

Discussion Paper: Pet Shop By-law Review



Emerging Issue:

In the last year or so, the sale in pet shops of cats, dogs and rabbits from “commercial sources” has been cited by proponents of stricter controls as contributing to, among other issues:

- fewer adoptions, overpopulation and high euthanasia rates in local shelters;
- impulse purchases, which lead to increased instances of pet abandonment/surrender and;
- economic demand for commercial breeders, some of whom use substandard breeding and animal care practices (i.e. puppy and kitten mills).

As part of the 2015 Council-approved By-law Review Strategy, Council has directed staff to review Schedule 29 of the Business Licensing By-law (2002-189, as amended), respecting pet shops, to consider whether restricting the sale of cats, dogs and rabbits in pet shops to adoption through specific non-commercial sources, such as humane societies, is an appropriate way to address the above-noted concerns.

Following the recent pet shop business license renewal period, there are 16 licensed pet shops in Ottawa, only 3 of which sell cats, dogs and/or rabbits sourced from “commercial breeders.”

Background:

In June 2011, Council approved and enacted updated pet shop licensing regulations. Although the primary mandate of municipal licensing relates to public safety, nuisance control and consumer protection, the by-law does provide a number of mechanisms which protect animals in pet shops including the requirement for inspections/approvals by an Inspector/Agent appointed under the Ontario Society for the Prevention of Cruelty to Animals Act (OSPCA), of which the Ottawa Humane Society (OHS) employs. If a pet shop does not meet the OSPCA Act requirements, the license may be refused or revoked, and the pet shop subsequently prosecuted.

The by-law also provides for the maintenance of records of the animals acquired by the pet shop, including their origin, and that said records are made available for inspection, and requires that animals receive veterinary attention as needed, and are kept in hygienic and safe conditions in accordance with provincial regulations.

City By-law Officers and OSPCA agents inspect pet shops in Ottawa, either as part of the licensing process or on a request for service basis. The City typically receives very few complaints about pet shops. Previous inspections of pet shops have demonstrated that most did not in fact sell cats and dogs, and most of those that did were already selling cats and dogs from local shelters such as the Ottawa Humane Society and the Gatineau SPCA. The same holds true with respect to rabbits, although concerns about the sale of this species have never before been raised with the City.

Worth noting is that the OSPCA Act was, several years ago, amended to provide OSPCA Inspectors and Agents with greater powers to address issues associated with kitten and puppy mills, thought to be the main source of cats and dogs sold in some pet shops.

Proposed Options for Ottawa's Regulatory Review:

1. **Restrict the sale of cats, dogs and rabbits from pet stores, except through adoption from approved non-commercial sources, such as humane societies and rescue groups**

Proponents suggest that such a restriction would reduce the number of unwanted pets in the community, reduce impulse purchases, encourage adoption and thereby alleviate the pressure on local shelters and help promote the humane treatment of pets by reducing the demand for commercial breeders, some of whom may be puppy or kitten mills.

OR

2. **Retain the existing regulation and increase the monitoring of pet stores to include mandatory routine inspections to ensure compliance**

As previously noted, Ottawa's pet shop regulation already provides a number of mechanisms which protect animals in pet shops, including the requirement for inspections tied to the license, the maintenance of records, including the origin of animals and that all animals receive veterinary attention and are kept in hygienic conditions. Inspections of existing pet shops are currently undertaken on a request for service basis. Under this proposed option, the by-law could be amended to provide for mandatory routine inspections to ensure compliance with the existing regulation.

Imposing a restriction described in Option 1 would essentially eliminate the City's, and limit its allied animal enforcement agencies', ability to monitor certain sources of cats, dogs and rabbits and could in fact encourage the purchase of these animals from unregulated sources, such as online or in newspapers advertisements, or in neighbouring municipalities.

Consultation:

The City welcomes public views on this subject and invites you to complete the electronic comment sheet available on Ottawa.ca and submit it online by **February 29, 2016**. Further comments or questions may be directed to bylawreviews@ottawa.ca

Next Steps:

Staff will review the comments received and report back to the Community and Protective Services Committee and Council accordingly.