



To: Council
From: Gilles Crepeau, Director of Protection of Persons and Property
Date of Meeting: August 14, 2019
Subject: 2019 Animal Control Review

Background:

The existing Dog Licensing and Control By-law was initially adopted in 2004 and based on best practices, feedback from residents, complaints and time passed, it is appropriate to review at this time. Based on research undertaken, the following considerations are necessary:

- updates to strengthen existing by-law provisions;
- broaden definitions;
- include animals beyond dogs;
- limit number of authorized animals;
- clarify enforcement measures; and
- introduction of additional regulations for pet owners.

The Township's primary role concerning animal control lies in creating by-laws and programs that promote controlled pet populations, provide guidance to pet owners on how their pets are managed when outside their home and to enforce licensing and identification of pets to ensure swift return of a pet to the owner when a pet is lost.

The main purpose of the current Dog Control and Licensing By-law No. 52-2004 is to regulate the keeping and the registration of dogs. It outlines registration requirements, wearing of tags, limits number of dogs, dogs running at large, seize and impound, stop and scoop, vicious dogs, animal keeping and related enforcement.

Discussion:

Currently the Township's Dog Licensing & Control By-law and Zoning By-law allows a maximum of three dogs per dwelling unit. The only exception is through issuance of a kennel license. Kennels are only permitted in Agricultural (A) and Rural (RU) zones as per the Township's Zoning By-law. In 2019, approximately 2,200 dogs were licensed in the Township.

The Township currently has an agreement with Kevin Cassleman, Animal Control Officer to provide Animal Control Services and Kennel Services for dogs. Our current agreement does not include services for cats, the facility also is not equipped to impound cats.

In the past, the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) would enforce animal cruelty, but the OSPCA has informed the Ontario Government that it will no longer enforce animal welfare legislation in the province. A statement on the OSPCA website reads:

In early 2019, the Superior Court of Ontario released a decision compelling the Government of Ontario to change the way their provincial animal welfare legislation is enforced. The Court has deemed their model of service delivery to be unconstitutional and the Government of Ontario may no longer permit their provincial animal welfare legislation to be enforced by a private charity. The Ontario SPCA respects the decision of the Court and is working to assist the Government of Ontario as they transition to a new service delivery model. The Ontario SPCA remains committed to our mission of animal protection and animal advocacy and have recently announced the development of Ontario SPCA Enforcement Support Services. In short, we'll continue to do all of the animal protection and animal advocacy work we have done for almost 150 years.

Staff will need to develop any proposed regulations with the change of enforcement of animal welfare legislations in mind. In addition, we will need to understand our implications with the change to their animal cruelty enforcement mandate.

Limit of Animal Per Household

Many neighbouring municipalities have implemented a limit of animals (may be specific to cats/dogs) per household. Similar to other municipalities, staff is suggesting a limit of 5 animals per household which includes a limit of 3 dogs. Residents in Agricultural (A) and Rural (RU) zones are eligible to apply for a kennel license to have additional animals. Residents in Residential Zones are not eligible for a kennel license.

Below we have outlined the pros and cons of implementing a animal limit.

Cost:	<ul style="list-style-type: none"> • There would be no additional cost to having a maximum number of animals per household.
Benefits:	<ul style="list-style-type: none"> • This would allow the Township's By-law Enforcement Officer to respond to complaints where residents have more animals than the allowed limit. • The suggested limit offers flexibility in the number of dogs/cats. • Including cats in the animal limit will help control the cat population in our community.
Risk:	<ul style="list-style-type: none"> • Residents will no longer be able to own an unlimited number of cats. • A program will need to be put in place to educate residents on the new limit of animals per household.

Licensing of Cats

The Township does not currently have any provisions in place to limit or regulate cats. During our research, we have noticed that although some municipalities have implemented a cat licensing system, these municipalities usually have a greater population than South Stormont. The Township's current dog kennel does not currently accept cats. Should Council decide to license cats, staff will need to research the possibility of constructing a cattery, independent of the dog kennel.

Cost:	<ul style="list-style-type: none"> • Purchase of more tags. • Shelter Costs. (Agreement with OSPCA, new shelter in South Stormont or identify a contract provider). • Cost of the required services of an Animal Control Officer.
Benefits:	<ul style="list-style-type: none"> • Provides clear identification of domestic cats and distinguishes them from feral cats. • Facilitates the prompt identification of the owner of a lost pet, allowing for immediate contact with the owner. • Confirms the number of cats per household complies with the limit. • Assures the community that licensed animals have been immunized against the rabies virus, reducing the risk of infecting other animals and people in the community. • Lower fees for spayed and neutered cats helps control the cat population. • Brings additional revenue from cat licensing fees. • Prohibits owners to allow their cats to run at large.
Risk:	<ul style="list-style-type: none"> • Many cats are outdoor pets, distinguishing them from lost pets is difficult. • Residents will need to be educated on the new cat licensing program. • Additional cost on residents (licensing fees). • Ensuring compliance will require additional staff time from the By-law Enforcement Officer. • Using a cat licensing system will require additional staff time to administer to program. • We do not have a shelter for lost or stray cats. • The Township's current dog kennel does not accept cats. We would need to investigate the construction of a cattery, determine location and investigate potential contract for animal service provider. The current kennel agreement does not provide for cattery location or services. • Additional costs to recruit the services of an Animal Control Officer for cats.

Exotic Animals

The Township's Dog Licensing and Control By-law does not currently regulate prohibited animals. But, Section 3.26 of the Township's Zoning By-law outlines prohibited uses as:

"Except as specifically permitted in this By-law, the following uses are prohibited: the keeping or raising of livestock including any horse, bull, ox, sheep, goat, pig or other cattle, or any poultry, or any reptile, or any wild animal including any tamed or domesticated wild animal, in any residential zone or in any building or structure in any zone unless otherwise stated."

The Township is looking at including a list of prohibited species as part of the Animal Control By-law.

Cost:	<ul style="list-style-type: none">• There is no additional cost to including a list of prohibited species to the Animal Control By-law.
Benefits:	<ul style="list-style-type: none">• Regulates prohibited animals.• Clarify requirements in the currently Zoning By-law.• Provides consistency between the Zoning By-law and the Dog Licensing and Control By-law.• Provides consistency and efficiency for administration to answer public inquiries as to whether certain animals are permitted.
Risk:	<ul style="list-style-type: none">• Those who currently own prohibited animal could have to dispose of them as outlined in the Animal Control By-law or a grand-father clause could be considered for those who owned prohibited animals prior to them being prohibited.

Anticipated Next Steps

The Township's primary long-term goal is to develop a comprehensive Animal Control and Licensing By-Law that outlines pet owners' responsibilities and municipal responsibilities to provide animal control services.

It is anticipated the new by-law may include:

- update the current pet licensing system i.e. permanent tags, microchips
- ability to purchase dog licence(s) online
- clarification of kennel provisions
- inclusion of exotic animals and/or domestic poultry
- enhanced enforcement tools

Public engagement throughout the development of a comprehensive animal control by-law will be necessary and encouraged. It is anticipated such a project could ensue early spring 2020.

There are possible savings to be recognized if a partnership with neighbouring municipalities for kennel and animal control services can be negotiated.

Due to immediate concerns expressed with regards to limiting the number of animals within a home and the types of animals being regulated, staff suggest presenting a by-law specific to these needs in September, 2019.

Prepared by:

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