohibited domestic animals on the lands zoned agricultural.	Add a provision giving exception on keeping of certain domestic animals specified in subsection (3)(g) to the following premises: Akachi Farms, Woodbridge Fall Fair grounds at their current locations.	Will maintain the traditional rights of these properties to keep certain domestic animals.
55	The Animal Control By-law provides an exception on keeping of certain prohibited domestic animals on the lands zoned agricultural.	Add a provision giving exception on keeping of certain domestic animals (horses) to the City of Vaughan and other public authorities.	Will maintain the traditional rights of public authorities to keep certain domestic animals (e.g. Police Mountain units).
56	The Animal Control By-law does not have any provisions on dogs kept on commercial or industrial property.	Add a separate part to the Animal Control By-law <i>Dogs on Commercial or Industrial Property</i> prescribing that an owner of a dog on industrial or commercial property shall post a warning notice (600m ²) with a contact number at every entrance to the premises.	Will provide more protection for the public, provide greater necessary information to Animal Control Officers for cases regarding dangerous dogs and/or situations relating to emergency management.

No.	Current regulation	Recommendation	Benefit
57	The Animal Control By-law contains provisions with the word provocation that should be amended to mitigating factor.	Change the word <i>provocation</i> to <i>mitigating factor</i> through the Animal Control By-law.	Will give more clarity to the public and allow for clarity and consistency relating to animal investigations.
58	The Animal Control By-law states that an Animal Control Officer may impound a cat that is causing damage to owner's or tenant's property.	Repeal the provision stating that an Animal Control Officer may capture and impound a cat that is causing damage to owner's or tenant's property.	Will delete an unnecessary provision, which is already covered by the provision regulating animals running at large.
59	The Animal Control By-law states that the owner of a biting dog shall comply with specific provision without prescribing cases when a dog has bitten in another municipality.	Amend the existing provision by adding that the same provisions apply when the Director receives a notification from another municipality, government agency, or public authority regarding a biting dog.	Will provide enhanced protection for the public.
60	The Animal Control By-law has no provision around abandonment of animals.	Add a provision stating that abandonment of animals is prohibited.	Will ensure more humane treatment for the animals, create a deterrent and penalty, and will reduce number of cases of abandonment.
61	The Animal Control By-law has no provision about causing distress to an animal.	Add a provision stating that no person shall cause an animal to be in distress.	Will ensure more humane treatment for the animals.
62	The Animal Control By-law has no provision for seizure and impoundment of animals in distress or abandoned animals.	Add a provision stating that an Animal Control Officer can seize and impound animals in distress or abandoned animals.	Will ensure more humane treatment for the animals.

No.	Current regulation	Recommendation	Benefit
63	The Animal Control By-law does not give Animal Control Officers the authority to enter the premises where in his or her opinion animal in distress is kept.	Add a provision stating that, subject to the <i>Municipal Act</i> , an Animal Control Officer can enter onto premises at any reasonable time when he or she deems appropriate if in his or her opinion an animal kept there is in distress and needs immediate treatment or attention. This provision shall give authority to Animal Control Officers to take custody of the animal and arrange for food, water, shelter, care and veterinary treatment for it. Also, specify that all the costs associated with the transportation, impoundment and veterinary care are borne by the owner of the animal.	Will ensure more humane treatment for the animals, provide more authority to Animal Control Officers and establish a method of cost recovery.
64	The Animal Control By-law has no provisions around excessive barking.	Add a separate Part <i>Excessive Barking</i> prescribing that no custodian shall allow his or her dogs to bark, whine, cry or cause noise, which is constant, persistent, or excessive.	Will better align with the Noise By-law and provides enhanced animal care and safety.
65	The Animal Control By-law allows dog owners to request an appeal of any	Amend the provisions in Part 10 <i>Biting and Menacing Dogs</i> stating that an owner of a dog	Will align with the <i>Municipal Act</i> , which allows dog owners to

No.	Current regulation	Recommendation	Benefit
	orders issued regarding biting and menacing dogs.	may request an appeal only to the muzzling requirement of an order.	appeal muzzling requirement.
66	The Animal Control By-law provides an exception on keeping of prohibited animals in circuses for a temporary period with certain requirements.	Repeal the provision that allows keeping of prohibited animals in circuses.	Will ensure more humane treatment of animals, public safety and is in line with public opinion.
67	The Animal Control By-law provides an exception on keeping of prohibited animals for filming for a temporary period with certain requirements.	Add a requirement for keeping of prohibited animals for filming stating that Animal Control Officers may enter upon such areas at any reasonable time for inspection, subject to the provisions of the <i>Municipal Act</i> .	Will ensure more humane treatment of animals and will provide more authority to Animal Control Officers.
68	The Animal Control By-law does not specify administrative monetary penalties.	Add a separate Part <i>Administrative Monetary Penalties</i> stating that Animal Control Officers may issue administrative monetary penalties instead of laying charges. Also, specify the amount of such penalty - \$200.	Will allow the application of administrative monetary penalties, providing enhanced public service.
69	The Animal Control By-law has no information about farm animals' disposal.	Add a separate Part <i>Livestock Disposal</i> stating that a dead farm animal must be disposed of by a method set out in a relevant section of provincial regulations.	Will give more clarity to the public, support and align with the relevant provincial regulations.

No.	Current regulation	Recommendation	Benefit
70	The Animal Control By-law prohibits only leg hold traps.	Amend the Part <i>Leg Hold Traps</i> by renaming it <i>Animal Traps</i> . Adding no person shall leave a killing or restraining trap or snare that may cause injury in any place outdoors whereby any person, wild or domestic animal may come into contact with it.	Will ensure more humane treatment of animals, improve public safety and reduce potential danger both to the public and animals.
71	The Animal Control By-law does not prohibit relocation of trapped animals.	Add a provision to the Part <i>Animal Traps</i> stating that no person shall relocate any trapped animal.	Will ensure more humane treatment of animals and improve public safety, as trapped animals are dangerous and shall be managed by professional representatives of Animal Services.
72	The Animal Control By-law has no provision for animals trapped in live traps.	Add a provision to the Part <i>Animal Traps</i> stating that no person shall leave an animal in a live trap for any extended period of time that can cause distress to the trapped animal.	Will ensure more humane treatment of animals.
73	The Animal Control By-law does not prescribe any exceptions on animal trapping for people authorized under provincial regulations.	Add a provision to the Animal Control By-law stating that animals may be trapped or relocated by persons authorized under other provincial regulations.	Will bring regulations in line with <i>The Fish and Wildlife Conservation Act</i> .
74	The Animal Control By-law does prescribe the selling of animals by individuals.	Add a provision to the Animal Control By-law stating that no one can	Will reduce home breeders and decrease the risks associated

No.	Current regulation	Recommendation	Benefit
		sell animals, except for licensed kennels where breeding take place.	with the so-called “puppy mills”.
75	The Animal Control By-law requires proof of rabies vaccination while applying for a pet license only.	Add a provision to the Animal Control By-law stating that every owner of a cat, dog or ferret three months of age or over shall ensure that the cat, dog or ferret is immunized against rabies.	Will ensure public safety and bring regulations in line with <i>Health Protection and Promotion Act</i> .
76	The Animal Control By-law does not require rabies vaccination of domestic animals.	Add a provision to the Animal Control By-law stating that every owner of a horse, cow, bull, steer, calf or sheep shall ensure that each such animal is immunized against rabies in accordance with provincial regulations.	Will ensure public safety and bring regulations in line with <i>Health Protection and Promotion Act</i> .

Licensing By-law amendments

No.	Current regulation	Recommendation	Benefit
1	The Licensing By-law does not define commercial dog walker licences.	Add a definition of <i>Commercial Dog Walker Licence</i> .	Will define commercial dog walkers, provide new type of licence and regulate this business. Such licence holders with experience in animal care will be allowed to walk with

No.	Current regulation	Recommendation	Benefit
			more dogs simultaneously. Licence holders will be obliged to meet certain requirements.
2	The Licensing By-law does not define commercial dog walker licence and application requirements for such licences.	Create a separate Part called <i>Commercial Dog Walker Licence</i> . Add requirements for commercial dog walker licence and renewal thereof to the Licensing By-law, including personal identification, fee, application form, criminal background check, insurance, age limit and vehicle information.	Will define commercial dog walkers, provide new type of licence and regulate this business. Additional requirements for such licence holders will ensure better animal care and public safety.
3	The Licensing By-law does not define commercial dog walker licence and the characteristics of such licences.	Add a provision to the Part <i>Commercial Dog Walker Licence</i> in the Licensing By-law stating that such person can walk up to six dogs at a time, except when in an off-leash zone.	Will give exceptions on the number of dogs a person can walk in public places for commercial dog walkers. Additional requirements for such licence holders will ensure better animal care and public safety.
4	The Licensing By-law does not define commercial dog walker licence and requirements for the holders of such licences.	Add a provision to the Part <i>Commercial Dog Walker Licence</i> in the Licensing By-law stating that such person shall ensure that every dog in his or her possession wears a current municipal licence tag or other	Will provide more protection to the animals.

No.	Current regulation	Recommendation	Benefit
		visible identification with owner's contact information.	
5	The Licensing By-law does not define commercial dog walker licence and requirements for the holders of such licences.	Add a provision to the Licensing By-law stating that commercial dog walkers are required to ensure that all dogs in their custody have current rabies vaccination. Also, all dogs in their custody are required to be currently vaccinated against Distemper, Hepatitis, Parvo and Parainfluenza viruses.	Will be consistent with relevant provincial regulations. Also, such provision will ensure better animals care and public safety.
6	The Licensing By-law does not define commercial dog walker licence and requirements for the holders of such licences.	Add a provision to the Licensing By-law stating that such person shall display his or her licence at all times.	Will make it easier for the Animal Control Officers to check if the person is licensed and will ensure public and animal safety.
7	The Licensing By-law does not require pet grooming establishments to ensure all dogs and cats in such premises have proper vaccination.	Add a provision to the Licensing By-law stating that pet grooming establishments are required to ensure that all cats and dogs kept in their premises have current rabies vaccination. Also, all dogs kept in such premises are required to be currently vaccinated against	Will be consistent with relevant provincial regulations and will provide enhanced protection for the animals, improve consumer protection and will benefit pet grooming establishments.

No.	Current regulation	Recommendation	Benefit
		Distemper, Hepatitis, Parvo and Parainfluenza viruses. All cats kept in these premises are required to be currently vaccinated against Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.	
8	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to have sufficient number of competent employees.	Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to have adequate number of employees competent in the care of dogs and cats to properly care for every dog and cat in such premises.	Will put the regulations in line with provincial regulations, it will provide more protection for the animals, improve consumer protection, reduce the risk of accidents in such premises, and will benefit these businesses.
9	The Licensing By-law does not require pet grooming establishments and kennels to ensure all pets kept in their premises have licences and wear tags.	Add a provision to the Licensing By-law stating that pet grooming establishments and kennels are required to ensure all pets kept in their premises have licences and wear tags.	Will provide more protection for the animals, improve consumer protection, emergency and public service.
10	The Licensing By-law does not limit the number of animals kept in the same enclosure in kennels.	Add a provision to the Licensing By-law stating that kennels shall not keep more than one animal in the same enclosure without	Will ensure more humane treatment of animals.

No.	Current regulation	Recommendation	Benefit
		prior consent of the owner of that animal.	
11	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to keep appropriate records on animals.	Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to keep appropriate records on animals (owner's information, emergency contacts, information on animals, dates of arrival and departure) and provide them to the Animal Control Officers in case of inspection.	Will provide more protection for the animals, provide consumer protection and ensure public safety.
12	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to isolate ill animals.	Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to isolate animals from other animals or people in case of contagious disease.	Will provide more protection for the animals and people.
13	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to ensure the enclosures for animals are made of proper materials.	Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to ensure that enclosures have durable and impervious surfaces.	Will ensure more humane treatment of animals.

No.	Current regulation	Recommendation	Benefit
14	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to ensure that enclosures have the right temperature.	Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should ensure enclosure's temperatures are species appropriate.	Will ensure more humane treatment of animals.
15	The Licensing By-law does not require pet grooming establishments and kennels to ensure that any area containing dogs is secured.	Add a provision to the Licensing By-law stating that pet grooming establishments and kennels should ensure that any area containing dogs is secured and closed at all times.	Will provide more protection both for the public and for the animals.
16	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to have skilled personnel.	Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should ensure that their personnel are competent in animal care and have knowledge of characteristics, care and handling of animals.	Will provide more protection for the animals.
17	The Licensing By-law does not require pet grooming establishments, pet shops and kennels to post specific instructions for personnel.	Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should keep posted in conspicuous places instructions for	Will provide more protection for the animals.

No.	Current regulation	Recommendation	Benefit
		handling of emergency situations.	
18	The Licensing By-law requires kennels, pet shops and pet grooming establishments to provide police clearance for their employees.	Amend the provisions in the Licensing By-law with requirements for kennels, pet shops and pet grooming establishments by requiring police clearance only for owners of such businesses at the time of initial application and at every renewal.	Will put the regulations in line with licensing requirements for other types of businesses and will provide enhanced consumer protection and safety both for the public and for the animals.
19	The Licensing By-law does not require pet shops to ensure dogs and cats are spayed or neutered and have current vaccination before being adopted or sold.	Add a provision to the Part <i>Pet Shops</i> stating that no dog or cat shall be offered for adoption or sale at a pet shop unless the animal has been spayed or neutered and has current rabies vaccination. Also, all dogs offered for adoption are required to be currently vaccinated against Distemper, Hepatitis, Parvo and Parainfluenza viruses. All cats offered for adoption are required to be currently vaccinated against Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.	Will put the regulations in line with relevant provincial regulations and in line with the best industry practices. Also, such provision will prevent illegal home-breeding and help control population of unwanted animals, ensure better animals care and public safety.

Fees and Charges By-law amendments

No.	Current regulation	Recommendation	Benefit
1	The Fees and Charges By-law has a licensing fee for vicious or aggressive dogs.	Amend the name of the licensing fee in the Fees and Charges By-law from <i>vicious or aggressive dogs</i> to <i>biting or menacing dogs</i> .	Will make the name of the fee consistent with the provisions of the Animal Control By-law.
2	The Fees and Charges By-law does not have application and renewal fee for Commercial Dog Walker Licence.	Add a separate fee for application and renewal of the Commercial Dog Walker Licence (\$150 for a business and \$25 for each additional dog walker under that licence).	Will introduce a fee for a new type of licence.

Parks By-law amendments

No.	Current regulation	Recommendation	Benefit
1	The Parks By-law does not allow to use any park or its facilities for commercial or business purposes.	Add a provision to the Parks By-law giving exception to use parks for the walking of dogs for licensed Commercial Dog Walkers.	Will regulate the activity of licensed Commercial Dog Walkers.

Financial Impact

There are no anticipated financial impacts as a result of the recommendations of this report.

Broader Regional Impacts/Considerations

The proposed amendments contribute to the Regional Municipality of York's 2019 to 2023 Strategic Plan priority to support community health, safety and well-being.

Conclusion

In accordance with City of Vaughan's By-law Strategy, and in order to achieve greater efficiency in the administration of animal control regulations in the City, staff are making

a number of recommendations, including the repeal of the current Animal Control By-law and the introduction of a new consolidated Animal Control By-law that includes enhanced provisions in addition to the existing regulations. Development, growth, changing social opinions and legislative changes have created a strong need for the review of the City's animal care and control regulations. Complementary amendments are also proposed for the City's Licensing By-law, Fees and Charges By-law and Parks By-law. The proposed amendments support the Term of Council Strategic Priority of Active, Safe and Diverse Communities.

For more information, please contact: Gus Michaels, Director and Chief Licensing Officer, By-law and Compliance, Licensing and Permit Services, ext. 8735

Attachments

1. Proposed enhancements in the new consolidated Animal Control By-law
2. Proposed amendments to the Licensing By-law
3. Proposed amendments to the Fees and Charges By-law
4. Proposed amendments to the Parks By-law

Prepared by

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Proposed Enhancements

Animal Control By-law:

1. Consolidate the Animal Control By-law and repeal all the previous amendments.
2. Add a definition of *Control* to the Animal Control By-law to read as follows:

“Control” means the act of preventing an animal from creating a hazard to any person or domestic animal or damage to property.
3. Add a definition of *Commercial Dog Walker Licence* to the Animal Control By-law to read as follows:

“Commercial Dog Walker Licence” means written permission or written authorization issued by the Director under the Licensing By-law, as amended or its successor by-law, which allows a person to walk up to 6 dogs.
4. Add a definition of *Stray* to the Animal Control By-law to read as follows:

“Stray” means a domestic animal that is wandering at large or is lost.
5. Repeal the definition of *Dwelling Unit* from the Animal Control By-law, add a definition of *Premises* and change the wording in the Animal Control By-law. The definition is to read as follows:

“Premises” means any land, building, structure, place or part thereof and, in a multiple occupancy premises, each single occupancy shall be considered separate premises.
6. Add a definition of *Protective Care* to the Animal Control By-law to read as follows:

“Protective care” means the temporary custody of an animal by the City, as a result of an eviction, incarceration, medical or fire emergency or any other situation that the Director deems appropriate.
7. Add a definition of *Tether* to the Animal Control By-law to read as follows:

“Tether” means a rope or chain or similar restraining device that prevents an animal from moving beyond a localized area; “Tethered” and “Tethering” have a corresponding meaning.
8. Add a definition of *Extreme Weather* to the Animal Control By-law as follows:

“Extreme Weather” means a cold warning, heat warning or other weather warning alert issued by Environment Canada for weather in the City of Vaughan including but not limited to extreme cold or hot weather, snow storms, freezing rain, heavy rainfall, hurricanes, tornadoes and/or strong winds.
9. Add a definition of *Mitigating factor* to the Animal Control to read as follows:

“Mitigating factor” means any activity which, in the opinion of the Animal Control Officer acting in his or her absolute discretion, may be expected to cause a dog to bite or menace a person, dog or other animal engaging in such activity.

10. Add a definition of *Custody* to the Animal Control By-law to read as follows:

“Custody” means temporary or permanent possession of an animal; “Custodian” has a corresponding meaning.

11. Delete the defined term of *Enclosed pen*, add a definition of *Enclosure* and change the wording in the Animal Control By-law. The definition is to read as follows:

“Enclosure” means an enclosed place for the keeping of animals and includes, but is not limited to, bird lofts, bird cages, pigeon coops, dog runs, dog pens, doghouses, rabbit hutches, catteries and reptile tanks; but the rear yard of a residential property where fencing has been erected on or along the property lines for the purposes of enclosing, in whole or in part, the rear yard itself, shall not be deemed to be an enclosure.

12. Add a definition of *Abandoned animal* to read as follows:

"Abandoned animal" means an animal that:

(a) is found unattended in rental premises after apparent expiration or termination of the tenancy agreement in respect of the rental unit, or

(b) is left for more than 24 hours without adequate food or water or shelter, or

(c) if a person agreed to care for the animal, is not retrieved from that person within 4 days following the end of that agreement.

13. Add a definition of *Distress* to the Animal Control By-law as follows:

“Distress” means the state of being in need of proper care, water, food or shelter or being injured, sick or in pain, suffering, or being abused or subject to undue or unnecessary hardship, privation or neglect.

14. Add a definition of *Menace* to read as follows:

“Menace” means any intimidating, aggressive or threatening behaviour towards any person or animal, without a mitigating factor, including but not limited to making physical contact, approaching, chasing, growling or snarling; “Menacing” has a corresponding meaning.

15. Amend the definition of *Wild Animal* or *Wildlife* to read as follows:

“Wild Animal” or “Wildlife” means an animal that belongs to a species that is wild by nature, and includes game wildlife and specially protected wildlife, in line with the Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41.

16. Add a definition of *Relocate* to read as follows:

“Relocate” means to remove an animal outside the owner’s property on which it was trapped, unless under the direction of Vaughan Animal Services.

17. Add a definition of *Live Trap* to read as follows:

“Live Trap” means any box, cage or other structure which can trap and hold an animal without injuring it.

18. Amend the definition of *Microchip Implant* in the Animal Control By-law by calling it *Microchip* and replacing the words “*Canadian standard*” to “*universal*” to read as follows:

“Microchip” means an approved universal encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner of the animal.

19. Amend the name of the definition of *Vicious Dog* to *Biting Dog* in the Animal Control By-law and amend the relevant provision in Part 6 *Vicious and Menacing Dogs* in the Animal Control By-law by renaming such dogs *Biting and Menacing*.
20. Repeal the definitions of *Purebred*, *Police Work Dog*, *Pound* and *Supervisor*.
21. Repeal Schedule A of the Animal Control By-law on fees and charges mentioning that any fees shall be addressed in the Fees and Charges By-law.
22. Add a separate Part *Seizure and Impoundment* in the Animal Control By-law mentioning seizure and impoundment of animals under specific circumstances.
23. Add a provision to Part *Seizure and Impoundment* in the Animal Control By-law on seizure and impoundment of prohibited animals.
24. Amend the minimum number of days specified for claiming a dog or a cat after being seized and impounded in Part *Seizure and Impoundment* of the Animal Control By-law to three business days.
25. Repeal Part 3 section (5) of the Animal Control By-law that states that an Animal Control Officer shall give notice of seizure or impoundment to the owner of the dog or cat if such animals have a tag or a microchip.
26. Repeal Part *The Poundkeeper* of the Animal Control By-law and add a provision in Part *Seizure and Impoundment* that the Director, or his or her designate, is responsible for seizure and impoundment of animals found at large.
27. Repeal sections (4), (6), (7), (8) on seizure and impoundment of dogs and cats running at large from Part 3 *Animals Running at Large* of the Animal Control By-law and add them to the new Part *Seizure and Impoundment*.
28. Add a provision to the Animal Control By-law specifying that the owner or custodian shall have control of his or her dog at all times.
29. Amend the Part *Animals Running at Large* by renaming it *Control of Animals*. Add provisions prohibiting having animals not under control and off-leash.
30. Amend provisions in Part *Control of Animals* of the Animal Control By-law stating that every owner or custodian of a dog shall comply with certain provisions when in an off-leash zone.

31. Add a provision to Part *Number of Animals* of the Animal Control By-law that no person shall have custody of more than three dogs at any time unless authorized by a Commercial Dog Walker Licence. If authorized, a person can have in his or her possession up to six dogs, except when in an off-leash zone.
32. Add a separate Part *Inspections and Right of Access* to the Animal Control By-law stating that, in accordance with the *Municipal Act*, an Animal Control Officer may enter a premises within the City of Vaughan at any reasonable time for the purpose of carrying out inspections to determine whether the following are being complied with this By-law or a notice or order issued in accordance with this By-law.
33. Create a provision in Part *Inspections and Right of Access* with specific exceptions and requirements when entering a dwelling unit, which include consent of the occupier of the dwelling unit, obtaining an order or a warrant, instances when the delay would result an immediate danger to the health or safety of any person, or when the City has given notice to enter a dwelling unit and the entry is required to take remedial action.
34. Create a provision in Part *Inspections and Right of Access* with mentioning that a notice for entering a dwelling unit shall be given to the occupier of dwelling unit by personal service within a reasonable time before the power of entry is exercised.
35. Add a provision to the Part *Inspections and Right of Access* in the Animal Control By-law stating that an Animal Control Officer may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention to discontinue the contravention.
36. Add a provision to the Part *Inspections and Right of Access* in the Animal Control By-law stating that an Animal Control Officer may make an order requiring the work to be done to correct the contravention of the By-law.
37. Add a provision to the Part *Inspections and Right of Access* of the Animal Control By-law stating that an Animal Control Officer or any other designated person authorized by the City is allowed to require for the purposes of an inspection documents, things relevant for inspection and information from any person relevant to the inspection and is allowed to make examinations, take tests, samples, photographs necessary for the purposes of the inspection.
38. Add a provision to the Part *Inspections and Right of Access* of the Animal Control By-law stating that any person who hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this By-law is guilty of an offence.
39. Amend Part 4 Section (5) of the Animal Control By-law that provides exception on the allowed number of dogs and cats for fosters and rescue groups by repealing such exception for fosters.
40. Add a separate Part *Protective Care* to the Animal Control By-law, stating that the City can take an animal for the purpose of providing protective care, specifying the reasons for that and a specific time period (10 days).
41. Add specific requirements for a tether in Part *Care of Animals* of the Animal Control By-law such as: no choke collar, choke chain or pronged collar; no rope, cord or chain directly around a dog's neck.

42. Add a provision in Part *Care of Animals* of the Animal Control By-law, stating that an animal must not be left unattended while tethered.
43. In Part *Care of Animals* of the Animal Control By-law, specify that an animal shall have access to water and shelter while tethered.
44. Amend Subsection (2) v) of Part 6 *Vicious and Menacing Dogs* of the Animal Control By-law mentioning that, in case of a menacing or a biting dog, an owner may be required to provide proof of microchip's implantation to the Director within certain time period, i.e. 14 days.
45. Add a provision to Part *Seizure and Impoundment* of the Animal Control By-law stating that, in case of a seized or impounded dog or cat, an owner may be required to provide proof of microchip's implantation to the Director within certain time period, i.e. 14 days.
46. Add a separate Part *Recovery of Expenses* mentioning that the expenses may be added to the tax roll in the same manner as municipal taxes.
47. Add a provision in Part *Licensing of Dogs* of the Animal Control By-law stating that an owner, who fails to provide a proof of licence for any preceding years of ownership of a dog, shall be required to pay a fee for each of these years prior to obtaining a licence for a current year.
48. Add a provision in Part *Licensing of Cats* of the Animal Control By-law stating that an owner, who fails to provide a proof of licence for any preceding years of ownership of a cat, shall be required to pay a fee for each of these years prior to obtaining a licence for a current year.
49. Add a provision in Part *Care of Animals* of the Animal Control By-law with the size characteristics of an enclosure - an animal shall be able to spread legs, wings and body, stand, turn, sit, lie down and perch.
50. Amend Part 5 *Care of Animals* Section (2) of the Animal Control By-law by deleting the distance of an enclosure from the property line.
51. Add a provision in Part *Care of Animals* of the Animal Control By-law mentioning that an animal enclosure shall be: weather proof, in good state of repair, air ventilated, insulated, in a sanitary condition, not exposed to offensive odour and sound, shall be escape proof, of such nature and condition that the animal would not be harmed and its health would not be negatively affected. Every reptile, fish, and amphibian shall be provided with an enclosed space adequate for the needs of the species. Also, every animal shall be readily observed.
52. Add a provision to Part *Care of Animals* of the Animal Control By-law stating that no person is allowed to keep an animal outdoors during extreme weather unless it has access to an enclosure.
53. Amend the List of Prohibited Animals (Schedule B) of the Animal Control By-law by:
 - a) Adding such orders to the Birds class:
BIRDS

Gruiformes (such as cranes, rails)
Phoenicopteriformes (such as flamingos)
Sphenisciformes (such as penguins)

b) Replacing the order Squamata in Reptiles class by following:

Squamata

Such as anacondas, amethystine and scrub pythons, Indian pythons, Indian rock pythons, Burmese pythons, African rock pythons, Reticulated pythons, varanus niloticus, crocodile monitors, water monitors, lace monitors, perenties, Komodo dragons, true vipers, fea's vipers, night adders, rattlesnakes, cobras, mambas, kraits, coral snakes, sea snakes, coral reef snakes, boomslang snakes, twig snakes, keelbacks, burrowing vipers, mole vipers, South American green racers, gila monsters, beaded lizards.

All other snakes which are venomous.

c) Adding such order to the Reptiles Class:

Testudines

Such as terrapins, tortoises, turtles (except turtles derived from a self-sustaining captive population).

54. Add provisions to Part *Prohibited Animals* of the Animal Control By-law giving exception on keeping of certain domestic animals specified in section (3)(g) to the following premises: Akachi Farms and Woodbridge Fall Fair grounds at their current locations.
55. Add a provision to Part *Prohibited Animals* of the Animal Control By-law giving exception on keeping of horses to the City of Vaughan and other public authorities.
56. Add a separate Part *Dogs on Commercial or Industrial Property* in the Animal Control By-law with provisions stating that an owner of a dog on industrial or commercial property shall post a warning notice of no less than 600m² with a contact number at every entrance to the premises.
57. Change the word *provocation* to *mitigating factor* through the Animal Control By-law.
58. Repeal Section (4) in Part 2 *Licensing of Cats* of the Animal Control By-law which states that an Animal Control Officer may capture and impound a cat that is causing damage to owner's or tenant's property.
59. Amend Section (2) in Part 6 *Vicious and Menacing Dogs* of the Animal Control By-law by adding that the same provisions apply when a Director receives notification from another municipality regarding a biting or menacing dog.
60. Add a provision to Part *Care of Animals* of the Animal Control By-law stating that abandonment of animals is prohibited.
61. Add a provision to Part *Care of Animals* of the Animal Control By-law stating that no person shall cause an animal to be in distress.
62. Add a provision to Part *Seizure and Impoundment* stating that an Animal Control Officer can seize and impound animals in distress or abandoned animals.

63. Add a provision to Part *Enforcement and Right of Access* of the Animal Control By-law stating that, subject to the *Municipal Act*, an Animal Control Officer can enter onto premises at any reasonable time when he or she deems appropriate if in his or her opinion an animal kept there is in distress and needs immediate treatment or attention. This provision shall give authority to Animal Control Officers to take custody of the animal and arrange for food, water, shelter, care and veterinary treatment for it. Also, specify that all the costs associated with the transportation, impoundment and veterinary care are borne by the owner of the animal.
64. Add a separate Part *Excessive Barking* in the Animal Control By-law mentioning that no custodian shall allow his or her dogs to bark, whine, cry or cause noise, which is constant, persistent, or excessive.
65. Amend the provisions in Part *Biting and Menacing Dogs* stating that an owner of a dog may request an appeal to the muzzling requirement of an order.
66. Repeal the provision in Part *Prohibited Animals* that allows keeping of prohibited animals in circuses.
67. Add a requirement for keeping of prohibited animals for filming stating that Animal Control Officers may enter upon such areas at any reasonable time for inspection, subject to the provisions of the *Municipal Act*.
68. Add a separate Part *Administrative Monetary Penalties* stating that Animal Control Officers may issue administrative monetary penalties instead of laying charges. Also, specify the amount of such penalty - \$200.
69. Add a separate Part *Livestock Disposal* stating that a dead farm animal must be disposed of by a method set out in a relevant section of provincial regulations.
70. Amend the Part *Leg Hold Traps* by renaming it *Animal Traps*. Add there that no person shall leave a killing or restraining trap or snare that may cause injury in any place outdoors whereby any person, wild or domestic animal may come into contact with it.
71. Add a provision to the Part *Animal Traps* stating that no person shall relocate any trapped animal.
72. Add a provision to the Part *Animal Traps* stating that no person shall leave an animal in a live trap for any extended period of time that can cause distress to the trapped animal.
73. Add a provision to the Animal Control By-law stating that animals may be trapped and relocated by persons authorized under other provincial regulations.
74. Add a provision to the Animal Control By-law stating that no one can sell animals, except for licensed kennels where breeding take place.
75. Add a provision to the Animal Control By-law stating that every owner of a cat, dog or ferret three months of age or over shall ensure that the cat, dog or ferret has current rabies vaccination.
76. Add a provision to the Animal Control By-law stating that every owner of a horse, cow, bull, steer, calf or sheep shall ensure that each such animal has current rabies

vaccination in accordance with provincial regulations.

Proposed Amendments

Licensing By-law:

1. Add a definition of *Commercial Dog Walker Licence* to the Licensing By-law to read as follows:

“Commercial Dog Walker Licence” means written permission or written authorization issued by the Director under this By-law, which allows a person to walk up to 6 dogs.
2. Add a Part called *Commercial Dog Walkers*. State that when applying for such licence a person shall: be no younger than 19 years old, come in person, provide a personal identification, pay a certain fee, provide a completed application form, provide a criminal background check, provide information on dog walker’s vehicle and provide evidence of Commercial General Liability Insurance coverage in the amount of \$2,000,00.
3. Add a provision to the Part *Commercial Dog Walker Licence* stating that such person can walk up to six dogs at a time, except when in an off-leash zone.
4. Add a provision to the Part *Commercial Dog Walker Licence* stating that such person shall ensure that every dog in his or her custody wears a current municipal licence tag or other visible identification with owner’s contact information.
5. Add a provision to the Part *Commercial Dog Walker Licence* stating that commercial dog walkers are required to ensure that all dogs in their custody have current rabies vaccination. Also, all dogs in their custody are required to be currently vaccinated against Distemper, Hepatitis, Parvo and Parainfluenza viruses.
6. Add a provision to the Part *Commercial Dog Walker Licence* in the Licensing By-law stating that such person shall display his or her licence at all times.
7. Add a provision to the Licensing By-law stating that pet grooming establishments are required to ensure that all cats and dogs kept in their premises have current rabies vaccination. Also, all dogs kept in such premises are required to be currently vaccinated against Distemper, Hepatitis, Parvo and Parainfluenza viruses. All cats kept in these premises are required to be currently vaccinated against Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.
8. Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to have adequate number of employees competent in the care of dogs and cats to properly care for every dog and cat in such premises.
9. Add a provision to the Licensing By-law stating that pet grooming establishments and kennels are required to ensure all pets kept in their premises have licences and wear tags.
10. Add a provision to the Licensing By-law stating that kennels shall not keep more than one animal in the same enclosure without prior consent of the owner of that animal.
11. Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to keep appropriate records on animals, such as:

owner's information, emergency contacts, information on animals, dates of arrival and departure. Also, such businesses are required to provide these records to the Animal Control Officers in case of inspection.

12. Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to isolate animals from other animals or people in case of contagious disease.
13. Add a provision to the Licensing By-law stating that pet grooming establishments, pet shops and kennels are required to ensure that enclosures have durable and impervious surfaces.
14. Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should ensure enclosure's temperatures are species appropriate.
15. Add a provision to the Licensing By-law stating that pet grooming establishments and kennels should ensure that any area containing dogs is secured and closed at all times.
16. Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should ensure that their personnel are competent in animal care and have knowledge of characteristics, care and handling of animals.
17. Add a provision to the Licensing By-law stating that pet shops, pet grooming establishments and kennels should keep posted in conspicuous places instructions for handling of emergency situations.
18. Amend the provisions in the Licensing By-law with requirements for kennels, pet shops and pet grooming establishments by requiring police clearance only for owners of such businesses at the time of initial application and at every renewal.
19. Add a provision to the Part *Pet Shops* stating that no dog or cat shall be offered for adoption or sale at a pet shop unless the animal has been spayed or neutered and has current rabies vaccination. Also, all dogs offered for adoption or sale are required to be currently vaccinated against Distemper, Hepatitis, Parvo and Parainfluenza viruses. All cats offered for adoption or sale are required to be currently vaccinated against Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.

Proposed Amendments

Fees and Charges By-law:

1. Amend the name of the licensing fee in the Fees and Charges By-law from *vicious or aggressive dogs* to *biting or menacing dogs*.
2. Introduce a fee for Commercial Dog Walker Licence to the Fees and Charges By-law. The annual cost of licence for a business shall be \$150 and the cost of each additional dog walker on that licence shall be \$25.

Proposed Amendments

Parks By-law:

1. Add a provision to the Part *Commercial Enterprises* in the Parks By-law giving exception to use parks for the walking of dogs for licensed Commercial Dog Walkers pursuant to the City's Licensing By-law.