



# Town of Newmarket

## Agenda

### Special Committee of the Whole - Electronic

Date: Monday, June 15, 2020  
Time: 1:00 PM  
Location: Streamed live from the Municipal Offices  
395 Mulock Drive  
Newmarket, ON L3Y 4X7

#### 1. Notice

At this time, the Municipal Offices remain closed to the public. This meeting will be streamed live at [newmarket.ca/meetings](http://newmarket.ca/meetings).

#### Deputations

Individuals who wish to address Council in relation to an item on this agenda have 2 options available.

1. Provide comments in writing to [clerks@newmarket.ca](mailto:clerks@newmarket.ca) no later than end of day on Wednesday June 10, 2020. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record; or,
2. Join the live meeting using the Town's videoconferencing software and verbally provide your comments over video or telephone. To select this option, you must notify [clerks@newmarket.ca](mailto:clerks@newmarket.ca) no later than end of day Wednesday, June 10, 2020 and be available to test your connection on Thursday, June 11th or Friday, June 12th.

#### 2. Additions & Corrections to the Agenda

**Note:** Additional items are marked by an asterisk\*.

#### \*3. Conflict of Interest Declarations

- Councillor Woodhouse has declared a conflict related to item 5.2 - Short Term Rental Licensing including the Presentation and Staff Report. He advised he has a client who operates a hotel in the Newmarket area.

## 4. Deputations

### \*4.1 Remote Deputations

#### \*4.1.1 Animal Control & Pet Store Licensing

**Note:** Michèle Hamers will be in attendance to provide a deputation on this matter. This deputation is related to item 5.1.

#### \*4.1.2 Animal Control & Pet Store Licensing

**Note:** Susan Dankert will be in attendance to provide a deputation on this matter. This deputation is related to item 5.1.

#### \*4.1.3 Animal Control & Pet Store Licensing

**Note:** Keith Burgess will be in attendance to provide a deputation on this matter. This deputation is related to item 5.1.

#### \*4.1.4 Animal Control & Pet Store Licensing

**Note:** Rita Goverde will be in attendance to provide a deputation on this matter. This deputation is related to item 5.1.

#### \*4.1.5 Animal Control & Pet Store Licensing

**Note:** Rob Laidlaw will be in attendance to provide a deputation on this matter. This deputation is related to item 5.1.

### \*4.2 Written Deputations

#### \*4.2.1 Animal Control & Pet Store Licensing

**Note:** Lisa Ugolini has provided a written deputation on this matter. This deputation is related to item 5.1.

#### \*4.2.2 Animal Control & Pet Store Licensing

**Note:** Mr and Mrs J. Clark have provided a written deputation on this matter. This deputation is related to item 5.1.

## 5. Items

### 5.1 Animal Control & Pet Store Licensing

#### \*5.1.1 Presentation - Animal Control & Pet Store Licensing

**Note:** John Comeau, Municipal Enforcement & Licensing Officer, and Flynn Scott, Manager of Regulatory Services will be in attendance to provide a presentation on this matter.

1. That the presentation regarding Animal Control & Pet Store Licensing be received.

**\*5.1.2** Staff Report - Animal Control & Pet Store Licensing

1. That the report entitled Animal Control and Pet Store Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Animal Control By-law; and,
3. That Council approve the draft Business Licence By-law; and,
4. That Council direct staff to move forward with a phased approach to breeders and kennels, where zoning is amended to permit such businesses within specific zones;
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**5.2** Short Term Rental Licensing

**\*5.2.1** Presentation - Short Term Rental Licensing

**Note:** Chris Pumo, Municipal Enforcement & Licensing Officer, and Flynn Scott, Manager of Regulatory Services will be in attendance to provide a presentation on this matter.

1. That the presentation regarding Short Term Rental Licensing be received.

**\*5.2.2** Staff Report - Short Term Rental Licensing

1. That the report entitled Short Term Rental Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Business Licence By-law; and,
3. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
4. That Council direct staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in Q1 2021; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6. Closed Session (if required)

7. Adjournment



Town of Newmarket  
395 Mulock Drive P.O. Box 328,  
Newmarket, Ontario, L3Y 4X7

## Statement to Disclose Conflict of Interest or Pecuniary Interest

This form is used to file a written statement of conflict of interest or pecuniary interest and its general nature with the Town Clerk as required by Section 5.1 of the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.

Member's Name:

Victor Woodhouse

Position:

Councillor Ward 2

Council / Committee / Board:

Council

Date of Meeting:

Monday June 15/2020

Agenda Item Number:

5.2

Agenda Item Title:

Short Term Rental Licensing.

General nature of the conflict of interest or pecuniary interest:

I have a client that operates a hotel in the Newmarket area.

This form will become part of the Town of Newmarket's registry of disclosures and will be made publically available in accordance with subsection 6.1(1) and 6.1(2) of the Municipal Conflict of Interest Act.



## Remote Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

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Name: Michèle Hamers	
Organization/Group/Business represented (if applicable): World Animal Protection	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 5. Animal Control & Pet Store Licensing	
Provide a brief description of the purpose of your deputation: On behalf of World Animal Protection and our more than 160,000 supporters in Ontario, I would like to thank the town of Newmarket for prioritizing animal welfare and developing new bylaws, addressing much needed regulations pertaining to the keeping and sales of pets. I would like to ask for the opportunity to speak on the proposed Animal Control & Pet Store Licensing bylaw and share our concern, in particular to the listed animals in Schedule A. The bylaw is comprehensive when it comes to dog and cat provisions, but we are concerned however that many exotic animals are overlooked, which can result in the unintentionally suffering of many vulnerable animals. We like this opportunity to explain why many of the dog and cat provisions should be extended to wild animals who are kept as pets. As one of the leading organizations in Canada working on exotic pet issues we believe that our insights will be of value to Newmarket's council and staff. Thank you for your consideration.	

### Remote Deputation Requirements:

- Deputants must join the ZOOM electronic meeting using a high-speed internet connection and device capable of video-conferencing, or through telephone.
- Deputants must be available to join a test session to confirm these technical requirements on June 11 or June 12, 2020.
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Mayor and Councillors  
Town of Newmarket  
395 Mulock Drive  
Newmarket, ON L3Y 4X7



Dear Mayor and Councillors,

09 June 2020

**Reference: Written deposition**

On behalf of World Animal Protection and more than our 160,000 supporters in Ontario, I would like to thank the Town of Newmarket for prioritizing animal welfare by developing a new bylaw addressing a number of important animal welfare issues, including the regulation of exotic animals and their sale as pets. As one of the leading organizations in Canada working on exotic pet issues, we believe that our insights will be of value to Newmarket City Council and municipal staff. We trust that despite this information being provided to you late in the process that it will contribute to the enhanced protection of animals within your municipality and more effective bylaw enforcement.

The proposed bylaw addresses several very important issues, especially regarding the protection of dogs and cats. We applaud the efforts of the staff members who worked on the draft. However, we would like to draw to your attention the fact that many non-domesticated (exotic) animals seem to have been given less consideration or have been overlooked leaving them vulnerable.

World Animal Protection's most significant concern pertains to 'Schedule A' which contains a list of animals prohibited in the municipality. Most of the animals listed are those that have routinely been listed in other bylaws that were established in the 1980s and 1990s, and they tend to focus on potentially dangerous and/or zoo-type mammals. Relatively few birds, reptiles or other animals are included. The list is dated and is not in step with animal welfare science or the emerging trends in exotic animal regulation.

While 'Schedule A' contains a significant number of mammal species, it doesn't include almost 10,000 reptiles species (including almost 3,000 snake species, 6000 kinds of lizards and most of the approximately 355 turtle species), almost all of the 8,000 species of amphibians and more than 9,000 species of birds, including most of the world's 350 parrot species. Many of the thousands of animals I've just listed are species that are difficult or impossible to accommodate in home settings, many are





available in the pet trade, and they should not be made available to the general public in retail pet outlets.

World Animal Protection appreciates the intent of the two provisions in Schedule A, the first prohibiting animals, "whose possession or sale is prohibited pursuant to an international, federal, provincial law, regulation, rule or agreement" and the second stating that "All protected or endangered animals ... whose possession or sale is prohibited because they are designated as protected or endangered ... unless the Animal has been obtained in accordance with international, federal or provincial law, as applicable, and the animal is not included in this Schedule."

While these provisions are well meaning, in reality they afford little protection to animals as Canada's live wildlife import laws are relatively weak, many problematic species found in the pet trade are not subject to any import regulations, there is no regulation for exotic species once they are in Ontario and, last but not least, existing laws in Ontario fail to address the breeding of many problematic species in the province or other parts of Canada.

This is concerning not only for animal welfare reasons, but because these animals may also pose a risk to human health and to the local environment through the possible introduction of novel diseases and by establishing themselves as invasive species should they escape or be abandoned.

For the reasons stated above, World Animal Protection urges the Town of Newmarket to review 'Schedule A' with the intent of considering a wider range of problematic animals (reptiles, amphibians, birds, etc.) for inclusion (as many other municipalities have already done) or, alternatively, to move to a Positive List regulatory format in which only animals that are allowed and that satisfy certain criteria, like disease.

Regulation of exotic animals using traditional prohibited lists can be resource consuming, will require updating as new animal species are exploited by the pet trade and put the onus on municipalities to address issues retroactively. They are not preventative. British Columbia's exotic wildlife regulation is an example of this approach. Their regulation banned a range of animals, pet sellers turned to animals that were not listed as prohibited like smaller wild cats and certain rodent-like mammals from South America, leaving the provincial SPCA to deal with the fallout.

During World Animal Protection's review, we identified several other provisions, listed below, that should receive greater consideration:



### Animal Control Bylaw

1. In order to prevent the hoarding of non-domesticated animals kept as pets, implement a limit on the number of animals that can be kept by a person.
2. Extend the protective care of domestic animal provisions (Section 5) to all animals who are allowed to be kept as pets, this includes defining locations where impounded or disposed non-domesticated animals can be housed, protecting non-domesticated animals from being kept in cars and the general care provisions listed as providing a clean and sanitary environment, adequate and appropriate care, adequate and clean water supply, shelter and veterinary care.
3. Extend Section 13 'Animals at large' to include all animals who can be kept as pets within the Town of Newmarket.
4. Under Section 14 'Exemptions', veterinary offices, shelters and humane societies should be exempted from restrictions regarding to the number of non-domesticated animals that can be housed at their premises.
5. Prohibited Animals is defined in Section 2 'Definitions'. There are no provisions in the bylaw itself that refer to this definition nor to 'Schedule A'.

### Business Licensing Bylaw

1. Remove the option to house animals on wire mesh floor surfaces as they can be uncomfortable and negatively impact on animal health and welfare.
2. Extend the following provisions to include non-domesticated animals who are allowed to be kept as pets:
  - 6.(a) provide to every purchaser of a cat, dog, **other mammal, reptile, amphibian and bird** a health assessment from a licensed Veterinarian to verify the animal has received veterinary care.
  - 6.(g) give the purchaser on any sale or disposition of any cat, dog, **other mammal, reptile, amphibian, bird or other animals** being sold as a pet, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed/species or crossbreed, sex (if known, age (if known), and description.
  - 7. Every Pet Store shall maintain a registry of each animal purchased or otherwise obtained, Each entry shall be made at the time each animal comes into the possession of any owner, employee, or person associated with the pet store and shall include (...).



3. Add a provision that addresses backyard breeders of reptiles, amphibians and other small species which would be in line with the ban of dog and cat breeders within the Town of Newmarket.

In conclusion World Animal Protection urges you to extend the strong protections granted to cats and dogs to other animals kept in the Town of Newmarket. Birds, reptiles, amphibians and other animals are now known to be sentient beings who can experience pain, suffering and stress, as well as positive emotional states such as excitement and pleasure. These animals deserve as much consideration as cats and dogs. Furthermore, we urge the Town of Newmarket to consider a permitted list rather than a prohibited list. Prohibited lists are proven to be long, cumbersome and inefficient, whereas a permitted list is clear, concise, financially beneficial and better protect animals, humans and our environment equally

If you have any questions or would like more information, please don't hesitate to contact me at [MicheleHamers@worldanimalprotection.ca](mailto:MicheleHamers@worldanimalprotection.ca).

Thank you for your consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michele Hamers", with a long horizontal line extending to the right.

Michèle Hamers

MSc, MRSB, EurProBiol

Wildlife Campaign Manager

**World Animal Protection**

90 Eglinton Avenue East, Suite 960

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Name: Susan Dankert	
Organization/Group/Business represented (if applicable): PIJAC Canada	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): 5.1 - Animal Control and Pet Store Licensing	
Provide a brief description of the purpose of your deputation: Deputation is in support of allowing local pet stores who carry dogs and cats to continue to provide healthy animals to the public, through sourcing from traceable and inspected sources which includes breeders.	

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Name: <b>KEITH BURGESS</b>	
Organization/Group/Business represented (if applicable): <b>PET PARADISE</b>	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): <b>B.1 PET RETAIL STORES</b>	
Provide a brief description of the purpose of your deputation: <b>CORRECTION OF ERRORS</b> <b>DIRECTION NEEDED</b>	

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## Written Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

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Name: Rita Goverde	
Organization/Group/Business represented (if applicable): York Region Animal Advocates	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): <b>Pet Store licensing</b>	
<p>Please use the space below to provide your written comments:</p> <p>It is extremely disappointing that there has not been an outright ban on pet sales in Newmarket (as in many, many other municipalities). I feel that the question asked at the Town meeting in January regarding sourcing pets from breeders and kennels was misleading and the public wasn't informed properly as to how easy it is for unethical breeders to register with Townships, thereby being deemed "licenced." Many of the Newmarket public expressed a wish to have a ban on pet sales at all. If this is to proceed and is allowed, it is extremely embarrassing for Newmarket that they are not following suit of other municipalities.</p> <p>I wish to speak at the council meeting electronically</p>	

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Name: Rob Laidlaw	
Organization/Group/Business represented (if applicable): Zoocheck Inc.	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): Item 5.1 Animal Control and Pet Store Licensing	
Provide a brief description of the purpose of your deputation: To bring to COW attention several gaps and inconsistencies in the proposed bylaws and to provide additional information to inform COW deliberations.	

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## Zoocheck Canada Inc.

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phone: 416.285.1744 Fax: 416.285.4670  
toll free number: 1-888-801-3222  
www.zoocheck.com  
zoocheck@zoocheck.com

June 10, 2020

Members of the Committee of the Whole  
Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4Y9

Dear Committee Members:

**RE: COW Meeting June 15, 2020, Animal Control and Pet Store Licensing**

I was recently made aware of the staff report and recommendations being considered by the COW next week regarding animal control and pet store licensing in the Town of Newmarket. I have reviewed the staff report and recommendations, including the proposed by-laws to regulate, control and license animals and to regulate and license pet store businesses.

First, I would like to say that I was pleased to see that the proposed bylaws address some very key areas affecting animals, particularly dogs and cats, and that staff seemed to be very responsive to community concerns. I have worked with dogs and cats in the past, both as a humane society inspector and in the development of humane dog control programs for remote First Nations communities, so I am aware of the issues and applaud the proposed measures to address them in your municipality.

Having said that, I am also a biologist who has worked professionally to protect wildlife, including exotic animals kept by private citizens, for more than 35 years in Ontario and elsewhere. After reading the report and bylaws I wanted to bring to your attention several gaps that leave significant issues regarding non-domesticated animal species unaddressed. Fortunately an opportunity exists to align the Town of Newmarket with other nearby municipalities and a growing trend in exotic animal regulation, including the use of a '**Permitted List**' identifying animals allowed or 'permitted' in a municipality.

**1. Advantages of a permitted list aligned with other municipalities**

Page 6 of the staff report indicates that the Town of Newmarket, as part of a contracted partnership with the Town of Aurora and the Town of Georgina, will "...develop consistent regulations as closely as possible, while still recognizing individual community needs."

The Aurora animal control bylaw, passed in July 2019, features a fundamentally different kind of regulatory mechanism for exotic animals than the one in the proposed Newmarket animal control bylaw. Aurora has chosen to go with a **permitted animals list** (or **Positive List**), whereas Newmarket's bylaw incorporates a traditional prohibited list, which is increasingly being viewed as outdated from an animal welfare, animal control and municipal resources perspective.



The traditional prohibited list originated decades ago largely in response to local complaints about the keeping of potentially dangerous animals by private citizens. The lists were focused almost entirely on those animal species that were thought to pose a safety risk to their handlers, bystanders and/or community members and typically included big cats, bears, elephants, wolves and other obviously dangerous species. Over the years other mammal species, typically found in zoos and zoo-type exhibits, were added, as were giant snakes and venomous reptiles. Other than a tiny number of bird species (usually the ones that could lead to nuisance complaints), virtually no other birds and, until recently, almost no other reptile or amphibian species have ever been added to prohibited lists, even though some of the problems associated with them are just as serious as with other animals and, in some cases, are much more so. Prohibited lists are reactive, instead of being preventative, and tend to put more of a burden and increased costs on individual municipalities that try to deal with non-domesticated animal welfare and human and health and safety concerns. Yet, many of the problems associated with animals can be substantially mitigated or prevented through permitted list regulation.

Permitted lists, like the one in Aurora, are simple lists of animals that people can have. Any animal on the list would have to meet certain inclusion criteria established by the municipality before being placed on it. There are a standard set of criteria that guide most jurisdictions employing permitted list regulation, as well as suggested permitted lists such as the one Zoocheck has developed. Permitted lists are easier to understand, allow for more effective and less expensive enforcement, and they better protect human health and safety, the integrity of local natural environments and animal welfare.

It is worth noting that of the municipalities reviewed by staff, Kitchener already uses a permitted list in their animal control bylaw. The City of London has established the ability to create a permitted list in their pet store licensing program and the City of Toronto has a Council motion in the queue directing staff to explore the merits of permitted list regulation of animals. The City of Markham, another one of the reviewed municipalities, has a rather expansive prohibited list, but has also been exploring permitted list regulation. And, of course, Aurora has established a permitted list.

In addition, numerous municipalities in Quebec, the Provinces of New Brunswick and Nova Scotia, as well as multiple out of country jurisdictions now use permitted list regulation in their animal control programs and laws.

## 2. **Expanding the Prohibited List for animal welfare, environmental protection and human health and safety reasons**

If the prohibited list remains, it is important to note that many challenging and problematic animals have not been included in it. For example, frogs and salamanders in the pet trade have been known to carry chytrid fungus which has decimated wild amphibian populations around the world, including causing the extinction of a number of frog species. If even one infected individual were released into Ontario, or the water from its tank dumped outdoors, it could potentially introduce the disease into our native amphibian populations. US Fish and Wildlife has already banned the trade in more than 200 amphibian species because of the chytrid risk.

Other animals that are almost impossible to keep in home settings or that shelters and rescue centers and sanctuaries can't take in and rehome also come with substantial challenges and problems. The proposed



Newmarket prohibited list doesn't include any of the world's more than 350 species of parrots. The larger parrots, such as macaws and cockatoos, are amongst the most intelligent, social and active animals anywhere. In nature, they travel long distances, engage in an enormous variety of complex behaviours and they are virtually never alone. They are almost impossible to keep in home settings as people can't provide the space, mental stimulation and social environment they need and, compared to dogs and cats, relatively few of them (or other birds) are ever taken to a qualified avian veterinarian. When kept as pets they are often socially isolated and rendered unable to fly, so they become bored, frustrated, noisy, aggressive and destructive. Many owners are unable to cope, so their birds are forced into cages for most or all of the time while their owners look to surrender or give them away. The normally active birds are forced to sit idle which results in a range of welfare problems, including abnormal repetitive behaviours, such as self mutilation or rocking back and forth. Birds are the fourth most popular pet in North America and rank among the most abandoned animals but few shelters have the capacity or expertise to take many of them in, and fewer still can accommodate the larger, more challenging and long-lived species.

With expanded municipal authority regarding animals, increased knowledge and changing public sentiment, new kinds of animals are now showing up on prohibited lists in Ontario and elsewhere. They include, but are not limited to, snapping turtles, other turtles and tortoises, many snakes, the larger lizards, such as iguanas, monitors and tegu lizards and African clawed frogs, to name just a few. There are numerous challenging and problematic animals that should be considered for inclusion on the Newmarket prohibited list as those animals may already be in or could be brought into the municipality. My own organization and others with relevant expertise are happy to assist should the Town of Newmarket wish to explore further additions.

**3. Consistency is less confusing and may help improve broader protections for animals**

The Aurora and Newmarket animal control bylaws are not consistent. A person could purchase a large *Sulcata* tortoise or a snake that exceeds 45 centimeters in length in Newmarket, but they couldn't buy or keep those same animals across the border in Aurora. If the intent is to create consistency, what is and isn't allowed should be harmonized. If they are not, this may be confusing to the public and may detract from efforts to create a progressive baseline municipal standard for exotic animal bylaws in Ontario.

**4. Addressing unethical sourcing of exotic animals**

The proposed pet store bylaw recognizes that the sourcing of animals, particularly dogs and cats, must be carefully considered and controlled, but that principle isn't applied to other animals. There are bird mills and reptile breeders than mass produce these animals just as puppy mills and catteries produce dogs and cats. The exotic animals experience the same, if not worse, problems than dogs and cats, as do many of the consumers who purchase them. In addition, significant numbers of reptiles, amphibians, fish and other creatures are removed from wild habitats, often in destructive, ecologically damaging ways. And many of these animals, such as green anole lizards from Florida, come into Canada by the thousands and are not tracked. Ethical sourcing of all animals utilized by the pet trade in the Town of Newmarket should be required.

**5. Basic standards of care should apply to all animals**

The proposed animal control bylaw contains some provisions regarding the care of **domestic** dogs and cats but those provisions are not extended to exotic animal species. Basic standards of care, such as proper food, water, shelter, clean environment, and veterinary should not be applied selectively as nearly



all animals share many, or all, of the same physical and psychological needs and possess very complex, intellectual, emotional and social capacities. All animals should be afforded protection through standards of care.

**6. Lack of specific provision regarding prohibited animal keeping in Newmarket**

The proposed animal control bylaw includes a definition of prohibited animal and a list of those animals (by group) as a Schedule but there is no provision in the body of the bylaw saying that those animals cannot be kept in Newmarket. A provision should be inserted into the bylaw to address this oversight.

As I indicated earlier in this letter, I applaud staff for so comprehensively addressing a broad range of important issues in the proposed animal control and pet store licensing bylaws. I think they are a positive step forward. However, there are gaps and inconsistencies that, with somewhat minimal effort, could be addressed resulting in an even better, more effective set of bylaws that provide enhanced protections for animal welfare, human health and safety, the protection of our own native wildlife and ecosystems and the conservation of the animals involved. Since this is an area we have actively been studying and addressing for more than three decades, we are happy to provide the Town of Newmarket with whatever assistance is required.

Thank you for considering this correspondence.

Sincerely,



Rob Laidlaw  
Executive Director

*Zoocheck is an international wildlife protection charity established in 1984 to promote and protect the interests and wellbeing of wildlife.*





## Written Deputation Request Form – June 15, 2020 Special Committee of the Whole Meeting - Electronic

Please complete this form to provide a written deputation at the June 15, 2020 Special Electronic Committee of the Whole Meeting. Please return the form to [clerks@newmarket.ca](mailto:clerks@newmarket.ca) – completed forms must be received by **end of day Wednesday June 10, 2020**. These comments will be read aloud by the Mayor during the live meeting, considered with the related item, and will form part of the public record.

Name: Lisa Ugolini	
Organization/Group/Business represented (if applicable):	
Address: [REDACTED]	Postal Code: [REDACTED]
Phone Number: [REDACTED]	Email: [REDACTED]
Agenda Item Number and Title (your deputation must be in relation to an item on the Agenda): <b>Pet Sales in Newmarket</b>	
<p>Please use the space below to provide your written comments:</p> <p>Dear Members of Newmarket Council,</p> <p>I'm writing today to implore you change the bylaw to BAN the sale of cats and dogs from pet stores. There is no need for pet stores to sell cats and dogs, as there are many more things these stores can offer.</p> <p>So many surrounding municipalities have banned the sale of cats and dogs, and for many years, and I would expect the same from Newmarket, finally. Newmarket should be joining the ranks of Toronto, Markham, Richmond Hill and so many others that have this ban in place already. As a forward thinking municipality, Newmarket needs to set an example to the smaller communities. I am proud to live in Newmarket however allowing mill puppies and cats to be sold is just lining greedy pockets, from the mill owners themselves right up to their retail partners and then certain council members who still think this is standard practice. This is NOT standard practice! With campaigns over many years like 'Adopt, Don't Shop', I would have assumed Newmarket understood the importance of not having dogs and cats sold in stores. Rescue groups, from all over, spend countless hours, energy and resources trying to do the best for our domesticated animals and educate the public yet retail sales and puppy mills undermine everything when there is no ban in place. It's literally a slap in the face to animal advocates trying to do right by these animals.</p> <p>This is 2020, let's start acting like it. This is a ban that should've been in place years ago. Please, PLEASE, vote in favour of a full ban of the retail sales of cats and dogs in pet stores. These voiceless creatures deserve better.</p> <p>Sincerely, Lisa Ugolini Resident of Newmarket</p>	

Be advised that all Council and Committee of the Whole meetings (including this meeting) are audio-video recorded and live streamed online. If you make a presentation to Council or Committee of the Whole, your presentation becomes part of the public record and you will be listed as a presenter in the minutes of the meeting. We post our minutes online, so the listing of your name in connection with the agenda item may be indexed by search engines like Google.

Personal information on this form will be used for the purposes of sending correspondence relating to matters before Council. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a record that is available to the general public in a hard copy format and on the internet in an electronic format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended. Questions about this collection should be directed to the Director of Legislative Services/Town Clerk, Town of Newmarket, 395 Mulock Drive, P.O. Box 328, STN Main, Newmarket, ON L3Y 4X7; Telephone 905-895-5193 Ext. 2211 Fax 905-953-5100



Good afternoon everyone,

After reading through all your draft bylaw proposals regarding the selling of animals in pet stores, we are very disappointed to see you have chosen to allow all retail selling to continue rather than have a complete ban on selling cats and dogs.

Many municipalities have now passed such bylaws based on what the majority of animal lovers today consider the most moral option to protect any exploitation of animals for sheer greed.

We are also very disappointed to read you are considering Licencing and regulating local kennels in order to allow those animals to also be sold in your retail locations in future. This is also contrary to what the majority of animals lovers consider as exploitation of animals for sheer greed. Retail stores are still thriving without selling any animals, no reason Newmarket stores can't do the same.

We would suggest you propose a more ethical, moral, compassionate and politically correct bylaw that completely bans all retail selling of cats and dogs, and only allow animals to be occasionally featured in store that are for adoption only, from local shelters and legitimate rescue groups, as many municipalities have already enacted and what the majority of animal lovers demand today. This would also be more reflective of your survey results. No retail profit should be made from the exploitation of animals.

Thank you for taking the time to listen and consider changes,  
Mr and Mrs J. Clark, Concerned animal lovers.





# Animal Control and Pet Store Licensing

Flynn Scott & John Comeau

June 15, 2020

# Presentation Outline

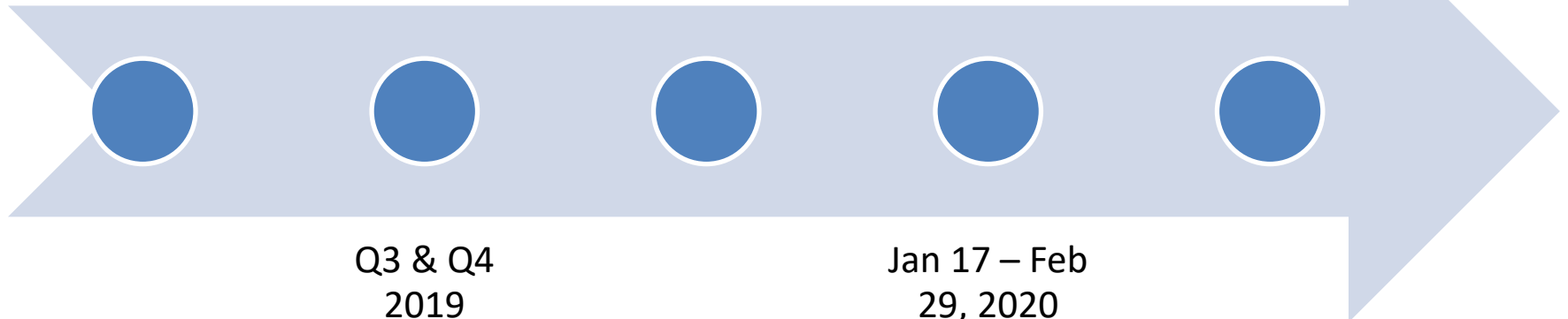
- Background
- Key Considerations
- Public Consultation
- Proposed Regulations for Animal Control
- Proposed Regulations for Pet Stores
- Conclusion & Next Steps

# Background

03/25/2019  
Regulatory  
Review  
Workshop

01/23/2020  
Public  
Information  
Centre

05/29/2020  
Electronic  
Special  
Council  
Meeting



Q3 & Q4  
2019  
Individual  
Consultations

Jan 17 – Feb  
29, 2020  
Survey  
Circulated

Throughout 2019: Ongoing review of regulations (provincial and other munis)

# Key Considerations

## Animal Control

Care and Control  
Dogs/Cats at Large  
Prohibited Animals



Stoop and Scoop



Tethering



Animal Registration  
(licence tags)



Feeding Wildlife



Muzzle Orders



Noise/Barking Dogs



Feral Cats



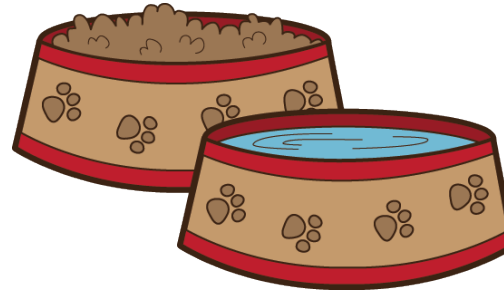
# Key Considerations Pet Store Licensing



Animal Sourcing



Cages and Storage



Access to Food & Water



Hours of Operation

- Animal Care Practices
- Records Retention
- Breeder Restrictions

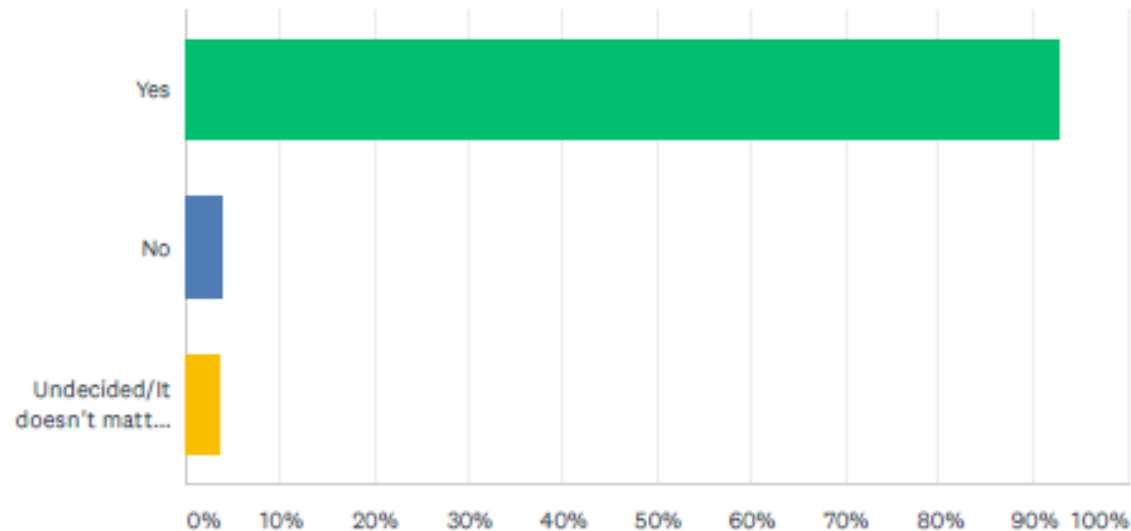
# Public Consultation

- **Public Information Session**
  - Held on 01/23/20
- **Survey Results**
  - Posted online from Jan 17 to Feb 9, 2020
  - Over 650 responses received

# Survey Results

## Are you supportive of pet store owners requiring a business licence to operate in Newmarket?

Answered: 579 Skipped: 23



ANSWER CHOICES	RESPONSES	
Yes	92.57%	536
No	3.97%	23
Undecided/It doesn't matter to me	3.45%	20
TOTAL		579

# Community Feedback

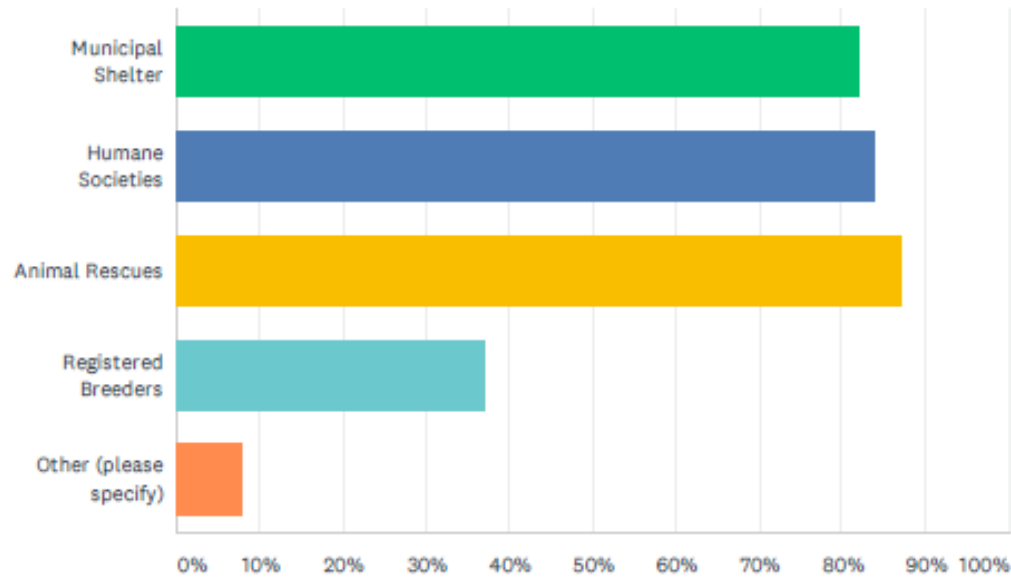
- *“I don’t think pet stores should sell pets, period. Pet ownership should be well considered and not a spontaneous purchase.”*
- *“I do not support animals, particularly dogs and cats, being sold in pet stores. They should have lists of where an interested buyer can go to find their pet (dog or cat)”*
- *“No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need additional regulatory burden which will result in costs. The negative impact from increasing costs and regulations will be more unwanted animals and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!”*

# How Did We Address This?

- Introduction of a Pet Store business licence
- Ability to regulate the sale of pets and pet-related items in a retail setting
- Streamlined application for easy registration
  - Name of applicant
  - Basic company information
  - Dog or cat sourcing information (if applicable)
- Nominal fee of \$150 annually

If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)

Answered: 574 Skipped: 28



ANSWER CHOICES	RESPONSES	
Municipal Shelter	82.06%	471
Humane Societies	83.97%	482
Animal Rescues	86.93%	499
Registered Breeders	37.11%	213
Other (please specify)	8.01%	46
Total Respondents: 574		

# Community Feedback

- *“The Town needs to verify animal rescues are legit (registered charitable or non profit status with the CRA for example).”*
- *“Overrun shelters out of area.”*
- *“Rescue shelters but no dogs from out of country.”*
- *“Reputable breeders following a code of ethics set by the Canadian kennel club and/or their breed club will NOT supply puppies to a pet store, nor should any rescue group that truly cares; as proper screening of homes and matching the right dog/cat to that home isn't possible. Pet stores should sell dogs or cats at all.”*

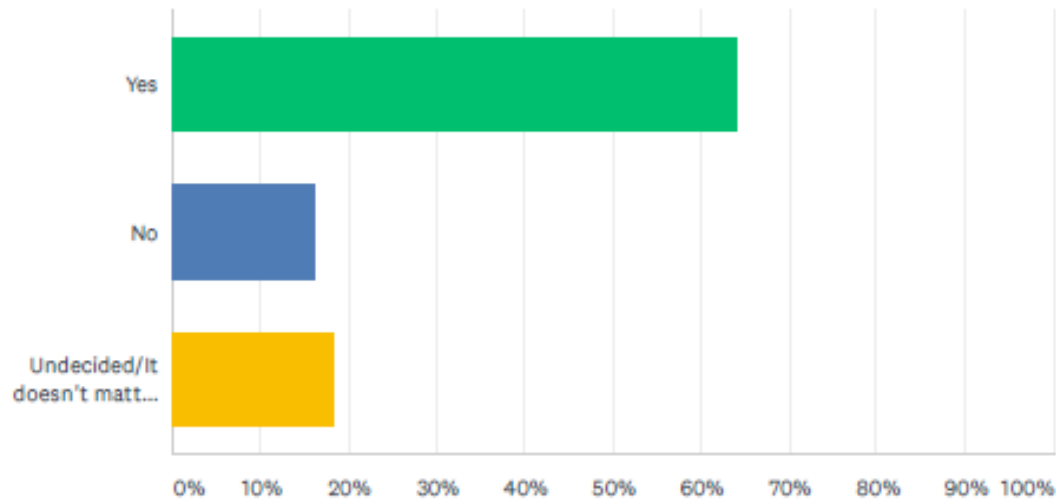


# How Did We Address This?

- Regulations proposed for dog/cat sourcing
  - municipal animal shelters
  - registered humane societies
  - registered shelters
  - recognized animal rescue group
- Consistent with other municipalities

## Q5 Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?

Answered: 571 Skipped: 31



ANSWER CHOICES	RESPONSES	
Yes	64.27%	367
No	16.11%	92
Undecided/It doesn't matter to me	18.39%	105
TOTAL		571

# Comments Heard

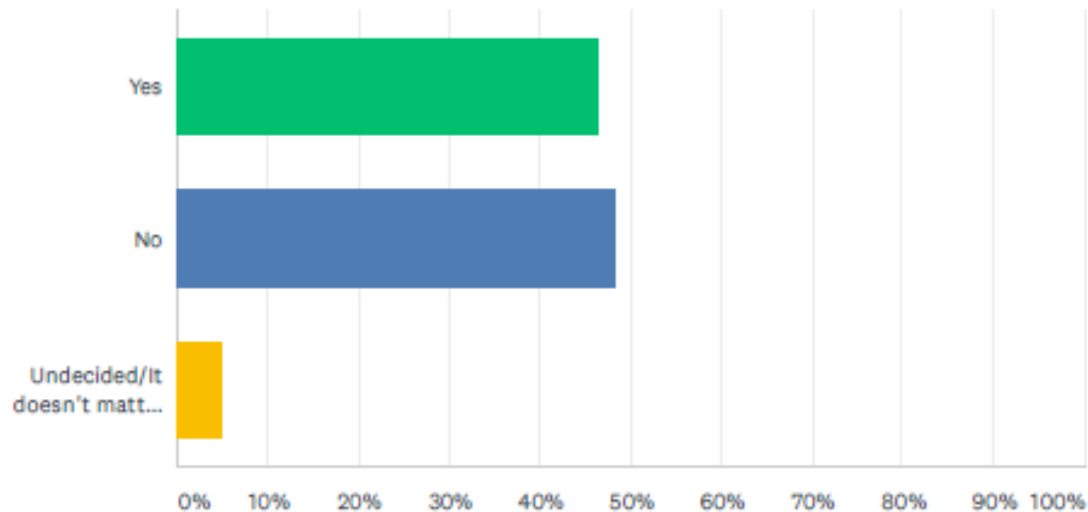
- *“Animals should be brought inside if barking.”*
- *“Many of the dogs that are barking are doing so on an on-going basis because of their owners leaving them outdoors without proper food, water and shelter. It is important that the root cause is addressed and the animals are protected.”*
- *“I complained to bylaw and they told me to provide proof and I may have to go to court regarding barking...before they would even address my concern. Not helpful.”*

# How Did We Address This?

- Noise By-law
- Additional noise provisions in proposed Animal Control By-law
- AMPS
  - Easier to enforce
  - Reduces the burden on our residents

## Are you satisfied with the current provisions regarding tethering in the Animal Control By-law?

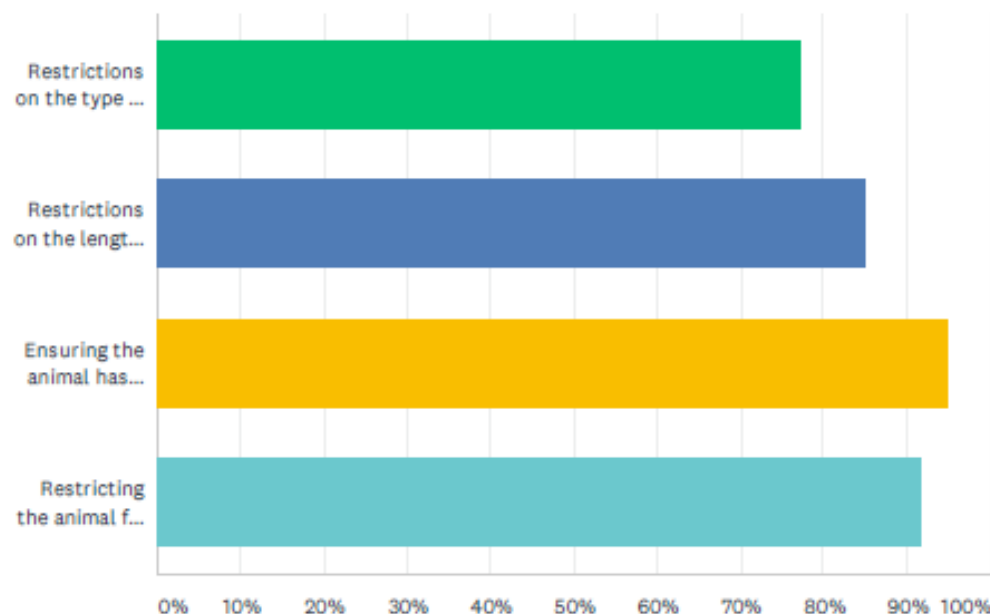
Answered: 558 Skipped: 44



ANSWER CHOICES	RESPONSES	
Yes	46.42%	259
No	48.39%	270
Undecided/It doesn't matter to me	5.02%	28
TOTAL		558

# Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering? (select all that apply)

Answered: 553 Skipped: 49



ANSWER CHOICES	RESPONSES	
Restrictions on the type of collar worn when the animal is on a tether (i.e. choke, chain, prong)	77.22%	427
Restrictions on the length of time allowed on a tether (i.e. 4 hours in a 24 hour period)	84.99%	470
Ensuring the animal has access to adequate water, food, shelter and shade	94.94%	525
Restricting the animal from being tethered during inclement weather (i.e. Environment Canada Weather Statements)	91.68%	507
Total Respondents: 553		

# Comments Heard

- *“Tethering should not be for an unlimited amount of time. Tethering is fine for an hour on the front lawn during the summer with the family close by gardening etc. It allows the dog to safely be part of activities with no fence. A dog unattended and tethered all day in the middle of winter is inhumane.”*
- *“No animal should be tied up indefinitely and left outside.”*
- *“Quicker response to reporting. Easier way to get in contact with officers.”*

# How Did We Address This?

- Increased tethering restrictions to match trends in other communities
  - Device must be 3m in length
  - Unrestricted movement
  - Access to food, water, shelter and shade
  - Restrictions on types of collars used
  - 3hr time limitation



# Additional Comments

- *“There's nowhere that talks about the allowance and protection of colony cats which I think is important.”*
- *“Would love to see changes to bylaw and programs to support TNRM program.”*
- *“Positive list for species allowed.”*
- *“Though I personally would never buy a dog or cat from a pet store. By banning the practice, your town is just further pushing people to the Black market and making it less safe for people and animals. At least with brick and mortar stores, the town can hold them accountable.”*
- *“Do you have a Hobby Kennel Licence for CKC Recognized members?”*
- *“Traveling Zoo’s need to be regulated.”*

# How Did We Address This?

## **Feral Cats and Trap, Neuter, Release (TNR) Program**

- Feral cat complaint calls remain low
- Exemption provided under feeding wildlife

## **Positive List for Species**

- Aurora = only municipality to have a 'permitted list' vs 'prohibited list'

## **Black Market/Kennel**

- Under review/not recommended at this time
- Zoning amendments required

## **Traveling Zoos**

- Addressed by definition of Pet Store (includes rental)
- Newmarket locations will be required to obtain a licence
- Restrictions under the prohibited animals list apply

# Proposed Regulations

## Animal Control

- ✓ Dogs and cats must be licensed
- ✓ Dogs and cats at large remain prohibited
- ✓ Stoop and scoop requirements
- ✓ Stronger tethering restrictions
- ✓ Appropriate access to food, water, and shelter
- ✓ Stronger noise/barking restrictions
- ✓ Updated prohibited animals list

# Proposed Regulations

## Pet Store Licensing

- ✓ Pet Stores must apply for and obtain a business licence
- ✓ Animal caging and storage requirements
- ✓ Appropriate access to food, water, and exercise
- ✓ Dog and cat sourcing requirements
  - municipal animal shelters
  - registered humane societies
  - registered shelters
  - recognized animal rescue group

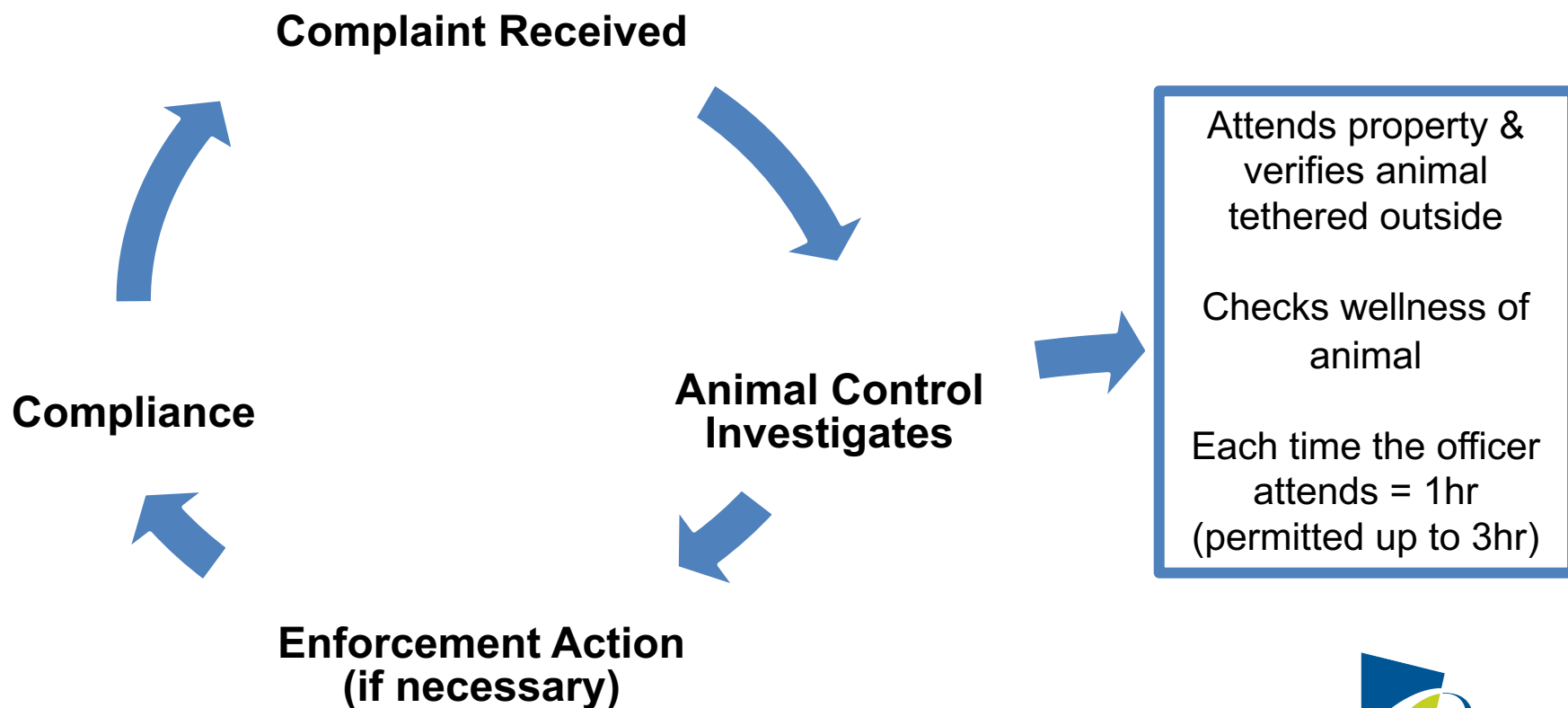
# Enforcement Strategy

## Scenario #1 – Noise/Barking Dog

Current By-law	Newly Proposed By-law
1. Complaint received	1. Complaint received
2. Noise log provided to COM	2. Noise log can be provided OR any evidence of noise (audio/video)
3. COM tracks noise (approx. 1-2wks) prior to charge being laid	3. AMPS ticket issued
4. COM must attend court to verify noise charge	4. COM does <u>not</u> need to attend dispute hearing

# Enforcement Strategy

## Scenario #2 – Animal being Tethered



# Enforcement Strategy

## Scenario #3 – Unlawful Dog or Cat Sourcing

1. Complaint Received
2. Licensing Officer Investigates
  - Conducts inspection
  - Verify records
  - Checks wellness of animal
  - Verifies other by-law restrictions (caging, water/food, vet-checked, etc)
3. Enforcement Action (if necessary)
  - AMPS ticket(s) issued
  - Unlawful animals required to be removed from store
  - Pet Store may have licence suspended/revoked

# Conclusion and Next Steps

- Recommendations
  - Approve proposed Animal Control By-law
  - Approve proposed Business Licence By-law
  - Phased approach to Breeders and Kennels
- Staff is committed to ongoing consultation
- Continue to monitor feral cats, TNR programs, travelling zoos, and other concerns identified through public consultation



# Questions







Town of Newmarket  
395 Mulock Drive P.O. Box 328,  
Newmarket, Ontario, L3Y 4X7

Email: [info@newmarket.ca](mailto:info@newmarket.ca) | Website: [newmarket.ca](http://newmarket.ca) | Phone: 905-895-5193

## **Animal Control and Pet Store Licensing Staff Report to Council**

Report Number: 2020-40

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: June 15, 2020

### **Recommendations**

1. That the report entitled Animal Control and Pet Store Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Animal Control By-law 2020-XX; and,
3. That Council approve the draft Business Licence By-law 2020-XX; and,
4. That Council directs staff to move forward with a phased approach to breeders and kennels, where zoning is amended to permit such businesses within specific zones;
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **Executive Summary**

Animal welfare has been a growing discussion on a municipal level as a direct result of recent provincial changes regarding the role and expectations of the Ontario Society for the Prevention of Cruelty to Animals (OSPCA). Municipalities throughout Ontario have identified gaps in legislative authority to properly address growing community concerns in relation to animal welfare and protection. On January 1, 2020, the province enacted the Provincial Animal Welfare Services (PAWS) Act to bridge identified gaps in enforcement responsibilities between local governing bodies and the provincial government. In an effort to maintain community expectations, the Town of Newmarket has undergone a comprehensive review of its existing Animal Control By-law and to propose a Pet Store licensing regime for Council's consideration.

## Purpose

The purpose of this report is to present Council with next steps regarding the care and control of animals through the adoption of the Animal Control By-law 2020-XX. This report also presents to Council the licensing framework of Pet Stores through the adoption of the Business Licence By-law 2020-XX.

## Background

### Legislative Authority

Under the Municipal Act, a municipality may enact by-laws respecting animals, which includes domestic animals such as dogs or cats. Additional powers are provided to seize, impound, and sell animals that are trespassing or at large.

The Municipal Act also allows the Town to provide for a system of licences with respect to certain classifications of business by adopting a licensing by-law. As specified in the Municipal Act, a licensing by-law should relate to consumer protection, the economic and social well-being of the municipality, and the health, safety, and well-being of persons in the municipality. Conditions may be imposed on a licence to ensure a business is compliant with the regulations established to reflect community objectives.

### Historical Reference

On March 25, 2019, a Regulatory Review Workshop with Council identified Animal Control and Pet Store Licensing to move forward with amendments and new regulations by Q4 2019.

Throughout Q3 and Q4 of 2019, the Manager of Regulatory Services has engaged stakeholders by facilitating one-on-one meetings to receive feedback and hear recommendations for how to move forward and propose regulations that balance the needs and expectations of the community.

In December 2019, a third party consultant (StrategyCorp) conducted an administrative and service level delivery review for the Town of Newmarket. Part of this review identified the Administrative Monetary Penalty System (AMPS) as a relevant tool for enforcement of newly proposed by-laws moving forward.

On January 23, 2020, a Public Information Centre (PIC) was held to receive community input and feedback for proposing changes to the existing Animal Control By-law, while also considering new regulations for Pet Stores within the Town of Newmarket.

An online survey was posted online at HeyNewmarket.ca to receive stakeholder and community input from January 17 to February 9, 2020. The survey was highly effective and resulted in over 650 participants.

Town staff was on target to bring forward a proposed Animal Control By-law and a licensing framework for Pet Stores in April, 2020. However, due to the COVID-19

pandemic, project plans were postponed until a later date. As part of the Outstanding Matter List presented to Council at the May 19, 2020 Electronic Special Council Meeting, Council approved moving forward with the proposed Animal Control and Pet Store Licensing By-laws in June 2020.

## **Discussion**

The Town of Newmarket Regulatory Services Department has undertaken a review of current regulations throughout various Ontario municipalities in relation to animal-related services to identify best practices pertaining to:

- care and control practices;
- animal registration (licence tags);
- dogs and cats at large;
- feral cats;
- stoop and scoop;
- muzzle order requirements;
- noise/barking dogs;
- tethering;
- feeding wildlife; and
- prohibited animals.

Further research has also been completed to explore municipalities that regulate Pet Stores and the requirements imposed pertaining to:

- care and control practices;
- cages and storage of animals;
- access to food and water;
- hours of operation;
- records retention;
- animal sourcing; and
- breeder restrictions.

## **Public Consultation for Animal Control and Pet Store Regulations**

On January 23, 2020, the Town of Newmarket held a Public Information Centre (PIC) to conduct consultation and receive community input on regulations pertaining to animal services. A survey was also posted to HeyNewmarket.ca from January 17 to February 9, 2020, where the Town received over 650 responses from public engagement. Provided below is a summary of the feedback received:

## Animal Control: Tethering

Are you satisfied with current provisions regarding tethering in the Animal Control By-Law?



- Yes (46.42%)
- No (48.39%)
- Undecided/it doesn't matter to me (5.02%)

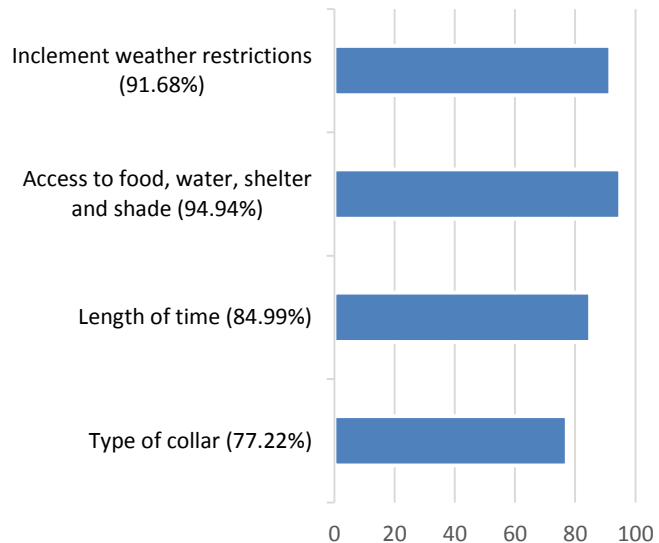
When asked about the Town's current animal tethering regulations, **270** out of **558** respondents reported that current provisions are not satisfactory to community expectations.

General comments were also received recommending stronger regulations regarding animal tethering to ensure the safety and wellbeing of animals within our community.

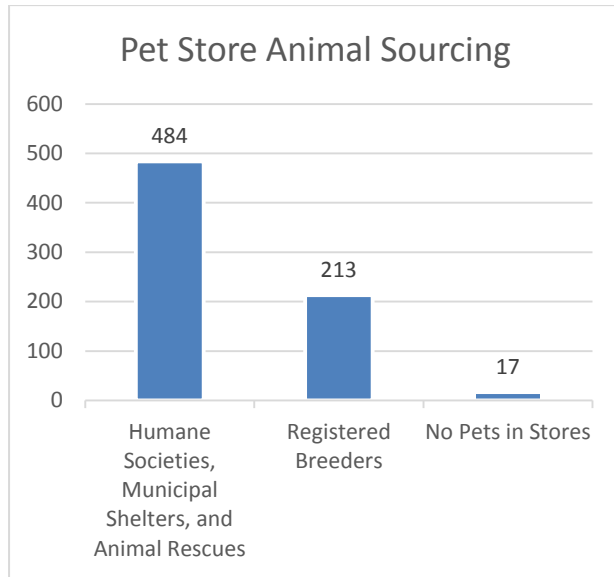
When asked about additional regulations regarding tethering:

- **507** out of **553** respondents want to see inclement weather protection for tethered animals;
- **525** out of **553** respondents felt that tethered animals should have access to food, water, and shelter;
- **470** out of **553** respondents want to see time limitations imposed; and
- **427** out of **553** respondents want to see clearer regulations on the type of collar permitted to be used while tethering.

Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering? (select all that apply)



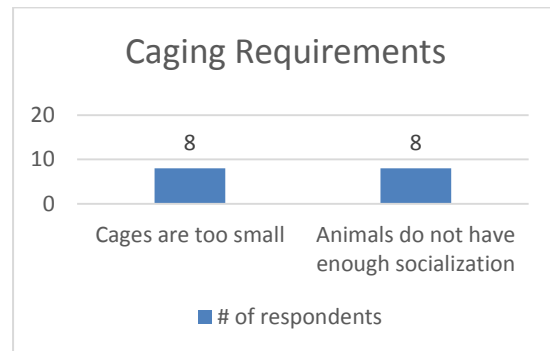
## Pet Stores: Animal Sourcing



When asked about allowing Pet Stores to sell dogs or cats:

- **17** out of **46** respondents want to see no sales permitted;
- if sales were permitted, **484** out of **574** respondents want to see animals sourced from humane societies, shelters, or rescue groups; and
- if sales were permitted, **213** out of **574** respondents would support sourcing from registered breeders.

When asked about caging regulations for Pet Stores that have animals for sale, **8** out of **22** respondents commented that cages are often too small and there are not enough socialization protocol requirements in place to support the animals.



Additional comments were received requesting Pet Stores have stronger regulations to ensure:

- all rescue groups are legitimate before permitting animal sourcing for Pet Store sales;
- animals within a Pet Store have access to water, food, and reasonable exercise throughout the day; and
- only registered and licensed breeders are permitted to be used for animal sales to eliminate 'puppy mills'.

Overall, **536** out of **579** respondents (93%) strongly support licensing Pet Stores within the Town of Newmarket.

Please refer to **Appendix A** for additional information on community concerns that were raised during the consultation period and a review of how those concerns have been addressed.

## **Proposed Animal Control By-law 2020-XX**

The Town of Newmarket currently regulates domestic animals and domestic animal owners under the Town's Animal Control By-law 2016-53. This By-law is primarily enforced through Aurora's Animal Services Division as a contracted partnership between the Town of Newmarket, the Town of Aurora, and the Town of Georgina. All municipalities within this partnership have committed to reviewing their existing Animal Control By-laws and to develop consistent regulations as closely as possible, while still recognizing individual community needs. The Town of Aurora recently adopted a new Animal Control By-law in July 2019, which has been reviewed prior to presenting the proposed by-law for Newmarket.

In addition to reviewing public feedback received through consultation, Town staff has also reviewed municipalities across Ontario to determine best practices moving forward.

Due to an overwhelming response being received for stronger regulations pertaining to animal tethering, Town staff are proposing new regulations as follows:

- the tether is never less than 3m;
- the animal has unrestricted movement;
- the animal is tethered in a manner that contains it to its own property;
- the animal has access to adequate water, food, shelter, and shade;
- choke collars or chains are not permitted while tethering; and
- the animal is tethered for no longer than 3 hours per day (consecutive or not).

Additional regulations are also being proposed pertaining to Animal Control as follows:

- amending current regulations that limit a person to owning up to three (3) dogs and four (4) cats to permit one (1) additional animal if it is a Service Animal;
- adding additional regulations to ensure every animal has access to water, food, shelter, and veterinary care (if required);
- adding new regulations pertaining to the feeding of wildlife to ensure feeders are kept in a sanitary condition to avoid further attractants than intended; and
- implementing existing Urban Hen requirements directly into the proposed by-law.

During the consultation period, comments were also received in support of regulations for a trap, neuter, and release program pertaining to feral cats. Upon review of other municipalities across Ontario, Town staff noted no other communities as having specific regulations pertaining to feral cats, with the exception of two (2) provisions:

1. Cats at large are not permitted and Animal Services will respond accordingly to any complaint calls received; and
2. A 'trap, neuter, and release' program is identified within the City of Toronto's Animal Control By-law, which grants exemptions to feeding wildlife for the intention of trapping and further clarifies that their Animal Services Department has the power to trap, neuter, and release, where deemed appropriate.



The Town's newly proposed Animal Control By-law has added an exemption to feeding wildlife for the intention of trapping feral cats and the existing provision regarding cats at large has been incorporated into the new regulatory framework proposed. A part from these additions, no other regulations have been imposed on feral cats.

### **Proposed Pet Store Licensing (Business Licence By-law 2020-XX)**

The Town of Newmarket currently has no regulations pertaining to Pet Stores. Presently, there are three (3) known Pet Stores within Newmarket that actively sell animals or fish within the store, with an approximate total of five (5) known stores that operate primarily as a Pet Store within the Town. In conducting a review of Ontario municipalities, Town staff identified nine (9) of them as having a Pet Store licensing regime imposed. While some municipalities have imposed minimal restrictions, other communities have taken a stronger approach to regulate concerns identified pertaining to the sale of animals within a Pet Store. Please refer to **Appendix A** of this report for more information.

Due to an overwhelming response being received for stronger regulations pertaining to Pet Stores and animal sourcing, Town staff are proposing new regulations as follows:

- domestic animals (excluding cats or dogs) are permitted to be sold but are required to comply with very specific regulations, which include access to food, water, and appropriate caging restrictions;
- appropriate records are maintained for every animal and available upon request;
- a cat or dog is only permitted to be sold if sourced from a municipal animal shelter, a registered humane society, or a recognized animal rescue group;
- a cat or dog must be provided access to food and water, adequate caging and exercise, and must be veterinary checked to verify its health;
- every purchaser of a cat or dog shall be provided with a full record of the animal;
- every Pet Store must retain records for each cat or dog for a duration of twelve (12) months following its sale and available upon request;
- an attendant must be present in the Pet Store at all times during business operating hours; and
- no animals identified on the prohibited animals list shall be permitted to be sold or kept within the Town of Newmarket.

The proposed regulations are consistent with municipalities across Ontario that licence Pet Stores. They are also consistent with the general consensus of public feedback received during the consultation period.

It is relevant to note that animal sourcing of cats or dogs for Pet Stores has been a highly controversial discussion across varying municipalities that seek to restrict such sales. In consultation with a local Pet Store owner, feedback has been received to request consideration on allowing cats or dogs to be sourced from local breeders as an additional animal sourcing requirement. In reviewing the viability to include local breeders as a permitted animal sourcing option, Town staff identified several challenges

in doing so. For example, municipalities that permit the sourcing of animals from a local breeder have also established regulations and a licensing regime for breeders (defined as a kennel). Imposing regulations and a licensing regime on kennels further ensures that local breeders are not obtaining animals from 'puppy mills' or falsifying records for where the animals were obtained.

Currently, the Town's Zoning By-law does not permit breeders or kennels to operate on any property within the Town's boundaries. Without being able to regulate breeders or kennels through a licensing regime due to zoning restrictions, community concerns raised regarding 'puppy mill' sourcing would not be properly addressed. As a result, Town staff are not recommending to allow breeders as an animal sourcing option for Pet Stores at this time. However, staff are recommending a phased approach to kennels and breeders by reviewing zoning regulations to consider allowing such businesses to operate within the Town at a later date. Once a zoning review has been completed, consideration can be given on how to proceed through an amended licensing regime.

## **Conclusion**

In reviewing the Animal Control By-law and a licensing regime for Pet Stores, Town staff has conducted extensive consultation with relevant stakeholders, neighbouring municipalities, and the community as a whole to identify new and improved regulations for the wellbeing of all animals within the Town of Newmarket. Staff will continue to engage stakeholders on a quarterly basis to ensure the regulations proposed meet the community's needs and expectations. Overall, the proposed regulations have addressed the most significant concerns raised during the public consultation process and staff will continue to monitor the success of the program on an ongoing basis.

## **Business Plan and Strategic Plan Linkages**

This report aligns with the Town of Newmarket's vision of being *Well Beyond the Ordinary*. This report also aligns with the Rev-it-up recommendations for improving administration and service levels within the Town of Newmarket.

## **Consultation**

Consultation has been conducted as follows:

- through a PIC and online survey to engage the public and address community expectations;
- through one-on-one meetings with relevant stakeholders to identify current challenges or gaps in legislation;
- with a local Pet Store owner within the Town to understand financial impacts to their business operations; and
- with various municipalities across Ontario to better understand their existing regulations.

Municipalities that were reviewed include:

- Toronto;
- Hamilton;
- Brampton;
- Mississauga;
- Oshawa;
- Aurora;
- Richmond Hill;
- Vaughan;
- Markham;
- Kitchener; and
- London.

The Town's Legal Department was also provided a copy of this report and the proposed by-laws prior to being presented to Council.

## **Human Resource Considerations**

There are no impacts to human resources for implementing the proposed by-laws.

## **Budget Impact**

There are no impacts to budget for implementing the proposed by-laws. The Town of Aurora will continue to provide Animal Services pursuant to the existing contract between Aurora and Newmarket and the Town's Licensing Division will enforce Pet Stores as part of their regular duties.

## **Attachments**

**Attachment #1:** Appendix A – Public Consultation Results

**Attachment #2:** Animal Control By-law 2020-XX

**Attachment #3:** Business Licence By-law 2020-XX

## **Approval**

Lisa Lyons, Town Clerk/Director of Legislative Services, Corporate Services

Esther Armchuk, Commissioner, Corporate Services

## **Contact**

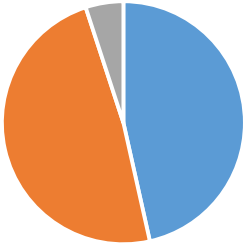
Flynn Scott, Manager of Regulatory Services, Legislative Services

[fscott@newmarket.ca](mailto:fscott@newmarket.ca)



# Animal Control & Pet Store Licensing Report

## Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?
<p>Are you satisfied with current provisions regarding tethering in the Animal Control By-Law?</p>  <p>■ Yes (46.42%) ■ No (48.39%) ■ Undecided/it doesn't matter to me (5.02%)</p>	<ol style="list-style-type: none"> <li>1. Tether length should be minimum 3m</li> <li>2. Tethering should not be permitted</li> <li>3. Tethered animals should have access to food, water, and shelter</li> <li>4. Tethered animals should be protected from inclement weather</li> <li>5. Tethering hours should be limited</li> <li>6. Animals should be supervised when tethered</li> </ol>	<p><b>232</b></p>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> <li>3. Yes</li> <li>4. Yes</li> <li>5. Yes</li> <li>6. No</li> </ol>	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> <li>3. Yes</li> <li>4. Yes</li> <li>5. Yes</li> <li>6. No</li> </ol>

# Animal Control & Pet Store Licensing Report

## Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?												
<p>Q4 If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)</p> <p>Answered: 574 Skipped: 28</p> <table><caption>Support for Animal Sourcing Options</caption><thead><tr><th>Source</th><th>Percentage</th></tr></thead><tbody><tr><td>Municipal Shelter</td><td>~82%</td></tr><tr><td>Humane Societies</td><td>~82%</td></tr><tr><td>Animal Rescues</td><td>~85%</td></tr><tr><td>Registered Breeders</td><td>~38%</td></tr><tr><td>Other (please specify)</td><td>~8%</td></tr></tbody></table>	Source	Percentage	Municipal Shelter	~82%	Humane Societies	~82%	Animal Rescues	~85%	Registered Breeders	~38%	Other (please specify)	~8%	<ol style="list-style-type: none"><li>1. Do not agree with animals being sold in stores</li><li>2. Animals should be permitted to be sold in stores</li><li>3. If sold in stores, animals should be sourced from shelters or rescues</li><li>4. Breeders or rescues should be vetted to ensure they do not source from a puppy mill</li></ol>	<p><b>46</b></p>	<ol style="list-style-type: none"><li>1. No</li><li>2. Yes</li><li>3. Yes</li><li>4. Yes (by not permitting breeders as a sourcing option)</li></ol>	<ol style="list-style-type: none"><li>1. No municipalities outright ban the sale of animals in Pet Stores</li><li>2. Yes with restrictions on sourcing</li><li>3. Yes</li><li>4. Yes (by licensing kennels and breeders)</li></ol>
Source	Percentage															
Municipal Shelter	~82%															
Humane Societies	~82%															
Animal Rescues	~85%															
Registered Breeders	~38%															
Other (please specify)	~8%															

# Animal Control & Pet Store Licensing Report

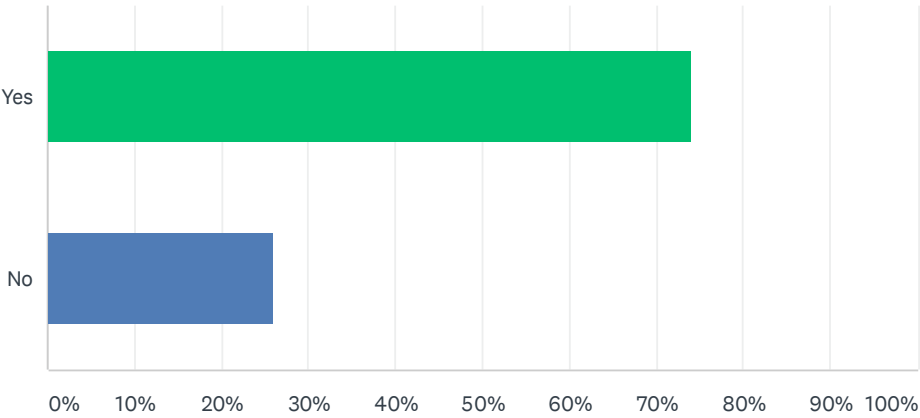
## Appendix A – Public Consultation Results

Survey Question with Results	Additional concerns raised by community	Number of additional comments received	Has this concern been addressed in the proposed by-laws?	Do other municipalities researched address these concerns in their by-laws?								
<p>Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?</p> <p>Answered: 571 Skipped: 31</p> <table><caption>Survey Results Data</caption><thead><tr><th>Response</th><th>Percentage</th></tr></thead><tbody><tr><td>Yes</td><td>~65%</td></tr><tr><td>No</td><td>~15%</td></tr><tr><td>Undecided/It doesn't matter...</td><td>~20%</td></tr></tbody></table>	Response	Percentage	Yes	~65%	No	~15%	Undecided/It doesn't matter...	~20%	<p>1. Improve the definition of excessive barking</p> <p>2. Dogs bark and should not be enforced</p> <p>3. Dogs bark due to distress and that should be addressed</p> <p>4. Do not allow dogs to be left outside constantly barking</p>	<p>98</p>	<p>1. Yes</p> <p>2. No</p> <p>3. Yes</p> <p>4. Yes</p>	<p>1. Yes</p> <p>2. No</p> <p>3. Yes</p> <p>4. Yes</p>
Response	Percentage											
Yes	~65%											
No	~15%											
Undecided/It doesn't matter...	~20%											

Municipalities Researched that Specifically Restricts Animal Sourcing to Shelters, Rescues, or Humane Societies	Municipalities Researched that Regulates Breeders or Kennels
Brampton	Barrie
Georgina	Georgina
Kitchener	Hamilton
London	Kingston
Markham	Kitchener
Mississauga	Markham
Oshawa	Mississauga
Toronto	Richmond Hill
Vaughan	Vaughan
	Whitchurch-Stouffville

Q1 Are you a resident of Newmarket?

Answered: 602    Skipped: 0

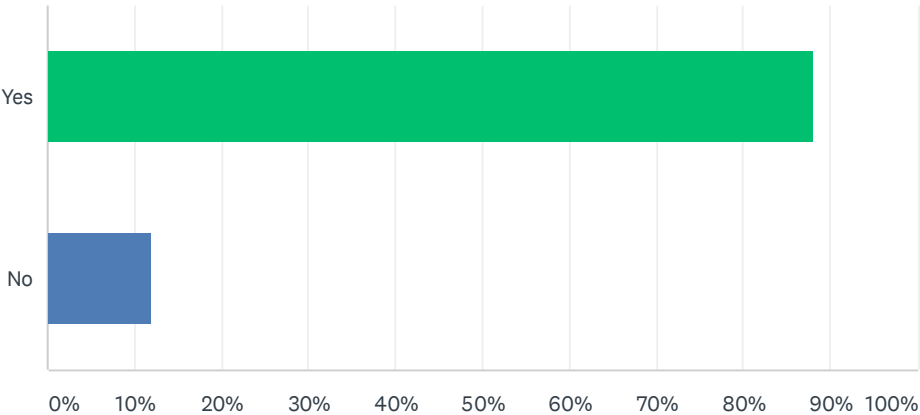


ANSWER CHOICES		RESPONSES
Yes		74.09%446
No		25.91%156
TOTAL		602



Q2 Are you a pet owner? (includes fostering)

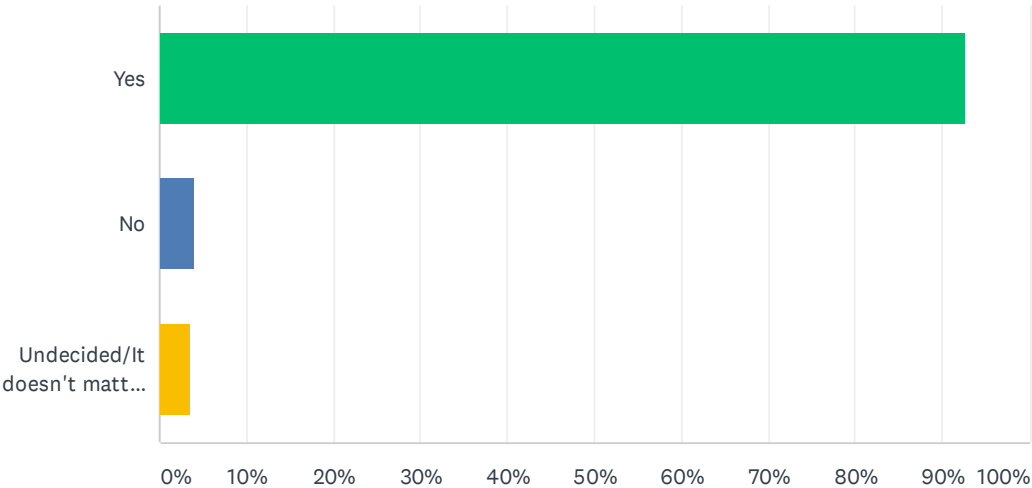
Answered: 600    Skipped: 2



ANSWER CHOICES		RESPONSES
Yes	88.00%	528
No	12.00%	72
TOTAL		600

Q3 Are you supportive of pet store owners requiring a business licence to operate in Newmarket?

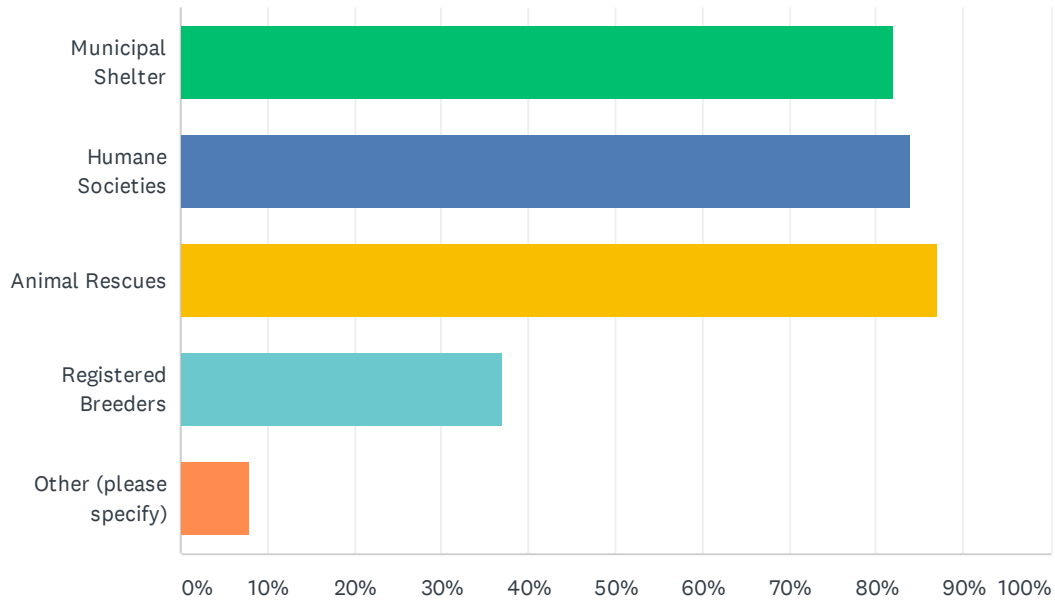
Answered: 579    Skipped: 23



ANSWER CHOICES		RESPONSES	
Yes		92.57%	536
No		3.97%	23
Undecided/It doesn't matter to me		3.45%	20
TOTAL			579

## Q4 If the Town were to restrict where pet stores source their animals, which of the following sources do you support? (select all that apply)

Answered: 574 Skipped: 28



ANSWER CHOICES	RESPONSES	
Municipal Shelter	82.06%	471
Humane Societies	83.97%	482
Animal Rescues	86.93%	499
Registered Breeders	37.11%	213
Other (please specify)	8.01%	46
Total Respondents: 574		

## Animal Control and Licensing Survey

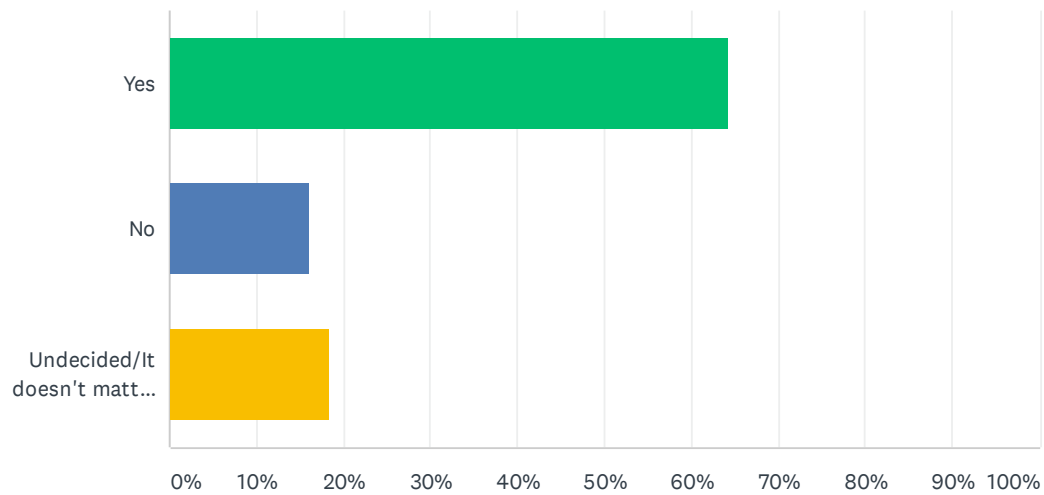
#	OTHER (PLEASE SPECIFY)	DATE
1	I do not believe pet stores should sell animals	2/7/2020 11:43 AM
2	I don't think pet stores should sell pets, period. Pet ownership should be well considered and not a spontaneous purchase.	2/6/2020 12:21 PM
3	Pet Stores shouldn't be selling animals!	2/6/2020 11:08 AM
4	The Town needs to verify animal rescues are legit (registered charitable or non profit status with the CRA for example.	2/5/2020 7:04 PM
5	Pet Stores should be restricted to selling pet food and accessories - NOT live animals.	2/2/2020 8:12 PM
6	NO PUPPY MILLS- only breeders proven to care for the animals- not the profits from selling them.	2/2/2020 4:42 PM
7	Puppy Mills	2/1/2020 9:30 AM
8	any source that treats animals with dignity, respect, putting their needs first	1/30/2020 3:31 PM
9	International rescue	1/30/2020 7:53 AM
10	I do not support animals, particularly dogs and cats, being sold in pet stores. They should have lists of where an interested buyer can go to find their pet (dog or cat	1/29/2020 12:13 PM
11	Registered responsible breeders	1/29/2020 11:49 AM
12	Overrun shelters out of area	1/27/2020 4:58 PM
13	None at all. Pet store owners do NOT check out the suitability of a potential owner. They want a quick sell. I experienced it myself.	1/26/2020 8:59 PM
14	Private sales	1/25/2020 5:11 PM
15	Customers whose previously purchased pets have produced offspring	1/24/2020 4:15 PM
16	Breeders are profit-based; I would oppose sourcing from breeders.	1/24/2020 10:48 AM
17	Only reputable rescues that are inspected	1/24/2020 9:41 AM
18	Rescue shelters but no dogs from out of country	1/24/2020 7:51 AM
19	Dog lovers, pet lovers who want to help	1/23/2020 11:57 PM
20	Neither, should not sell them in stores... a good/ethical breeder would want to vet families of the new pup, home raise them and only breed with purpose - usually have waiting lists for their pups, shelters and societies have their own facilities, with animal rescues no way to know if they are legit or ethical. Perhaps just have days where rescues/humane societies/shelters/breeders come in and offer information sessions and then adoption/sale goes through original source	1/23/2020 12:41 PM
21	No live pets	1/23/2020 12:02 PM
22	Reliable sources	1/23/2020 10:00 AM
23	Pet store owners are bridging the want for pet companions and taking the rehoming of pets away from an unpoliced mechanism like kijiji	1/23/2020 3:25 AM
24	Should not sell dogs	1/23/2020 12:28 AM
25	No one. Pet stores are not ideal places for dogs or cats to live, including rescues. Cages are too small and not enough socialization.	1/22/2020 11:29 PM
26	None	1/22/2020 8:36 PM
27	As a responsible breeder of dogs I do not support selling pets from retail establishments. Animals require proper care and in the case of dogs they require socialization and interaction with their siblings and dams. No responsible breeder would allow puppies to be sold to strangers from a retail store. Networks of recommendations education days and collaboration between stores and breeders would be nice. Municipal shelter would be the next best option, not ideal.	1/22/2020 7:28 PM

## Animal Control and Licensing Survey

28	Rescues that have temperament tested the animals and the animals have been cleared for illnesses from other countries	1/22/2020 3:08 PM
29	I don't agree that animals should be sold in pet stores. People should go to shelters or rescues for pets. No puppy mills!	1/22/2020 2:26 PM
30	Reputable breeders following a code of ethics set by the Canadian kennel club and/or their breed club will NOT supply puppies to a pet store, nor should any rescue group that truly cares; as proper screening of homes and matching the right dog/cat to that home isn't possible. Pet stores should sell dogs or cats at all.	1/22/2020 11:33 AM
31	I do not believe that dogs and cats should be sold in pet stores. The selling of these animals in pet stores encourages retail rescues, commercial breeding and puppy mills and back yard breeders breeding for profit. Even shelters will purchase animals from other countries in order to fill the market and make a profit.	1/22/2020 11:14 AM
32	Canadian Kennel Club Reg'd Breeders only. Rescues from Canadian Breed specific clubs & Canadian Non-Profit Rescues. No Retail Rescue, foreign imports USA, over seas	1/22/2020 10:03 AM
33	I don't think pet stores should sell animals, especially when they come from puppy mills and breeders. There are so many animals in shelters and rescues that need homes	1/21/2020 1:58 PM
34	Anywhere, along as they are vet checked and in good health.	1/21/2020 1:39 PM
35	rescues, shelters, and humane societies	1/21/2020 10:33 AM
36	I don't agree with any pets sitting in a window to be sold, if they were to come from animal shelter or rescue it would have to simply be an adoption fee not a sale.	1/21/2020 10:32 AM
37	None I don't believe animals get the proper attention in pet stores they get elsewhere ie humane societies, animal rescues and municipal shelters. Stores primary purpose is sales, # 1, that is their bottom line, they are not nearly as interested in animal welfare	1/21/2020 10:24 AM
38	No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need additional regulatory burden which will result in costs. The negative impact from increasing costs and regulations will be more unwanted animals and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!.	1/21/2020 8:49 AM
39	Stores should not be allowed to sell dogs and cats. They should refer customers to shelters etc. Post pics only	1/20/2020 10:13 PM
40	Local or trusted breeders	1/20/2020 6:48 PM
41	Breeders that probe their operations are NOT puppy mills.	1/20/2020 4:39 PM
42	farms	1/20/2020 12:48 PM
43	I don't support them.	1/20/2020 9:49 AM
44	Long standing rescues- but meet ethical criteria	1/19/2020 8:34 AM
45	I would like there to be a registry of rescues- anyone can call themselves a 'rescue' This needs to be legislated and supervised/controlled	1/18/2020 11:53 AM
46	rescues	1/18/2020 10:36 AM

## Q5 Are you satisfied with the current provisions in the Animal Control By-law regarding noise/barking?

Answered: 571 Skipped: 31



ANSWER CHOICES	RESPONSES	
Yes	64.27%	367
No	16.11%	92
Undecided/It doesn't matter to me	18.39%	105
TOTAL		571

## Animal Control and Licensing Survey

#	IF NO, PLEASE PROVIDE PROVISIONS THAT YOU WOULD LIKE TO SEE:	DATE
1	If an animal has reason to engage in repetitive barking / howling etc., it most likely requires attention, as if may not be having its basic needs met. Therefore investigation into the animal's well-being is warranted.	2/9/2020 7:18 PM
2	Stricter enforcement of barking/howling dogs.	2/9/2020 1:57 PM
3	They're animals. I'm not sure how we can expect every type and breed to simply comply or fall within these regulations.	2/9/2020 9:20 AM
4	We haven't had any personal experience with this however, other people have told us the bylaws haven't helped them with their neighbours dog who barks too much	2/8/2020 10:52 AM
5	Each situation should be looked at. What is the welfare of the animal? Is it constant?	2/7/2020 9:44 PM
6	Why is the dog barking at all hours of the day or night. What conditions is the dog living in to allow it to bark at all hours without the owner breaking up the disturbance	2/7/2020 12:58 PM
7	No animals to be tied up and left outside for extended periods of time	2/6/2020 5:18 PM
8	Animals should never be tied up and left outside for long periods of time. This leads to distressed barking and is cruel	2/6/2020 11:25 AM
9	A 20 minute maximum time limit on barking.	2/5/2020 7:05 PM
10	Provided its is a reoccurring issue and not a one off	2/4/2020 9:20 AM
11	The provisions should be extended. Regretfully, I regularly hear dogs barking for extended times in cold weather and hot days that may be caused by lazy or careless owners. The provision should also stipulate that the owner must provide shelter and water/food for the animals to allow a safe environment. Also, both financial penalties and criminal charges, should be laid against owners that abuse the animals. The animals should be removed if it is proven the animals were mistreated.	2/2/2020 4:53 PM
12	I don't think it is enforced enough. People hardly get warnings. People should get steeper fines for excessive barking outside.	2/1/2020 12:30 PM
13	Dogs not let out unsupervised into back yard, they bark uncontrolled at everything.	2/1/2020 11:54 AM
14	I complained to bylaw and they told me to provide proof and I may have to go to court regarding barking...before they would even address my concern. Not helpful.	2/1/2020 10:02 AM
15	I think it's too vague and would allow for the destruction of dogs for simply barking because people can't mind their own business	1/31/2020 6:30 PM
16	Barking/howling is an indication that something is not right. People who own barking/howling dogs need to understand/learn why the dog is barking/howling and either remove the dog from the situation i.e. Bring the dog indoors or fix what is happening for example, is the dog in discomfort or is there a skunk under the porch. The dog owner should be investing a lot of time in the comfort and understanding that dog.	1/31/2020 10:16 AM
17	Some dogs take time to break the bark reaction, I would rather see people have to take training classes if their dog falls into this category, also some neighbors are out to cause problems because they personally don't like dogs so A proper trainer would be able to clear any accusations	1/31/2020 6:21 AM
18	If a complaint is made but the pet was brought in. Bylaw should still go to the home as the complaint was still made. It shouldn't become nil and void because the pet was finally brought in from barking at the door.	1/30/2020 11:14 PM
19	enforcement of the current provisions	1/30/2020 10:43 PM
20	Some dogs bark for reasons beyond the nuisance people claim. We can't get rid of these dogs. We need to work with them, humanely, through their struggles	1/30/2020 9:50 PM
21	Perhaps the issue ia with the dog & requires help? Would it be different for an unruly & loud resident??	1/30/2020 9:42 PM
22	It needs to be more specific	1/30/2020 8:26 PM

## Animal Control and Licensing Survey

23	Dogs are not on inhumane leashes such as heavy and short.	1/30/2020 7:43 PM
24	Dogs bark for a reason. I would like to see bylaw investigate the reasons as to why a dog is barking and, where appropriate, remove that dog from the premises and ensure that the animal is secured into a new home - not a kill shelter. (ie: if a dog is spending all day in a crate, that is animal cruelty...) Dog needs to be rehomed.	1/30/2020 6:17 PM
25	That seems unreasonable. Animals make noises. I would bet that more often than not that by-law is used as an excuse for neighbors to be "un-neighborly"	1/30/2020 4:17 PM
26	As long as it is enforced	1/30/2020 3:50 PM
27	The animal is not being treated using a drug free, pain free, humane and respectful system of treatment. They may be cold, hot, thirsty, hungry, afraid, lonely or so many other things that they are trying to say which pet owners must address.	1/30/2020 3:34 PM
28	When trying to call someone after hours for a dog continuously barking, especially at night, it is impossible to reach anyone. Have been trying for months	1/30/2020 9:08 AM
29	Re: pets that are left unattended/uncared for for long periods of time, in inclement weather	1/30/2020 8:54 AM
30	I do not know.	1/30/2020 8:35 AM
31	Clearer wording is advisable. As written, if I simply didn't like my neighbor and their dog barked twice, I could claim that it was disturbing to me. Perhaps adopt "quiet hours" (eg, 10pm to 8am).	1/29/2020 11:53 AM
32	People put them outside and leave them to freeze. More officers to educate or fine.	1/27/2020 4:59 PM
33	The noise is a result of a dog being left outside in all weather desperately wanting in . Can we focus on the animal that is in need of a law instead of neighbours being put out by the animal barking	1/26/2020 8:59 PM
34	There should be a duration and time of day that the restrictions can take effect	1/26/2020 6:01 PM
35	Barking is a natural occurrence in dogs, the same as talking in people. Animals need to be allowed to their nature's responses and that includes so much more than barking.	1/25/2020 5:13 PM
36	There is no provisions available after a certain hour. There is no point in complaining about a dog that barks after hours, because no ones comes to deal with the noise complaint.	1/25/2020 3:13 PM
37	Provide training for humans through the human society on obedience. Money for trainer comes from funds from rescue	1/25/2020 9:52 AM
38	Animals should be not left outside all night, there should be more restrictions when owning a pet	1/25/2020 9:47 AM
39	not sure what the solution is but removal is not ideal and yet it is an issue	1/25/2020 6:57 AM
40	Time should be granted for mandatory training with a qualified dog trainer	1/25/2020 12:41 AM
41	Guidelines around how owners deal with their pets	1/24/2020 7:01 PM
42	Heavy fines and spontaneous follow-up visits for anyone leaving their dog out barking, barking, barking. As if the rest of us want to listen to that!	1/24/2020 5:24 PM
43	There should be additional restrictions on when owners may keep their animals outside, particularly when their property is in close proximity to other residences. Barking or howling even for short periods can be very disturbing overnight or in the early hours, even when it is not altogether repetitive. And keeping animals outside is known to be unsafe in cold temperatures. I would suggest that keeping a pet outside for periods exceeding 10 minutes should never be allowed between 11pm and 9am, nor at any time when the outside temperature is below 5 degrees C.	1/24/2020 4:29 PM
44	It proven there's a problem, have heard people say a disgruntled neighbor can just call no proof	1/24/2020 12:45 PM
45	The same noise limitations for other noise sources (ie: radio, lawnmowers) that follow the noise by law time frames (not after 11 pm and not before 7 am)	1/24/2020 10:32 AM
46	What does repetitive barking mean?? There should be specific times of the day barking is prohibited.	1/24/2020 9:43 AM
47	If there are repeated complaints of a dog being outside & barking for hours/days on end, the	1/24/2020 9:13 AM



## Animal Control and Licensing Survey

dog should be taken away from it's owners & put into a home that will properly care for it

48	I would like to see conditions put into play if this type of complaint comes in. Instead of issuing a fine or removing the animal, advise the condition of obedience classes and have them provide proof of class registration and attendance. Most of these dogs bark like this because the owner has not taken the time to train the dog properly and that is no fault to the animal, it's the owners responsibility to train the dog.	1/24/2020 8:59 AM
49	Anonymity of person reporting	1/24/2020 8:48 AM
50	Anonymity of reporting person	1/24/2020 8:46 AM
51	If a dog is constantly barking or making noise, need to look into and see why, dog may be trying to communicate something to the humans about him/her or what is around him or her. Also to expect dogs not to bark is like expecting people not to talk. Let's get real	1/24/2020 12:01 AM
52	I can hear a dog barking in the distance day after day...	1/23/2020 10:16 PM
53	I haven't had to deal with a noisy neighbours animal	1/23/2020 9:02 PM
54	There should be a phone number to report issues immediately	1/23/2020 8:40 PM
55	I would hope owners would be given ample time to find ways of dealing with barking issues, it may take time and trial and error, & possibly with the help of a trainer, there's not an overnight solution.	1/23/2020 8:26 PM
56	Definition of repetitive barking.....twice or for 2 hours? What time during the day is disturbing the peace...	1/23/2020 7:49 PM
57	you cannot remove an animal simply because it is barking. The animal may be distressed and therefore warrants an investigation.	1/23/2020 7:42 PM
58	What disturbs one person's rest/enjoyment wouldn't disturb another's so I guess it depends on how this could be proved or defended or rebutted in court if complaints went that far.	1/23/2020 12:47 PM
59	Stricter laws to help animals being left on chains.	1/23/2020 11:52 AM
60	It needs to be more specific. Every dog barks but do they do it all day?	1/23/2020 8:09 AM
61	The language is too vague. Dogs bark but what is considered an undue amount? 10 minutes? 10 times over a period of 20 minutes?	1/23/2020 7:44 AM
62	Is there a mediation process? A way to mitigate the issue or do you just take the animal away?	1/22/2020 7:30 PM
63	If it's before 11pm and the dog has proper shelter I don't see a problem with barking.	1/22/2020 4:03 PM
64	This as stated is unreasonable. There should be a time limit and time restrictions. For example - in excess of 2 hours or not after 11:00pm	1/22/2020 3:09 PM
65	By-Law does nothing even when you have documented evidence from many surrounding neighbours. Good to have it in place but no one is doing anything when there is a bona fide issue.	1/22/2020 2:34 PM
66	I dont own any pets, but animals will be animals. They make noise so let them. Humans have freedom of speech, animals should to.	1/22/2020 2:33 PM
67	I think it's up to the owners to look after their pets. So if a dog is barking alot, by-law officers should check to make sure the animal is properly looked after and educate the owners. It's not the animals fault.	1/22/2020 2:28 PM
68	Not sure what repetitive barking is - what the specifics are - is it for more than 10 minutes? 1 hour? Times of day or night? I would need more info to determine.	1/22/2020 2:21 PM
69	If there were stronger regulations about barking or noise what would happen to those animals? We need to support owners who already care for animals to keep these pets and avoid them becoming at risk of being surrendered - I disapprove of any by-law that is more severe than what we already have because it takes time to train pets and we should keep the ones that have a home in their home	1/22/2020 12:51 PM
70	There should be time limits as in the above rule after 11:00 p.m.	1/22/2020 11:30 AM
71	Define repetitive, what other noise bylaws are in place and what times do they include? Such	1/22/2020 10:31 AM

## Animal Control and Licensing Survey

as lawn mowers, leaf blowers, children playing, house and yard parties.

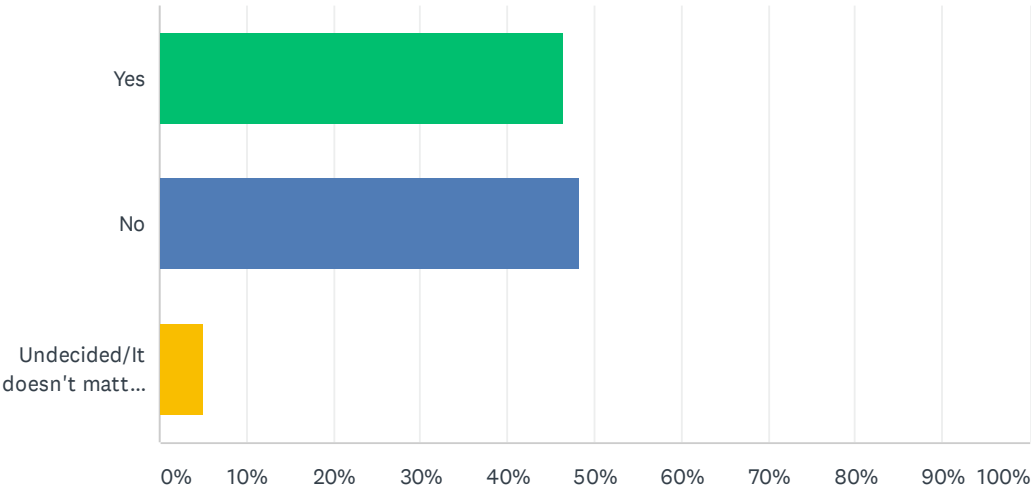
72	You cannot always control a dog from barking so long as it is not excessive and constant between the hours of midnight and 8am. Sometimes one of my dogs barks at something that scares them when I have to let them out in the early morning hours, I try to control them from barking and bring them back inside as soon as possible. One of my other dogs doesn't bark at all when I'm the backyard. She barks when someone rings the bell and that is all. Whereas my other dog barks out of fear out of the blue. So long as it is not excessive barking night long then Th st should be excepta or.	1/21/2020 9:19 PM
73	Too vague. A dog barking three times a day may be considered a nuisance by some and not by others. How many people are complaining and how often?	1/21/2020 9:09 PM
74	People have 2 or 3 dogs that bark during the day incessantly for 20 min at a time. Would prefer to see a limit on the number of dogs people own (1 dog only), restrict dog size (eg Great Pyrenees, German Shephard, Great Danes are too large for small lots) because the poor animals don't get enough exercise. People don't pay attention to current by law about no barking 11pm to 7am and often animals are outside barking at 6:30am or after 11pm. Bottom line, tough to enforce bylaws if neighbours are disrespectful short of calling police.	1/21/2020 4:56 PM
75	While I agree in principal that that people should not be disturbed by a barking dog most dog owners are not knowledgeable enough to know how to stop the barking, howling etc. Just taking the dog away will not solve long term problems. There is a reason that the dog is barking constantly, let's do some thing to help the owner and more importantly the dog that is likely bored, neglected etc.	1/21/2020 4:46 PM
76	I'm not entirely sure that there is sufficient investigation into noise/barking. What constitutes excessive? Are the complainants checked to see if they also have a dog?	1/21/2020 4:16 PM
77	I don't know the current bylaw, but it shouldn't be the pet that suffers for an owner who doesn't properly look after there pet. It should be investigated to see if an animals in distress and the owner should be educated.	1/21/2020 2:00 PM
78	If dogs are left outside and bark this should not be allowed. It's cruel to have an outside dog.	1/21/2020 12:37 PM
79	(1) The Owner of an Animal shall ensure that such Animal shall not bark, howl, or otherwise makes or causes a noise or noises which disturbs any person. (2) Whether any sound annoys or disturbs a Person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.	1/21/2020 12:23 PM
80	you can not stop a dog from barking how ever the owner has ways of controlling it.it shouldn't be not allowed to own a dog that barks a lot ,but the owner could face a ticket	1/21/2020 10:52 AM
81	Im not sure, I would hope that all dogs left outside barking for hours would be investigated	1/21/2020 10:35 AM
82	Animals should be brought inside if barking	1/21/2020 7:45 AM
83	(1) The Owner of an Animal shall ensure that such Animal shall not bark, howl, or otherwise makes or causes a noise or noises which disturbs any person. (2) Whether any sound annoys or disturbs a Person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw.	1/20/2020 11:43 PM
84	Does the city work to understand why the dog is barking ? How and what measures are taken by the owner to cease the dig from barking? What if the owner muzzles their dog as a result and continues to leave it outside? I think more diligence on Animal Control is required and the animal should be removed if the owner cannot demonstrate a safe and humane action plan.	1/20/2020 10:25 PM
85	Some dogs have anxiety when left alone snd as a result they may bark. As long as it is not all night long or the dog left outside that shouldnt happen either	1/20/2020 10:15 PM
86	Distinction between barking and nuisance barking with specified duration and frequency .Dogs bark but current bylaw allows any barking to be grounds for complaint if neighbour doesn't like.	1/20/2020 9:43 PM
87	Need more clearly defined what constitutes excessive barking so neighbours can't call if they don't like dogs. All dogs bark	1/20/2020 9:30 PM
88	harsher penalties to pet owners and more bylaw officers monitoring these complaints quicker then when its too late.	1/20/2020 12:49 PM
89	I have never called to complain so I don't know.	1/20/2020 9:49 AM

## Animal Control and Licensing Survey

90	Nothing is ever done about it!	1/19/2020 11:01 PM
91	Last 11pm. Then enforce.. hard to control dog barking	1/19/2020 8:04 PM
92	It's to vague. It's to easy for residence to make nuisance calls. The bylaw needs to have more concrete wording regarding what excessive barking is	1/19/2020 6:48 PM
93	If people are forced to give up their dogs because of barking (some are chatters) I don't agree. If the animal is being abused by being left outside alone all of the time, and barks away, then yes take the dog away. I think like "children" each case if different and needs to be investigated by a qualified personnel.	1/19/2020 5:41 PM
94	Need stricter barking bylaw	1/19/2020 11:08 AM
95	I question how well this is adhered to and how quickly By-law can respond to concerns.	1/18/2020 4:02 PM
96	Support and training should be mandatory for an owner and pet, rather than taking their pet away.	1/18/2020 7:52 AM
97	Many of the dogs that are barking are doing so on an on-going basis because of their owners leaving them outdoors without proper food, water and shelter. It is important that the root cause is addressed and the animals are protected.	1/17/2020 7:22 PM
98	Owners should be held accountable - the animals should not be blamed/punished if they are neglected or ignored by the owners	1/17/2020 5:12 PM

Q6 Are you satisfied with the current provisions regarding tethering in the Animal Control By-law?

Answered: 558    Skipped: 44



ANSWER CHOICES		RESPONSES	
Yes		46.42%	259
No		48.39%	270
Undecided/It doesn't matter to me		5.02%	28
TOTAL			558

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#	IF NO, PLEASE PROVIDE ADDITIONAL PROVISIONS THAT YOU WOULD LIKE TO SEE:	DATE
1	I am not in agreement that an animal is to be left unattended and tethered for long periods of time.	2/9/2020 7:29 PM
2	3 meters is roughly 11 feet. That's a lot of room to move while tethered. Assuming that the animal is not intended to love tethered there's no problem here for short term use.	2/9/2020 9:23 AM
3	No dog should be allowed to be outside the majority of its life on a tether no matter how long it is.	2/8/2020 11:01 AM
4	Need to look at how long is it tethered and What are the weather conditions	2/7/2020 9:46 PM
5	I don't believe any animal should be tethered no matter how long the lead is. Keep them inside if they can't be trusted alone outside.	2/7/2020 2:29 PM
6	No less than 3 feet!? The dog can still hang them self. Is the length of tether safe for the dog to prevent it from reaching the road. Can the dog at a 3ft tether reach shade or grass? Can the dog effectively relieve itself without having to lay in it's own waste?	2/7/2020 1:16 PM
7	Absolutely no tethering. Fenced yard where animals can roam freely.	2/7/2020 12:21 AM
8	Quicker response to reporting Easier way to get in contact with officers	2/6/2020 6:58 PM
9	No animal should be tied up indefinitely and left outside.	2/6/2020 5:20 PM
10	I don't think you should be able to tether an animal unattended. You would never do that to a child, they are no different in my mind.	2/6/2020 5:05 PM
11	No I do not feel it is right to keep an animal tethered outside.	2/6/2020 11:55 AM
12	No animal should be left outside for any period of time. It causes distress barking and is very cruel	2/6/2020 11:30 AM
13	Tethering is inherently cruel as dogs are companion animals that greatly benefit from social contact. Scientific studies have found that tethered dogs are more stressed and anxious, are more likely to attack, bite and show adverse behavior. In my view tethering a dog unattended for longer than two hours is irresponsible and cruel. The City of Oshawa is currently looking into restricting a tethered dog so that the owner or someone charged with it's welfare is in attendance at all times while a dog is tethered and that such attended tethering not exceed two hours in any twenty four hour period. I urge the Town of Newmarket to duplicate this provision as I firmly believe this reflects current community standards of animal care.	2/5/2020 7:29 PM
14	I do not currently know what the current provisions are therefore I cannot say if I agree or not.	2/5/2020 11:16 AM
15	There must be shade to get protection from the sun, there must be clean water to drink, there must be shelter from weather.	2/4/2020 10:38 PM
16	I believe that animals should not be tethered - and that there should be very very strict guidelines as to When an animal can be tethered. The use of a tether implies that there is not appropriate containment available (i.e. a proper fence).	2/4/2020 10:21 AM
17	Animals should not be tethered. this can lead to animals being tethered over night and in poor whether conditions.	2/4/2020 9:22 AM
18	There needs to be a time limit for tethering so that dogs are not left outside 24 hours a day. Suggest a time limit of 3 hours, and half an hour during extreme weather	2/3/2020 11:26 PM
19	There should be a stipulation whereas no animal shall be tethered for more than "x" amount of time.	2/3/2020 5:08 PM
20	There at least should be a time limit on how long the animal is tethered. Personally I hate the idea of an animal being tethered period.	2/3/2020 1:32 AM
21	Specific timelines for tethering ( no more than an hour or so each day) should be set and enforced. An animal tethered indefinitely is nothing but cruel. Why have a pet if it is tethered and not shown affection? Animals were never meant to be restricted in such a barbaric fashion.	2/2/2020 5:16 PM
22	Only if they don't have a fenced yard otherwise a longer rope.	2/2/2020 4:35 PM
23	Dogs should not be allowed to be kept outside in a dog house with no access to coming in to a	2/2/2020 1:55 PM

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	home.	
24	Tethering should not be for an unlimited amount of time. Tethering is fine for an hour on the front lawn during the summer with the family close by gardening etc. It allows the dog to safely be part of activities with no fence. A dog unattended and tethered all day in the middle of winter is inhumane.	2/2/2020 9:26 AM
25	Add a water source and shade to be within reach of the tied animal	2/1/2020 2:51 PM
26	provisions regarding extreme weather	2/1/2020 2:41 PM
27	More staff needed to address concerns to investigate. More needs to be done to protect the animals and owners need more severe fines. Town should be able to take the animals away permanently if in a harmful situation.	2/1/2020 10:08 AM
28	If not already part of the by-law, I would like to see either a limit on the number of hours an animal may be tethered or a requirement that the animal have access to clean water and appropriate shelter within reach of the tether.	2/1/2020 9:33 AM
29	There should also be time limits for how long a dog is permitted to be tethered	1/31/2020 11:40 PM
30	Tethering is cruel regardless of the length! This allows people to neglect and abuse animals.	1/31/2020 8:51 PM
31	the time tethered needs to be indicated.	1/31/2020 8:22 PM
32	Time limit.	1/31/2020 6:49 PM
33	There should be a restriction on time animal is teathered and weather restrictions	1/31/2020 6:31 PM
34	Longer line and adequate shelter	1/31/2020 6:26 PM
35	No animal should be left outside 24 hours a day. They should also should have adequate access to food and water.	1/31/2020 12:34 PM
36	I dont agree that pet owner can keep their pet on a leash on their backyard even if its 3 meters lengths. No prisoners!!!!	1/31/2020 12:28 PM
37	It should be longer than 3 meters, as well as with provisions on what weather conditions are safe for animals to be tethered outside for long periods of time (2+ hours)	1/31/2020 12:12 PM
38	No dog should be tethered at all.	1/31/2020 10:17 AM
39	The animal should also have to have access to shelter, shade, food and water and the tether should not be heavy	1/31/2020 9:33 AM
40	I think when walking dogs in the neighbourhood, that they should be leashed at all times.	1/31/2020 9:26 AM
41	there should be a time restriction and there should be a provision that the animal should have adequate shelter from the sun and should not be outside in inclement weather, including high and low temperatures. The animal should also have adequate protection from other animals. They should also have access to water and food.	1/31/2020 7:40 AM
42	When people report dogs outside 24/7 someone needs to step in before it makes it to the newspaper	1/31/2020 5:35 AM
43	I do not support people tying their animals with any length of chain.	1/31/2020 5:25 AM
44	I feel there should be a time limit associated to tethering. Keeping an animal in such a condition is not fair to the animal and will cause distress to the animal.	1/30/2020 11:01 PM
45	again if it is enforced	1/30/2020 10:46 PM
46	Time limit of 2 hours max. Must be far enough away from property lines and boulevards. Must be supervised. Shade and shelter provided from elements. Education about tethering and the stress, over protection and aggression this causes a dog. Please consult trainers with dog psychology background. This is a very real problem that can make good dogs dangerous.	1/30/2020 10:34 PM
47	I honestly don't know what the current bylaw is as it was not included for consideration, but I assume it doesn't prohibit tethers in the front yard of an unattended dog since I've seen that often in Newmarket	1/30/2020 10:26 PM
48	Issues are not being addressed that have been reported.	1/30/2020 10:15 PM

## Animal Control and Licensing Survey

49	None of this should be allowed. If you don't want a dog then don't get one that's going to be tied?? Ridiculous!!	1/30/2020 9:47 PM
50	No animal should be kept on a rope , chain at all! They should only be able to use a leash to walk the dog or just to let the dog out the back yard for a reasonable amount of time , not to be left alone !	1/30/2020 9:30 PM
51	1. Doesn't say anything about water? If so, water should be accessible 2. There should be a time limit	1/30/2020 9:06 PM
52	Animals shouldn't be tethered for extended periods of time	1/30/2020 9:04 PM
53	Is there no time limit for how long someone can leave their dog tethered?	1/30/2020 9:02 PM
54	No animal should be left outside.	1/30/2020 9:02 PM
55	It should be unlawful to tether or chain up any animal, regardless of length. Unless a person or persons are present to supervise and overlook	1/30/2020 8:58 PM
56	Time limit as to how long they can be tethered. 3 hour limit	1/30/2020 8:50 PM
57	There should be a time limit as to how long a dog can be tethered - like no more than a few hours in one 24hr period	1/30/2020 8:43 PM
58	There needs to be provisions that they also must always have access to clean fresh water, and have adequate shade and shelter. Restrictions on the type of collars that can be used. Provisions for the tether length. Animals must be brought in during inclement weather.	1/30/2020 8:38 PM
59	Animals should not be tethered at all! If you're going to tie an animal up, you shouldn't own one!	1/30/2020 8:33 PM
60	There should be provisions for winter weather. Animals should not be kept outside in dangerously cold temps.	1/30/2020 8:14 PM
61	No animals should be tethered outside unsupervised. Exposure to the elements and wildlife can harm chained animals. Responsible pet owners should provide adequate shelter. Indoor pets!	1/30/2020 7:11 PM
62	It is imperative that a maximum number of hours be imposed on tethering laws. It's not natural for pets to be tied up all day in all weather. This constitutes animal cruelty. Animals are smart and dogs in particular are social creatures. Tethering subjects them to unimaginable boredom, frustration, and eventually they become aggressive. Tethering indefinitely is animal cruelty. Two hours maximum tethering needs to be imposed.	1/30/2020 6:35 PM
63	There need to be time constraints placed on this.	1/30/2020 6:34 PM
64	Dogs do not belong tied up outside for any length of time.	1/30/2020 6:30 PM
65	Animals should not be tethered 24/7, nor should they be tethered outside in inclement weather such as rain, snow, freezing or extremely hot temperatures.	1/30/2020 5:36 PM
66	Length of time on a tether should be taken into consideration. Time should be limited.	1/30/2020 3:43 PM
67	A time limit and temperature should be included. Pets are not meant to be left outside they are family members. Adequate housing and food and clean water access should also be included.	1/30/2020 2:19 PM
68	No animal should be tied up. Period. And definitely not by a chain. And absolutely not by the neck.	1/30/2020 1:34 PM
69	They should have water in a spill-proof dish and shade/shelter within reach of the rope	1/30/2020 12:12 PM
70	There should be a time restriction for tethering and there should still be an appropriate shelter for the animal no matter how short of a time the animal is left out.	1/30/2020 11:35 AM
71	No animal should be allowed to live off a chain or tethered rope. It is inhumane! If people own pets, they should be indoors where they get proper shelter warmth and love as they should. What is the purpose of owning a "pet" if it is confined to the outdoors. Would you tie a deer up in your yard on a chain or tethered rope? If it's wild let it be free if it's a pet keep it warm and safe indoors with love and attention that it deserves. Same with cats, they should not be permitted to be outdoors running free, around breeding..	1/30/2020 10:42 AM
72	I've heard of cases of animals in this town that are tethered and no action by the town is taken.	1/30/2020 10:29 AM



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	Very disappointing.	
73	Proper access to shelter, water, minimal distress	1/30/2020 8:55 AM
74	No animal should be left tied up outside for extended periods of time	1/30/2020 8:18 AM
75	It's cruel to have them out there all day. Depends on the situation.	1/30/2020 8:12 AM
76	No tethering	1/30/2020 8:03 AM
77	We need to be way more responsive if enabling pet owners to go about their day without having to crate animals. People crafts animals because you can only go to winners and Canadian tire with your pet. I'd like to go to all areas of grocery store except open food area of bakery. I'd like to pick up prescriptions at pharmacy. I cant even go to Tim hortons to pick up a coffee and leave. This is crueller than leashing	1/30/2020 8:01 AM
78	Should specify maximum weight of tether per weight of dog so that it is not too heavy; also time limit to be tethered and to be appropriate for weather and breed of dog; shelter available; plenty of water and food available	1/29/2020 12:36 PM
79	Regardless of the length of the tether, an animal should not be tethered all day long. Set a maximum number of hours that an animal may be tethered.	1/29/2020 11:57 AM
80	There should be some way to ensure that domestic animals are not left tethered, movement or no, for long periods of time. Animals have brains and emotions and are super vulnerable to humans. They should be protected from mental, emotional AND physical anguish.	1/27/2020 8:46 PM
81	Tether animals less than one half hour max	1/27/2020 5:01 PM
82	No dog should be tethered outside for an indefinite amount of time. There should be a time restriction as the weather plays a factor such as extreme heat or cold weather	1/26/2020 11:40 PM
83	There needs to be a time restriction as to how long an animal can be tethered. The length of rope is irrelevant if the animal is tethered for 8 hours a day. Weather conditions need to be factored in as well.	1/26/2020 9:54 PM
84	An against dogs tethered and living outside . However there has to be a time limit as irresponsible owners abandon the dog in all weather conditions.3 hrs in a 24 hour period but not at all in extreme weather conditions	1/26/2020 9:12 PM
85	Better care if thettering is needed. Food and water should be available 24/7; proper shelter for weather and very limited hours of tethering.	1/26/2020 9:09 PM
86	Does not take into account the health of the pet or the weather conditions	1/25/2020 9:05 PM
87	Restrictions on time animal may be tethered.	1/25/2020 5:43 PM
88	The rope, chain, or similar device should be longer than 3 meters. As well, letting animals go free is another example of providing as natural way of living for them as possible. It does negatively affect their mental state if they are constantly on a leash, plus aggressively pooled while on it, forbidden to smell things around for as long as their natural instincts leads them to.	1/25/2020 5:34 PM
89	I don't think there are any good reasons to tether an animal and especially in an unsupervised situation.	1/25/2020 4:22 PM
90	I do not think animals should be tethered on front lawns or front porches. This only causes the dog to bark incessantly at everything that goes by its field of vision. Or, attempt an attack on a passerby, causing personal injury of trying to get away from the dog.	1/25/2020 3:24 PM
91	No domestic pets should be get on a leash or tethered 24 hours a day	1/25/2020 9:53 AM
92	No pets should be left outside for long periods of time	1/25/2020 9:48 AM
93	A time restriction should be added so as not to leave the animal in distress. Can 3 metres be made longer?	1/25/2020 7:01 AM
94	With water and insulated protection from weather , no longer than 3 hours	1/25/2020 12:48 AM
95	Time limit of 4 hours. Appropriate shelter. Access to food and water.	1/24/2020 6:58 PM
96	The longer leads need to go	1/24/2020 6:50 PM



## Animal Control and Licensing Survey

97	Pets should only be tethered for a limited amount of time each day	1/24/2020 6:49 PM
98	Domestic animals should not be tethered during extreme heat or cold. I don't care how long the tether is under these conditions.	1/24/2020 6:25 PM
99	Leaving your dog or cat tethered outdoors for hours on end should be against the law.	1/24/2020 5:26 PM
100	No animal should be tethered to a rope, chain unsupervised.	1/24/2020 5:18 PM
101	No animal should be "tethered" outside	1/24/2020 4:54 PM
102	No animal shall be tied to a rope for no more than a specific allotted amount of TIME. No animal should be left tied up forever no matter how long the rope	1/24/2020 3:03 PM
103	No animal should ever be tied up outside no. Matter what. Only a walking leash	1/24/2020 2:00 PM
104	They should not be Left alone in the heat or cold and have proper shelter. Not be left tied for more than eight hours max	1/24/2020 1:09 PM
105	No animals should be tethered	1/24/2020 12:46 PM
106	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. Sec. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species <i>Canis lupus familiaris</i> . (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/24/2020 12:20 PM
107	No animal should be chained up	1/24/2020 12:18 PM
108	For what length of time? Are there weather restrictions?	1/24/2020 12:00 PM
109	The by law should also stipulate the amount of time an animal can be left tethered (ie: no more than 30 minutes) and should also stipulate that all necessities be provided within reach (shade, water, shelter from rain, etc)	1/24/2020 10:38 AM
110	tethering unsupervised can always lead to injury to an animal so tethering should have to be supervised	1/24/2020 9:27 AM
111	There should be a limit as to how long the Animal should be outside on a tether in freezing cold weather	1/24/2020 9:14 AM
112	These people are leaving dogs out in all weather conditions on a tether and it's unacceptable. With the growing population of coyotes, how is a small dog suppose to protect its self while being tethered when the owner is inside not monitoring the dog.	1/24/2020 9:01 AM
113	Yes, but not 24/7. Should be a time limit.	1/24/2020 8:23 AM
114	Should not be tethered long term or extreme weather or heat. Shade and shelter needed	1/24/2020 7:56 AM
115	Animal must be provided adequate covered accommodation for inclement weather such as heat or freezing temperatures and must be provided with fresh water at all times	1/24/2020 7:00 AM
116	The provision should include a restriction on the length of time an animal can be tethered. I suggest no more than 3 hours.	1/24/2020 6:43 AM
117	Pets should never live tethered if they're not house pets you don't need it as a pet.	1/24/2020 5:28 AM

## Animal Control and Licensing Survey

118	I do not support any tethering of animals	1/24/2020 2:49 AM
119	There is nothing around time and temperature. In theory, the animal can be tied up with 30ft of rope for 24 hrs, or in 110f weather.	1/24/2020 12:43 AM
120	Would want that people cannot be allowed to tie a dog outside by itself for more than a couple of hours at the most, also not in weather that is too cold, too hot, too wet. Dogs have feelings, they need to be around people and other dogs, they are social animals. Tying them out on a leash to be alone and confined is totally cruel and unacceptable	1/24/2020 12:07 AM
121	I don't think it's mentally healthy for a dog to be tied up	1/23/2020 11:23 PM
122	There should be restrictions to length of time animal is allowed to be tethered. Also, cold, stormy, snowy, ice, weather, animals are not tethered outdoors. They are brought in.	1/23/2020 11:20 PM
123	Amend to include leaving animals outside in inclement weather (cold/hot) for prolonged periods of time.	1/23/2020 11:18 PM
124	There should be a requirement of fenced property or a shelter for the pet if not fenced in close enough to reach on the teather and for no more then 2 hours at a time especially in extreme weather- hot or cold-.	1/23/2020 11:10 PM
125	There should be a limit on the time an animal can be tethered.	1/23/2020 10:54 PM
126	No animals should be tied up...	1/23/2020 10:16 PM
127	The east coast has stated that an animal can not be tethered for more than an hour at a time. What animal should be tied in a yard or to a dog house day in and day out? I am not an animal activist but if you have ever seen a dog shivering out in the cold you would stop this from happening when you have the chance.	1/23/2020 10:12 PM
128	Tethering not be allowed. The animal should be in a fenced area.	1/23/2020 9:55 PM
129	Tethering by laws should be specific on temperatures and length of time spent out for animals. Dogs not adapted to cold temperatures shouldn't be out in sub zero temperatures for lengths of time and no animal should spend all day chained up outside.	1/23/2020 9:44 PM
130	Only if the yard is not fenced and the owner is at home to monitor the tethered pet. Pets should not be tethered when the owner is not home.	1/23/2020 9:39 PM
131	Being tethered isn't acceptable at all!	1/23/2020 9:29 PM
132	Animals should not be tethered in certain weather conditions ie without access to shade in extreme heat. Animals should not be tethered without access to food or water. Animals should not be tethered unattended.	1/23/2020 8:43 PM
133	There should be a time limit that dogs are allowed to be tethered.	1/23/2020 8:40 PM
134	There needs to be a time limit. It's no life for any living animal to be left tied outside for hours or days on end - no matter what the length of the rope is. Also depending on weather. Extreme heat or cold is not ok.	1/23/2020 8:32 PM
135	I don't think tethering is acceptable	1/23/2020 6:57 PM
136	There should be an extreme weather clause for heat and cold, and tethered animals must have access to shelter and water	1/23/2020 6:56 PM
137	Need time limit	1/23/2020 6:38 PM
138	There should be a time limit, Animals should not be tethered 24/ 7	1/23/2020 6:36 PM
139	There should be something in there about being left out in the bad/cold weather, or for extended periods of time.	1/23/2020 6:28 PM
140	I don't think animals should be tethered on a rope, chain, or similar device REGARDLESS of length.	1/23/2020 2:46 PM
141	People leaving their animals outside tethered is not ok.	1/23/2020 2:00 PM
142	See below	1/23/2020 1:38 PM
143	Add a time limit.	1/23/2020 1:04 PM

## Animal Control and Licensing Survey

144	And does not keep the animal out in the winter.	1/23/2020 12:30 PM
145	With most properties in Newmarket having fences yards I don't believe people should be allowed to tether an animal outside unless they don't have a fence. I don't believe they should be left tethered outside overnight or when no one is home. If a cat is being tethered outside I don't believe it should be left unsupervised. Any animal left outside should have access to comfortable shelter from the heat or cold and water.	1/23/2020 12:11 PM
146	Longer chain	1/23/2020 12:06 PM
147	I would like to see provisions that don't allow people to keep their dog tethered in extreme cold or heat, unable to get shelter or water. If people can't let their pet inside, they shouldn't be able to have them.	1/23/2020 11:57 AM
148	No animal should be tethered and unattended. No one will enforce or check up on them.	1/23/2020 11:55 AM
149	Animals should not be tethered at all	1/23/2020 10:48 AM
150	Ought to include a time limit and weather clause on tethering. For example, 2 hours per day. Not allowed if temperatures are above 25 degrees or below negative 10	1/23/2020 10:22 AM
151	They need supervision if tethered.	1/23/2020 8:13 AM
152	No animal shall be tethered or confined outside for more than 1 hour twice a day. Dogs should not live their entire lives outside.	1/23/2020 7:44 AM
153	Weather should also be a factor. Intense heat or extreme cold should be considered when leaving a domestic animal outside.	1/23/2020 7:39 AM
154	No tethering	1/23/2020 12:52 AM
155	Tethering should not be allowed	1/23/2020 12:31 AM
156	No tethering at all.	1/22/2020 8:20 PM
157	BAN ALL TETHERING.	1/22/2020 8:11 PM
158	No dog should be tied up at anytime don't have a dog unless it is part of your family	1/22/2020 8:11 PM
159	I would prefer to see fenced yard. Does this mean a dog could be tethered 24 hrs? Letting the dog out for a bit tethered on a line if you don't have a fence is one thing. Dog tethered 24/7 not acceptable!!!	1/22/2020 7:34 PM
160	Pets should be supervised when outside. Tying a pet up, no matter what the length is, and leaving them without supervision is not suitable.	1/22/2020 7:24 PM
161	I don't believe animals should be tied up and left outside for long periods of time, especially in freezing cold weather.	1/22/2020 6:02 PM
162	There needs to be some sort of limit to the length of time an animal can be tethered. 3 meters may be fine for a small dog but for a larger animal that is not sufficient. There must be an allowance that it can also seek appropriate shelter of some sort while tethered.	1/22/2020 5:42 PM
163	Limits to time tethered is required	1/22/2020 4:56 PM
164	NO domestic animal should be kept tethered, be it rope, chain or similar device.	1/22/2020 4:37 PM
165	I believe there should be a time limit and not over night.	1/22/2020 4:18 PM
166	There should also be other issues included here as well.... shelter, length of time, water, etc.	1/22/2020 3:58 PM
167	There should be a time limit for how long the animal can be tethered so that they are not like that 7/24	1/22/2020 3:13 PM
168	There needs to be a time frame that a dog is left on a tether. Also, need to ensure they have access to shelter in the winter, & water and cool shade in hot months.	1/22/2020 2:37 PM
169	Model anti-chaining wording: Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. Sec. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species <i>Canis lupus familiaris</i> . (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related	1/22/2020 2:36 PM

## Animal Control and Licensing Survey

laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash. This applies to dogs living outdoors too!

170	No animal should be tethered. The area they are in should be appropriately enclosed.	1/22/2020 2:25 PM
171	No animal should be chained up	1/22/2020 2:07 PM
172	Include shelter and water as a requirement and all is good	1/22/2020 1:52 PM
173	There should be a time limit to how long they can be tethered for. Also, there should be a provision that if they are tethered, a person should be with said animal. No animal should be left tethered alone outside as they may become untethered or attacked by another animal (ie. coyote)	1/22/2020 1:33 PM
174	If an animal is tethered outside there should be more specific requirements: must have access to clean water, shade, shouldn't be tethered in weather under XX or over XX. The part about "suffer injury as a result" is not specific enough. Some breeds should never be tethered outside - only some pets actually enjoy being outside - need more specifics if going to allow this. Also should separate the retractable leashes from this - some people let their leashes out really far when out in public and there should be a limit on this.	1/22/2020 1:00 PM
175	Appropriate length is arbitrary, and can vary vastly between dog type and size. Tethering it is often a safe form of exercise when fencing is not possible, however there are issues with "social justice Warriors" "saving" dogs that are safely tethered and something like that should have consequences provided for within the Bylaw	1/22/2020 11:39 AM
176	Animals should be kept in a appropriately fenced yard and NOT tethered.	1/22/2020 11:33 AM
177	A tethered dog can potentially be dangerous and therefore should not be able to reach where another person can approach them. There also needs to be a limit Of time spent on a tether. Should not be for hours or replace good exercise for the animal	1/22/2020 11:25 AM
178	A tied up dog creates a vicious dog. The need a fenced yard and walks	1/22/2020 7:15 AM
179	No dog should be tethered or left out in extreme weather conditions regardless of if they meet the tethering length which is ridiculous as 3M is only about 10FT and should be a minimum of 5-6Metres.	1/21/2020 10:17 PM
180	Small enclosure is safer option for a pet. A run will keep other animals out.	1/21/2020 9:13 PM
181	I don't think any dog should be tied. Recipe for disaster.	1/21/2020 5:02 PM
182	I agree with all of the above but there also needs to be time restriction. You cant put these poor dogs out for hours on end. This is also another likely source of excessive barking.	1/21/2020 4:49 PM
183	No animal should be tethered for extended periods of time.	1/21/2020 4:35 PM
184	There should be a maximum time an animal can be tethered / chained without a human present.	1/21/2020 4:20 PM
185	I don't think animals should be tethered outside at all times.	1/21/2020 4:18 PM
186	Should also be law on how long they can be left out per the weather	1/21/2020 4:17 PM
187	It should also include regulations about keeping pets inside in extreme weather/access to fresh water and food as well.	1/21/2020 2:17 PM

## Animal Control and Licensing Survey

188	I don't believe animals should be tied up.	1/21/2020 2:03 PM
189	Perhaps have a time limit and extream weather ban.	1/21/2020 1:47 PM
190	Harsher plenalties for repeat offenders	1/21/2020 12:46 PM
191	Time periods, weather permitting etc.	1/21/2020 12:43 PM
192	Make it an approved leash. Ropes are horrible and chains can be heavy.	1/21/2020 12:39 PM
193	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. SeC. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species Canis lupus familiaris. (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/21/2020 12:32 PM
194	I hate to see an animal tethered. There are no circumstances where it is acceptable. I would like to see tethering stopped immediately and a law passed.	1/21/2020 10:31 AM
195	Access to water and food as well	1/21/2020 10:08 AM
196	I don't believe animals should be tethered for more then a bathroom break.	1/21/2020 9:51 AM
197	Zero tolerance for tethered	1/21/2020 3:22 AM
198	Sec. 1 Policy (a) in order to enhance the quality of life of citizens and dogs, the Town Council prohibits the tethering of a dog unless the owner or custodian is outside with the animal. SeC. 2 Definitions (a) Dog.—The term 'dog' shall mean a member of the species Canis lupus familiaris. (b) Animal control.—The term 'animal control' means the municipal or animal control agency or any other entity responsible for enforcing animal-related laws. (c) Person.—The term 'person' means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof. Sec. 3 (a) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained unless the owner or custodian is outside with the animal and the animal is in sight view. (b) A person who violates this chapter is guilty of an infraction. (1) An infraction under this chapter is punishable upon conviction by a fine of up to five hundred dollars (\$500) as to each dog with respect to which a violation occurs. (2) each subsequent 24-hour period shall constitute a separate infraction. (c) Notwithstanding subdivision (b), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual. (d) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.	1/20/2020 11:44 PM
199	A time limit is needed, 2 hours maximum with supervision at all times	1/20/2020 11:32 PM
200	No animal should be chained regardless of the length	1/20/2020 11:02 PM
201	Tethering should not be allowed period!	1/20/2020 10:31 PM
202	What is the reason for teathering? If this is to continue as an acceptable practice, think weather or time restrictions should be imposed.	1/20/2020 10:31 PM
203	Woud like stricter penalties in place for those that neglect their snimals	1/20/2020 10:25 PM

## Animal Control and Licensing Survey

204	A time limit of 3 hours maximum. Must be taken inside when weather is too cold or hot. That number to be determined. Not to use a chain. A long rope of some kind and bedding or proper area to lie on	1/20/2020 9:45 PM
205	Should be changed to no animal should be tethered at all for extended periods of time	1/20/2020 4:42 PM
206	We need a time frame on how long a dog can be tethered. If not we have people leaving dogs tethered all day and all night. Dogs should only be tethered for a short period of time for their safety if there is no fenced yard to protect them.	1/20/2020 4:35 PM
207	Three meters is too long for most people (especially children) to keep control over their animals. There should be a length specified for when an animal is in a yard or park and another for when the animal is being walked in a neighborhood.	1/20/2020 2:31 PM
208	just let owners do what they want. why do you have control over length of the rope or chain	1/20/2020 12:52 PM
209	The animal should be supervised if tethered.	1/20/2020 9:51 AM
210	No animal should be tied up outside... get a fence or secure your back yard	1/19/2020 11:03 PM
211	I'm not sure	1/19/2020 8:42 PM
212	Should be longer	1/19/2020 7:26 PM
213	Again it's to vague. It needs to be updated so there is no room for personal interpretation of the bylaw	1/19/2020 6:55 PM
214	Family pet should not be tethered in the cold, winter storms, heavy rain, or heat.	1/19/2020 6:41 PM
215	If someone owns a pet it should be able to roam free in a safe environment (fenced in yard). A leash, rope, chain, etc. is always a danger as an unsupervised animal may harm themselves.	1/19/2020 5:45 PM
216	I think there are other restrictions that should go along with tethering if there are none. For example, the animal should have access to a shelter and water and no objects surrounding the animal that the tether could get wound around.	1/19/2020 12:58 PM
217	Requires a time limit for tethering... also access to water and shelter of some kind (wind break/sun/snow)	1/19/2020 11:58 AM
218	Need to be sure it is not cruel aspecially in winter	1/19/2020 11:10 AM
219	There needs to be a time limit on how long an animal is tethered	1/19/2020 8:48 AM
220	Time limits on tethering- and weather conditions- even of tjere is a dog house	1/19/2020 8:36 AM
221	Dogs are being left on tethers 24/7 with barely adequate, if any shelter and no way to tell if they're being properly fed and watered.	1/18/2020 6:06 PM
222	There should be a time limit on how long an animal may remain tethered ... 2 or 3 hours max	1/18/2020 5:57 PM
223	Nope...not good enough. An animal should not be tied up in someone's backyard.	1/18/2020 4:05 PM
224	Should not be left outside	1/18/2020 2:37 PM
225	No animal should be left unsupervised on a rope	1/18/2020 12:44 PM
226	If an animal is outdoors- there should be a time limit stipulated- and inadequate 'dog house' shelters are not acceptable as this is stated in this by law as well	1/18/2020 11:57 AM
227	I think there should be a time limit of one hour max, 30 minutes in winter, the animal should have access to shade/housing and water at all times	1/18/2020 10:39 AM
228	Weather needs to be considered and the amount of time a fog can be in this situation.	1/18/2020 10:28 AM
229	No pet should be left to live outdoors or stay outdoors for an extended period of time, especially in Canadian weather. It's inhumane and cruel.	1/18/2020 7:57 AM
230	I personally don't like the idea of tethering at all. But if it is required I would like to see a time limit on it as well as indicating conditions where tethering is not permitted i.e. high temperature/low temperature limit, rain/snow, without shelter etc.	1/17/2020 8:38 PM
231	There should be further specification on access to food and shelter while tethered.	1/17/2020 7:30 PM

## Animal Control and Licensing Survey

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There should be no tethering of any animal in the town. It is inhumane, particularly in poor weather conditions.

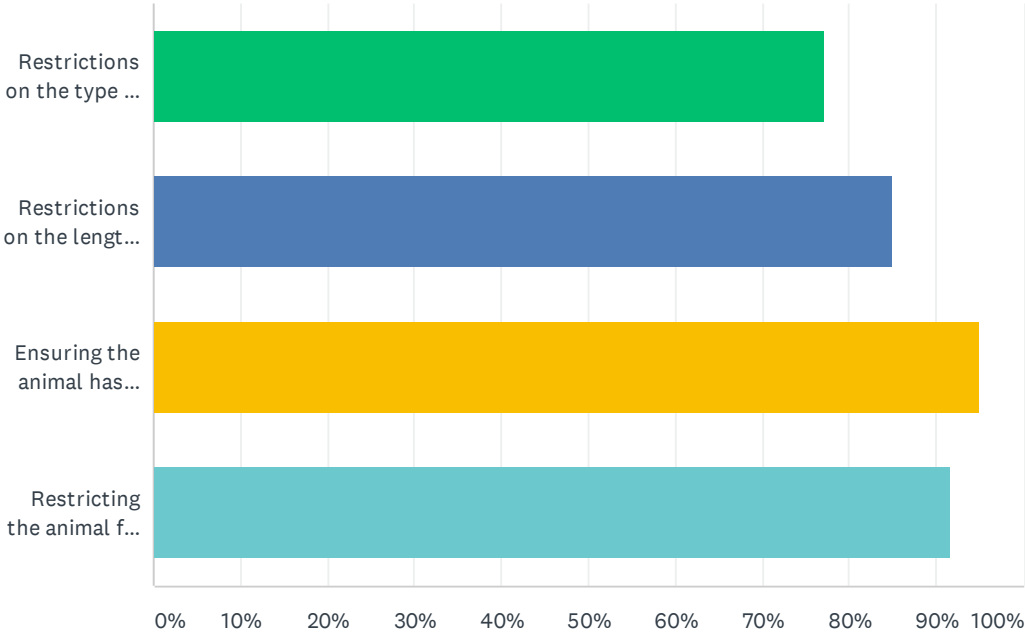
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1/17/2020 7:23 PM



Q7 Would you like to see any of the following regulations added to Newmarket's Animal Control By-law regarding tethering? (select all that apply)

Answered: 553 Skipped: 49



ANSWER CHOICES	RESPONSES	
Restrictions on the type of collar worn when the animal is on a tether (i.e. choke, chain, prong)	77.22%	427
Restrictions on the length of time allowed on a tether (i.e. 4 hours in a 24 hour period)	84.99%	470
Ensuring the animal has access to adequate water, food, shelter and shade	94.94%	525
Restricting the animal from being tethered during inclement weather (i.e. Environment Canada Weather Statements)	91.68%	507
Total Respondents: 553		



## Animal Control and Licensing Survey

#	PLEASE PROVIDE ANY ADDITIONAL PROVISIONS THAT YOU WOULD LIKE TO SEE INCLUDED:	DATE
1	All outdoor shelters should meet specific criteria, eg. - Insulated shelter which includes all 4 walls, roof and flooring, and should also require soft bedding such as adequate amounts of straw. Shelter should also be large enough to allow the animal room to retreat to the back of the shelter to protect itself from the elements. Outdoor tethers should be strictly monitored or forbidden all together.	2/9/2020 7:29 PM
2	Dog shouldn't be allowed to live out on a driveway exposed to other people and dogs walking by. Dogs in this condition do not feel safe and protected. The current laws regarding shelter should be reviewed and updated. If a dog is going to be left out 365 days a year, their shelter should be substantial and heated, not a little box.	2/8/2020 11:01 AM
3	That the animal has access to humane housing.	2/7/2020 4:49 PM
4	Restrictions on Placement of said shelter, water, food and tether origin. (Cant spill food or water if shortened tether length cuts across placement of these provisions.	2/7/2020 1:16 PM
5	Supervision, Not just tethered and left.	2/7/2020 11:43 AM
6	Some people with fenced yards send their dogs out into inclement weather for extended periods of time, ignore barking to get back in and leave them outside way too long - this should also be discouraged.	2/6/2020 2:39 PM
7	By laws need to follow up and closely monitor any complaints removing the animal from any suspected abusive situation	2/6/2020 11:30 AM
8	Please see my previous comments regarding tethering.	2/5/2020 7:29 PM
9	All of the above should absolutely be added to the Law! Every single one of those regulations!	2/4/2020 10:21 AM
10	None	2/3/2020 1:57 PM
11	All animal control by-laws should be fully advertised. More public awareness would help protect vulnerable animals. People could act if they knew how to when seeing any wrong committed.	2/3/2020 1:32 AM
12	See my answers on the previous question. Animals are not pieces of furniture. Weather and their living environment ( not just food and water but a clean environment which includes regular cleaning up of feces) impact on the animal behavior. Animals are not bad, some owners are bad. If anyone is found to abuse an animal they should be prohibited from owning another animal, and a meaningful fine or criminal charge should be applied as a deterrent.	2/2/2020 5:16 PM
13	I support these bylaws, however, owners not providing food, water & shelter or leaving their animals outside in inclement weather should be charged with cruelty!	1/31/2020 11:40 PM
14	Seriously who is going to enforce these rules. Currently most bylaws are not enforced as it is. The system relies on residents complaining and people are afraid of their neighbours. These are animals that need our protection. Words on paper and no action is just plain sadistic.	1/31/2020 8:51 PM
15	Anything which puts the animal at risk of injury or causes any undo harm or wilful neglect	1/31/2020 6:26 PM
16	Animals left in hot cars	1/31/2020 2:47 PM
17	dont agree the dog been on tether even for 4 hours	1/31/2020 12:28 PM
18	We need to keep all animals from hardship.	1/31/2020 9:26 AM
19	I would prefer no tethering at all.	1/31/2020 5:25 AM
20	Any legislation needs to be breed specific. If a dog had an undercoat it should not be treated same as a dog that doesn't.	1/30/2020 11:01 PM
21	I think that if this is a recurring situation with the same owner it should be investigated for the welfare of the animal.	1/30/2020 11:01 PM
22	Tethering should be prohibited in front yards	1/30/2020 10:26 PM
23	1 warning then animal removed from home after subsequent violations	1/30/2020 10:15 PM
24	They should be treated as people would want to be treated!!	1/30/2020 10:01 PM

## Animal Control and Licensing Survey

25	Animals should have rights!!! I just moved to Newmarket & hate the fact that dogs are sold in stores?? Really? Shame shame!!	1/30/2020 9:47 PM
26	Again, it should never be allowed to tether any animal for any length of time unless in the company of people	1/30/2020 8:58 PM
27	Type of collar depends on individual animal.	1/30/2020 8:50 PM
28	No bark/shock collars	1/30/2020 8:33 PM
29	2 hours maximum tethering in any kind of weather for the reasons as stated above...	1/30/2020 6:35 PM
30	If you are planning on tethering an animal, then DO NOT GET ONE!! They deserve much better than that!	1/30/2020 6:30 PM
31	Prong collars should be outlawed. Period.	1/30/2020 1:34 PM
32	I would like to see the town of Newmarket actually have laws such as these and actually fulfill complaints and charges against those who do not follow regulations. It is considered neglect, harmful and inhumane to these helpless animals. The town needs to begin having by laws and abiding and following up with complaints and being responsible to be consistent by having the laws and charging owners when community members have made the town aware of issues of neglect, inhumane living conditions for these animals! The animals cannot talk, people need to start standing up and being responsible in all areas.	1/30/2020 10:42 AM
33	Depends on breed for cold weather. I'm against the prong collars.	1/30/2020 9:01 AM
34	Ban tethering	1/30/2020 8:03 AM
35	This is going in the wrong direction. If you make it more difficult, dogs will go inside in crates. Leg us bring our dogs in stores so they dont die in cars or freeze or get stolen while tethered. You can deal with every barrier. You can require dog is in and tethered to a stroller. You can require a muzzle. Anything. The bylaws that prevent pets in stores and restaurants is cruel. It is the problem.	1/30/2020 8:01 AM
36	These are all very good provisions.	1/29/2020 11:57 AM
37	Half hour tether MAX cats indoors Buy litterboxes or DON'T GET A PET	1/27/2020 5:01 PM
38	A doghouse has to be a structure that is insulated , off the ground with fresh straw and a flap in the winter in the door . This is for the dog when it is out within the few hours within 24 hrs	1/26/2020 9:12 PM
39	Tethering should occur as little as possible and as short as possible.	1/25/2020 5:34 PM
40	If an animal is going to be tethered out side in all kinds of weather, then proper adequate shelter should also be provided. Also, proper signage warning of a dog on the property.	1/25/2020 3:24 PM
41	We need a more specific definition of adequate. What's adequate for one person might be horrifying for another.	1/24/2020 6:25 PM
42	An animal should not even be left outside in inclement weather, or for extended periods, regardless of whether it is tethered or merely confined within a fenced area. It makes no sense that these restrictions apply only to tethered animals. They should also apply to untethered animals kept outside.	1/24/2020 4:35 PM
43	Please see model legislation suggestion above. I do not believe dogs should be tethered unattended for any length of time. I do not believe dogs should be left outside unattended (whether tethered or not) for any length of time unless the human can make a case for it being in the dog's best interest (there are rare dogs who prefer to live outside or can not cope with living inside).	1/24/2020 12:20 PM
44	No longer than 1 hour	1/24/2020 12:18 PM
45	Ensuring that animal is still supervised and not left unattended; animal still relies on human for protection from predators. A dog on a tether cannot get away from a coyote.	1/24/2020 10:38 AM
46	No person shall tether a dog unless the person is outside with the dog at all times or the dog is in plain view	1/24/2020 9:44 AM
47	No puppy mill dogs, or cats.	1/24/2020 8:52 AM
48	It should be less than 4 hours maybe 1 hour max	1/24/2020 6:17 AM

## Animal Control and Licensing Survey

49	No tethering, either walk it or bring it in the house or business with you. No animal should be tethered unattended.	1/24/2020 5:28 AM
50	I would like to see a ban on tethering	1/24/2020 2:49 AM
51	Preferably no tethering allowed	1/23/2020 9:55 PM
52	Pets should not be tethered if the owner is not home.	1/23/2020 9:39 PM
53	Animals should never ever be left outside in the heat or cold for any length of time. Also please stop pet stores from selling animals from puppy mills and stop allowing any animals to be used in any sort of entertainment like horses pulling wagons on Main Street. Thank you.	1/23/2020 8:30 PM
54	All of the above!	1/23/2020 12:30 PM
55	Animals right laws put into place and crush Bill 156. Animals need a voice	1/23/2020 11:55 AM
56	I don't like tethering	1/23/2020 8:13 AM
57	This is common sense practices support by Bill 136	1/23/2020 3:26 AM
58	Tethering should be banned	1/23/2020 12:31 AM
59	Putting a time limit for during inclement weather ex 10-15 minutes because some house holds need that for a dog to do its "business"	1/23/2020 12:10 AM
60	Prong collars and "choke chains" or more commonly known as slip leads are valid and sometimes necessary training tools when used properly. Also slip leads are used by professional handlers in dog show environments exclusively.	1/22/2020 11:34 PM
61	BAN TETHERING ENTIRELY. IF SOMEONE CAN'T PROVIDE A FENCED YARD, OR AN APPROPRIATE PEN FOR THE DOG, THEY SHOULD BE WITH THE DOG ON LEASH WHILE OUT IN THEIR YARD.	1/22/2020 8:11 PM
62	All of the above	1/22/2020 7:34 PM
63	The criteria for outside housing is poor- most are approved even though the shelter is crudely built and the conditions are filthy	1/22/2020 6:02 PM
64	3 meters is not long enough for a large animal. 4 hours is 4 hours too long for some types of animals in heat and/or cold.	1/22/2020 5:42 PM
65	Animals should not be used as guard dogs in business environments.	1/22/2020 4:18 PM
66	No dogs should be left outside especially in colder/warmer weather. I see this too much in Newmarket	1/22/2020 4:04 PM
67	Dogs should be trained and manageable and leashed when in public	1/22/2020 3:13 PM
68	Not everyone has easily managed dogs- to take away tools that help them maintain control over their is not wise. Any tool, even a collar, can cause damage if not used properly.	1/22/2020 1:52 PM
69	Not being tethered outside without the presence of the owner.	1/22/2020 1:33 PM
70	Also restrictions on breeds/types of pets allowed to be tethered. Some dogs LOVE cooler weather and LOVE to be outside while others are put outside for people's convenience not because they are happy there. Could there be some criteria for this to ensure the animal is actually suited and enjoying being out. I disagree with restrictions on type of collar - I have had a large dog with really thick fur who was learning to walk on leash and we needed prong collar on leash or he would pull us off our feet! I agree choke collars and some others are very inhumane but be careful with how you do collar rules because owners must in control of their pets and for many there is a training phase! If a collar means the animal can be trained and have a loving home then this is better for the dog!	1/22/2020 1:00 PM
71	Length of tether can vary depending on dog, so putting a length limit within the bylaw is difficult and does not serve properly, however some sort of provision for something too short or perhaps even too long should be worded. Inclement weather can vary depending on the type of animal, for example of Chihuahua can't handle the cold however an Alaskan Malamute or Husky thrives in that condition, there isn't a catch-all solution.	1/22/2020 11:39 AM
72	I am entirely against tethering of any type. Again, fenced yards should contain the animal.	1/22/2020 11:33 AM

## Animal Control and Licensing Survey

73	Not to be in reach of outside people being able to approach while tethered.	1/22/2020 11:25 AM
74	Collars only a flat leather or fabric that is suited to size of dog. Access to water during the warmer seasons, food for meal times each day, once or twice. Shelter required with shade of some kind. Tethered dogs are adapted to the climate ie: short coat dogs cannot be left out in winter unless they have a warm insulated shelter with draft proof and deep bedding of clean straw etc. Dog breeds that are Nordic, double coated, acclimated to all weather still must have shelter and shade available as needed.	1/22/2020 10:38 AM
75	Tethered dogs should be on a flat collar and/or harness and FAMILY dogs should not be tethered 24/7. Some breeds are perfectly fine during inclement weather, ie cold, snow etc, with provide shelter if THEY choose to use it.	1/22/2020 10:11 AM
76	Tethering should be banned.	1/21/2020 9:13 PM
77	If it has to be allowed... Then restrict it as much as possible. And respond to complaints.	1/21/2020 5:02 PM
78	tethering is fine but leaving the animal outside the entire day while owners are at work and animal is barking/howling is unacceptable. If owners are away, put the animal in the house or garage.	1/21/2020 4:58 PM
79	yes to all of this. Let's make owners responsible for the proper welfare of their dogs.	1/21/2020 4:49 PM
80	I	1/21/2020 2:03 PM
81	All these should be bylaws. They are not adhered too.	1/21/2020 12:39 PM
82	I do not feel animals should be left unattended while tethered/tied for any length of time.	1/21/2020 12:32 PM
83	better re	1/21/2020 10:34 AM
84	I want to see this stopped completely. It should be banned. Newmarket is very behind the times.	1/21/2020 10:31 AM
85	Animals should not be tethered outside unless for a short supervised time. Choke chains should never be used on a tether. Animals should not be allowed to be left outside ever in inclement weather.	1/21/2020 9:51 AM
86	Please see legislation suggestion in section 6.	1/20/2020 11:44 PM
87	suggest fencing-kenneling instead of tether	1/20/2020 11:32 PM
88	Should not be chained at all. If you cant have an animal as part of your family and live inside dont have one	1/20/2020 11:02 PM
89	How is this going to be enforced?	1/20/2020 9:43 PM
90	at the same time, mind your business. no one tells you how to raise children and restrictions on clothes they should wear, length of time they are outdoors etc	1/20/2020 12:52 PM
91	The animal should not be thethered if it is not supervised.	1/20/2020 9:51 AM
92	Yes, thank you. That clarifies	1/19/2020 8:42 PM
93	Restrictions on the length of time allowed on a tether .... 20 minutes each time to a maximum of 4 hours in a 24 hour period ... until a fence can be built.	1/19/2020 5:45 PM
94	Especially when cold weather	1/19/2020 11:10 AM
95	Who is timing how long the animal is outdoors	1/19/2020 8:36 AM
96	Consider the size of the animal also...a few metres for a large animal is not enough. Tethering really is not an animal-friendly approach.	1/18/2020 4:05 PM
97	Fines for not following rules	1/18/2020 2:37 PM
98	No tethering unsupervised	1/18/2020 12:44 PM
99	Dog houses don't qualify as adequate shelter for a dog left outside always	1/18/2020 11:57 AM

**Q8 Please provide any further comments regarding the Animal Control By-law and Pet Store licensing in the Town of Newmarket?**

Answered: 220   Skipped: 382

## Animal Control and Licensing Survey

#	RESPONSES	DATE
1	All pets should be indoors during cold weather and also should have good clean water hot days in the summer and be in shaded areas and away from hot asphalt driveways Which get very hot in the summer	2/9/2020 9:08 PM
2	Would also like to see the Town of Newmarket adopt pet-friendly bylaws pertaining to restaurants and their outdoor patios, so that pet owners are discouraged from leaving their animals in a vehicle, susceptible to over-heating.	2/9/2020 7:29 PM
3	Please make it easier to report nuisance barking/howling dogs and to take these matters seriously in quiet neighbourhoods.	2/9/2020 1:58 PM
4	Dogs should not be left alone overnight which we see with a dog living around the corner from us. The dog barks and barks at night, especially when alone because there is no safety for this poor dog. Our laws need to protect dogs like this.	2/8/2020 11:01 AM
5	Its simple if a pet owner isn't following the by laws with their dogs there should be a fine and if they continue the fine goes up	2/8/2020 9:36 AM
6	All toys, bones and beds should be approved as chemical free and not harmful to pets.	2/7/2020 8:21 PM
7	Do not leave your pet outside for no longer then 1/2 hour in the winter when it is cold	2/7/2020 5:37 PM
8	No sourcing of animals from puppy mills!!!!	2/7/2020 4:49 PM
9	Raise the standards on the minimum requirements for adequate shelters and provisions required. Actually enforce fines when investigating multiple times. Bare minimums obviously dont phase repeat offenders. Your supposed to help these poor animals not give opportunity for owners to keep the cycle going. Decide between animal services and now police involvement who can actually do something to help these animals. The laws and fines state/ dictate ontario has the toughest laws and fines but time and time again nothing comes from investigations and none of these abusers get punished for their ill behaviours. It frustrates and saddens those trying to help the animals you want information on to prevent the cruelties too. Eventually without action, these animals stand a greater chance of becoming a statistic or the next OSPCA commercial.	2/7/2020 1:16 PM
10	All pets to be microchipped upon purchase/adoption	2/6/2020 6:58 PM
11	If we HAVE to allow Pet Stores and have them sell dogs/cats, then I think we definitely have to restrict where they are allowed to purchase/obtain these animals from. Personally, I don't feel we should allow dogs/cats to be sold in stores period!	2/6/2020 6:51 PM
12	They must all be licensed.	2/6/2020 6:34 PM
13	It's ridiculous that Newmarket is still allowed (or any pet store for that matter) to have animals from ie puppy mills.	2/6/2020 5:20 PM
14	There's nowhere that talks about the allowance and protection of colony cats which I thins is important.	2/6/2020 4:21 PM
15	It should be against the law for pet stores to offer for sale, dogs (and cats) from puppy mills. They should be forced to provide documentation on where the animals have been sourced eg rescues; humane societies etc	2/6/2020 2:39 PM
16	What about cats? there is a lot of reference here to protecting and sourcing dogs, but this should also apply to cats.	2/6/2020 1:03 PM
17	Comments don't work on 6 & 7. I don't agree with tethering. If you own a pet you should provide, a safe outdoor enclosed area or use the dog park and/or walk your pet.	2/6/2020 12:27 PM
18	Please ban pet stores from selling animals, unless it's registered to sell for rescue or humane societies. Please ban and stamp out puppy mills	2/6/2020 11:30 AM
19	Pet stores and other markets involved in the business of selling animals for profit contribute to an unregulated industry of puppy mills and commercial breeders. Peer-reviewed studies conclude that such animals are typically produced by intensive breeding in substandard conditions. This results in their incurring a high number of communicable diseases (zoonosis), and adverse genetic and neurological symptoms, as well as behavioral issues; and, Pet stores promote impulse buying, do not screen homes or educate buyers, and often house animals in	2/5/2020 7:29 PM

environments non-conducive to their health. Consumers are denied the opportunity to approach the breeder(s); inspect their operations or premises; assess the pups' or kittens' parents; access medical records (if any exist), or ask questions, thus consumers are not protected. The Canadian Kennel Club (CKC) Member Breeders' Code of Practice expressly and unequivocally forbids breeders to sell to pet stores. Section III (g) states: "No breeder shall sell or donate dogs for the purpose of their being auctioned, raffled or to pet stores". The Canadian Federation of Humane Societies notes that over the past decade, the puppy mill industry has increased in Canada. Puppy mills are increasingly registering their dogs with online registration bodies that are not recognized in Canada, such as the North American Purebred Dog Registry; further, registration does not guarantee a puppy's health or quality. Most puppies in Canadian and Ontario pet stores were imported from mills in the United States prior to 1995. But in that year, new legislation was enacted to regulate the import of puppies from the U.S. The new law required that puppies be micro-chipped, vaccinated and health-checked by a veterinarian. Because many U.S. shipments did not meet these standards, this measure was successful in reducing the number of puppy exports entering Canada. Unfortunately, the decrease in imported puppies from the U.S. has created a demand that is now met by an increase in Canadian mills. In 2011, the City of Toronto unanimously passed a bylaw that bans the sale of animals in stores. Councillor Glenn De Baeremaeker, who put forward the motion, stated that petstores that sell animals are bad for pets and consumers. "They're kept in small cages, they're not socialized, they have immense health problems," he said. "Consumers are getting ripped off." The bylaw stipulates that stores cannot sell dogs or cats unless obtained from a municipal shelter, a humane society or registered rescue group. The bylaw also serves to reduce euthanasia by steering consumers to animals that have been health-checked and spayed/neutered. "It really slams the door closed on people who mass-produce animals for profit," said Mr. De Baeremaeker. The Cities of Toronto, Mississauga, Vaughan, Kingston, Wellington, Waterloo, Oakville, Cambridge, Richmond Hill, Oshawa and Chatham-Kent have placed the same restrictions on the sale of pets from pet stores, and more Ontario municipalities, including Whitby are currently working on such by-laws. The Humane Society of Durham Region has recently stated that: "we...support the ban of the sale of animals in pet stores, retail establishments, flea markets and online, unless they are from a municipal shelter, humane society or recognized community rescue organization." Further adding: "By stopping the sale of pets in stores and through online agencies, it will both reduce the number of unaltered and potentially unhealthy animals entering the community and it will help the rescue organizations find homes for those animals already in shelters. It's a win-win situation." Thousands of unhealthy companion animals, sourced from mills, must be put down every year by their owners and municipal animal services. This creates a financial burden on the consumer, the municipality, and thus inflict great distress to pets and their owners. We believe that this is not only an animal welfare issue, but a consumer protection issue and a public health/disease prevention issue! Reputable pet stores, such as PetSmart and Pet Valu, have long recognized the problem and have opted to work with the community by bringing in rescued cats and dogs into their stores from local shelters and rescue organizations to help re-home them, instead of being a part of an otherwise harmful industry. These same altruistic pet stores in our community, referred to above, cannot be considered to endorse the position taken and statements uttered by one particular national pet trade lobby organization. Any lobby organization that purports to represent pet stores and yet concurrently opposes such a resale ban is clearly not acting in the best interests of these pet stores, the consumer, public health or the animal. As a result it is difficult to comprehend why pets are being openly traded within a commercial retail environment as these are sentient domestic animals that require constant care and environmental enrichment. We therefore need to re-evaluate the current retail practice so that we put the pet's interests and that of the consumer ahead of such unregulated financial profiteering. As an example, The Michigan State University Animal Legal & Historical Centre, in a detailed discussion paper of retail pet stores, author Ashley Duncan concluded; If consumers are truly concerned about the welfare of animals in the current retail system, they must demand either a cease in the sale of pets at retail stores or a boycott in those stores that exhibit unscrupulous practices. Further, inhumane conditions in pet stores will never be addressed unless concerned customers are willing to report such conditions to local animal control officers. The bottom line is that animals are seen as commodities in the retail pet industry. When profits are at stake, it will always be hard to assure animals are given the care they deserve. The City of Vaughan's Report, which typifies many other municipal staff reports that have reviewed a pet shop resale ban, in part states: \* Adoption of the recommendations contained within this Report reflects a more progressive and proactive approach intended to reduce proliferation of strays resulting from unwanted and abandoned pets, and greater protection of health and well-being of our communities, environment and natural wildlife \*

Restriction of the sale of dogs and cats by pet stores and all retail establishments has been



## Animal Control and Licensing Survey

raised as a concern by various citizens and the broader public at large. Concerns have included that the majority of dog and cat sales through retail establishments are sold at an age where the dogs or cats are too young to be spayed, neutered or adequately vaccinated; in essence adding to further proliferation of unwanted pets, risk of transmissible diseases such as rabies, and increased demands placed on Animal Services in many municipalities. \* It is reasonable to conclude as other cities have, that more effective regulatory controls provide a governance system that offers greater confidence in our communities, supports greater consumer protection and public health, can contribute to further deterring "hoarding" and unlawful "puppy mill" operations from operating within Ontario (in accordance with and supportive of OSPCA mandates) and from a broader, more global perspective, these proposed measures contribute to the greater good and welfare of the community and the welfare of the animals within. \* Arguments in support of a bylaw include: o Greater prevention and control of spread of zoonotic diseases through preventative disease control. o Improved health and well-being of the animals, reducing the likelihood of rabies transmissions to both animals and humans. o Supports interest of OSPCA o Animal welfare o Reduces the burden of unwanted pets surrendered to animal shelters. o Minimizes prevalence of animal overpopulation, abandoned animals and strays. To conclude: Pet stores get their animals from two sources; commercial kennels or backyard breeders. These operations, that have been found in our region are solely there for profit. The adult breeding animals are housed in unimaginable conditions, kept in pens or cages their entire lives, suffering from disease and parasites; many which are 100% transmittable to humans. The puppies coming from the operations are too often ill, leading to large medical bills for unsuspecting customers. The population of unwanted pets is at epidemic proportions. Currently there are 1560 dogs available for adoption in a one hour radius around Clarington on petfinder.com. The number of dogs entering Canadian shelters and rescue organizations each year is estimated at two million with one million being euthanized each year, through no fault of their own. Cities benefit with the bylaw as Animal Control does not have the burden of housing, caring and feeding unwanted and abandoned animals. Therefore, we urge the Town of Clarington to enact a resale ban and amend the bylaw to ban the sale of companion dogs, cats and rabbits in pet shops and any other retail outlets, unless they are sourced from a municipal shelter, the humane society, or a recognized community animal rescue organization. Appendix 1. Dr. Catherine Filejski: Ontario Ministry of Health. Public Health Veterinarian Appendix 2. This is a Municipal Issue. Actionspeaksloudercalgary.ca Appendix 3. Michigan State University Animal Legal and Historical Centre Martin Field 905-576-7637

20	There should be severe penalties and consequences to anyone that abuses or causes suffering of any animal, including horses.	2/5/2020 11:16 AM
21	strong consequences need to be enforced on the pet owners and pet stores who do not follow the by-laws	2/4/2020 10:38 PM
22	To allow a Pet Store to sell animals in this day and age is archaic. I am of the firm belief that if you are looking for a pet - any kind of pet - you should search out either a Breeder or a Rescue Organization. I believe that purchasing an animal from a Pet Store is probably in most cases an impulse buy and does not bode well for the future of that animal.	2/4/2020 10:21 AM
23	Shelter needs to be adequate. For example, it should include insulation and a door	2/3/2020 11:26 PM
24	Newmarket pet stores should not SELL dogs, especially dogs that are from breeders or puppy mills. Instead as an alternative pet stores could aid in adoption procedures from pet shelters and humane societies	2/3/2020 10:22 AM
25	Make sure that there is funding to ensure that the by-laws are being upheld.	2/3/2020 1:32 AM
26	I would like to see a ban on "pet stores" in the town of Newmarket. There is no need for them. People interested in acquiring a pet can already go directly to shelters, humane society, or breeders.	2/2/2020 8:12 PM
27	There would not be a need for so many rescue operations if the puppy mills, unethical pet stores, and abusive owners were taken out of the equation. Stiffer penalties and more enforcement would go a long way to help alleviate this distressing situation. These creatures deserve a chance at a decent life. They cannot speak for themselves and it is society's responsibility to protect them.	2/2/2020 5:16 PM
28	I am happy the the Town is looking to review the Animal Control By-law.	2/2/2020 1:55 PM
29	Anything that helps run puppy mills out of business is a godsend.	2/2/2020 9:26 AM



## Animal Control and Licensing Survey

30	Someone should make sure that these animals are being contained in a clean, comfortable environment.	2/1/2020 7:36 PM
31	Thank you	2/1/2020 2:41 PM
32	Need more staff and power to the town. Careful with what "registered breeder or business" is. Too easy to get this and can be backyard breeders or a puppy mill. Also...no animals should be brought in from outside Canada; registered or not.	2/1/2020 10:08 AM
33	Rules are only half of the equation. The Town also needs to ensure that there are adequate numbers of by-law enforcement/animal welfare officers to give effect to them.	2/1/2020 9:33 AM
34	It's embarrassing that Newmarket has waited until 2020 to even ask these questions. Action needs to be taken so that puppy mills are not supported. Animal owners should also not be allowed to treat their animals like trash. We need to be the voice the animals don't have. I would like to be proud of where I live!	1/31/2020 8:51 PM
35	Pet stores should be banded from selling live animals. This would help shut down mills	1/31/2020 7:07 PM
36	Strongly urge the town to go forward and stop pet stores from selling pets unless from rescue, they are utilizing puppy mills and they know it	1/31/2020 6:31 PM
37	No comments	1/31/2020 6:30 PM
38	Any pet store needs to have appropriate care facilities fresh air rules and number of pets restricted Shut down pets friend at Yonge and mulock those conditions are terrible and the store gets its animals from puppy mills it's disgusting what those poor animals must endure from an owner who clearly is in it for a buck	1/31/2020 6:26 PM
39	Crack down on current pet stores selling puppy mill animals	1/31/2020 2:47 PM
40	cats that are outdoor cats should be licensed. If a cat is an indoor cat it should not be required.	1/31/2020 9:26 AM
41	Long overdue. Puppy mills should have been banned years ago. I refused to be part of it when Pet Paradise was once a very corrupt franchise even if it resulted in severe profit loss. I chose only to accept dogs or other animals in need of a home, including one that I kept for my home.	1/31/2020 7:37 AM
42	The pet stores, if they're going to sell animals should have to have proof of where those animals are coming from posted, if they're reputable breeders that they're coming from they should have paperwork to say they've been vaccinated etc and it should be available for the consumer to see before they purchase the animal	1/31/2020 5:35 AM
43	It is very important to me that these by-laws are updated.	1/31/2020 5:25 AM
44	Why is someone who has been banned in another town able to come here, open a pet store, and continue the same poor treatment of animals?	1/31/2020 2:01 AM
45	I am shocked that sales of dogs and cats are allowed in Newmarket at all. I thought this issue was addressed province-wide years ago. Since it apparently wasn't, my preference would be to ban sales of cats and dogs in pet stores. Adoption events similar to what Petsmart does seem like a reasonable compromise.	1/30/2020 11:56 PM
46	I feel any pet store accessing puppy/kitten mills should be shut down. They should not be allowed to exist. And the mills should be investigated and stopped as well.	1/30/2020 11:01 PM
47	require a full business history of the pet store and cross reference owners to businesses that they may have had in other municipalities	1/30/2020 10:46 PM
48	Please include rabbits, guinea pigs, ferrets and other small animals apart of this licensing. There are thousands of small animals that end up in shelters or dumped outside every year. Please make Newmarket a part of the growing list of municipalities that recognize the suffering that occurs in puppy and kitten mills and choose not to support that suffering.	1/30/2020 10:34 PM
49	How have we not done this yet? This is an embarrassment to our politicians.	1/30/2020 10:16 PM
50	Great that this is being looked into! Every town should be.	1/30/2020 10:01 PM
51	Laws must exist to support vulnerable pets	1/30/2020 9:51 PM
52	Pets should NOT be sold in stores. People should not be allowed to breed dogs...the dog does NOT have a say. Do we "breed" people?? Get rich off someone else?? Palease!! Many dogs	1/30/2020 9:47 PM

## Animal Control and Licensing Survey

from breeders don't usually live a long life because they have so many issues. Stop BREEDING & adopt.

53	Do NOT allow sale of dogs and cats at pet stores	1/30/2020 9:45 PM
54	Pet stores should not be selling animals from puppy mills	1/30/2020 9:31 PM
55	No puppy mills	1/30/2020 9:26 PM
56	All Pet Stores should have a legal license that they won't buy from Puppy Mills.	1/30/2020 9:11 PM
57	Shut down the pet store selling of animals. The end	1/30/2020 8:48 PM
58	They need to be more proactive in controlling off leash dogs in public space (not dog parks obviously)	1/30/2020 8:43 PM
59	The animal control bylaw is disgustingly inadequate, as is the pet store licensing. Pet stores shouldn't sell anything other than pet food. They have no way to check to see if pets will be going to good homes, and no way to check up on the animals once they leave the store.	1/30/2020 8:38 PM
60	Dogs and cats should not be allowed to bought/sold. Only adopted/rescued.	1/30/2020 8:34 PM
61	Pet stores should not be allowed to sell dogs! Providing services to showcase adoptable dogs is acceptable and encouraged.	1/30/2020 8:33 PM
62	Animals be treated humanly.	1/30/2020 7:44 PM
63	This is a great initiative!	1/30/2020 7:11 PM
64	Puppies should NEVER be sold in pet stores for profit. They are sourced from puppy mills and potential buyers never see the cruelty imposed upon the parent dogs. Many other cities in Ontario have undertaken a humane business model whereby they work with shelters and rescue groups to ensure that homeless dogs are adopted. There is no reason why the Town of Newmarket pet stores cannot adopt this business model - it works..	1/30/2020 6:35 PM
65	Pet stores should get regular (preferably unscheduled) check ups that check the care of the animals.	1/30/2020 5:36 PM
66	Protection of the animal come first. Bad owners have to be held accountable - perhaps fined. Enforcement is key.	1/30/2020 3:52 PM
67	No animals sold that do not come from humane Society, shelter or rescue. Breeders must have a licence and be inspected quarterly but still cannot sell their animals in pet stores or online like kijiji or marketplace. This would keep people from breeding in a puppy mill situation. All animals sold in pet stores must be spayed or neutered before taken home. Also in my opinion for dogs and owners a basic obedience course should have to be purchased and attended with a passing grade.	1/30/2020 2:19 PM
68	Owners should not be allowed to bike or roller blade with their dog on a leash beside them. I've seen too many dogs dragged this way.	1/30/2020 1:34 PM
69	I believe any animals being bought or sold for a pet store to sell should definitely have to have a special license with strict rules and not allow animals to be bred repeatedly and inhumanly or at all. There are so many animals that are homeless in need of loving homes. Purchasing through human society or rescues is the best solution. Stop breeding and supplying puppy mills with money. Changes to need to happen please.	1/30/2020 10:42 AM
70	Newmarket should look at only allowing pet stores to partner with rescues and shelters . Dogs should not be kept in pet stores and should not be sold for profit	1/30/2020 10:30 AM
71	No more puppy mill stores!	1/30/2020 10:29 AM
72	I think it's Disgusting the bylaws I'm Newmarket against animal cruelty including having them chained outside dog houses pet stores being able to sell puppy mill dogs puppies . I think it's time for new market to make some changes	1/30/2020 9:34 AM
73	As far I know the by-laws is pretty good. However pet stores must be licensed and sourcing from legitimate businesses	1/30/2020 9:01 AM
74	The town of Newmarket should widen their scope and also look the sale and welfare of exotic animals. Exotic animals are often bred in "puppy mill" style breeding facilities, where their	1/30/2020 8:48 AM

## Animal Control and Licensing Survey

needs for a natural habitat and engagement in natural behaviours are ignored. Furthermore, the keeping of these animals is far more challenging than housing a dog or a cat, selling these animals to inexperienced owners, often purchasing these animals on a whim, is irresponsible and causes harm to the animals.

75	This needs to happen pet paradise has been selling puppies with genetic defects for years. I have all the proof needed and the show of cost and the lies. You can email me at jonmoody25@gmail.com if needed	1/30/2020 8:27 AM
76	Need to hire more enforcement officers and give them more powers to help animals in distress. Cut the red tape crap. Abusers should have no rights, and never be allowed to own an animal again. Fines need to be hugely increased, it's a joke the fines, if any that are charged.	1/30/2020 8:18 AM
77	I recently purchased my dog from a local Pet store in Newmarket. When we asked about his parents/where he came from, the store was very hesitant to tell us anything and we're just very vague (I didn't really think it was that rare of a questions) and really made me question where he came from and if it was a puppy mill. All in all, we fell in love with him right away, but I have since stopped supporting this business.	1/30/2020 8:12 AM
78	We need more trail areas that are off leash. We need to be able to walk into a coffee shop or pharmacy or grocery or convenience with a leashed dog to pick up our goods.	1/30/2020 8:01 AM
79	This is extremely important. I believe this should be at regulated at the Provincial level, and not left to the municipalities.	1/29/2020 12:53 PM
80	Animal Control is only as good as its enforcement. I spend my life wondering if I'm going to have to kick the unleashed dog who is heading straight for me and my dog with the owner yelling "it's okay" behind his/her dog. This happens constantly at Geo Richardson and out behind the local public schools. I have NEVER seen an animal control officer anywhere.	1/27/2020 8:46 PM
81	I saw sick kittens with no beds, no water. It made me sick.	1/27/2020 5:01 PM
82	Personally, I think restricting the number of animals a person can have is not logical. I understand the thinking behind it is to prevent hoarding but that is a mental illness and not bound by law. There is nothing saying a person with 5 or 6 cats cannot take better care of their pets than a person with 1. Proper care is dependent on financial means, adequate space, love and proper care... Not numbers. On the pet store issue, it is shameful that these people can still operate, selling dogs and cats from what we KNOW are puppy/kitten mills or backyard hobby breeders.... neither of which are acceptable. With animals being euthanized for lack of homes, it is disgraceful that these people, both shop owners and breeders' are profiting from the horrific abuse of animals and the public's continued ignorance. Pet shops selling supplies should only be allowed to work with local rescues, animal control and shelters to help adopt out animals. That is a progressive society.	1/26/2020 9:54 PM
83	The time limit it takes to get this passed . Please consult with Oshawa and Mississauga who amended their animal welfare responsible pet owner bylaw . This should speed up the process	1/26/2020 9:12 PM
84	I am very pleased the town of Newmarket is proposing changes to their animal welfare bylaws! Cudeaux! As far as the opposition by the Pet Paradise owner; there is PROOF that he purchased puppies from PUPPY MILLS. Staff do NOT apply a proper screening process of potential buyers of those defenceless animals. Other pet store businesses, who do NOT sell animals thrive!	1/26/2020 9:09 PM
85	There are many towns that have banned the sale of pets in pet stores unless they are associated with a rescue or shelter. It is time for Newmarket to do so as well. I am appalled that not even a business license is required for the pet stores in this town. These stores are selling mutts from backyard breeders and puppy mills for thousands of dollars and it's time for this to stop.	1/26/2020 6:06 PM
86	I'm concerned that a for profit business will not do it's best to match the animal temperament with the prospective owner. That can result in a lot of surrendered animals or abandoned animals.	1/25/2020 10:38 PM
87	A step in the right direction.	1/25/2020 9:05 PM
88	About time. Good for you.	1/25/2020 5:43 PM
89	I strongly believe that owners should have the right to decide if they want to fix their animals or not. Allowing them to experience parenthood is another example of providing a healthy and	1/25/2020 5:34 PM

## Animal Control and Licensing Survey

satisfactory life for them. Out anthem says: "God keep our land, glorious and free...." ... the same God has a commandment to take care of animals and let them multiply. Another commandments clearly states not to neuter them as it is an abominable and cruel act. Additionally, declawing cats should be forbidden by law - another cruel and torturing act allowed towards animals. In closing, I would like to quote a saying which says: "The greatness of a nation and its moral progress can be judged by the way its animals are treated." my email in case somebody has comments or questions: jelena30@yahoo.com

90	Owning an animal is a serious commitment which so many pet owners do not understand and some of them giving the animal up after a short time. I honestly believe it should be much more difficult to purchase and adopt animals and then maybe it will stall the impulse purchasing of the many pets who end up abandoned. The less accessibility to purchase animals the better. Adopting spaying and neutering should be highlighted in our by- laws.	1/25/2020 4:22 PM
91	I believe the humane society should be the ones dealing with the sale and placement of animals after a check with a veterinary. I never purchased an animal through a pet store, nor a breeder because of the suspicious activity involved with the so called 'puppy mills' etc.	1/25/2020 3:24 PM
92	Animals should have rights as much as children in care	1/25/2020 9:48 AM
93	I believe there should be a protection plan for tnr cat colonies managed by a registered caretaker . I believe pet stores should not be allowed to sell cat and dogs , only encourage to have an adoption center managed by registered rescues of choice	1/25/2020 12:48 AM
94	Would love to see changes to bylaw and programs to support TNRM program.	1/24/2020 6:58 PM
95	Unregistered sellers are driven by profit not the wellbeing of animals, the animals brought the these facilities are not checked at the veterinarian and carry disease. Staffing at pet stores are not qualified individuals or vet technicians to know if an animal is sick. Licensed municipal facilities, OASCP, or rescue centers have protocols in place to protect animals. Ensuring health and wellness prior to homing. Part of the regulation should include records so the staff can inspect and audit these premises. The ultimate goal should target minimum euthanizing animals.	1/24/2020 6:50 PM
96	Ensure that the community is listened to and that the people who are enforcing these regulations know and understand animals. Currently, we have people working in positions of authority who seem to have no understanding of the issues.	1/24/2020 6:25 PM
97	The Town of Newmarket needs to crack down on backyard "breeders." I work in a pet supply store (we do NOT sell animals) and see too many Kijiji purebreds. Mennonite puppy mills are another thing that has gone on too long in this area. No pet store should be selling any animal. We have a lot of shelters and rescues that would make much better use of the space.	1/24/2020 5:26 PM
98	This is a very important issue that needs addressing	1/24/2020 3:03 PM
99	My biggest concern is that when an animal, any animal is hurt or being neglected in any way, there should be laws to protect them. We need to make this laws to help them.	1/24/2020 1:09 PM
100	I wish Georgina Animal Shelter and Adoption Centre would promote the animals available for adoption in their care. Social media posts are free!! They have a dog at the shelter who has been there in excess of a year and he has rarely been mentioned on their Facebook page. Such a lost marketing opportunity. In my opinion, promoting the animals available for adoption is just as important as promoting finding the owners of lost pets and is part of the centre's role.	1/24/2020 12:20 PM
101	Thank you for looking into this matter.	1/24/2020 12:00 PM
102	I would like to see pet stores shut down period. The is one particularly awful place, PJ's Pet Store at the 404 plaza that sells all kinds of pets, but the conditions they're kept in are awful. Puppies in their own urine on a bare concrete floor; huge exotic birds in tiny cages that with no freedom of movement; dead rodents. It's depressing as hell. They should not be given any license to sell live animals.	1/24/2020 10:54 AM
103	Please also stop the sale of exotic pets from breeders in pet stores (ie: rabbits, hamsters, lizards). There are multiple rescue organizations for each species. Please do not allow or condone the sale of animals by local papers, or social media within the town of Newmarket.	1/24/2020 10:38 AM
104	Please stop puppy mills, There are plenty of other dogs needing homes from reputable people.	1/24/2020 9:45 AM
105	animals in town operated facilities such as Magna Centre should be addressed. Are they	1/24/2020 9:27 AM

## Animal Control and Licensing Survey

	allowed and under what conditions (leashed, no barking or jumping)	
106	Please ensure pets are not left outside alone for long periods of time.	1/24/2020 9:18 AM
107	While I appreciate the current Animal Control By-laws, they can certainly be improved and must be enforced!	1/24/2020 9:08 AM
108	I think the first focus should be dogs and cats - getting ride of that puppy mill lady at mulock and Yonge. But you may have to consider sales of other animals as well. Lizards mice gerbels fish - to know how they're bred etc. But companion animals first.	1/24/2020 8:52 AM
109	It is my understanding that cats are not allowed to roam free. How can that be enforced better, as I still see many out in my neighbourhood.	1/24/2020 8:46 AM
110	The town should inspect the source of animals especially dogs from pet stores. More often then not those puppies are a result of puppy mills living with crewel conditions	1/24/2020 8:42 AM
111	I would prefer no Pet Stores in my beautiful town	1/24/2020 7:21 AM
112	The town needs to have strict enforcement rules in place	1/24/2020 7:00 AM
113	Include provision for a cat TNR Management program. Currently the no roaming provision would require that colony or community cats be seized. This can be a death sentence to the feral cats. A TNRM plan is a humane way of dealing with feral and stray over population. Newmarket can join other progressive municipalities by assisting with the spay/neutering and mgmt of cat colonies.	1/24/2020 6:43 AM
114	Do more to control roaming cats in town. Fines, for example (but actually do it, not just say you will)	1/24/2020 6:00 AM
115	I also don't think it's right that cats are let out to roam, kill and defecate Freely. If I let my dog behave in this manner I would be charged.	1/24/2020 5:28 AM
116	If a person is found to be in possession of an animal that is being said person should be jailed and fined and forbidden from ever owning an animal ever again !!	1/24/2020 12:14 AM
117	Dogs need to have a lot more freedom, a lot more love/caring and need to have a lot more rights	1/24/2020 12:07 AM
118	No animals from out of province are to be sold in any store. If pets are sold in stores, they are to be kept in open, appropriate size cages, not behind glass with lights shining down on them.	1/23/2020 11:20 PM
119	Pet stores if approved after this that have animals in store should have overnight care for the animals as well as regular vet visits and by law inspections.	1/23/2020 11:10 PM
120	Please stop allowing pet stores to provide their animals from mills. I truly cannot believe something like this is still happening.	1/23/2020 10:42 PM
121	Like it or not pets are a "purchase" providing the animals are ethically sourced (animals are treated well, basic vet checks and in an appropriate environment) and ethically cared for there is nothing wrong with buying an animal. Adopt don't shop is great but it NOT for everyone as many of those animals come with issues. Sometimes people get too carried away with it and feel it's the only option. There is nothing wrong with wanting a puppy or a specific breed or type of dog for numerous reasons that quite frankly are not up to the town to decide.	1/23/2020 10:20 PM
122	Pet stores should not be allowed to sell puppies or kittens. They do not adequately screen the new owners and many end up in the shelters. They also purchase them from Amish puppy mills, of which there are many, brokers etc. Many arrive from puppy mills in Quebec. The parents live in horrendous conditions and the dogs are ending up in shelters due to unaffordable health issues. Reputable, registered breeders sell their animals on strict spay/neuter contracts with a condition written in that they will take the pet back if they can no longer care for it. We have been praying that municipalities become part of the solution to a major problem.	1/23/2020 10:12 PM
123	Please ENFORCE the requirement of all dogs being on a leash when in public space!!!!	1/23/2020 10:09 PM
124	Off leash only in designated areas.	1/23/2020 9:39 PM
125	Not to allow pet stores to sell pets at all!	1/23/2020 9:29 PM
126	More needs to be done to protect animals that are left outside for extended periods, left in hot	1/23/2020 9:01 PM



## Animal Control and Licensing Survey

cars, and the sale of pets should be essentially banned from small pet stores and ideally all stores. There is no place for the sale of kittens and puppies when there are so many in shelters. Pet stores do not get their animals from reputable sources.

127	No unregistered breeders.	1/23/2020 8:30 PM
128	I truly hope Newmarket follows suit as other towns have and does not allow the sales of animals in stores.	1/23/2020 8:28 PM
129	No tethering at all	1/23/2020 7:51 PM
130	regulations against puppy mills and backyard breeders	1/23/2020 7:43 PM
131	Positive list for species allowed	1/23/2020 6:39 PM
132	Thank you for not selling animals to research Please also indicate in bylaw that you own the pets after the redemption period thank you And please don't allow any trapping in Newmarket. And need a cat trap spay and release program. Thank you for this opportunity to comment. For exotics you need a positive list. Contact zoocheck in Toronto for details	1/23/2020 6:38 PM
133	Pet stores often source their animals from unethical breeders - regulations need to be put in place to restrict the source of animals allowing adoptions from ethical rescue organizations or the animal shelter, but not pet sales	1/23/2020 6:36 PM
134	I don't understand why a pet store wouldn't be required to have a business license? Why should they be different from any other business? I couldn't answer those questions, because you didn't explain why this was case. I had no idea.	1/23/2020 6:28 PM
135	I would prefer that the sale of dogs be completely banned in pet stores.	1/23/2020 4:03 PM
136	I would like to see a ban on cats and dogs sold at pet stores. Many of these animals come from puppy mills where they are repeatedly bred and then disposed of when no longer useful as breeding stock. Stopping animal sales in pet stores will help shut down these mills.	1/23/2020 2:46 PM
137	Close the two Pet Stores here that sell live Dogs	1/23/2020 2:20 PM
138	There is a pet store at Yonge and Mulock that should be shut down. Awful conditions for pets in that store.	1/23/2020 2:00 PM
139	No selling of exotic animals.	1/23/2020 1:35 PM
140	Whatever you do, don't put ethical breeders in the same category as puppy mill breeders and don't pit ethical rescues against ethical breeders. We all care about animal welfare, dogs should be allowed to bark but not incessantly, dogs should enjoy the outdoors but not always on a tether - thank you for trying to find a middle ground. Pet stores shouldn't need to sell animals, they should only be a contact or networking community so new pet parents can go to the source and get all information needed before making the choice to care for a pet for their lifetime.	1/23/2020 1:04 PM
141	The current stores selling pets won't answer questions as to where they get their animals. Clearly getting them from puppy mills! This needs to be stopped. (I'm a resident of Aurora and have been in the community for 20 years).	1/23/2020 12:30 PM
142	Pet stores should be required to document who is purchasing animals. These are living creatures with the right to be treated with kindness and good care. No size of animal is disposable and anyone who purchases one should be fully aware of the responsibility they are taking on bringing that creature into their home. No one should be able to repeatedly obtain animals and operators should be allowed to refuse service to people who's motives they doubt or question.	1/23/2020 12:11 PM
143	No pet store should be allowed to sell puppies. Responsible breeders would not sell their puppies in a pet store. Any puppies that you see in stores come from a puppy mill or backyard breeder, plain and simple. They may have a middleman but they do not care about the animal's welfare, only the money that it can bring in. Get into the 21st century, Newmarket, and ban sales of cats and dogs from all pet stores, period!	1/23/2020 11:57 AM
144	Pet stores should not be allowed to sell their own animals but promote adoption of pets from shelters and humane societies due to puppy mills and poor treatment of animals. Adoption only, no selling.	1/23/2020 10:48 AM

## Animal Control and Licensing Survey

145	I would like to know that the By-laws are being enforced	1/23/2020 10:22 AM
146	Do something with all the loose and nuisance cats !!!	1/23/2020 8:13 AM
147	Reptiles/amphibians and rodents should also be considered as to where they are getting sourced. Shelters are over run with bunnies and other rodents on a pretty frequent bases, it would be nice if the importing of exotics such as those was cut down a little.	1/23/2020 7:48 AM
148	Running the sale of animals in pet shops would be enforced as soon as possible	1/23/2020 12:31 AM
149	Work with the CKC in promoting how to shop responsibly and do not allow any dogs or cats including rescues to be sold in pet stores. Allowing rescues to be sold in pet stores is an excuse for "retail rescues" to buy dogs from breeders without having to offer any sort of lemon law type policy if the dogs are sold sick.... not to mention that selling dogs and cats in pet stores just encourages people to make snap decisions on pet ownership without doing the research that they should be in bringing home a new companion.	1/22/2020 11:34 PM
150	I do not support pet stores selling animals	1/22/2020 8:37 PM
151	No tethering please	1/22/2020 8:20 PM
152	We don,t need pet stores selling dogs in Newmarket Period ☹️☹️	1/22/2020 8:11 PM
153	Do not support ANY sales of animals in pet stores. PERIOD. The by-law is truly outdated and needs to be changed. Promotion of adoption through rescue groups is 100% where pet ownership direction should go.	1/22/2020 8:04 PM
154	Do you have a Hobby Kennel Licence for CKC Recognized members?	1/22/2020 7:34 PM
155	I thought there was legislation forbidding pet stores from selling dogs and cats.	1/22/2020 7:24 PM
156	Current tag license is a cash grab. No reason to get one.	1/22/2020 7:17 PM
157	Having by-laws is fine but they need to be adhered to and enforced!! What would be the action taken in each instance of a by-law being broken ? Repeat offenders?	1/22/2020 5:42 PM
158	I believe that all pets should be under the care of the OSPCA - with the exception of fish and birds. Pet Stores should help in promoting the adoption of pets through the OSPCA. This co-operation will help their business too.	1/22/2020 4:18 PM
159	Do not really believe that a pet store is the appropriate place for animals to be sold. Dogs/cats/rabbits etc do not do well in that environment	1/22/2020 3:13 PM
160	All dogs that arrive at a pet store should have proof of LOCAL and verified vet check. These dogs appear to be ill and most likely have bogus vet check documentation.	1/22/2020 2:37 PM
161	I don't think shelters should be allowed/forced to release their animals to animal research labs or universities for testing.	1/22/2020 2:36 PM
162	pet stores should not be selling dogs or cats. Animals needing adoption should be the only animals that are allowed	1/22/2020 2:25 PM
163	Animal hoarding should no be allowed nor should puppy mills	1/22/2020 2:07 PM
164	No bsl.	1/22/2020 1:52 PM
165	I don't think pet stores should be allowed to sell puppies/dogs. They need activity and can't get it in the pet store cages.	1/22/2020 1:33 PM
166	Pets should only be sold by registered not-for-profit rescues who have been vetted - there are a lot of "rescue" organizations that no one is regulating. Step 1 - nobody should be making money from finding pets a home, Step 2 - rescues should support the new owners - have policy of taking the animal back if owner surrenders the animal	1/22/2020 1:00 PM
167	The poor conditions of the pet's environment, puppy mills and and the poor health of the animals is of great concern to me.	1/22/2020 12:27 PM
168	I feel I gave most of my comments within the comment sections of the survey. You would do well to consult with the Canadian Kennel Club. Ending of colours and all situations would not be a good idea for example slip collars Etc are used by veterinarians trainers and groomers to safely transport animals,	1/22/2020 11:39 AM

## Animal Control and Licensing Survey

169	I do not believe that pet stores should be allowed to sell live animals other than fish or birds.	1/22/2020 11:33 AM
170	Annual license fee with senior discount. No restrictions on numbers, no required spay or neuter.	1/22/2020 10:38 AM
171	Changes to prevent puppy mills and the sales of those puppies. Require store owners to report puppy mill operators and their locations	1/22/2020 7:15 AM
172	Should only be CKC registered breeders and no pet stores amnd animal inspectors be allowed to Inspect the breeders premises	1/21/2020 10:17 PM
173	Puppy mills often produce purebred dogs. Sometimes these dogs are even registered with the CKC. Rescues from within Canada are a viable option if stores are selling cats and dogs. Many "rescues" from out of country are actual profitable for people. Some imported "rescues" are bringing in foreign disease which threaten our resident animals.	1/21/2020 9:13 PM
174	There should be an audit of pet stores to ensure animals/reptiles etc are properly taken care of and not being abused in any way.	1/21/2020 4:58 PM
175	Educate, educate, educate. Owning a dog or any companion animal should not be taken lightly. Let's make sure people are prepared for the pet they are owning. Prevention....	1/21/2020 4:49 PM
176	My family has 2 dogs bought from a Newmarket pet store and know several other owners from the Bayview Parkway dog park. We all have nothing but good things to say about the health and care of our dogs.	1/21/2020 4:35 PM
177	It's 2020 this issue needs to be addressed now.	1/21/2020 2:17 PM
178	I don't think it's right that animals in shelters can be taken by research labs and institutes. That should be stopped.	1/21/2020 2:03 PM
179	Though I personally would never buy a dog or cat from a pet store. By banning the practice, your town is just further pushing people to the Black market and making it less safe for people and animals. At least with brick and mortar stores, the town can hold them accountable.	1/21/2020 1:47 PM
180	I live in aurora so that's why I filled this out. What ever happens in newmarket can be used for aurora.	1/21/2020 12:39 PM
181	In addition to tethering laws, the by-laws should be amended to restrict the length of time animals can be left unattended in their yards. No animal should be left outside in any type of weather 24/7 unless there are special circumstances and it is in the animal's best interest (this would be rare). The owner should be required to make a case for why the animal is better off left outside then brought inside the home.	1/21/2020 12:32 PM
182	This all seems like common sense and I am applaud these types of improvements are even being questioned.	1/21/2020 12:09 PM
183	better	1/21/2020 10:34 AM
184	Newmarket must step up to the plate and change their Animal Control By-Laws and Pet Store licensing as soon as possible	1/21/2020 10:31 AM
185	Only rescue animals be allowed to be sold in pet stores! No mill animals or backyard breeder animals should be sold in stores! Also, STOP mill dog operations and backyard breeding! Cruel and not appropriately operated! Dogs kept in cages their whole life, not vetted, no human contact, never seen the outside of a building, being shot after no longer needed! Disgusting!!!	1/21/2020 10:13 AM
186	As someone who has being in the dog grooming industry for 18 years, and seen first-hand what goes on at puppy mills. I have seen the conditions these animals live in and I have seen the owners and dogs coming through my door with health issues in their puppies some of these dogs don't live very long. I'm a groomer of eight years in the Newmarket area and I work only a block away from one of these pet stores selling dogs. They are in their kennels in the store running around with feces on their feet I have seen them sick I don't believe it is a life for dogs to be sitting in these cages day in and day out. Please end the selling of dogs in our new market pet stores let's follow Toronto and other towns in the GTA that have banned this horrible practice and make new market on much more respected place to live.	1/21/2020 9:51 AM
187	No restrictions. Our animal cruelty laws are sufficient to protect animals , e.g. animals are better protected than humans. We do not need edditional regulatory burden which will result in costs. The negatove impact from increasing coasts and regulations will be more unwanted animals	1/21/2020 8:52 AM



## Animal Control and Licensing Survey

and reduced chance of pets to find loving home. Think about this! and see THE BIGGER PICTURE!

188	Pet stores should only be allowed to adopt out rescue animals	1/21/2020 3:22 AM
189	I do not feel that dogs should be chained outside for any length of time without their owner. I do not feel that pet stores should be allowed to sell animals but, rather, only adopt out animals sourced from our municipal animal control, the OSPCA, or local rescues.	1/20/2020 11:44 PM
190	should be a complete BAN on retail SALES, only allow adoptions from approved shelters-rescue groups	1/20/2020 11:32 PM
191	Pet stores should not sell pets only adopt out from rescues or shelters. Pet stores keep puppy Mills in business torturing innocent mothers and providing sickly animals	1/20/2020 11:02 PM
192	Please take all of the responses you get serious. These poor helpless animals need our help	1/20/2020 10:18 PM
193	We need to be able to call a mom we and have someone come to help when needed. Now we just get the run around. These animals so desperately need help.	1/20/2020 9:45 PM
194	We need more accountability and enforcement	1/20/2020 9:43 PM
195	One time registration for pets shoube adopted as is practiced in many other cities	1/20/2020 5:33 PM
196	Newmarket should implement a one time/for life licensing for dogs. Other cities do this and have great success, and do not change a massive amount to lifetime licence, which appeals to owners.	1/20/2020 4:42 PM
197	We need to completely forbid the sale of pets in pet stores unless under the umbrella of a reputable rescue group.	1/20/2020 4:35 PM
198	Just let pet stores in and sell animals Also, chill out with the surveys almost every other week. its exhausting and you should schedule your engagement opportunities better by spreading them out more.	1/20/2020 12:52 PM
199	I don't feel a pet store is a responsible place to purchase a pet. If allowed, then only rescue animals should be made available. Store owners have one thing in mind, to make a living. I'm afraid the necessary considerations are not met with a prospective customer, who will most likely be making a decision based on heart and a large percentage of pets will, in the end, enter into rescues. Allowing stores to sell pets is irresponsible.	1/20/2020 8:58 AM
200	Please do not allow pet stores to sell animals	1/19/2020 8:42 PM
201	I'm concerned about pet stores who do not sell all the puppies they have in store. What happens to the unsold animals?	1/19/2020 8:28 PM
202	Something has to be done with cat owners allowing their cats to roam at night. I find cat feces in my garden beds all the time. It's quite frustrating. I pick up after my dog and cat owners should have some kind of responsibility as well.	1/19/2020 8:15 PM
203	More enforcement for dogs being off leash	1/19/2020 7:26 PM
204	lonly shelter anumals adoptions shoudk be allowed	1/19/2020 6:56 PM
205	Pet stores should only be allowed to advertise adoptable animals in their stores from licensed charitable animal rescues	1/19/2020 6:55 PM
206	The seller must have a purchase guaranteed mute, breeding ,needles plus rabies .	1/19/2020 6:41 PM
207	More fines for cats allowed to wander loose.	1/19/2020 1:18 PM
208	This is very important. I am glad change is coming! Thank you. Looking forward to seeing results.	1/19/2020 11:58 AM
209	Ensure barking indoors and outdoor is not a nuisance to neighbours.	1/19/2020 11:10 AM
210	Pet stores should not be allowed to sell pets - only rescues	1/19/2020 8:36 AM
211	The best way to end puppy mills is to remove their source of income. The animals are poorly bred, in general poor health and these pet stores keep paying puppy mills for these poor abused animals.	1/18/2020 6:06 PM

## Animal Control and Licensing Survey

212	Look...I have a big problem with WHERE pet stores can get their animals for sale. No cat or dog in a pet store should come from a breeder. I love that PetSmart Newmarket gets cats from Kate and Me Rescue. Please, please, tighten the laws. In a society that is becoming more enlightened and aware of the poor treatment of animals, we need to do better. Thanks!	1/18/2020 4:05 PM
213	Need stricter laws regarding abuse of animals	1/18/2020 2:37 PM
214	Pet stores should not be able to sell dogs	1/18/2020 12:52 PM
215	No stores selling animals	1/18/2020 12:44 PM
216	I am a resident of Aurora and since the bylaws are amalgamated for animal services, I am a very vocal spokes person for animal rights and welfare. Newmarket is part of Georgina and Aurora and I will have their voices heard	1/18/2020 11:57 AM
217	I do not live in Newmarket, but I volunteer with a rescue organization and I see a lot of needless animal suffering. Unfortunately, it is the result of human greed (as in the case of puppy mills) and neglect (as in the case of letting animals roam). The only way to ensure animals are protected is to have strict by laws in place.	1/18/2020 10:39 AM
218	Animals are put to sleep everyday simply because they don't have a home. It's time for Newmarket to get with the times and stop supporting the sales of puppy mill dogs and start supporting rescues.	1/18/2020 7:57 AM
219	Fines for not scooping poop	1/17/2020 8:38 PM
220	Bylaws are pointless unless they are enforced so the Town must be vigilant in doing so	1/17/2020 5:14 PM



# Corporation of the Town of Newmarket

## By-law 2020-XX

A By-law to regulate, licence, and control Animals in the Town of Newmarket.

**Whereas** section 11 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may enact by-laws regulating or prohibiting Animals;

**And Whereas** section 103 of the Municipal Act authorizes the Town, through the passage of a by-law, to seize, impound, and sell animals that are trespassing or at large;

**And Whereas** section 391 of the Municipal Act authorizes the Town to impose fees or charges for services or activities provided or done by or on behalf of the Town;

**And Whereas** the Council of the Town of Newmarket deems it advisable to pass such by-law;

**Therefore** be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

### 1. Title

This By-law may be known and cited for all purposes as the "Animal Control By-law 2020-XX".

### 2. Definitions

In this By-law:

"**Animal**" means any member of the Animal kingdom, other than a human;

"**Animal Services Officer**" means a person designated and authorized by by-law of the Town of Newmarket to enforce the Town of Newmarket Animal Control Bylaws;

"**Appeals Committee**" means a Committee that is appointed from time to time by Council for the purpose of hearing appeals regarding orders pursuant to this By-law;

"**At Large**" means an animal found in any place, other than the lands, premises or a vehicle of the animal owner or person keeping such animal while:

(a) the animal is not leashed; or

(b) the animal is leashed and no person has the leash in hand;

"**Attack**" means an act of aggression towards a person or domestic animal;

"**Bite**" means any contact with an animal's teeth that causes puncturing of the skin of a human or a domestic animal;

"**Cat**" means a male or female small domesticated feline kept as a pet which is over the age of four (4) months;

"**Dangerous Act**" means any bite, attack or a combination thereof;

"**Dangerous Dog**" means a dog that has been determined to be a Dangerous Dog pursuant to section 9 of this By-law, which determination has not been otherwise rescinded pursuant to this By-law;

"**Dangerous Dog Order**" means an order to comply with the requirements for owners of a Dangerous Dog pursuant to section 9 of this By-law;

"**Director**" means the Director of Legislative Services of the Town of Newmarket or designate;

"**Dog**" means a male or female domesticated canine kept as a pet which is over the age of 4 months;

"**Dog Owners' Liability Act**" means the Dog Owner's Liability Act, R.S.O. 1990, c. D. 16, as amended;

"**Domestic Animal**" means a dog or a cat kept by a person;

"**Domestic Animal Care Facility**" means a service commercial establishment in which domestic animals are cared for on a short term daily basis in an open setting and may include accessory grooming and training facilities but excludes a kennel.

"**Dwelling Unit**" means a room or suite of rooms operated as a separate house keeping unit that is used or intended to be used as a domicile by one or more persons and that contains cooking, eating, living, sleeping and sanitary facilities;

"**Foster Animal**" means a dog, a cat, a litter of puppies that originate from the same female dog or a litter of kittens that originate from the same female cat that is owned, kept, cared for, possessed or harboured by a person as part of a foster care program administered by a Municipal Pound, registered rescue group or a registered humane society;

"**Fees and Charges By-Law**" means the Town of Newmarket Fees and Charges By-Law, as amended;

"**Feral Cat**" means a cat found in the Town of Newmarket that has no owner, is not socialized and is extremely fearful or resistant to humans

"**Guide Dog**" means a Guide Dog as defined in section 1 of the Blind Persons' Rights Act;

"**Impound**" means to seize and take legal custody of an animal by an Animal Services Officer because of an infringement of a law or regulation or at the direction of emergency personnel;

"**Keep**" means to have temporary or permanent control, possession or ownership of an animal, and "keeping" has the same meaning;

"**Law Enforcement Dog**" means a dog trained to assist law enforcement officers and used by such officers in the execution of their duties;

"**Leash**" means a rope, chain or other material or restraining device used to restrain a dog or cat;

"**Licence**" means an identification tag issued by the Town or designate which is to be affixed to the collar of the dog or cat for which it was issued;

"**Lot**" means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

"**Licence Fee**" means a fee payable for a Pet Licence pursuant to the Fees and Charges By-Law;

"**Manager**" means the Town of Newmarket Manager of Regulatory Services or their designate;

"**Municipal Pound**" means a shelter or place, operated by a Municipality, where stray, lost, abandoned or surrendered animals are kept;

"**Muzzle**" means a humane fastening or covering device that cannot be removed by a dog and is of adequate strength and design and suitable to the breed, that is placed over the mouth of a dog to prevent it from biting, and the words "muzzled" and "muzzling" have a similar meaning;

"**Notice to Muzzle**" means a notice containing muzzling requirements, pursuant to Section 9 of this By-law;

"**Nuisance**" means an injurious, offensive, or objectionable condition that disturbs or is likely to disturb the comfort, rest, and enjoyment of any Person;

"**Owner**" means any person who possesses or harbours a dog or cat and where the owner is a minor, the person responsible for the custody of the minor, and includes a person who is temporarily the keeper or in control of the dog or cat and "owns" has the same meaning;

"**Park**" means a public area controlled by the Town and set aside for use by the public for rest, recreation, exercise, pleasure, amusement and enjoyment and includes playgrounds, sports fields, wading and swimming areas, public pathways and trails;

"**Penalty Notice**" means a ticket issued pursuant to the Town's AMPS By-law 2019-62;

"**Person**" includes a natural person, corporation, partnership or party, and the personal or other legal representatives or a Person to whom the context can apply according to law;

"**Police Officer**" means a Police Officer defined under the Police Services Act, R.S.O. 1990, c. P15, as amended;

"**Prohibited Animal**" means an animal identified as a "Prohibited Animal" as identified in Schedule 'A' - Prohibited Animals of this By-law;

"**Service Animal**" means an animal described in subsection 80.45(4) of O. Reg. 191/11, under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11.;

"**Tether**" means a rope or chain or similar restraining device that is not connected to a person, that prevents an animal from moving beyond a localized area, and the words "tethered" or "tethering" have a similar meaning;

"**Town**" means the Corporation of the Town of Newmarket in the Regional Municipality of York;

"**Town Clerk**" means the Clerk of the Town as appointed by by-law;

"**Training Order**" means an order containing training requirements, pursuant to section 9 of this By-law;

"**Urban Hens**" means a domesticated female chicken that is at least four months of age;

"**Vehicle**" means a motor Vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any Vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a bus, streetcar or train used for public transportation;

"**Wildlife**" or "**Wild Animal**" means an animal that belongs to a species that is wild by nature;

"**Zoning By-law**" means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

### 3. Administration and Enforcement

- (1) The **Director**, **Manager**, and any **Animal Services Officer** of the **Town** are hereby delegated the authority to enforce this By-law, including the authority to conduct inspections pursuant to this By-law, the Municipal Act, as amended, and any other enacted legislation.
- (2) The **Director** is authorized to delegate the powers and responsibilities for the administration and enforcement of this By-law to any **Town** staff or external third parties deemed to be qualified and appropriate by the **Director** for such purposes.
- (3) Any notice, written warning or **Penalty Notice**, issued pursuant to this By-law may be served by:
  - (a) hand delivery to the **Person** or the **Owner** of the **Animal** and shall be deemed effective upon service; or
  - (b) mailed to the last known address of the **Person** or **Owner** of the **Animal** and shall be deemed to be effective on the seventh (7<sup>th</sup>) day after the date of mailing.

### 4. General Regulations

- (1) In this By-law, any references to care, control, ownership, harbouring or keeping of an **Animal** shall include any joint or shared care, control, ownership, harbouring and keeping. Any persons that have joint or shared care, control, ownership of, or are sharing or jointly harbouring or keeping, an **Animal**, shall be jointly and severally responsible and liable for any such **Animal** and any duties, obligations, prohibitions, offences and requirements of a **Person** caring, controlling, owning, harbouring or keeping an **Animal** pursuant to this By-law.
- (2) No **Person** shall **Keep**, own, possess, or harbour any **Dog** in the **Town** which makes or causes noises, repetitive or persistent barking, or howling that disturbs or is likely to disturb the comfort, enjoyment, rest, or quiet of any **Person** in the vicinity or neighbourhood.
- (3) No **Person** shall have care or control of more than three (3) **Dogs** or four (4) **Cats** at any time.
- (4) No **Person** shall **Keep**, possess, or harbour, or permit to be kept, possessed, or harboured more than three (3) **Dogs** or four (4) **Cats** within or about any **Dwelling Unit**, unless the additional **Dog(s)** or **Cat(s)** is accompanied by an **Owner** who does not reside at the **Dwelling Unit**.

- (5) No **Person** shall permit any of the following in any leash-free **Park** or zone approved or designated by the **Town** :
- (a) any **Dog** that is subject to a **Dangerous Dog Order** of any Municipality; or
  - (b) have care and control of more than three (3) **Dogs** at any one time.
- (6) A **Person** who owns or keeps a **Dog** shall not permit any excrement deposited by such **Dog** to remain on land or premises owned by the **Town** or on land or premises owned by any person, and a **Person** keeping or owning such **Dog** shall remove such excrement.
- (7) No **Person** shall keep, either on a temporary or permanent basis, any **Prohibited Animal** unless permitted to do so by the Town's Zoning By-law or as authorized by the **Manager**.

## **5. Protective Care of Domestic Animals**

- (1) The **Town** may receive or **Impound** a **Domestic Animal** into protective care for up to five (5) calendar days at a **Municipal Pound** as a result of an incarceration, or as a result of a fire or medical emergency, or for any other situation that the **Manager** or an **Animal Services Officer** deems appropriate.
- (2) When the **Town** receives a **Domestic Animal** into protective care, the **Owner** of the **Domestic Animal** shall pay all costs incurred or fees associated on behalf of the **Domestic Animal** prior to redeeming the **Domestic Animal**.
- (3) No **Person** shall allow a **Domestic Animal** to remain in a **Vehicle** unless:
- (a) the **Domestic Animal** is secured in a manner that prevents contact between the **Domestic Animal** and any member of the public;
  - (b) the **Domestic Animal** has suitable ventilation; and
  - (c) the **Domestic Animal** is not exposed to temperatures which can cause distress and/or death.
- (4) Every **Person** who keeps a **Domestic Animal** within the **Town** shall provide:
- (a) a clean and sanitary environment free from an accumulation of fecal matter;
  - (b) adequate and appropriate care;
  - (c) adequate food and clean water supply;
  - (d) shelter; and
  - (e) Veterinary care as may be required.
- (5) No **Person** shall **Keep** any **Domestic Animal** in a condition which disturbs or is likely to disturb the enjoyment, comfort, or convenience of any **Person**.
- (6) No **Person** shall **Keep** any **Domestic Animal** in a condition that endangers or is likely to endanger the health of any **Person** or **Domestic Animal**.

## 6. Tethering

- (1) No **Person** shall **Keep** an **Animal** tethered on a rope, chain, or similar restraining device, unless:
  - (a) the **Tether** is of appropriate length for the **Animal** tethered, but is never less than three (3) meters;
  - (b) the **Animal** has unrestricted movement within the range of such tether;
  - (c) the **Animal** is tethered in a manner that constrains the **Animal** to the property in which the **Animal** is tethered; and
  - (d) the **Animal** has access to adequate water, food, shelter and shade.
- (2) No **Person** shall **Keep** an **Animal** tethered where a choke collar, choke chain, pronged collar or any similar device forms part of the tether.
- (3) No **Person** shall **Tether** any **Animal** for a period exceeding three (3) hours, consecutive or not, within the same calendar day. For greater clarification, if the **Animal** is observed being tethered for any amount of time within a one (1) hour period, it is deemed to have been there for one (1) of the three (3) hours during that calendar day.

## 7. Feeding of Wildlife

- (1) No **Person** shall feed or permit the feeding of a **Wild Animal**, a **Feral Cat**, or a stray **Domestic Animal** anywhere within the **Town**.
- (2) No **Person** shall cause or permit a feeding device or any attractants to be left outside on any **Lot**, including but not limited to land owned by a public authority.
- (3) Notwithstanding Sections 7 (1) and 7 (2), a land **Owner** may feed a bird that is a **Wild Animal** on their **Lot** in accordance with the following requirements:
  - (a) seed shall be placed in a feeding device designed for birds;
  - (b) no excrement from the birds shall be permitted to accumulate;
  - (c) seed within the feeding device shall be sufficiently above grade and reasonably inaccessible to a **Wild Animal**, with the exceptions of birds;
  - (d) all seed spilled from the feeding device shall be promptly disposed of;
  - (e) the feeding device shall be kept in a sanitary condition at all times; and
  - (f) the feeding device shall not cause or create a **Nuisance** due to odour, sight, or noise.

## 8. Urban Hens

- (1) Any **Person** wishing to **Keep Urban Hens** shall submit to the **Town** a completed application with all supporting documents, including but not limited to:
  - (a) a letter of permission from the **Owner** of the property where the hens will be kept;



- (b) letter(s) of permission from all abutting property owners; and
  - (c) a sketch of the property including the location of the coop, run, and any other accessory structures, showing dimensions and setbacks.
- (2) No more than three (3) Urban Hens are permitted on any residential property.
- (3) No Urban Hens under the age of four (4) months old shall be kept on any residential property.
- (4) No Roosters shall be kept on any residential property.
- (5) The **Owner** of the Urban Hen(s) must reside on the property where the Urban Hen(s) are being kept.
- (6) An Urban Hen must be kept in their coop between the hours of 9:00pm and 6:00am.
- (7) An Urban Hen shall be kept in an enclosed hen run when not in their coop.
- (8) A Hen enclosure shall be a minimum size of ten (10) square feet per hen.
- (9) Hen coops and Hen runs shall be a distance of 1.2m from the rear **Lot** line and 1.2m from any side **Lot** line of the dwelling **Lot** on which the hen coop is located.
- (10) Hen coops and Hen runs shall be a minimum distance of 3m from all windows and doors of dwellings that are located on an abutting property.
- (11) Hen coops shall be less than 2.4m in height.
- (12) Hen coops shall not be located in a front yard.
- (13) Hen coops and Hen runs shall be maintained in a clean condition and the coop shall be kept free of obnoxious odours, substances, and vermin.
- (14) Home slaughter of hens is prohibited.
- (15) Deceased Hens shall be disposed of at a livestock disposal facility or through the services of a veterinarian.

## 9. Notices and Orders

- (1) Where an **Animal Services Officer** has reasonable grounds to believe that a **Dog** may engage in an aggressive act, an **Animal Services Officer** may issue an order requiring such **Dog** to receive training in a form and timeline as set out by the **Animal Services Officer**.
- (2) Where training has been ordered pursuant to Section 9(1) of this By-law, the **Owner** of the **Dog** shall provide proof of compliance with the **Training Order** to the **Town** within the timeline imposed.
- (3) Where an **Owner** of a **Dog** is served with a **Notice to Muzzle**, the **Owner** shall:
  - (a) While on the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be tethered or confined by a six (6) foot fence in a way that prevents the **Dog** from going beyond the

limits of the owner's property or being accidentally or intentionally released; and

- (b) Whenever off the property of the **Owner**, cause the **Dog** subject to the **Notice to Muzzle** to be muzzled and leashed, and the **Owner** shall not permit such a **Dog** to be left in the control of a **Person** under the age of sixteen (16).
- (4) Every **Owner** of a **Dog** shall exercise reasonable precautions to prevent the **Dog** from engaging in a **Dangerous Act**.
- (5) Without limiting this By-law, an **Owner** of a **Dog** that engages in a **Dangerous Act** is liable to prosecution under the **Dog Owners' Liability Act**, R.S.O. 1990, c. D.16, as amended.
- (6) Where the **Manager** has reasonable grounds to believe that a **Dog** has engaged in a **Dangerous Act** against a **Person** or **Domestic Animal**, the **Manager** shall impose the following with respect to such a **Dog**:
  - (a) for the first (1<sup>st</sup>) documented offence with a municipality, serve the **Owner** of the subject **Dog** with a **Notice to Muzzle**;
  - (b) despite Section 9(6)(a), if it is the **Manager's** opinion that the **Dangerous Act** is severe, serve the **Owner** of the subject **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law;
  - (c) for the second (2<sup>nd</sup>) documented offence with a municipality, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law; or
  - (d) Where the **Dangerous Act** occurred while the **Dog** was the subject of a **Notice to Muzzle** or a control order under the **Dog Owners Liability Act**, serve the **Owner** of the **Dog** with a **Dangerous Dog Order**, requiring the subject **Dog** to comply with the requirements under Section 9(7) of this By-law.
- (7) Where an **Owner** is served with a **Dangerous Dog Order**, the **Owner** shall, at the owner's expense and for the life of the subject **Dog**, ensure that:
  - (a) the **Dangerous Dog** is muzzled at all times when off the owner's property;
  - (b) the **Dangerous Dog** is not permitted to enter, at any time, into any leash-free **Park** or zone approved or designated by the **Town** ;
  - (c) a warning sign is posted on the owner's private property within fifteen (15) days of the order being served on the **Owner** in the form and location as required by the **Manager**;
  - (d) the **Dangerous Dog Owner** information is current, and the **Owner** shall notify the **Town** in writing if the **Dog** is transferred to another **Person** within (5) days of the change of ownership;
  - (e) the **Dangerous Dog** is microchipped within thirty (30) days of the order being served on the **Owner**;
  - (f) the **Dangerous Dog** is spayed or neutered within thirty (30) days of the order being served on the **Owner**; and

- (g) arrangements are made with the **Town** to enable the **Town** to collect information about the subject **Dog** within thirty (30) days of the order being served on the **Owner**.
- (8) In addition to Section 9(7) of this By-law, where an **Owner** is served with a **Dangerous Dog Order**, the **Manager** may require the subject **Dog** to receive training in a form and timeline as required by the **Manager**.
- (9) Where a **Dangerous Dog Order** has been served, the **Owner** of the subject **Dog** shall provide proof of compliance to the satisfaction of the **Manager**.
- (10) Where the **Director**, **Manager** or any **Animal Services Officer** is satisfied that a contravention of this By-law has occurred, such **Director**, **Manager** or **Animal Services Officer** may make an order requiring that the **Person** who caused or permitted such contravention, or the property **Owner** of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- (11) An Order pursuant to Section 9(10) shall set out the following:
  - (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
  - (b) reasonable particulars of the contravention;
  - (c) what is required of the **Person** subject to the order;
  - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
  - (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the **Town** will have the work done at the expense of the **Person** directed or required to do it; and
  - (f) information regarding the Town's contact **Person**.

## 10. Remedial Action and Cost Recovery

- (1) Any orders or actions taken in relation to a contravention of this By-law shall be at the expense of the **Person** responsible for the **Animal** and the **Town** may recover any fines or fees imposed through administrative penalties, legal action, or by recovering the costs in the same manner as municipal taxes.
- (2) For the purposes of taking remedial action under Section 10(1), the **Director**, **Manager** or an **Animal Services Officer** may enter, at any reasonable time, upon any lands on which a default to carry out any notice, order, or action as directed.

## 11. Appeal

- (1) Where a **Training Order**, **Notice to Muzzle** or a **Dangerous Dog Order**, has been issued, the **Owner** of the **Dog** may apply for a Hearing to appeal the Order to the Town's **Appeals Committee**.
- (2) A request for a Hearing shall be made in writing and delivered to the **Town Clerk** within ten (10) business days after the **Training Order**, **Notice to Muzzle** or **Dangerous Dog Order** has been served.

- (3) Upon receipt of the request for a Hearing from an **Owner** of a vicious **Dog**, the **Town Clerk** shall convene a meeting of the **Appeals Committee**, as soon as is practicable, and notify the **Owner** of the **Dog** and any victim(s) of the **Attack** of the time, date and location of the Hearing.
- (4) Notwithstanding that an **Owner** has applied for a Hearing to appeal an Order, the Order takes effect when it is served on the **Person** to whom it is directed and remains in effect until the **Appeals Committee** has made its decision on the appeal.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Owner** of the recommendations being made by the **Manager or Animal Services Officer** with respect to the order shall be provided.
- (6) The **Owner** and any other interested Persons shall have the right to make a submission of their defense, either in-writing or in-person before the Appeals Committee.
- (7) Failure for the **Owner** or representative to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The **Appeals Committee** shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than ten (10) business days following the date of the hearing.
- (9) The **Appeals Committee** has the power to:
  - (a) confirm the requirements of an order;
  - (b) exempt the **Owner** in whole or part from any requirement set out in the order;
  - (c) impose conditions on any exemption granted under Section 11(9)(b) that the **Appeals Committee** considers appropriate; or
  - (d) rescind the order.
- (10) The decision of the **Appeals Committee** is final and binding.
- (11) Notice of the hearing or any matter which arises relating to the proceedings of the **Appeals Committee** not covered in the provisions of this By-law shall be governed by the Statutory Powers Procedures Act.

## 12. Registration and Licensing

- (1) Every **Owner** of a **Cat** or **Dog** over the age of twelve (12) weeks shall **Licence** the **Animal** with the **Town** and shall maintain the **Licence** in good standing.
- (2) Every **Owner** of a **Cat** or **Dog** shall annually renew the animal's **Licence** before its date of expiry.
- (3) Upon payment of the animal's **Licence Fee**, the **Owner** shall be provided with a **Licence** and shall **Keep** the **Licence** securely fixed on the **Cat** or **Dog** at all times.
- (4) If a **Licence** is lost or misplaced for any reason, the **Owner** shall make an application for a replacement **Licence**.
- (5) No **Owner** shall provide false information when licensing an **Animal**.

- (6) Every **Owner** of a **Cat** or **Dog** shall at the time of licensing the **Animal**, pay the animal's **Licence Fee** to the **Town** in accordance with the **Town's Fees and Charges By-Law**, as may be amended from time to time.
- (7) Every **Licence** issued pursuant to this By-law shall be serially numbered and a record of their issue shall be kept by the **Town**. Such registration shall, at a minimum, set out the name and address of the **Owner**, the name of the **Domestic Animal**, and shall contain other information as may be required by the **Manager**.
- (8) Every **Licence** issued pursuant to this By-law is personal to the **Domestic Animal** registered and shall not be transferable.

### 13. Animals At Large

- (1) No **Person** keeping a **Dog** shall allow the **Dog** to be **At Large** within the geographical boundaries of the **Town** unless such **Dog** is confined to a leash-free **Park** or zone approved or designated by the **Town**.
- (2) No **Person** shall permit a **Dog** to enter or to be located in any leash-free **Park** or zone approved or designated by the **Town** unless such a **Dog** is licensed pursuant to this By-law or licensed pursuant to a municipal **Animal** licensing program of another municipality in Ontario.
- (3) Unless otherwise permitted by **Town** policy, other by-laws or any legislation, no **Person** keeping a **Dog** shall allow the **Dog**, other than a **Guide Dog** or a **Service Animal**, to be in or on **Town** property or **Town** facilities where posted signs prohibit such activity or such prohibition is communicated by **Town** staff in another manner.
- (4) No **Person** keeping a **Cat** shall permit such a **Cat** to be **At Large** within the **Town** or allow such a **Cat** to cause damage or create a **Nuisance** or disturbance to another Person, another Person's property, or to **Town** property.
- (5) An **Animal Services Officer** may **Impound** any **Domestic Animal** found to be **At Large**.
- (6) Every reasonable effort shall be made by the **Animal Services Officer** to notify the **Owner** within twenty-four (24) hours that a **Domestic Animal** is impounded and the conditions whereby custody of **Domestic Animal** may be reclaimed.

### 14. Exemptions

- (1) This By-law does not apply to a **Law Enforcement Dog** and the Persons who have care and control of a **Law Enforcement Dog** as part of their law enforcement duties.
- (2) The following are exempt from any restrictions on the number of Domestic Animals permitted or Prohibited Animals identified under this By-law:
  - (a) a veterinary hospital, clinic, office or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
  - (b) premises registered as a research facility in accordance with the Animals For Research Act, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto; and

- (c) facilities that provide **Animal** services that are legally operated on premises where the **Zoning By-Law** permits such uses, such as an **Domestic Animal Care Facility**.
- (3) Notwithstanding Section 4(4) of this By-law, a **Person** shall be permitted one (1) additional **Dog** above the limit of three (3), or one (1) additional **Cat** above the limit of four (4), provided that the additional **Animal**:
- (a) is acting as a **Guide Dog** or **Service Animal** for the **Owner**; or
  - (b) is a **Foster Animal** for a duration of not more than six (6) months and the **Person** is able to produce documentation to the **Town** to support this.
- (4) Sections 7(1) and 7(2) of this By-law do not apply in the following situations:
- (a) the leaving of food as bait in a trap by a property **Owner** to capture a nuisance **Animal** inhabiting or habituating their property pursuant to the Fish and Wild Conservation Act, 1997, S.O. 1997, c41;
  - (b) the leaving of food as bait by a licenced trapper, and employee of licensed wildlife removal or pest control agency, agents or representatives of the Ministry of Natural Resources, Municipal Law Enforcement Officers, or a **Police Officer**, in the performance or their work; or
  - (c) the leaving of food for a colony of stray or **Feral Cats** for the purpose of trap, neuter or spay and release program approved by the Corporation of the **Town** of Newmarket.
- (5) Any **Foster Animal**, **Service Animal** or **Guide Dog** is exempt from the requirement to obtain an **Animal Licence**.

## 15. Offences

- (1) Every Person who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every Person who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any Person who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

## 16. Severability

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

## 17. Repeal

- (1) Animal Control By-law 2016-53, as amended is hereby repealed.

Enacted this 29th day of June, 2020.

Mayor's Full Name, Mayor

Lisa Lyons, Town Clerk

**Schedule ‘A’**  
**Prohibited Animals**

CLASS	ORDER	COMMON NAMES
<i>Endangered or Protected Animals</i>	All	All Animals, native or exotic, whose possession or sale is prohibited pursuant to an international, federal, or provincial law, regulation, rile or agreement.
<i>Mammals</i>	Artiodactyla	Cattle, goats, sheep, pigs, deer, elk
	Carnivora	Panda, otter, wolves, bears, seals, walruses, coyotes, foxes, hybrid wolf dogs Tigers, leopards, cougars, lions, lynx Hyenas' Minks, skunks, weasels, otters, badgers Mongoose, civets, genets Coatimundi, cacomistles, raccoons (except domestic dogs, cats and ferrets)
	Chiroptera	Bats, myotis, flying foxes
	Edentates	Anteaters, sloths, armadillos
	Lagomorpha	Hares, pikas (except domestic rabbits)
	Marsupialia	Koala, kangaroo, possum, wallabies (except sugar glider derived from self-sustaining captive populations)
	Perissodactyla	Horses, donkeys, jackasses, mules, zebras, ponies
	Primates	Chimpanzees, gorillas, monkeys, lemurs
	Proboscidea	Elephants, rhinoceros, hippopotamus
	Rodentia	Porcupines, prairie dogs, nutria, chinchillas (except rodents which do not exceed 1,500 grams and are derived from self sustaining captive populations)
<i>Reptiles</i>	Crocodylia	Alligators, crocodiles, gavial, caymans
	Squamata	Lizards that are venomous Lizards that reach an adult length greater than 2 metres (6.56 ft) Snakes that are venomous Snakes that reach an adult length greater than 3 metres (9.84 ft)
<i>Birds</i>	Anseriformes	Ducks, geese, swans, screamers
	Galliformes	Pheasants grouse, guinea fowls, turkeys, pea fouls
	Gruitformes	Cranes, rails
	Phoenicopteriformes	Flamingos
	Sphenisciformes	Penguins
	Struthioniformes	Ostriches, rheas, cassowaries, emus, kiwis
	Raptors	Eagles, hawks, falcons, owls
<i>Other</i>	All	All other venomous or poisonous Animals (except for “new world” tarantulas and “emperor scorpions”) All protected or endangered Animals being all Animals, native or non-native, whose possession or sale is



		prohibited because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation, rule or agreement, unless the Animal has been obtained in accordance with international, federal or provincial law, as applicable, and if the Animal is not identified in this Schedule.
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# Corporation of the Town of Newmarket

## By-law 2020-XX

A By-law to regulate and licence businesses to operate in the Town of Newmarket.

**Whereas** Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

**And whereas** the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

### 1. Title

This By-law may be known and cited for all purposes as the “Business Licence By-law 2020-XX”.

### 2. Definitions

In this By-law:

“**Animal**” means any member of the animal kingdom other than a human;

“**Appeals Committee**” means the **Appeals Committee** established by the **Town**;

“**Applicant**” means a **Person** applying for a **Business Licence** to carry on a **Business**, activity, or undertaking pursuant to this By-law;

“**Attendant**” means any **Person** other than a licensed **Owner** or **Operator** who provides Services designed to appeal to the needs of a particular **Business**;

“**Bird**” means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

“**Bed and Breakfast**” means a dwelling or part of a dwelling in which not more than three (3) bedrooms are used or maintained for the accommodation of the travelling public, in which the **Owner**-occupant supplies lodgings with or without meals for hire or pay;

“**Business**” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other services as identified within this By-law, but does not include any activity carried on by the government, its agencies, or government owned corporations;

“**Business Licence**” or “**Licence**” means a **Licence** to operate a **Business** pursuant to this By-law;

“**Council**” means **Council** for the Corporation of the **Town** of Newmarket;

**“Fees and Charges By-law”** means the **Town** of Newmarket **Fees and Charges By-law** 2019-52, as amended;

**“Licensing Officer”** means an individual appointed by the **Town** as a **Municipal Enforcement Officer** or any other individual designated by the **Town** to enforce this By-Law;

**“Lot”** means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

**“Market”** means sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;

**“Municipal Enforcement Officer”** means an individual appointed by the **Town** as a Municipal Law Enforcement Officer or any other individual designated by the **Town** to enforce this By-law;

**“Operator”** or **“Owner”** means any **Person** that operates or owns a **Business** as identified in this By-law;

**“Permanent Resident”** in respect of any dwelling or **Lot** means a **Person** who normally resides in a dwelling on the **Lot** and for these purposes a **Person** cannot normally reside at more than one location;

**“Person”** includes a natural **Person**, corporation, partnership or party, and the **Personal** or other legal representatives or a **Person** to whom the context can apply according to law;

**“Pet Store”** means a **Premises** in which animals or **Birds** for use as pets, or goods and merchandise associated with such animals or **Birds**, are offered or kept for **Retail** sale or rental to the public;

**“Premises”** means the area of a building and/or **Lot** occupied or used by a **Business** or enterprise. In a multiple tenancy buildings occupied by more than one **Business**, each **Business** shall be considered a separate **Premises**;

**“Prohibited Animals”** means an animal identified as a "prohibited animal" as listed in the **Town’s** Animal Control By-law Schedule 'A', as amended;

**“Retail”** means the sale of products or goods to the ultimate consumer, usually in small quantities, in the ordinary course of **Business**;

**“Short Term Rental”** means all or part of a dwelling unit used to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast** but excludes hotels, motels and accommodations where there is no exchange for remuneration;

**“Short Term Rental Company”** means any **Person** who facilitates or brokers **Short Term Rental** reservations via the internet and who:

- (a) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a **Person** making or completing reservations of those **Short Term Rentals**; or
- (b) collects, accesses, or holds information on the number of nights that reservations of those **Short Term Rentals** are made or completed.

This definition does not apply to a **Person** who facilitates or brokers reservations for a **Short Term Rental** that is the principal residence of that person or their immediate family. In this definition, **“Person”** includes multiple

**Persons** who, acting together, carry on the **Business** of a **Short Term Rental Company**, despite the fact that no single one of those **Persons** carries on the activity in its entirety, and such may be held jointly and severally responsible for each other's actions;

**"Sign By-law"** means the **Town** of Newmarket **Sign By-law** 2017-73, as amended;

**"Town"** means the Corporation of the **Town** of Newmarket in the Regional Municipality of York;

**"Veterinarian"** means a **Person** qualified and authorized to practice veterinary medicine;

**"Zoning By-law"** means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

### 3. General Regulations

- (1) A **Person** must not carry on any **Business** unless that **Person** holds a valid and subsisting **Business Licence** issued to that **Person** for that **Business** within the **Town**.
- (2) Every **Business** shall comply with all federal, provincial, and municipal by-laws and regulations applicable to the **Business** and the **Business Premises**.
- (3) If a **Person** operates a **Business** at more than one **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Premises**.
- (4) If a **Person** operates more than one type of **Business** at the same **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Business**.
- (5) Every holder of a **Business Licence** shall post or display the **Business Licence** at the place of **Business** in a location visible to customers and suppliers attending the **Business**.
- (6) Every **Business Licence** issued shall be deemed to be a personal **Business Licence** to the licensee therein named.
- (7) A valid **Licence** will permit a **Business** to conduct the specific activities to the stated extent described in the **Licence** application. If a **Business** entity makes any changes to the information contained in its **Business Licence** application or information, undertakes new **Business** activities or expands those activities, it is required to obtain a new **Business Licence** or a **Business Licence** amendment for those activities.
- (8) No **Person** operating a **Business** within the **Town** shall **Market** that **Business** or its products and services through any means of promotion unless:
  - (a) the **Person** operating that **Business** is the holder of a valid **Business Licence** issued pursuant to this By-law;
  - (b) the **Business** name being promoted or marketed matches the named endorsed on the **Business Licence**; and
  - (c) the marketing offers products and services that comply with **Town** by-laws and related enactments.
- (9) No **Person** shall carry on a **Business** of any kind, in any way or manner on **Town** owned property, parks, boulevards, highways or

other public property unless specifically authorized to do so by a permit under this Bylaw or another enactment.

#### 4. Administration and Enforcement

- (1) Through delegated authority, the Manager may:
  - (a) grant, issue, or amend a **Business Licence** if the **Licensing Officer** is satisfied that the **Applicant** has complied with all of the by-laws of the **Town** and related enactments that apply to the **Applicant's Business**;
  - (b) suspend, cancel, or refuse to issue a **Business Licence** in accordance with Section 7 of this By-law;
  - (c) impose conditions on a **Licence** at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the **Business**;
  - (d) conduct inspections and investigations to ensure that all regulations and provisions prescribed in this By-law are carried out; and
  - (e) prepare, from time to time, forms to be used for the purpose of making applications under this By-law.
- (2) No **Person** shall Obstruct or attempt to Obstruct a **Licensing Officer** or other **Person** who is exercising a power or performing a duty under this By-law.

#### 5. Licence Fees

- (1) **Business Licence** fees shall be in accordance with those specified in the **Town of Newmarket Fees and Charges By-law**.
- (2) An administrative penalty of 25% of the renewal fee shall be added to each unpaid **Business Licence** after 31 days from the renewal date. If unpaid by this time, the **Licence** shall be revoked and a new **Business Licence** application shall be required.
- (3) If an application for a **Licence** is withdrawn, in writing, prior to the issuance of the **Licence**, the **Licence** Fee shall be refunded to the **Applicant** if a **Licence** was pre-paid.
- (4) No **Licence** Fee shall be refunded after the issuance of a **Licence**.

#### 6. Application and Renewal

- (1) The terms of a **Business Licence** issued under this By-law are for a period commencing January 1st and ending December 31st of the year for while the **Licence** is issued.
- (2) All new **Business Licence** applications shall be accompanied by a non-refundable \$50.00 application processing fee. If a **Business Licence** application is approved, the application processing fee shall be applied to the **Business Licence** fee identified under the Fees and Charges Bylaw.
- (3) Every **Applicant** for a new **Business Licence** or for the renewal of a **Business Licence** issued under this By-law shall:
  - (a) submit a completed application on the forms provided;

- (b) file proof satisfactory to the **Licensing Officer** that they are eighteen (18) years of age or older, a citizen of Canada, or a landed immigrant or produce a valid work permit issued by the Government of Canada; to work in the occupation of the **Licence** type that they are applying for;
  - (c) provide a copy of the:
    - (i) incorporating document and a copy of the last annual information return which has been filed with the appropriate government department, if the **Applicant** is a corporation; or
    - (ii) registered declaration of partnership, if the **Applicant** is a registered partnership;
  - (d) provide any other document relating to the operation of the **Business** requested by the **Licensing Officer**, including but not limited to:
    - (i) a provincial driver's **Licence**;
    - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the **Applicant** resides;
    - (iii) Harmonized Sales Tax (HST) number;
    - (iv) York Regional Health Department Inspection Certificate;
    - (v) Insurance Certificates;
  - (e) pay any required fees pursuant to the **Town's Fees and Charges By-law**; and
  - (f) pay any outstanding fine(s) owed to the **Town** prior to the issuance of a **Business Licence**.
- (4) If a **Person** submits a **Business Licence** application for which additional information or documentation is required by the **Licensing Officer**, the **Person** shall supply all required information and documentation within 30 days of the request made by the **Licensing Officer**, after which time the application may be refused and a new application for a **Business Licence** is required.

## 7. Suspension, Cancellation, and Refusal

- (1) The Manager may revoke, suspend, cancel or refuse to renew or issue a **Licence**:
  - (a) where the past conduct of the **Applicant** or licensee affords reasonable grounds for belief that the **Applicant** or licensee will not carry on the activity for which the **Applicant** is applying for or the licensee is licensed for, in accordance with law and with integrity and honesty;
  - (b) where the **Applicant** of licensee has been found by the Manager or **Licensing Officer** to fail to comply with any provision of this By-law; or
  - (c) where the **Applicant** has been found by the Manager to provide false information in order to obtain a **Business Licence**.
- (2) Upon such revocation, suspension, cancellation, or refusal to issue or renew a **Business Licence**, the Manager shall provide a formal letter

outlining the reason(s) for the refusal and shall be delivered to the **Applicant** or licensee within seven (7) business days. Such notice shall set out and give reasonable particulars of the ground(s) for the decision and options for an Appeal Hearing.

- (3) An **Applicant** or licensee of a **Business Licence** may request a hearing before the **Appeals Committee** for reconsideration of the Manager's decisions to revoke, suspend, cancel, or refuse to issue or renew a **Business Licence** by delivering a written request to the Manager within fourteen (14) days of the Manager's decision being sent.
- (4) The **Applicant** or licensee of a **Business Licence** must pay a non refundable Appeal Fee in accordance with the Fees and Charges Bylaw.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Applicant** or licensee of the recommendations being made by the Manager with respect to the **Licence** shall be provided to the **Applicant** or licensee.
- (6) The **Applicant** or licensee shall have the right to make a submission in support of an application or renewal or retention of a **Licence** before the **Appeals Committee**.
- (7) Failure for the **Applicant** or licensee to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The decision of the **Appeals Committee** is final and binding.
- (9) No **Person** shall conduct any **Business** pursuant to their **Business Licence** during a period of suspension of that **Business Licence**.
- (10) No **Person** shall **Market** a **Business** during a period of suspension of that **Business' Licence**.
- (11) If the Manager suspends, cancels or refuses to issue, amend or renew the **Business Licence** for a **Business**, the **Town** may post a notice of suspension, cancellation, or refusal on the **Premises** of the **Business**.
- (12) A posted notice of suspension, cancellation, or refusal of a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.
- (13) If a **Business** is operating without a **Licence** required under this By-law, the **Town** may post a notice describing the failure to hold a valid **Business Licence** on the **Premises** of the **Business**.
- (14) A posted notice of operating without a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.

## **8. Specific Regulations**

### **8.1 Pet Retail Stores**

- (1) Every **Pet Store** shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
- (2) Every animal or **Bird** shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the



health requirements of the type or species of animal or **Bird** housed therein.

- (3) Every cage or other container used for the keeping or housing of any animal or **Bird** shall:
- (a) be of adequate size to permit any such animal or **Bird** to stand normally to its full height, to turn around, and to lie down in a fully extended position;
  - (b) in the case of a cage or other container used to keep or house only **Birds**, have a removable metal or other impermeable bottom which shall be cleaned daily;
  - (c) in the case of all other cages or contained, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
    - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
    - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
    - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
  - (d) be equipped with receptacles for food and for water, so mounted or situation that they cannot be easily overturned or contaminated; and
  - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
- (4) Water shall be provided daily to every animal or **Bird** in sufficient quantity to maintain at all times a potable supply available to such **Bird** or animal.
- (5) Animals and **Birds** shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or **Bird** kept within the **Pet Store**.
- (6) Every **Applicant** licensed or required to be licensed with the **Town** under this By-law shall:
- (a) provide to every purchaser of a cat or dog a health assessment from a licensed **Veterinarian** to verify the animal has received veterinary care;
  - (b) only permit a cat or dog within the **Pet Store** for the purpose of sale for which the cat or dog has been obtained from one (1) of the following sources:
    - (i) municipal animal shelters;
    - (ii) registered humane societies;
    - (iii) registered shelters; or
    - (iv) a recognized animal rescue group;
  - (c) provide all enclosed dogs or cats reasonable exercise;
  - (d) not keep or sell any sick, injured, or diseased animals;

- (e) not display any animal in an exterior display window;
  - (f) not permit to be sold, offer for sale, or give away any animal before it has reached the normal weaning age, based on known requirements of that particular species; and
  - (g) give the purchaser on any sale or disposition of any dog or cat, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, and description.
- (7) Every **Pet Store** shall maintain a registry of each dog or cat purchased or otherwise obtained. Each entry shall be made at the time each dog or cat comes into the possession of any **Owner**, employee, or **Person** associated with the **Pet Store** and shall include:
- (a) the date of purchase;
  - (b) a full description of the dog or cat;
  - (c) the name, address, and contact information of the **Person** from whom the dog or cat was purchased or otherwise obtained; and
- the **Pet Store** shall retain the register in respect of each transaction for the period of twelve (12) months thereafter.
- (8) Every **Pet Store** shall ensure that an **Attendant** in charge of and responsible for the care and safe keeping of animals within the **Pet Store** remains on site at all times during the **Business** hours of operation.
- (9) **Prohibited Animals**, as identified within the **Town's** Animal Control By-law Schedule A, shall not be permitted to be sold in any **Pet Store**.
- (10) Every **Person** licensed under this By-law shall make every reasonable effort to obtain the name, address and description of anyone offering to sell or give to the licensee any animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Region of York Police Services.
- (11) Where the **Licensing Officer** or **Municipal Enforcement Officer** determines that an animal appears to require medical attention, they may require the licensee to take the animal to a qualified **Veterinarian** forthwith.

## 8.2 Short Term Rental Operators

- (1) No more than one (1) **Short Term Rental** is permitted on a **Lot**.
- (2) **Short Term Rentals** shall only be operated within one (1) dwelling unit on a **Lot**.
- (3) **Short Term Rentals** shall provide one (1) off-street parking space for each bedroom identified as in use by the **Business**. In addition to this requirement, one (1) off-street parking space shall be provided for the **Permanent Resident** of the property.
- (4) Each bedroom intended to be operated as part of a **Short Term Rental** shall be clearly identified at the time of a new or renewal **Business Licence** application process through the provision of a floor plan showing the location of each bedroom.
- (5) Any changes to the number or location of bedrooms shall be provided to the **Municipal Enforcement Officer** through a **Licence**

amendment application, prior to those bedrooms being used by the **Business**.

- (6) An **Operator** of a **Short Term Rental** shall not:
  - (a) rent out or provide any sleeping accommodations within any vehicle, tent, or any accessory building;
  - (b) permit more than three (3) bedrooms to be made available for use;
  - (c) permit more than (6) overnight guests at one time; or
  - (d) permit beds or bedrooms to be used that are not identified on the **Business Licence** application for that **Premises**.
- (7) An **Operator** of a **Short Term Rental** shall post or display the **Business Licence** number on any **Marketing**, advertisements, or promotions for that **Business**.
- (8) An **Applicant** for a **Short Term Rental** shall provide:
  - (a) proof that they are a **Permanent Resident** on the property; or
  - (b) the name of the **Permanent Resident(s)** on the property and a copy of a tenancy agreement, or other proof satisfactory to the **Licensing Officer**, of an existing and ongoing principal residential use, at the time of a new or renewal application.
- (9) An **Operator** of a **Short Term Rental** shall ensure that a **Permanent Resident** on the property is present and available within the **Town** at all times while guests are staying on the **Premises**, and is able to respond to concerns raised by guests, neighbours, or the **Licensing Officer** within two (2) hours.
- (10) An **Operator** of a **Short Term Rental** shall provide to each guest and the **Licensing Officer** the telephone number of the **Person** who is present or available to respond to concerns pursuant to **Town** by-laws or provincial regulations.
- (11) No **Person** shall **Market**, operate, or make available any dwelling unit or part of a dwelling unit for paid accommodation of less than 28 days unless that dwelling unit has a current **Short Term Rental Licence**.
- (12) Upon approval of a **Short Term Rental Business Licence**, the **Applicant** shall post a Sign in conformity with the **Town's Sign By-law**, to identify the **Premises** as a licensed **Short Term Rental** within the **Town** of Newmarket.
- (13) Every **Short Term Rental** shall comply with Schedule A of this By-law as a condition of their **Business Licence** and shall comply with the demerit point system licensing requirements imposed.
- (14) Every **Short Term Rental Operator** shall only **Market**, list, or advertise their **Business** on a licensed **Short Term Rental Company** platform.

### **8.3 Short Term Rental Companies**

- (1) No **Person** shall carry on the **Business** of a **Short Term Rental Company** unless they have obtained a **Licence** to do so from the **Town**.

- (2) No **Person** shall, **Market**, advertise, facilitate the advertising or rental of, or broker a **Short Term Rental** if its **Operator** is not licensed as such with the **Town**.
- (3) Every **Person** shall take down or remove a listing or advertisement related to an unlicensed **Operator** within 24 hours of being requested to do so by the **Town**.
- (4) An application for a **Short Term Rental** Company **Licence** shall be in a form approved by the Manager and require the **Applicant** to provide:
  - (a) The **Short Term Rental** Company's registered **Business** address in Ontario;
  - (b) The name, phone number and e-mail address of a **Person** responsible for responding to all communications from the **Town**;
  - (c) Details of the process by which the **Short Term Rental** Company will remove advertisements for a **Short Term Rental** if its **Operator** has not obtained a **Licence** with the **Town**;
  - (d) Details of the **Short Term Rental** Company's procedure for dealing with problem **Operators** and responding to complaints; and
  - (e) Any other information or documentation required by the Manager.
- (5) A **Short Term Rental** Company shall comply with all applicable fees as identified within the **Town's Fees and Charges By-law**.
- (6) An **Applicant** for a **Short Term Rental** Company **Licence** shall, prior to being issued a **Licence**, execute an agreement with the **Town** governing the use, retention, and disclosure of **Operator** and guest information on terms satisfactory to the Manager.
- (7) Every **Short Term Rental** Company shall keep a record of each concluded transaction in relation to a **Short Term Rental** listed or advertised on its platform for three (3) years following the last day of the rental period. A transaction is concluded on the last day of the rental period. The records retained shall include the following:
  - (a) The name, address, and **Licence** number of the **Operator**;
  - (b) The number of nights the **Short Term Rental** was rented;
  - (c) The nightly and total price charged for the **Short Term Rental**;
  - (d) Whether the rental was an entire-unit rental or room rental; and
  - (e) Any other information required by the Manager.
- (8) Every **Short Term Rental** Company shall keep a record of the number of **Short Term Rental** listings or advertisement it removed from its platform in accordance with Sections 8.3(1) and 8.3(2) of this By-law.
- (9) Every **Short Term Rental** Company shall provide the records referred to in this section to the **Town** upon the request of the Manager.
- (10) Every **Short Term Rental** Company shall create **Operator** and guest accounts on its platforms as requested by the Manager, to be used to investigate compliance with this By-law.

- (11) No **Short Term Rental** Company shall obstruct, in any manner, access to any accounts established for use by the Manager or **Licensing Officer** to investigate compliance with this By-law.

## **9. Offences**

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

## **10. Severability**

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of **Council** in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

Enacted this xxx day of xxx, 201x.

John Taylor, Mayor

Lisa Lyons, Town Clerk



# Short Term Rentals

**Presented on: June 15, 2020**

**Flynn Scott**  
Manager of Regulatory Services

**Christopher Pumo**  
Municipal Enforcement Officer



# Presentation Outline

- Background
- Key Considerations
- Consultation & Engagement
- Proposed Regulations
- Enforcement Strategy
- Conclusion & Next Steps



# Background

## **March 25, 2019:** Regulatory Review

- Council identified Short Term Rentals (STR)

## **November 5, 2019: Ward 6 Meeting**

- Meeting with residents to address community concerns relating to public safety

## **December 10, 2019:** Public Information Centre

- Input and feedback received
- Online survey posted on HeyNewmarket.ca

## **February 3, 2020:** Committee of the Whole

- Staff presented a licensing framework
- Council directed staff to take a phased approach, bringing a licensing by-law in May 2020 and zoning amendments in August 2020

## **May 19, 2020:** Outstanding Matters List

- Council approved bringing forward a licensing by-law in June 2020

# Background

## **What is a Short Term Rental?**

- All of part of a dwelling unit used to provide sleeping accommodations
- Rental period is less than 28 days
- It is the exchange of accommodation for payment
- Includes bed and breakfasts
- Does not include hotels or motels

# Background

## Zoning By-law 2010-40

The following table establishes the *uses* permitted in the Residential Zones:

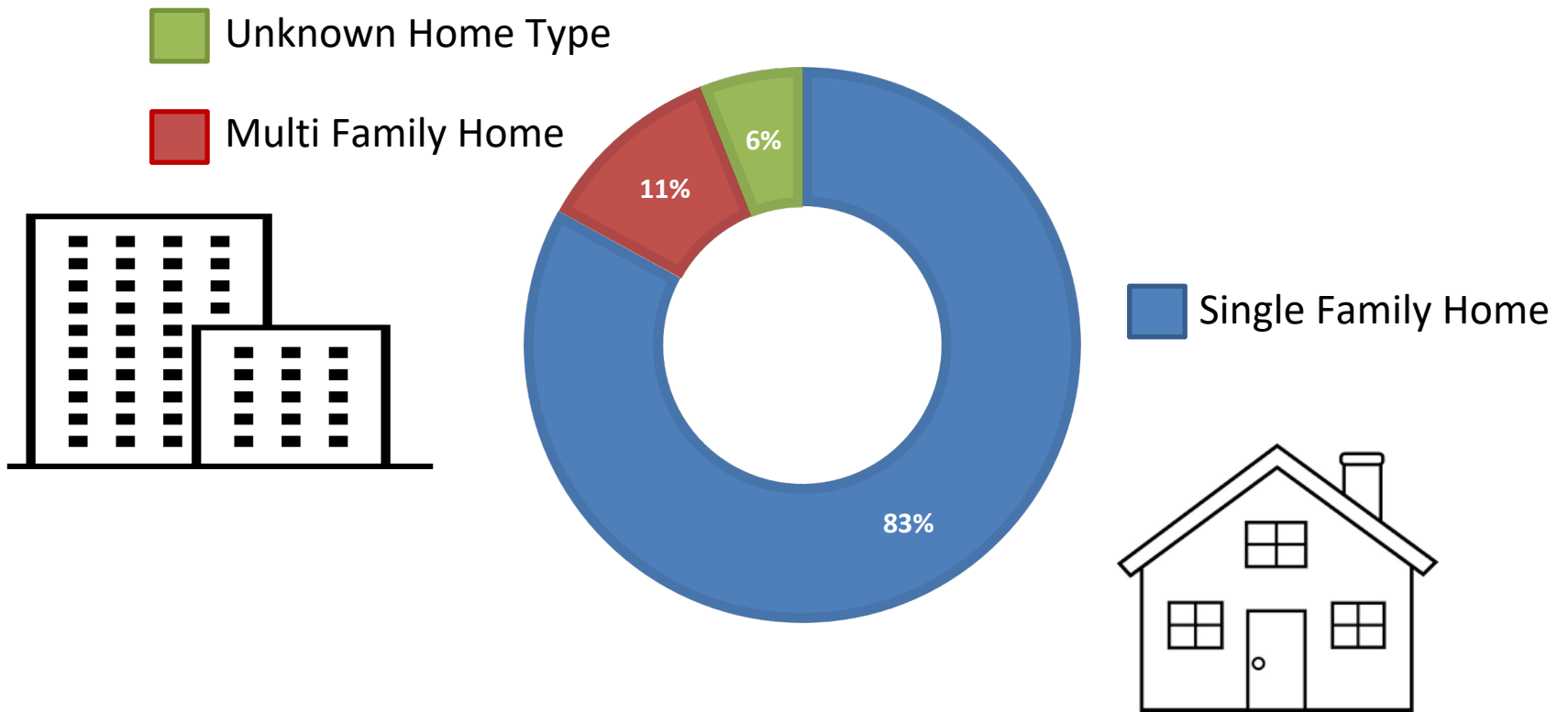
Permitted Use	R1	R2	R3	R4	R5
<i>Dwelling Unit, Accessory</i> (*1)(*2)	.	.			
<i>Dwelling, Back to Back Townhouse</i>				.	
<i>By-law 2014-51</i>					
<i>Dwelling, Detached</i>	.				
<i>Dwelling, Link</i>		.			
<i>Dwelling, Semi-Detached</i>		.			
<i>Dwelling, Duplex</i>			.		
<i>Dwelling, Triplex</i>			.		
<i>Dwelling, Fourplex</i>			.		
<i>Dwelling, Quadruplex</i>				.	
<i>Dwelling, Maisonette</i>				.	
<i>Dwelling, Townhouse</i>				.	
<i>Dwelling, Stacked Townhouse</i>				.	
<i>Apartment Building</i>					.
<i>Bed and Breakfast Establishment</i> (*3)	.				
<i>Home Occupation</i> (*4)	.	.	.	.	.
<i>Private Home Daycare</i> (*5)	.	.	.	.	.
<i>Group Home</i> (*6)(*7)	.	.	.	.	.
<i>Accessory Residential Structures</i>	.	.	.	.	.
<i>Accessory Uses as per Section 4.1.1</i>	.	.	.	.	.

- Bed & Breakfasts are currently permitted within R1 zones
- R1 zones include single detached dwellings

(\*3) *A bed and breakfast establishment shall only be permitted in a detached dwelling. Such an establishment is not permitted in an accessory dwelling unit.*

# Background


## Existing STRs in Newmarket

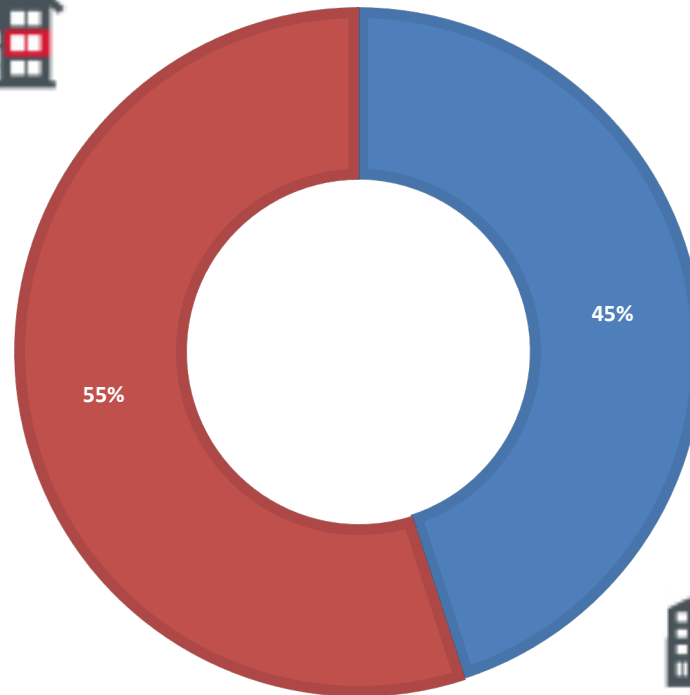


# Background

## Existing STRs in Newmarket



 Entire home rental



 Partial home rental



# Key Considerations

- Public Safety
  - Protect neighbours and residents
- Neighbourhood Impact
  - Ensure residential neighbourhoods maintain their character
- Regulatory Compliance
  - Noise
  - Nuisance behaviour
  - Parking
  - Garbage
- Housing Affordability & Availability

# Consultation & Engagement

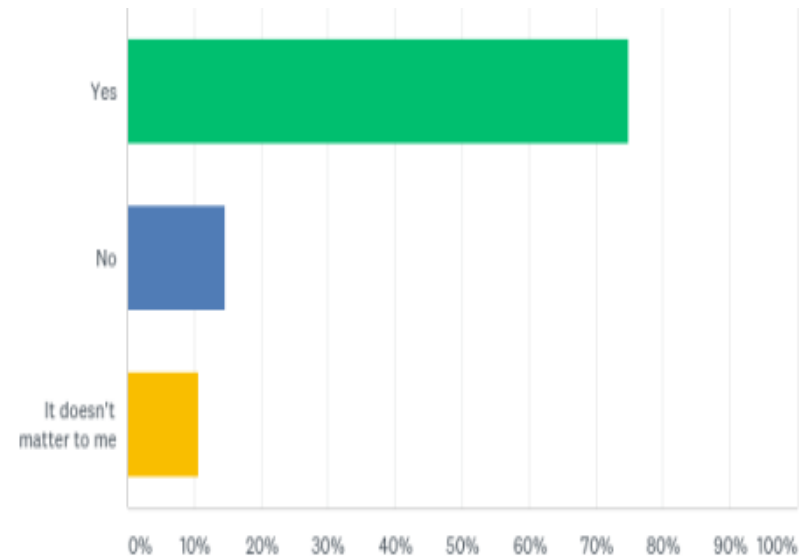
During the public consultation period, staff received the following community feedback:

- Introduce regulations to mitigate neighbourhood impact;
- Hold STR operators accountable for their guests;
- Ensure there is someone available to respond to complaints received at all hours of the day;
- Do not allow 'party-houses'; and
- Do not allow commercialized operations (maintain residential character in neighbourhoods)

# Community Feedback

- *“If an owner is required to be present during the rental, how would this be enforced? Also consider # of received complaints of the mapped STR's, and shut then down after 2-3 complaints.”*
- *“Limits, licensing and regulation that are rigorously and fairly enforced are essential to protect all concerned.”*
- *“It might be a good idea to publicize which residences are being listed STR so that residents can confirm that is the case when different use patterns are observed.”*

**Should STR operators be present in the home while the STR is being used?**

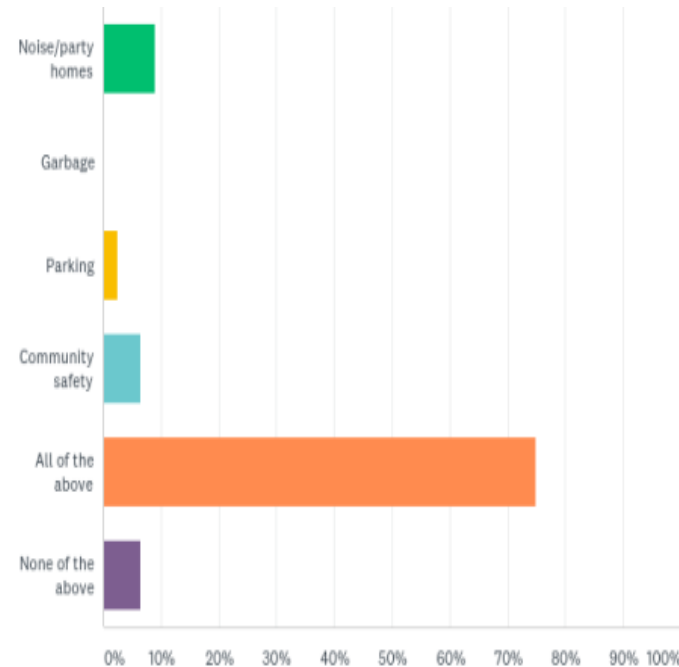




# Community Feedback

- *“If they are allowed to continue the owner should be home.”*
- *“We have friends in Barrie, St Catherine’s, Niagara, Huntsville , Muskoka and they are constantly complaining regarding noise, garbage issues and parking issues with short term rentals as owners are not present to deal with issues and police are too strapped to handle this type of issue on an ongoing basis.”*
- *“Have observed that owners of short term rentals are often investors that are not even in the country or close by and cant intervene if there are issues with the house in the community. Please end air bnbs in newmarket!!”*

What concerns you about STRs?



# How Did We Address This?

- **Out of Town Operators**

- All operators are required to be onsite while business is conducted
- All operators must respond to complaints received within 2hrs of a complaint being made

- **Publicize STR Locations**

- Licensed STRs will be required to have a sign posted to identify the property as an STR

# How Did We Address This?

- **Mitigate Community Concern**
  - Limit the number of guests permitted per booking
  - Limit the number of rooms permitted
- **Hold Operators Accountable**
  - Demerit Point system introduced
  - All violations are enforceable under AMPS

# Proposed Regulations

1. Require every STR to obtain a business licence and post a sign on their property to identify the premises as a rental property
  - Mandates Town approval and ensures Town has contact info of operator
  - Ensures community is aware of STR property
  - Ensures compliance with Town by-laws prior to being issued a licence

# Proposed Regulations

2. No more than one (1) STR or Bed and Breakfast is permitted on a lot and within one (1) dwelling unit on a lot
  - Ensures one (1) business per property
  - Minimizes community concerns
  - Eliminates commercial operations

# Proposed Regulations

3. One (1) off-street parking space for each bedroom rented must be provided plus off-street parking spaces for the permanent resident(s)
  - Minimizes on-street parking issues
  - Complies with applicable zoning regulations

# Proposed Regulations

4. A maximum of six (6) guests and three (3) bedrooms are permitted to be rented for STR or Bed and Breakfast use
- Mitigates community concerns such as:
    - House parties
    - Noise
    - Nuisance behavior
  - Consistent with existing zoning regulations

# Proposed Regulations

5. Require a permanent resident to be the operator and licence holder, available to respond to complaints within two (2) hours
  - Operator is required to reside onsite while STR or Bed and Breakfast booking is taking place
  - Must be able to respond to complaints within two (2) hours of being contacted
  - Minimizes impact to surrounding community



# Proposed Regulations

6. Require the property be equipped with life safety features, such as smoke detectors and fire extinguishers
  - Ensures premises is safely equipped
  - Maintains minimum standards for life safety

It is relevant to note that upon additional regulations proposed through a zoning review, increased life safety requirements will be recommended

(eg. entire dwelling rentals = ESA, fire separations, etc)

# Proposed Regulations

## 7. Ensure compliance with the Zoning By-law

- Includes single family dwellings (R1 zones)
- During Phase 1: STRs are room-rentals
- During Phase 2: Entire units will be considered by Council with zoning amendments

# Proposed Regulations

8. Introduce a Demerit Point System for objective enforcement practices
  - Promotes compliance with all Town by-laws
  - Ensures minimum impact to surrounding community
  - Suspends or revokes a business licence for non-compliance

# Proposed Regulations

## **Licensing Fee Structure** (Tiered licensing fee proposed)

- 1 bedroom = \$150
- 2 bedrooms = \$300
- 3 bedrooms = \$450

These numbers are calculated based on best practices across North America

- Host Compliance advised that most municipalities calculate their annual licensing fee by multiplying the average nightly rental cost by 3
- Newmarket average nightly rental rate = \$57 per bedroom

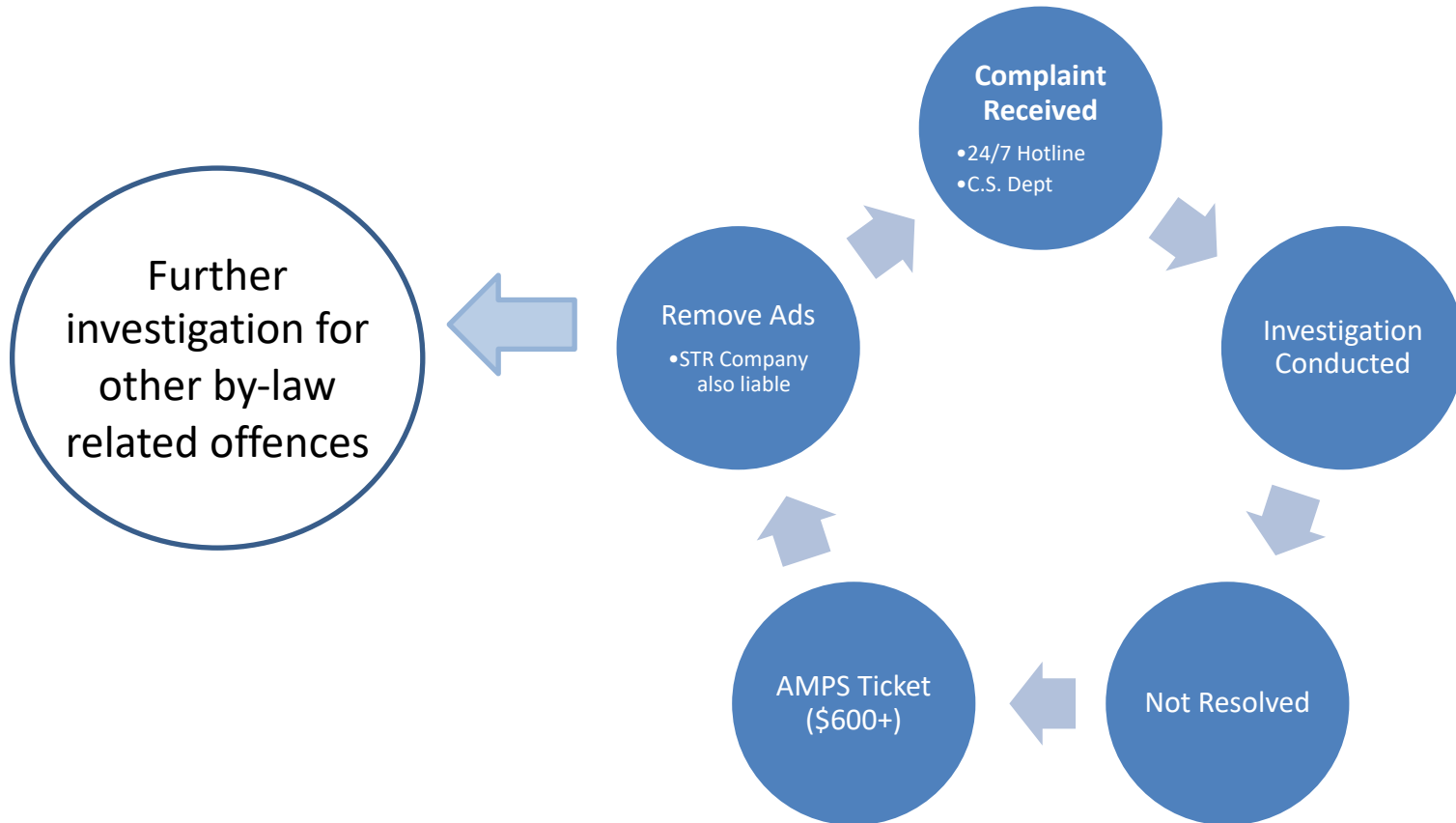
# Proposed Regulations

## **STR Companies**

- Platforms are required to register with the Town and only list licensed operators
- All ads must have the Town's business licence number posted
- One-time \$5,000 licensing fee required to allow companies to market, advertise or facilitate STR bookings within the Town of Newmarket
- Ongoing fee of \$1 for every night booked through the STR Company will be remitted to the Town
- Innovative approach that is consistent with City of Toronto

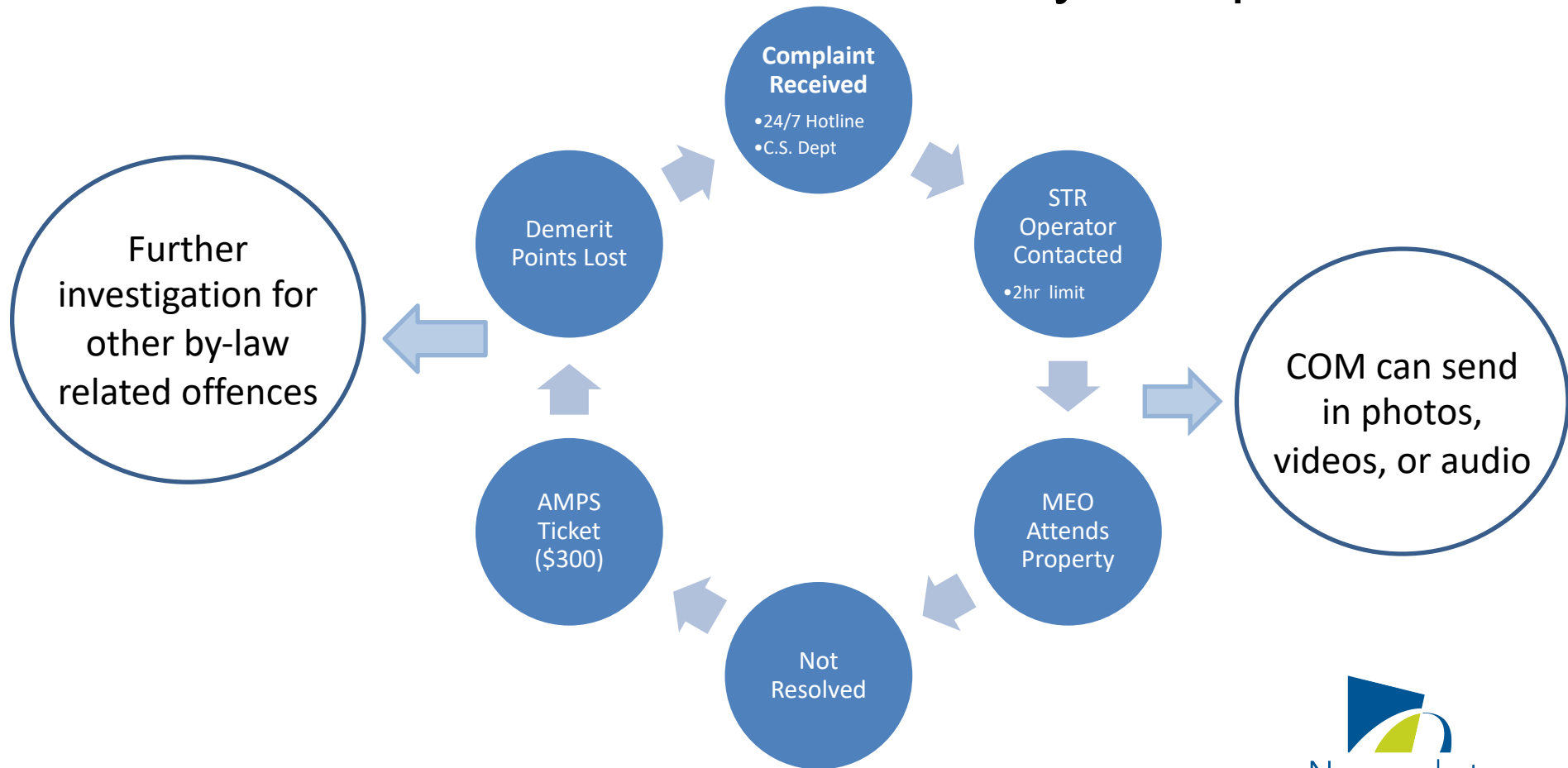
# Enforcement Strategy

## Scenario #1 – Operating w/o BL

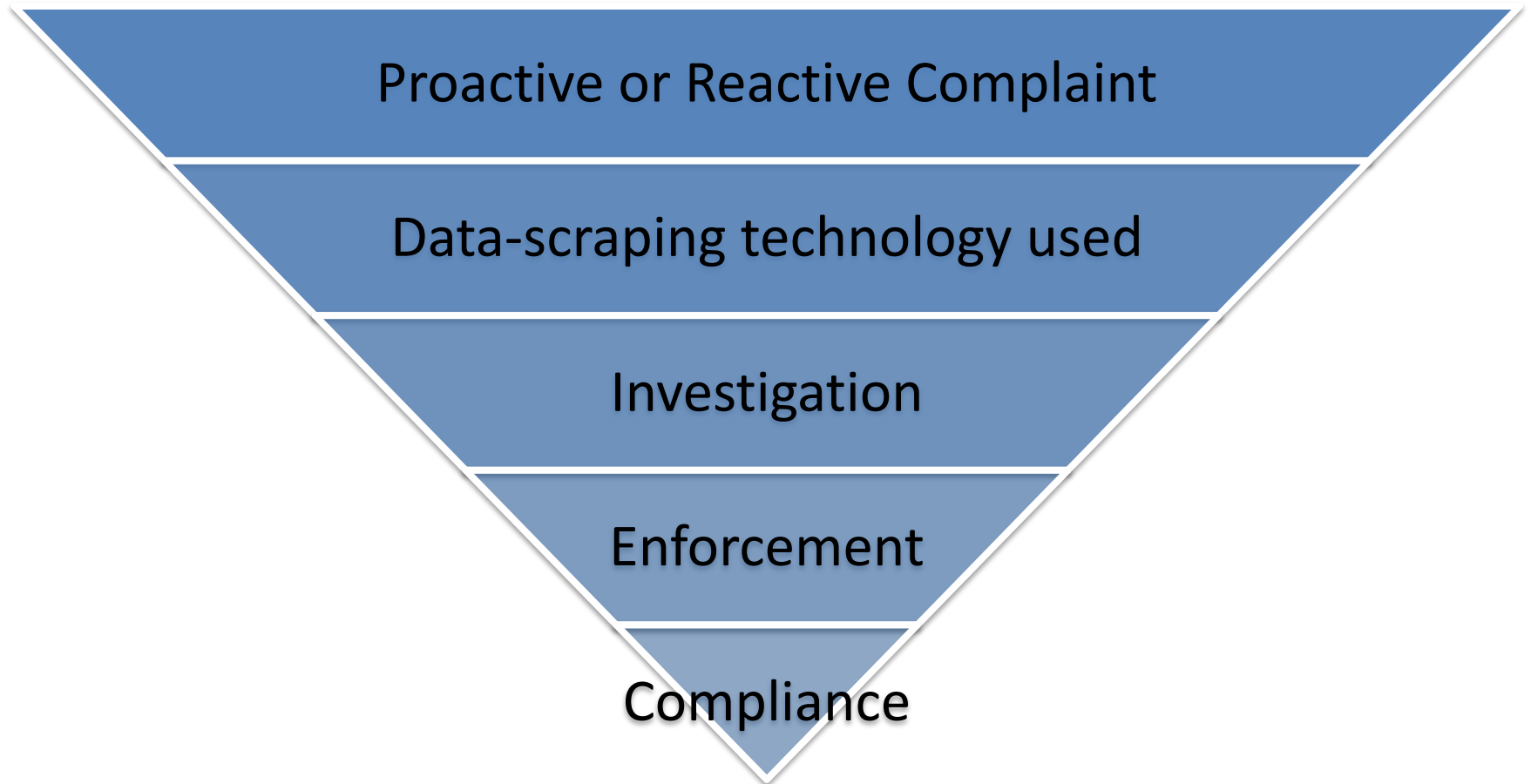


# Enforcement Strategy

## Scenario #2 – Noise/House Party Complaint



# Enforcement Strategy





# Enforcement Strategy

## Proactive or Reactive Complaint

- Municipal Enforcement Officers (MEOs) will receive community complaints but also proactively seek out unlawful STRs using data-scraping technology

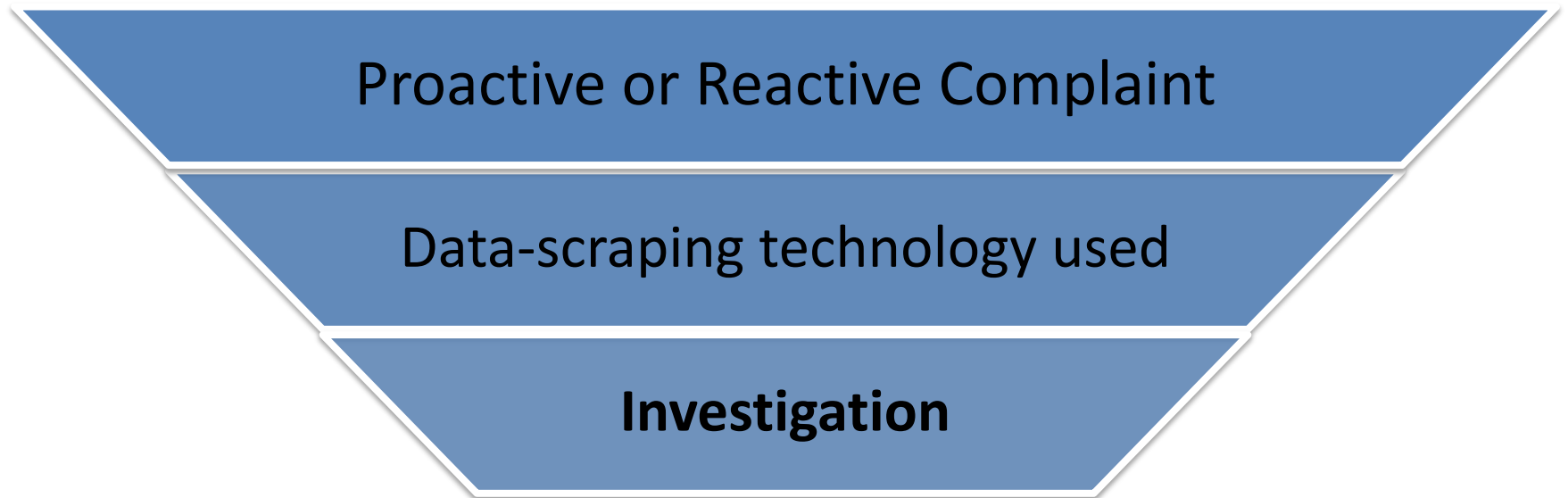
# Enforcement Strategy

Proactive or Reactive Complaint

**Data-scraping technology used**

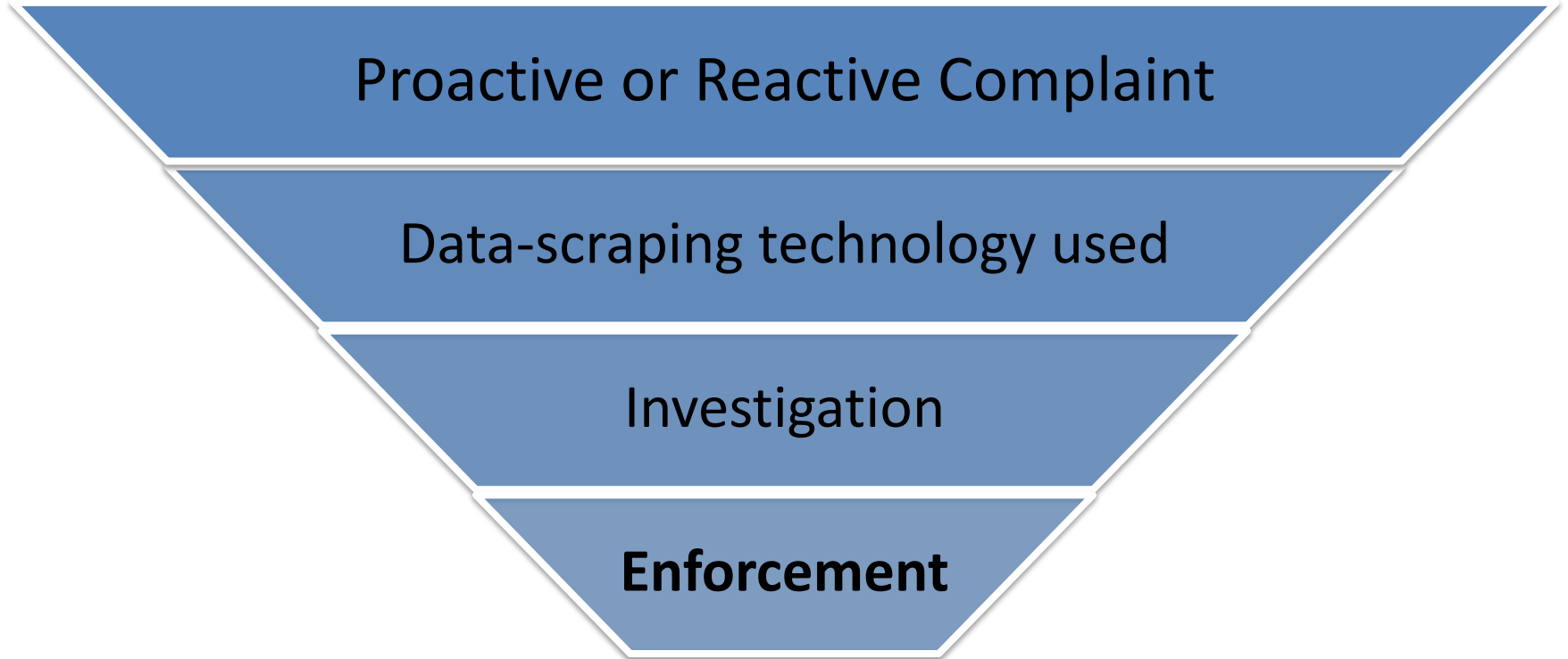
- 24/7 Hotline for complaints at all hours
- Address identification technology for unlicensed properties
- Ability to screen shot listings, booking calendars, and reviews

# Enforcement Strategy



- MEO investigates using complaint information received through 24/7 hotline or C.S. complaint

# Enforcement Strategy



- All regulations proposed are enforceable
  - ✓ No BL = \$600 fine
  - ✓ Advertise w/o BL = \$300 fine
  - ✓ Failure to respond w/i 2hr = \$300 fine
  - ✓ Noise, garbage, parking = ~\$200 fine (each)
- Plus demerit points applied to BL for noncompliance



# Municipal Accommodation Tax

- Introduced in 2017 by the Province of Ontario
- All temporary accommodation providers may be required to pay a per booking fee percentage on rentals within the Town
- 50% of the tax collected be used for tourism promotion and development
- Due to COVID-19, staff are recommending that Council defer their consideration on moving forward with public consultation on a MAT until early 2021

# Conclusion & Next Steps

- A licensing by-law is being proposed to regulate STRs within R1 zones
- Phase 1 includes room-rentals only
- Further considerations regarding entire dwelling unit rentals and other building types (eg. apartments or multi-unit dwellings) will be reviewed at a later date
- Zoning amendments to be considered in Phase 2

# Questions?









Town of Newmarket  
395 Mulock Drive P.O. Box 328,  
Newmarket, Ontario, L3Y 4X7

Email: [info@newmarket.ca](mailto:info@newmarket.ca) | Website: [newmarket.ca](http://newmarket.ca) | Phone: 905-895-5193

## **Short Term Rental Licensing Staff Report to Council**

Report Number: 2020-41

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: June 15, 2020

### **Recommendations**

1. That the report entitled Short Term Rental Licensing dated June 15, 2020 be received; and,
2. That Council approve the draft Business Licence By-law 2020-XX; and,
3. That Council amend the AMPS By-law 2019-62 and Fees and Charges By-law 2019-52; and,
4. That Council directs staff to bring forward a report regarding a Municipal Accommodation Tax (MAT) on all short term rental properties in Q1 2021; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **Executive Summary**

Short term rentals (STRs) are a growing industry that allows for temporary accommodation of a dwelling unit, in whole or in part, for up to 28 consecutive days. The growth of this industry has raised concerns regarding negative impacts to neighbourhoods within our community.

Through public consultation, research, and presentations and reports to Council, Town staff has received input and reviewed best practices throughout North America to identify effective strategies to mitigate growing concerns. Town staff has also been directed to move forward with a licensing framework in an effort to meet community expectations regarding the regulations of STRs. This report highlights specific regulations that are being proposed through a Business Licence By-law.

## Purpose

The purpose of this report is to present Council with next steps regarding the licensing of short term rentals through the adoption of a Business Licence By-law.

## Background

### Legislative Authority

Under the Municipal Act, the Town may provide for a system of licences with respect to certain classifications of business by adopting a licensing by-law. As specified in the Municipal Act, a licensing by-law should relate to consumer protection, the economic and social well-being of the municipality, and the health, safety, and well-being of persons in the municipality. Conditions may be imposed on a licence to ensure a business is compliant with the regulations established to reflect community objectives.

Section 151.7 of the Municipal Act specifies that a municipality does not have the power to provide for a system of licences with respect to a courier business in which parcels, documents, or property are conveyed. For this rationale, mobile businesses that meet this definition have not been included for consideration.

### Historical Reference

On March 25, 2019, a Regulatory Review Workshop with Council identified short term rentals to move forward with new regulations by Q3 2020.

On November 5, 2019, a special meeting for Ward 6 residents was held, involving the Mayor, Ward Councillor, Town staff, and residents of Ward 6 to discuss short term rentals (STRs) in response to growing community concerns for safety surrounding STRs.

On December 10, 2019, a Public Information Centre (PIC) was held to engage Town residents and receive feedback on the types of regulations that should be considered for STRs. The PIC also included an interactive presentation, which permitted participants to complete survey questions throughout the presentation. An online survey was also posted on [HeyNewmarket.ca](http://HeyNewmarket.ca) to further engage residents.

At the February 3, 2020 Committee of the Whole meeting, Town staff presented the results received through public consultation and proposed options for Council to consider in regards to moving forward with a licensing regime for STRs. Council also provided further direction for staff to report back on amendments to the Zoning By-law by August 2020. A copy of this report can be found [here](#).

Town staff was on target to bring forward proposed licensing regulations for STRs through a Business Licence By-law in May 2020. However, due to the COVID-19 pandemic, project plans were postponed until a later date. As part of the Outstanding Matters List presented to Council at the May 19, 2020 Electronic Special Council

Meeting, Council approved moving forward with the proposed STR licensing regime in June 2020.

## Discussion

By establishing regulations for STRs under a licensing regime, the Town will have the authority to impose conditions on STR operators in order to address increased community concerns. The proposed by-law identifies and addresses key concerns raised during the public consultation period, including:

- excessive noise;
- nuisance behavior;
- health and safety;
- garbage;
- parking; and
- overall negative community impact.

On February 3, 2020 and upon consideration of [Staff Report 2020-07](#), entitled Short Term Rentals, Council approved moving forward with a phased approach to STRs, with a licensing by-law implemented in phase one (1) and prior to amending the Town's Zoning By-law. As a result of this direction, STRs and bed and breakfasts will be permitted in all R1 (single family dwelling) residential zones where the operator (permanent resident) resides onsite within one of the bedrooms. All other forms of STR accommodations will be prohibited until a zoning review is conducted to further explore entire dwelling unit rentals where two (2) dwellings exist on a property, in addition to other zones that may be reviewed for consideration (eg. apartments or multi-unit dwellings).

## Proposed Business Licence By-law 2020-XX

In order to achieve compliance from STR operators, it is imperative to design a regulatory, licensing, and enforcement system that is easy to understand, inspires high levels of voluntary compliance, and has effective means of preventing unlawful behavior.

Based on the public input received and a review of best practices across North America, in addition to general requirements proposed, Town staff are also proposing the following licensing requirements for STRs and bed and breakfasts through a business licence process:

- 1. Require every STR and bed and breakfast obtain a business licence and post a sign on their property to identify the premises as a STR business.**

This provision mandates that the Town has approved, and a record exists for, the STR or bed and breakfast business. It also ensures that the community is aware a business exists on the premises.

**2. No more than one (1) STR or bed and breakfast is permitted on a lot and within one (1) dwelling unit on a lot.**

These provisions only allow one (1) type of business to be operated on the property. For example, an operator could not rent out a main floor and basement suite simultaneously. This will strongly assist in minimizing community concerns by limiting the number of bookings and dwelling units permitted to be used.

**3. One (1) off-street parking space for each bedroom rented must be provided. In addition to this requirement, off-street parking spaces are required for the permanent resident(s).**

This provision will assist in minimizing on-street parking issues related to business practices.

**4. A maximum of six (6) guests and three (3) bedrooms are permitted to be rented out for STR or bed and breakfast use.**

This regulation restricts the number of guests and bedrooms used during a rental booking, which will significantly minimize community impacts such as concerns for house parties, noise, or nuisance behavior.

**5. Require a permanent resident to be the operator and licence holder, available to respond to complaints within two (2) hours.**

This is a very important regulation for consideration. A permanent resident is a person that lives on site and is required to remain onsite while a STR or bed and breakfast booking is taking place. The operator is permitted to leave (but not overnight) and must be available to respond to any complaints received within two (2) hours of being notified. This requirement will ensure that the home remains residential first, with business operations being conducted secondary. This is the strongest provision to ensure that minimal impact to the community is experienced.

**6. Require the property be equipped with life safety features, such as smoke detectors and fire extinguishers.**

This provision will ensure the building is safely equipped to permit STR or bed and breakfast operations.

**7. Ensure compliance with the Town's Zoning By-law.**

This requirement will align with currently zoning regulations to permit an STR or bed and breakfast to operate within any R1 zone. For further clarification, this will include single family dwellings within the Town of Newmarket.

**8. Require compliance with a demerit point system, where complaints and violations against the operator apply demerit points, with a process for**

### **suspending or revoking the business licence for reaching the demerit point system threshold.**

This requirement will confirm compliance with all Town by-laws. For example, if a complaint is received and validated for noise, tall grass, garbage, etc., the property will lose demerit points on the business licence. This process will objectively hold operators liable to comply with all Town by-laws to ensure there is minimal impact to the neighbouring community. After a calculated threshold of violations, the operator will either have their licence suspended or revoked and will no longer be permitted to operate a STR or bed and breakfast business. The decision to suspend or revoke the business licence will be carried through the Appeals Committee, pursuant to the provisions established directly in the Business Licence By-law.

Finally, Short Term Rental Companies that market, advertise, or facilitate short term rental bookings through their platforms will be required to apply for and obtain an annual business licence with a one-time licensing fee of \$5,000. An ongoing fee of \$1 for every night booked through the Short Term Rental Company will be remitted to the Town. This specific licensing requirement aligns with the City of Toronto and Town staff are recommending a consistent approach be taken for the Town of Newmarket to off-set administrative costs associated to the enforcement of STRs.

### **Municipal Accommodation Tax**

In 2017, the Province of Ontario introduced a Municipal Accommodation Tax (MAT) through legislation, which provides municipalities with the ability to add a tax onto rental bookings within their respective communities. The tax may be used in a number of ways, provided that 50% of the tax collected be used for tourism promotion and development. Short term rentals, bed and breakfasts, hotels, motels, and any other short term accommodation provider may be required to pay a per booking fee on any accommodation provided within the Town, should the Town choose to impose such a tax.

Due to the circumstances of the COVID-19 pandemic, Town staff are recommending that Council defer their consideration on moving forward with public consultation on a MAT until early 2021.

### **Conclusion**

Town staff support the proposed licensing regulations in an effort to strike a balance between community concerns and a recognized growing industry throughout the world. Current zoning regulations exist within the Town's Zoning By-law to permit 'bed and breakfasts' within any R1 zone. As part of a phased approach to STRs, a licensing by-law is being proposed to regulate STRs and bed and breakfasts within R1 zones and to permit them as a room-rental model. Further considerations regarding entire dwelling unit rentals and other building types (eg. apartments or multi-unit dwellings) will be

proposed at a later date and in conjunction with amendments to the Zoning By-law, as brought forward by the Town's Planning Department.

## **Business Plan and Strategic Plan Linkages**

This report aligns with the strategic priority of Vibrancy – supporting access to a diverse range of housing options. This report also aligns with the Rev-it-up recommendations for improving administration and service levels within the Town of Newmarket.

## **Consultation**

Consultation or a review of STR by-laws has been completed with municipalities across Canada including Toronto, Blue Mountain, Georgina, Vaughan, Vancouver, Tofino, Calgary, and Edmonton.

Consultation has also been conducted as follows:

- through a PIC and online survey to engage the public and address community expectations;
- by Town staff attending the 2019 Municipal Law Enforcement Officer's (MLEO) Annual Conference, where Blue Mountain presented a regulatory review of their STR program;
- through a Ward 6 meeting with residents directly impacted by public safety implications of short term rentals; and
- through a presentation and report provided to Council on February 3, 2020, where an opportunity for public engagement through a formal deputation was provided.

The Town's Legal Department was also provided a copy of this report and the proposed by-law prior to being presented to Council.

## **Human Resource Considerations**

Town staff previously requested Council approval to move forward with purchasing Host Compliance: a software program used specifically for data-scraping, information gathering, and enforcement initiatives pertaining to STRs. The success of the proposed regulatory and licensing framework will be dependent on the technology available to staff to offset departmental human resourcing requirements and limitations. Town staff are recommending the implementation of Host Compliance modules through a phased approach, with fees associated to be off-set by a portion of the projected business licence revenues recovered for STRs.

## **Budget Impact**

Revenue is anticipated as a result of implementing a licensing regime on STRs. Town staff previously reported that approximately 45% of STRs currently operating in

Newmarket as a room-rental operation will be eligible to obtain a licence. Projected revenue for licensing fees are approximately \$20,000 annually. In addition to these fees, staff anticipate revenue through enforcement action to be taken on the remaining 55% of STRs that remain in operation as entire unit rentals, which will be enforced through the Town's AMPS By-law.

## **Attachments**

**Attachment #1** – Business Licence By-law 2020-XX

**Attachment #2** – Amended AMPS By-law 2019-62, Schedule A

**Attachment #3** – Amended Fees and Charges By-law (Legislative Services)

## **Approval**

Lisa Lyons, Director, Legislative Services

Esther Armchuk, Commissioner, Corporate Services

## **Contact**

Flynn Scott, Manager of Regulatory Services

[fscott@newmarket.ca](mailto:fscott@newmarket.ca)





# Corporation of the Town of Newmarket

## By-law 2020-XX

A By-law to regulate and licence businesses to operate in the Town of Newmarket.

**Whereas** Section 151 of the Municipal Act 2001, S.O. 2001, c25, as amended, establishes that a municipality may provide for a system of licences with respect to a business;

**And whereas** the Council of the Town of Newmarket deems it advisable to pass such by-law;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

### 1. Title

This By-law may be known and cited for all purposes as the “Business Licence By-law 2020-XX”.

### 2. Definitions

In this By-law:

“**Animal**” means any member of the animal kingdom other than a human;

“**Appeals Committee**” means the **Appeals Committee** established by the **Town**;

“**Applicant**” means a **Person** applying for a **Business Licence** to carry on a **Business**, activity, or undertaking pursuant to this By-law;

“**Attendant**” means any **Person** other than a licensed **Owner** or **Operator** who provides Services designed to appeal to the needs of a particular **Business**;

“**Bird**” means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

“**Bed and Breakfast**” means a dwelling or part of a dwelling in which not more than three (3) bedrooms are used or maintained for the accommodation of the travelling public, in which the **Owner**-occupant supplies lodgings with or without meals for hire or pay;

“**Business**” means the carrying on of a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other services as identified within this By-law, but does not include any activity carried on by the government, its agencies, or government owned corporations;

“**Business Licence**” or “**Licence**” means a **Licence** to operate a **Business** pursuant to this By-law;

“**Council**” means **Council** for the Corporation of the **Town** of Newmarket;

**“Fees and Charges By-law”** means the **Town** of Newmarket **Fees and Charges By-law** 2019-52, as amended;

**“Licensing Officer”** means an individual appointed by the **Town** as a **Municipal Enforcement Officer** or any other individual designated by the **Town** to enforce this By-Law;

**“Lot”** means a parcel of land which is legally capable of being conveyed in accordance with the Planning Act R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium.

**“Market”** means sell, offer for sale, promote, canvass, solicit, rent, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;

**“Municipal Enforcement Officer”** means an individual appointed by the **Town** as a Municipal Law Enforcement Officer or any other individual designated by the **Town** to enforce this By-law;

**“Operator”** or **“Owner”** means any **Person** that operates or owns a **Business** as identified in this By-law;

**“Permanent Resident”** in respect of any dwelling or **Lot** means a **Person** who normally resides in a dwelling on the **Lot** and for these purposes a **Person** cannot normally reside at more than one location;

**“Person”** includes a natural **Person**, corporation, partnership or party, and the **Personal** or other legal representatives or a **Person** to whom the context can apply according to law;

**“Pet Store”** means a **Premises** in which animals or **Birds** for use as pets, or goods and merchandise associated with such animals or **Birds**, are offered or kept for **Retail** sale or rental to the public;

**“Premises”** means the area of a building and/or **Lot** occupied or used by a **Business** or enterprise. In a multiple tenancy buildings occupied by more than one **Business**, each **Business** shall be considered a separate **Premises**;

**“Prohibited Animals”** means an animal identified as a "prohibited animal" as listed in the **Town’s** Animal Control By-law Schedule 'A', as amended;

**“Retail”** means the sale of products or goods to the ultimate consumer, usually in small quantities, in the ordinary course of **Business**;

**“Short Term Rental”** means all or part of a dwelling unit used to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast** but excludes hotels, motels and accommodations where there is no exchange for remuneration;

**“Short Term Rental Company”** means any **Person** who facilitates or brokers **Short Term Rental** reservations via the internet and who:

- (a) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a **Person** making or completing reservations of those **Short Term Rentals**; or
- (b) collects, accesses, or holds information on the number of nights that reservations of those **Short Term Rentals** are made or completed.

This definition does not apply to a **Person** who facilitates or brokers reservations for a **Short Term Rental** that is the principal residence of that person or their immediate family. In this definition, **“Person”** includes multiple

**Persons** who, acting together, carry on the **Business** of a **Short Term Rental Company**, despite the fact that no single one of those **Persons** carries on the activity in its entirety, and such may be held jointly and severally responsible for each other's actions;

**"Sign By-law"** means the **Town** of Newmarket **Sign By-law** 2017-73, as amended;

**"Town"** means the Corporation of the **Town** of Newmarket in the Regional Municipality of York;

**"Veterinarian"** means a **Person** qualified and authorized to practice veterinary medicine;

**"Zoning By-law"** means the **Town** of Newmarket **Zoning By-law** 2010-40, as amended.

### 3. General Regulations

- (1) A **Person** must not carry on any **Business** unless that **Person** holds a valid and subsisting **Business Licence** issued to that **Person** for that **Business** within the **Town**.
- (2) Every **Business** shall comply with all federal, provincial, and municipal by-laws and regulations applicable to the **Business** and the **Business Premises**.
- (3) If a **Person** operates a **Business** at more than one **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Premises**.
- (4) If a **Person** operates more than one type of **Business** at the same **Premises**, that **Person** shall apply for and maintain a separate **Business Licence** for each **Business**.
- (5) Every holder of a **Business Licence** shall post or display the **Business Licence** at the place of **Business** in a location visible to customers and suppliers attending the **Business**.
- (6) Every **Business Licence** issued shall be deemed to be a personal **Business Licence** to the licensee therein named.
- (7) A valid **Licence** will permit a **Business** to conduct the specific activities to the stated extent described in the **Licence** application. If a **Business** entity makes any changes to the information contained in its **Business Licence** application or information, undertakes new **Business** activities or expands those activities, it is required to obtain a new **Business Licence** or a **Business Licence** amendment for those activities.
- (8) No **Person** operating a **Business** within the **Town** shall **Market** that **Business** or its products and services through any means of promotion unless:
  - (a) the **Person** operating that **Business** is the holder of a valid **Business Licence** issued pursuant to this By-law;
  - (b) the **Business** name being promoted or marketed matches the named endorsed on the **Business Licence**; and
  - (c) the marketing offers products and services that comply with **Town** by-laws and related enactments.
- (9) No **Person** shall carry on a **Business** of any kind, in any way or manner on **Town** owned property, parks, boulevards, highways or

other public property unless specifically authorized to do so by a permit under this Bylaw or another enactment.

#### 4. Administration and Enforcement

- (1) Through delegated authority, the Manager may:
  - (a) grant, issue, or amend a **Business Licence** if the **Licensing Officer** is satisfied that the **Applicant** has complied with all of the by-laws of the **Town** and related enactments that apply to the **Applicant's Business**;
  - (b) suspend, cancel, or refuse to issue a **Business Licence** in accordance with Section 7 of this By-law;
  - (c) impose conditions on a **Licence** at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the **Business**;
  - (d) conduct inspections and investigations to ensure that all regulations and provisions prescribed in this By-law are carried out; and
  - (e) prepare, from time to time, forms to be used for the purpose of making applications under this By-law.
- (2) No **Person** shall Obstruct or attempt to Obstruct a **Licensing Officer** or other **Person** who is exercising a power or performing a duty under this By-law.

#### 5. Licence Fees

- (1) **Business Licence** fees shall be in accordance with those specified in the **Town of Newmarket Fees and Charges By-law**.
- (2) An administrative penalty of 25% of the renewal fee shall be added to each unpaid **Business Licence** after 31 days from the renewal date. If unpaid by this time, the **Licence** shall be revoked and a new **Business Licence** application shall be required.
- (3) If an application for a **Licence** is withdrawn, in writing, prior to the issuance of the **Licence**, the **Licence** Fee shall be refunded to the **Applicant** if a **Licence** was pre-paid.
- (4) No **Licence** Fee shall be refunded after the issuance of a **Licence**.

#### 6. Application and Renewal

- (1) The terms of a **Business Licence** issued under this By-law are for a period commencing January 1st and ending December 31st of the year for while the **Licence** is issued.
- (2) All new **Business Licence** applications shall be accompanied by a non-refundable \$50.00 application processing fee. If a **Business Licence** application is approved, the application processing fee shall be applied to the **Business Licence** fee identified under the Fees and Charges Bylaw.
- (3) Every **Applicant** for a new **Business Licence** or for the renewal of a **Business Licence** issued under this By-law shall:
  - (a) submit a completed application on the forms provided;

- (b) file proof satisfactory to the **Licensing Officer** that they are eighteen (18) years of age or older, a citizen of Canada, or a landed immigrant or produce a valid work permit issued by the Government of Canada; to work in the occupation of the **Licence** type that they are applying for;
  - (c) provide a copy of the:
    - (i) incorporating document and a copy of the last annual information return which has been filed with the appropriate government department, if the **Applicant** is a corporation; or
    - (ii) registered declaration of partnership, if the **Applicant** is a registered partnership;
  - (d) provide any other document relating to the operation of the **Business** requested by the **Licensing Officer**, including but not limited to:
    - (i) a provincial driver's **Licence**;
    - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the **Applicant** resides;
    - (iii) Harmonized Sales Tax (HST) number;
    - (iv) York Regional Health Department Inspection Certificate;
    - (v) Insurance Certificates;
  - (e) pay any required fees pursuant to the **Town's Fees and Charges By-law**; and
  - (f) pay any outstanding fine(s) owed to the **Town** prior to the issuance of a **Business Licence**.
- (4) If a **Person** submits a **Business Licence** application for which additional information or documentation is required by the **Licensing Officer**, the **Person** shall supply all required information and documentation within 30 days of the request made by the **Licensing Officer**, after which time the application may be refused and a new application for a **Business Licence** is required.

## 7. Suspension, Cancellation, and Refusal

- (1) The Manager may revoke, suspend, cancel or refuse to renew or issue a **Licence**:
  - (a) where the past conduct of the **Applicant** or licensee affords reasonable grounds for belief that the **Applicant** or licensee will not carry on the activity for which the **Applicant** is applying for or the licensee is licensed for, in accordance with law and with integrity and honesty;
  - (b) where the **Applicant** of licensee has been found by the Manager or **Licensing Officer** to fail to comply with any provision of this By-law; or
  - (c) where the **Applicant** has been found by the Manager to provide false information in order to obtain a **Business Licence**.
- (2) Upon such revocation, suspension, cancellation, or refusal to issue or renew a **Business Licence**, the Manager shall provide a formal letter

outlining the reason(s) for the refusal and shall be delivered to the **Applicant** or licensee within seven (7) business days. Such notice shall set out and give reasonable particulars of the ground(s) for the decision and options for an Appeal Hearing.

- (3) An **Applicant** or licensee of a **Business Licence** may request a hearing before the **Appeals Committee** for reconsideration of the Manager's decisions to revoke, suspend, cancel, or refuse to issue or renew a **Business Licence** by delivering a written request to the Manager within fourteen (14) days of the Manager's decision being sent.
- (4) The **Applicant** or licensee of a **Business Licence** must pay a non refundable Appeal Fee in accordance with the Fees and Charges Bylaw.
- (5) Before the **Appeals Committee** makes any decision, a written notice to advise the **Applicant** or licensee of the recommendations being made by the Manager with respect to the **Licence** shall be provided to the **Applicant** or licensee.
- (6) The **Applicant** or licensee shall have the right to make a submission in support of an application or renewal or retention of a **Licence** before the **Appeals Committee**.
- (7) Failure for the **Applicant** or licensee to attend the scheduled hearing before the **Appeals Committee** shall result in the proceeding of the hearing.
- (8) The decision of the **Appeals Committee** is final and binding.
- (9) No **Person** shall conduct any **Business** pursuant to their **Business Licence** during a period of suspension of that **Business Licence**.
- (10) No **Person** shall **Market** a **Business** during a period of suspension of that **Business' Licence**.
- (11) If the Manager suspends, cancels or refuses to issue, amend or renew the **Business Licence** for a **Business**, the **Town** may post a notice of suspension, cancellation, or refusal on the **Premises** of the **Business**.
- (12) A posted notice of suspension, cancellation, or refusal of a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.
- (13) If a **Business** is operating without a **Licence** required under this By-law, the **Town** may post a notice describing the failure to hold a valid **Business Licence** on the **Premises** of the **Business**.
- (14) A posted notice of operating without a **Business Licence** shall not be removed until the Manager has approved the issuance of a valid **Business Licence**.

## **8. Specific Regulations**

### **8.1 Pet Retail Stores**

- (1) Every **Pet Store** shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
- (2) Every animal or **Bird** shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the

health requirements of the type or species of animal or **Bird** housed therein.

- (3) Every cage or other container used for the keeping or housing of any animal or **Bird** shall:
  - (a) be of adequate size to permit any such animal or **Bird** to stand normally to its full height, to turn around, and to lie down in a fully extended position;
  - (b) in the case of a cage or other container used to keep or house only **Birds**, have a removable metal or other impermeable bottom which shall be cleaned daily;
  - (c) in the case of all other cages or contained, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
    - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
    - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
    - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
  - (d) be equipped with receptacles for food and for water, so mounted or situation that they cannot be easily overturned or contaminated; and
  - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
- (4) Water shall be provided daily to every animal or **Bird** in sufficient quantity to maintain at all times a potable supply available to such **Bird** or animal.
- (5) Animals and **Birds** shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or **Bird** kept within the **Pet Store**.
- (6) Every **Applicant** licensed or required to be licensed with the **Town** under this By-law shall:
  - (a) provide to every purchaser of a cat or dog a health assessment from a licensed **Veterinarian** to verify the animal has received veterinary care;
  - (b) only permit a cat or dog within the **Pet Store** for the purpose of sale for which the cat or dog has been obtained from one (1) of the following sources:
    - (i) municipal animal shelters;
    - (ii) registered humane societies;
    - (iii) registered shelters; or
    - (iv) a recognized animal rescue group;
  - (c) provide all enclosed dogs or cats reasonable exercise;
  - (d) not keep or sell any sick, injured, or diseased animals;

- (e) not display any animal in an exterior display window;
  - (f) not permit to be sold, offer for sale, or give away any animal before it has reached the normal weaning age, based on known requirements of that particular species; and
  - (g) give the purchaser on any sale or disposition of any dog or cat, a receipt showing the name and address of the vendor and the purchaser, the date of sale, the sale price, the breed or crossbreed, sex, age, and description.
- (7) Every **Pet Store** shall maintain a registry of each dog or cat purchased or otherwise obtained. Each entry shall be made at the time each dog or cat comes into the possession of any **Owner**, employee, or **Person** associated with the **Pet Store** and shall include:
- (a) the date of purchase;
  - (b) a full description of the dog or cat;
  - (c) the name, address, and contact information of the **Person** from whom the dog or cat was purchased or otherwise obtained; and
- the **Pet Store** shall retain the register in respect of each transaction for the period of twelve (12) months thereafter.
- (8) Every **Pet Store** shall ensure that an **Attendant** in charge of and responsible for the care and safe keeping of animals within the **Pet Store** remains on site at all times during the **Business** hours of operation.
- (9) **Prohibited Animals**, as identified within the **Town's** Animal Control By-law Schedule A, shall not be permitted to be sold in any **Pet Store**.
- (10) Every **Person** licensed under this By-law shall make every reasonable effort to obtain the name, address and description of anyone offering to sell or give to the licensee any animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Region of York Police Services.
- (11) Where the **Licensing Officer** or **Municipal Enforcement Officer** determines that an animal appears to require medical attention, they may require the licensee to take the animal to a qualified **Veterinarian** forthwith.

## 8.2 Short Term Rental Operators

- (1) No more than one (1) **Short Term Rental** is permitted on a **Lot**.
- (2) **Short Term Rentals** shall only be operated within one (1) dwelling unit on a **Lot**.
- (3) **Short Term Rentals** shall provide one (1) off-street parking space for each bedroom identified as in use by the **Business**. In addition to this requirement, one (1) off-street parking space shall be provided for the **Permanent Resident** of the property.
- (4) Each bedroom intended to be operated as part of a **Short Term Rental** shall be clearly identified at the time of a new or renewal **Business Licence** application process through the provision of a floor plan showing the location of each bedroom.
- (5) Any changes to the number or location of bedrooms shall be provided to the **Municipal Enforcement Officer** through a **Licence**



amendment application, prior to those bedrooms being used by the **Business**.

- (6) An **Operator** of a **Short Term Rental** shall not:
  - (a) rent out or provide any sleeping accommodations within any vehicle, tent, or any accessory building;
  - (b) permit more than three (3) bedrooms to be made available for use;
  - (c) permit more than (6) overnight guests at one time; or
  - (d) permit beds or bedrooms to be used that are not identified on the **Business Licence** application for that **Premises**.
- (7) An **Operator** of a **Short Term Rental** shall post or display the **Business Licence** number on any **Marketing**, advertisements, or promotions for that **Business**.
- (8) An **Applicant** for a **Short Term Rental** shall provide:
  - (a) proof that they are a **Permanent Resident** on the property; or
  - (b) the name of the **Permanent Resident(s)** on the property and a copy of a tenancy agreement, or other proof satisfactory to the **Licensing Officer**, of an existing and ongoing principal residential use, at the time of a new or renewal application.
- (9) An **Operator** of a **Short Term Rental** shall ensure that a **Permanent Resident** on the property is present and available within the **Town** at all times while guests are staying on the **Premises**, and is able to respond to concerns raised by guests, neighbours, or the **Licensing Officer** within two (2) hours.
- (10) An **Operator** of a **Short Term Rental** shall provide to each guest and the **Licensing Officer** the telephone number of the **Person** who is present or available to respond to concerns pursuant to **Town** by-laws or provincial regulations.
- (11) No **Person** shall **Market**, operate, or make available any dwelling unit or part of a dwelling unit for paid accommodation of less than 28 days unless that dwelling unit has a current **Short Term Rental Licence**.
- (12) Upon approval of a **Short Term Rental Business Licence**, the **Applicant** shall post a Sign in conformity with the **Town's Sign By-law**, to identify the **Premises** as a licensed **Short Term Rental** within the **Town** of Newmarket.
- (13) Every **Short Term Rental** shall comply with Schedule A of this By-law as a condition of their **Business Licence** and shall comply with the demerit point system licensing requirements imposed.
- (14) Every **Short Term Rental Operator** shall only **Market**, list, or advertise their **Business** on a licensed **Short Term Rental Company** platform.

### 8.3 Short Term Rental Companies

- (1) No **Person** shall carry on the **Business** of a **Short Term Rental Company** unless they have obtained a **Licence** to do so from the **Town**.

- (2) No **Person** shall, **Market**, advertise, facilitate the advertising or rental of, or broker a **Short Term Rental** if its **Operator** is not licensed as such with the **Town**.
- (3) Every **Person** shall take down or remove a listing or advertisement related to an unlicensed **Operator** within 24 hours of being requested to do so by the **Town**.
- (4) An application for a **Short Term Rental** Company **Licence** shall be in a form approved by the Manager and require the **Applicant** to provide:
  - (a) The **Short Term Rental** Company's registered **Business** address in Ontario;
  - (b) The name, phone number and e-mail address of a **Person** responsible for responding to all communications from the **Town**;
  - (c) Details of the process by which the **Short Term Rental** Company will remove advertisements for a **Short Term Rental** if its **Operator** has not obtained a **Licence** with the **Town**;
  - (d) Details of the **Short Term Rental** Company's procedure for dealing with problem **Operators** and responding to complaints; and
  - (e) Any other information or documentation required by the Manager.
- (5) A **Short Term Rental** Company shall comply with all applicable fees as identified within the **Town's Fees and Charges By-law**.
- (6) An **Applicant** for a **Short Term Rental** Company **Licence** shall, prior to being issued a **Licence**, execute an agreement with the **Town** governing the use, retention, and disclosure of **Operator** and guest information on terms satisfactory to the Manager.
- (7) Every **Short Term Rental** Company shall keep a record of each concluded transaction in relation to a **Short Term Rental** listed or advertised on its platform for three (3) years following the last day of the rental period. A transaction is concluded on the last day of the rental period. The records retained shall include the following:
  - (a) The name, address, and **Licence** number of the **Operator**;
  - (b) The number of nights the **Short Term Rental** was rented;
  - (c) The nightly and total price charged for the **Short Term Rental**;
  - (d) Whether the rental was an entire-unit rental or room rental; and
  - (e) Any other information required by the Manager.
- (8) Every **Short Term Rental** Company shall keep a record of the number of **Short Term Rental** listings or advertisement it removed from its platform in accordance with Sections 8.3(1) and 8.3(2) of this By-law.
- (9) Every **Short Term Rental** Company shall provide the records referred to in this section to the **Town** upon the request of the Manager.
- (10) Every **Short Term Rental** Company shall create **Operator** and guest accounts on its platforms as requested by the Manager, to be used to investigate compliance with this By-law.

- (11) No **Short Term Rental** Company shall obstruct, in any manner, access to any accounts established for use by the Manager or **Licensing Officer** to investigate compliance with this By-law.

## **9. Offences**

- (1) Every **Person** who contravenes any provision of this By-law are liable to the fines and administrative fees set out under the Administrative Monetary Penalty System By-law 2019-62.
- (2) Every **Person** who is in contravention of the provisions of this By-law may request a review of the matter in accordance with the Administrative Monetary Penalty System By-law-2019- 62.
- (3) Any **Person** who contravenes a provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

## **10. Severability**

- (1) Where a court of competent jurisdiction declares any section of this By-law to be invalid, or to be not in force, or without effect, it is the intention of **Council** in enacting this By-law that the remainder of this By-law shall continue in force and applied and enforced in accordance with its terms to the fullest extent possible according to law.

Enacted this xxx day of xxx, 201x.

John Taylor, Mayor

Lisa Lyons, Town Clerk



## **Business Licence By-law 2020-XX**

### **Schedule A**

#### **Demerit Point System for Short Term Rentals**

A Demerit Point System is hereby established to enforce this By-law, any other Town by-law, or Provincial Act or Regulation including, but not limited to, administrative penalties as set out in the Town's Administrative Monetary Penalty System By-law 2019-62, as amended, the Building Code Act, the Fire Protection and Prevention Act, and the Provincial Offences Act.

- (1) The number of demerit points referenced in Column 3 of Table 1 of this Schedule will be applied against a Short Term Rental business premises and licence in respect of the matter noted in Column 1 under the following conditions:
  - (a) fifteen (15) days from the date of issue for an administrative penalty issued under the Town's AMPS By-law;
  - (b) upon the issuance of a Part 1 or Part III ticket under the Provincial Offences Act; or
  - (c) upon conviction in the Ontario Court of Justice;
  - (d) the confirmation of an order; or
  - (e) the confirmation of any contravention documented by Central York Fire Services.
- (2) A Short Term Rental shall be awarded fifteen (15) demerit points upon the approval of their initial business licence.
- (3) Contraventions to the business premises as identified within Table 1 of this Schedule will result in a loss of demerit points. Demerit points shall remain in place for a duration of one (1) year from the date on which the demerit points were assessed.
- (4) Upon the loss of fifteen (15) or more demerit points to any Short Term Rental Licence, the Manager shall suspend, revoke, or impose additional conditions on a Short Term Rental Licence. The Owner or Operator may dispute any actions taken by the Manager by making a request, in writing, to appear before the Appeals Committee for the Town.

#### **Hearing with the Appeals Committee**

- (5) Notice shall be delivered by e-mail or regular mail to the address provided for the Owner or Operator of the Short Term Rental or Bed and Breakfast business, as identified on the application forms provided for a business licence.

- (6) Notice shall be provided a minimum of two (2) weeks in advance of the Hearing with the Appeals Committee date.
- (7) Notice provided in accordance with Section 5 of this Schedule shall be deemed to be sufficient Notice with or without confirmation of receipt of the Notice.
- (8) The fee payable by the Owner or Operator for the Hearing with the Appeals Committee shall be as prescribed and in accordance with the Town's Fees and Charges By-law.
- (9) If the Owner or Operator fails to attend on the scheduled date, the Hearing with the Appeals Committee may proceed in absentia.
- (10) After hearing the matter, the Appeals Committee may:
- (a) confirm the conditions imposed on, the suspension of, or the revocation of the business licence;
  - (b) amend the conditions imposed on, the suspension of, or the revocation of the business licence; or
  - (c) cancel the conditions imposed on, the suspension of, or the revocation of the business licence.
- (11) The decision of the Appeals Committee is final and binding.

<b>Table 1</b>		
<b>Column 1 Infraction</b>	<b>Column 2 Reference</b>	<b>Column 3 Demerit Points</b>
Fire Protection & Prevention Act/Fire Code	FPPA	15
Operate while business licence is suspended or revoked	Business Licence By-law 2020-XX, as amended	7
Building Code Act	BCA	7
More than the number of bedrooms permitted	Business Licence By-law 2020-XX, as amended	5
More than the number of guests permitted	Business Licence By-law 2020-XX, as amended	5
Failure to respond to complaint by specified time	Business Licence By-law 2020-XX, as amended	5
Contravention to Noise By-law	Noise By-law 2017-76	5
Contravention to Property Standards By-law	Property Standards By-law 2017-62, as amended	3
Contravention to Clean Yards By-law	Clean Yards By-law 2017-63	3
Failure to post business licence number on advertisements	Business Licence By-law 2020-XX, as amended	3
Failure to post business licence on premises	Business Licence By-law 2020-XX, as amended	3
Failure to post Sign	Business Licence By-law 2020-XX	2
Contravention to Waste Collection By-law	Waste Collection By-law 2017-19	2

Schedule “A”

Administrative Monetary Penalty  
System By-law 2019-62  
Designated By-law Provisions

- 1. For the purposes of Section 3 of this By-law, Column A3 in the following table lists the provisions in the **Designated By-law** identified in the Schedule, as amended.
- 2. Column A4 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column A3.
- 3. Column A6 in the following table set out the **Administrative Penalty** for the **Set Penalty Amount** in accordance with Section 5(5)(b) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 4. The penalties shown in Column A5 below include a twenty five percent (25%) discount for **Early Payment** in accordance with Section 5(5)(a) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.
- 5. The penalties shown in column A7 below include a twenty five percent (25%) surcharge for **Late Payment** in accordance with Section 5(5)(c) of this By-law that is payable for contraventions of the designated provisions listed in Column A3.

A1 By-law	A2 Item #	A3 Section	A4 Description	A5 Early Payment	A6 Set Penalty	A7 Late Payment
Accessory Dwelling Units By-law 2013-13						
Accessory Dwelling Units By-law 2013-13, as amended	1.	2	Operate or permit occupancy in unregistered two unit house	450.00	600.00	750.00
	2.	3(a)	Failure to register two-unit house	450.00	600.00	750.00
	3.	9(a)	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
Animal Control By-law 2020-XX						
Animal Control By-law 2020-XX, as amended	4.	4(2)	Dog noise causing a disturbance	225.00	300.00	375.00
	5.	4(3)	Control more than the maximum permitted dogs/cats	225.00	300.00	375.00
	6.	4(4)	Keep more than the maximum permitted dog/cats	225.00	300.00	375.00
	7.	4(5)(a)	Permit Dangerous Dog in a leash-free park	225.00	300.00	375.00
	8.	4(6)	Failure to stoop and scoop	225.00	300.00	375.00
	9.	4(7)	Keep Prohibited Animal	450.00	600.00	750.00
	10.	5(3)	Leave Domestic Animal in Vehicle contrary to conditions	300.00	400.00	500.00
	11.	5(4)(a)	Failure to provide Domestic Animal sanitary environment	300.00	400.00	500.00
	12.	5(4)(b)	Failure to provide Domestic Animal adequate care	300.00	400.00	500.00
	13.	5(4)(c)	Failure to provide Domestic Animal adequate food and water	300.00	400.00	500.00
	14.	5(4)(d)	Failure to provide Domestic Animal shelter	300.00	400.00	500.00
	15.	5(4)(e)	Failure to provide Domestic Animal Veterinary care	300.00	400.00	500.00
	16.	5(5)	Keep Domestic Animal in a condition that causes a disturbance	300.00	400.00	500.00
	17.	5(6)	Keep Domestic Animal in a manner that endangers the health of others	300.00	400.00	500.00
	18.	6(1)(a)	Use tether less than 3m	300.00	400.00	500.00
	19.	6(1)(b)	Failure to allow tethered Animal unrestricted movement	300.00	400.00	500.00
	20.	6(1)(c)	Failure to constrain a tethered Animal to property	300.00	400.00	500.00

<b>Animal Control By-law 2020-XX, as amended</b>	21.	6(1)(d)	Failure to provide tethered animal water, food, shelter, or shade	300.00	400.00	500.00
	22.	6(2)	Tether Animal using prohibited device	300.00	400.00	500.00
	23.	6(3)	Tether Animal for more than 3 hours	300.00	400.00	500.00
	24.	7(1)	Feed or permit the feeding of wildlife	225.00	300.00	375.00
	25.	7(2)	Permit or cause a feeding device to be left outside	225.00	300.00	375.00
	26.	8(1)	Failure to submit Urban Hens application	225.00	300.00	375.00
	27.	8(2)	Keep more than three Urban Hens	225.00	300.00	375.00
	28.	8(3)	Keep Urban Hen under the age of 4 months	225.00	300.00	375.00
	29.	8(4)	Keep Rooster on residential property	225.00	300.00	375.00
	30.	8(6)	Failure to keep Urban Hen in coop between 9:00pm and 6:00am	225.00	300.00	375.00
	31.	8(7)	Failure to keep Urban Hen in run	225.00	300.00	375.00
	32.	8(13)	Failure to maintain hen coop or hen run	225.00	300.00	375.00
	33.	8(14)	Permit the slaughter of hens	300.00	400.00	500.00
	34.	8(15)	Improper disposal of livestock	300.00	400.00	500.00
	35.	9(2)	Failure to comply with a Training Order	300.00	400.00	500.00
	36.	9(3)(a)	Failure to comply with Notice to Muzzle on owner's property	300.00	400.00	500.00
	37.	9(3)(b)	Failure to comply with Notice to Muzzle when off of owner's property	300.00	400.00	500.00
	38.	9(4)	Failure to prevent dog from engaging in a dangerous Act	450.00	600.00	750.00
	39.	9(7)	Failure to comply with a Dangerous Dog Order	450.00	600.00	750.00
	40.	12(1)	Failure to licence cat/dog	300.00	400.00	500.00
	41.	12(2)	Failure to affix licence to cat/dog	300.00	400.00	500.00
	42.	12(5)	Provide false information when licensing animal	300.00	400.00	500.00
	43.	13(1)	Permit dog at large	300.00	400.00	500.00
	44.	13(3)	Permit dog in area contrary to posted signage	300.00	400.00	500.00
	45.	13(4)	Permit cat at large	300.00	400.00	500.00
<b>Business Licence By-law 2020-XX</b>						
<b>Business Licence By-law 2020-XX, as amended</b>	46.	3(1)	Operate without a business licence	450.00	600.00	750.00
	47.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	48.	3(3)	Operate business at more than one premises	225.00	300.00	375.00
	49.	3(5)	Failure to display business licence			
	50.	3(8)(a)	Advertising without a business licence	225.00	300.00	375.00
	51.	3(8)(b)	Improper business name advertised	225.00	300.00	375.00
	52.	3(8)(c)	Advertise products or services contrary to Town by-laws	225.00	300.00	375.00
	53.	3(9)	Carry on business on Town property without authorization	225.00	300.00	375.00
	54.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	55.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
<b>Business Licence By-law 2020-XX, as amended</b>	56.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	57.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	58.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	59.	8.1(1)	Failure to maintain Pet Store	225.00	300.00	375.00
	60.	8.1(2)	Failure to keep animal or bird in adequate conditions	225.00	300.00	375.00
	61.	8.1(3)(a)	Failure to provide adequate cage size	225.00	300.00	375.00
	62.	8.1(3)(b)	Failure to keep or maintain bird cage	225.00	300.00	375.00
	63.	8.1(3)(c)	Improper cage construction	225.00	300.00	375.00
	64.	8.1(3)(d)	Improper food and water receptacles	225.00	300.00	375.00
	65.	8.1(3)(e)	Failure to provide undue physical contact with the public	225.00	300.00	375.00
	66.	8.1(4)	Failure to provide water	225.00	300.00	375.00
	67.	8.1(5)	Failure to provide food	225.00	300.00	375.00
	68.	8.1(6)(a)	Failure to provide health assessment	225.00	300.00	375.00
	69.	8.1(6)(b)	Source cat or dog for purpose of sale contrary to by-law	600.00	800.00	1000.00
	70.	8.1(6)(c)	Failure to provide cat or dog with reasonable exercise	225.00	300.00	375.00
	71.	8.1(6)(d)	Keep or sell sick, injured, or diseased animals	225.00	300.00	375.00
	72.	8.1(6)(e)	Display animal in exterior window display	225.00	300.00	375.00
	73.	8.1(6)(f)	Sell or offer for sale any animal prior to normal weaning age	225.00	300.00	375.00
	74.	8.1(6)(g)	Failure to provide descriptive receipt	225.00	300.00	375.00
	75.	8.1(7)	Failure to maintain cat or dog registry	225.00	300.00	375.00
	76.	8.1(8)	No attendant present during business hours	225.00	300.00	375.00



<b>Business Licence By-law 2020-XX, as amended</b>	77.	8.1(9)	Sell or offer for sale animal listed on prohibited animals list	450.00	600.00	750.00
	78.	8.1(10)	Failure to disclose stolen or unlawfully obtained animal	450.00	600.00	750.00
	79.	8.1(11)	Failure to seek medical attention for animal as directed	450.00	600.00	750.00
	80.	8.2(1)	More than 1 STR on a lot	225.00	300.00	375.00
	81.	8.2(2)	Operate STR in more than 1 dwelling unit	225.00	300.00	375.00
	82.	8.2(3)	Failure to provide adequate parking for STR	225.00	300.00	375.00
	83.	8.2(5)	Failure to notify Town of changes to STR operations	225.00	300.00	375.00
	84.	8.2(6)(a)	Provide sleeping accommodations in vehicle, tent, or accessory building	450.00	600.00	750.00
	85.	8.2(6)(b)	Exceed number of bedrooms permitted for STR	225.00	300.00	375.00
	86.	8.2(6)(c)	Exceed number of guests permitted for STR	225.00	300.00	375.00
<b>Business Licence By-law 2020-XX, as amended</b>	87.	8.2(6)(d)	Permit beds or bedrooms to be used contrary to licence	225.00	300.00	375.00
	88.	8.2(7)	Failure to post or display business licence number on marketing	225.00	300.00	375.00
	89.	8.2(9)	Failure to respond to STR concerns within 2 hours	225.00	300.00	375.00
	90.	8.2(10)	Failure to provide contact information	225.00	300.00	375.00
	91.	8.2(11)	Operate or market part of or whole dwelling unit without a licence	225.00	300.00	375.00
	92.	8.2(12)	Failure to post sign for STR	225.00	300.00	375.00
	93.	8.2(14)	Market STR on unlicensed STR Company platform	225.00	300.00	375.00
	94.	8.3(1)	Operate STR Company without a licence	450.00	600.00	750.00
	95.	8.3(2)	Advertise STR that has not obtained a licence	225.00	300.00	375.00
	96.	8.3(3)	Failure to remove listing or advertisement as requested by Town	225.00	300.00	375.00
	97.	8.3(7)	Failure to maintain records by STR Company	225.00	300.00	375.00
	98.	8.3(9)	Failure to provide records upon request	225.00	300.00	375.00
	99.	8.3(10)	Failure to create platform accounts upon request	225.00	300.00	375.00
	100.	8.3(11)	Obstruct access to platform accounts	225.00	300.00	375.00
<b>By-law 2002-151 (Licensing)</b>						
<b>By-law 2002-151 Schedule 1 Adult Entertainment Parlours</b>	101.	1.2	Operate without an Adult Entertainment Parlour Owner's licence	450.00	600.00	750.00
	102.	1.3	Operate without an Adult Entertainment Parlour Operator's licence	450.00	600.00	750.00
<b>By-law 2002-151 Schedule 2 Adult Video Stores</b>	103.	2.2	Operate without an Adult Video Store licence	450.00	600.00	750.00
	104.	2.25	Failure to post licence in premise	225.00	300.00	375.00
	105.	2.28	Advertise business contrary to conditions	225.00	300.00	375.00
<b>By-law 2002-151 Schedule 7 Body-rub Parlours</b>	106.	7.2	Operate without a body-rub parlour licence	450.00	600.00	750.00
	107.	7.3	Failure to obtain an attendant's licence	450.00	600.00	750.00
	108.	7.4(a)	Provide services designed to appeal to sexual appetites	450.00	600.00	750.00
	109.	7.4(b)	Provide body-rubs to a person under 18 years of age	225.00	300.00	375.00
	110.	7.4(c)	Failure to post sign restricting entry for under 18 years of age	225.00	300.00	375.00
	111.	7.4(d)	Permit employee under 18 years of age	225.00	300.00	375.00
	112.	7.4(e)	Business open without owner/operator onsite	225.00	300.00	375.00
	113.	7.4(f)	Consume or be in possession of alcohol or drugs	450.00	600.00	750.00
	114.	7.4(g)	Permit intoxicated person to remain in body-rub parlour	225.00	300.00	375.00
	115.	7.4(l)	Failure to post licence	225.00	300.00	375.00
	116.	7.4(o)	Failure to provide required documentation to Licensing Officer	225.00	300.00	375.00
	117.	7.4(p)	Failure to provide copy of attendant licences	225.00	300.00	375.00
	118.	7.4(s)	Use or permit any camera or recording device	225.00	300.00	375.00
	119.	7.4(t)	Failure to post sign as directed by Town	225.00	300.00	375.00
	120.	7.6	Prohibited sign	225.00	300.00	375.00
	121.	7.7	Circulate, post, or distribute printed material	225.00	300.00	375.00
	122.	7.9	Advertise unauthorized business name or logo	225.00	300.00	375.00
	123.	7.11(a)	Contravene approved floor plan	225.00	300.00	375.00
	124.	7.11(b)	Locked or obstructed rooms	225.00	300.00	375.00
	125.	7.11(d)	Body-rub parlour used as a dwelling	225.00	300.00	375.00
	126.	7.11(e)	Room for body-rub not equipped with window	225.00	300.00	375.00
	127.	7.12	Operate business contrary to hours of 11:00am to 11:59pm	225.00	300.00	375.00
	128.	7.13(a)	Operate body-rub parlour within 500m of residential zone	225.00	300.00	375.00
	129.	7.13(b)	Operate body-rub parlour on or within 500m of restricted roadway	225.00	300.00	375.00

<b>By-law 2002-151 Schedule 7 Body-rub Parlours</b>	130.	7.13(c)	Operate body-rub parlour within 500m of any school, church, or child day care	225.00	300.00	375.00
	131.	7.13(d)	Operate body-rub parlour within 1km of another body-rub parlour	225.00	300.00	375.00
	132.	7.47	Obstruct a Licensing Officer	450.00	600.00	750.00
<b>By-law 2002-151 Schedule 15 Newspaper Boxes</b>	133.	15.2	Failure to notify Town of newspaper box on Town property	450.00	600.00	750.00
	134.	15.8	Failure to maintain newspaper box	225.00	300.00	375.00
<b>Clean Yards By-law 2017-63</b>						
<b>Clean Yards By-law 2017-63, as amended</b>	135.	2.1	Failure to maintain property	150.00	200.00	250.00
	136.	2.2	Failure to provide ground cover	150.00	200.00	250.00
	137.	2.3	Failure to maintain natural garden in living condition	150.00	200.00	250.00
	138.	2.4	Unsightly growth	150.00	200.00	250.00
	139.	2.5	Noxious weeds	150.00	200.00	250.00
	140.	2.6	Grass/weeds exceeding 20cm in height	150.00	200.00	250.00
	141.	2.7	Failure to maintain trees on property	150.00	200.00	250.00
	142.	2.8	Spread dust or dirt onto neighbouring property	150.00	200.00	250.00
	143.	2.9	Failure to maintain pool in good repair	150.00	200.00	250.00
	144.	3.1(a)	Store or keep motor vehicle missing parts	150.00	200.00	250.00
	145.	3.1(b)	Unlicensed motor vehicle on property	150.00	200.00	250.00
	146.	3.1(c)	Store or keep motor vehicle parts	150.00	200.00	250.00
	147.	3.1(d)	Store or keep derelict motor vehicle	150.00	200.00	250.00
	148.	4.1	Permit composting contrary to by-law	150.00	200.00	250.00
	149.	4.2(a)	Failure to compost in rear yard	150.00	200.00	250.00
	150.	4.2(b)	Failure to compost in container	150.00	200.00	250.00
	151.	4.2(c)	Failure to cover compost	150.00	200.00	250.00
	152.	4.2(d)	Animal feces in compost container	150.00	200.00	250.00
	153.	4.2(e)	Permit odour from composting	150.00	200.00	250.00
	154.	4.2(f)	Failure to maintain compost from attracting animals	150.00	200.00	250.00
	155.	4.2(g)	Failure to maintain composter setback requirements	150.00	200.00	250.00
	156.	5.1	Keep firewood contrary to by-law	150.00	200.00	250.00
	157.	5.2(b)	Exceed 15% of total yard area for firewood storage	150.00	200.00	250.00
	158.	5.2(c)	Improper storage of firewood in rear yard	150.00	200.00	250.00
	159.	5.2(d)	Improper storage of firewood in side yard	150.00	200.00	250.00
	160.	5.2(e)	Pile firewood along fence	150.00	200.00	250.00
	161.	6.1	Place or permit Graffiti	150.00	200.00	250.00
	162.	6.2	Failure to maintain property free of graffiti	150.00	200.00	250.00
	163.	7.1	Permit standing water	150.00	200.00	250.00
	164.	8.1	Failure to maintain boulevard	150.00	200.00	250.00
	165.	8.2	Failure to maintain boulevard gardens	150.00	200.00	250.00
	166.	8.3	Failure to maintain plantings from encroachment	150.00	200.00	250.00
	167.	8.4	Failure to maintain sidewalk	150.00	200.00	250.00
	168.	11.5	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
<b>Clothing Donation Bins By-law 2016-33</b>						
<b>Clothing Donation Bins By-law 2016-33, as amended</b>	169.	2.1	Operate without a Clothing Donation Bin Operator licence	450.00	600.00	750.00
	170.	3.2	Clothing Donation Bin on Town property	450.00	600.00	750.00
	171.	3.3	Clothing Donation Bin located at unauthorized location	225.00	300.00	375.00
	172.	4.1(a)	Failure to display name on bin	225.00	300.00	375.00
	173.	4.1(d)	Failure to display pick-up schedule for donations	225.00	300.00	375.00
	174.	4.2(b)	Failure to properly affix sticker on bin	225.00	300.00	375.00
	175.	6.1	Obstruct a Municipal Enforcement Officer	450.00	600.00	750.00
<b>Fireworks By-law 2015-18</b>						
<b>Fireworks By-law 2015-18, as amended</b>	176.	3.1	Offer for sale, cause, or permit to be sold fireworks	450.00	600.00	750.00
	177.	3.2	Discharge any prohibited fireworks	450.00	600.00	750.00
	178.	3.3	Sell consumer fireworks 7 days prior to Victoria or Canada Day	225.00	300.00	375.00
	179.	3.6	Display in any store window any type of fireworks	450.00	600.00	750.00
	180.	3.8	Sell or offer for sale fireworks without a licence	450.00	600.00	750.00
	181.	3.10	Discharge fireworks on Town property without a permit	450.00	600.00	750.00
	182.	3.11	Discharge fireworks on private property without a permit	450.00	600.00	750.00
	183.	6.1	Discharge fireworks when prohibited	450.00	600.00	750.00
<b>Mobile Business Licence By-law 2020-07</b>						
<b>Mobile Business Licence By-law 2020-07</b>	184.	3(1)(a)	Operate without a business licence	450.00	600.00	750.00
	185.	3(1)(c)	Failure to comply with condition of licence	225.00	300.00	375.00
	186.	3(2)	Failure to comply with legislation	225.00	300.00	375.00
	187.	3(3)	Failure to display business licence	225.00	300.00	375.00
	188.	3(5)(a)	Advertising without a business licence	225.00	300.00	375.00
	189.	3(5)(b)	Improper business name advertised	225.00	300.00	375.00

<b>Mobile Business Licence By-law 2020-07</b>	190.	3(6)	Carry on business on Town property without authorization	225.00	300.00	375.00
	191.	3(7)	Failure to possess business licence	225.00	300.00	375.00
	192.	3(8)	Smoke or permit smoking in business vehicle	225.00	300.00	375.00
	193.	4(2)	Obstruct a Licensing Officer	450.00	600.00	750.00
	194.	7(9)	Operate business while licence is suspended	450.00	600.00	750.00
	195.	7(10)	Advertise business while licence is suspended	225.00	300.00	375.00
	196.	7(12)	Remove posted notice of suspension	225.00	300.00	375.00
	197.	7(14)	Remove posted notice of no business licence	225.00	300.00	375.00
	198.	8.1(2)	Failure to comply with Taxicab Driver requirements	225.00	300.00	375.00
	199.	8.1(3)	Failure to display Taxicab Driver information	225.00	300.00	375.00
	200.	8.1(4)(b)	Failure to disclose Fare for Taxicab Trip	225.00	300.00	375.00
	201.	8.1(4)(c)	Failure to notify Town of Taxicab Driver	225.00	300.00	375.00
	202.	8.1(4)(d)	Failure to notify Town of Taxicab	225.00	300.00	375.00
	203.	8.1(5)(a)	Failure to provide required Taxicab Driver information	225.00	300.00	375.00
	204.	8.1(5)(b)	Failure to provide required Taxicab information	225.00	300.00	375.00
	205.	8.1(6)	Failure to maintain Taxicab Trip information	225.00	300.00	375.00
	206.	8.1(10)	Failure to remove Taxicab Driver	225.00	300.00	375.00
	207.	8.1(12)	Failure to comply with Taxicab requirements	450.00	600.00	750.00
	208.	8.1(13)	Permit unauthorized passenger(s) in Taxicab	225.00	300.00	375.00
	209.	8.2(2)	Failure to comply with TNC Driver requirements	225.00	300.00	375.00
	210.	8.2(3)(b)	Permit hail ride for TNC	225.00	300.00	375.00
	211.	8.2(3)(c)	Failure to maintain Safety Standard Certificate in TNC Vehicle	225.00	300.00	375.00
	212.	8.2(4)(c)	Failure to provide third party audit records	225.00	300.00	375.00
	213.	8.2(6)(a)	Failure to disclose Fare for TNC Trip	225.00	300.00	375.00
	214.	8.2(6)(c)	Failure to charge proper Fare for TNC Trip	225.00	300.00	375.00
	215.	8.2(6)(d)	Failure to maintain TNC Trip information	225.00	300.00	375.00
	216.	8.2(7)	Failure to use GPS on TNC App	225.00	300.00	375.00
	217.	8.2(8)	Failure to provide TNC Driver information via TNC App	225.00	300.00	375.00
	218.	8.2(9)	Failure to provide electronic receipt via TNC App	225.00	300.00	375.00
	219.	8.2(10)(a)	Failure to provide required TNC Driver information	225.00	300.00	375.00
	220.	8.2(10)(b)	Failure to provide required TNC Vehicle information	225.00	300.00	375.00
<b>Mobile Business Licence By-law 2020-07</b>	221.	8.2(11)	Failure to maintain TNC Trip records	225.00	300.00	375.00
	222.	8.2(15)	Failure to remove TNC Driver from TNC App	225.00	300.00	375.00
	223.	8.2(17)	Failure to comply with TNC Vehicle requirements	450.00	600.00	750.00
	224.	8.3(2)	Failure to comply with Refreshment Vehicle Operator requirements	225.00	300.00	375.00
	225.	8.3(3)	Failure to display Refreshment Vehicle Operator information	225.00	300.00	375.00
	226.	8.3(4)	Failure to comply with Refreshment Vehicle conditions	225.00	300.00	375.00
	227.	8.3(5)(a)	Permit amplified sounds	225.00	300.00	375.00
	228.	8.3(5)(b)	Unlawful seating for Refreshment Vehicle customers	225.00	300.00	375.00
	229.	8.3(6)(a)	Failure to maintain Refreshment Vehicle	225.00	300.00	375.00
	230.	8.3(6)(b)	Failure to clean up refuse from Refreshment Vehicle	225.00	300.00	375.00
	231.	8.3(6)(c)	Failure to notify the Town of Refreshment Vehicle Operator	225.00	300.00	375.00
	232.	8.3(7)	Failure to comply with Refreshment Vehicle – Type 1 conditions	225.00	300.00	375.00
<b>Mobile Business Licence By-law 2020-07</b>	233.	8.3(8)	Failure to obtain Special Event Organizer Licence	225.00	300.00	375.00
	234.	8.3(9)	Operate Refreshment Vehicle contrary to conditions	450.00	600.00	750.00
	235.	8.4(3)	Failure to maintain Limousine documents	225.00	300.00	375.00
	236.	8.4(4)	Failure to comply with Limousine Driver requirements	225.00	300.00	375.00
	237.	8.4(5)	Failure to display Limousine Driver information	225.00	300.00	375.00
	238.	8.4(6)(a)	Failure to notify Town of Limousine Driver	225.00	300.00	375.00
	239.	8.4(7)(a)	Permit too many passengers in Limousine	225.00	300.00	375.00
	240.	8.4(7)(b)	Permit a Limousine to operate with obstructed view	450.00	600.00	750.00
	241.	8.4(8)	Failure to comply with Limousine requirements	450.00	600.00	750.00
	242.	8.5(4)(a)	Failure to provide MTO Driving Instructor's Licence	225.00	300.00	375.00
	243.	8.5(4)(b)	Failure to carry a valid driver's licence	225.00	300.00	375.00
	244.	8.5(4)(c)	Failure to provide driving instruction/test documentation	225.00	300.00	375.00
	245.	8.5(4)(d)	Failure to affix Sticker Plate on Driving School Instructor Vehicle	225.00	300.00	375.00
	246.	8.5(4)(e)	Failure to affix roof sign on Driving School Instructor Vehicle	225.00	300.00	375.00
	247.	8.5(5)	Operate in Restricted Area	450.00	600.00	750.00
	248.	8.6(2)(a)	Failure to maintain Tow Truck documents	225.00	300.00	375.00
	249.	8.6(2)(b)	Failure to remove debris prior to towing a vehicle	225.00	300.00	375.00
	250.	8.6(2)(c)	Failure to remove debris within 8hrs following investigation	450.00	600.00	750.00
	251.	8.6(3)	Failure to comply with Tow Truck Driver requirements	450.00	600.00	750.00
	252.	8.6(4)	Failure to display Tow Truck Driver information	225.00	300.00	375.00
	253.	8.6(5)	Failure to notify Town of Tow Truck Driver	225.00	300.00	375.00
	254.	8.6(6)(a)	Failure to maintain Tow Truck;	225.00	300.00	375.00
	255.	8.6(6)(b)	Interfere with Tow Truck Company's contract	225.00	300.00	375.00
	256.	8.6(6)(c)	Recommend tow location to customer	225.00	300.00	375.00
	257.	8.6(6)(d)	Accept gift or payment from facility in exchange for business	225.00	300.00	375.00

<b>Mobile Business Licence By-law 2020-07</b>	258.	8.6(6)(e)	Accept Drop Fee	225.00	300.00	375.00
	259.	8.6(6)(f)	Failure to obtain consent to connect or tow	225.00	300.00	375.00
	260.	8.6(6)(g)	Stop, stand, or park within 200m of Collision Scene	225.00	300.00	375.00
	261.	8.6(6)(h)	Remove vehicle from Collision Scene without permission	225.00	300.00	375.00
	262.	8.6(6)(i)	Permit unauthorized passenger(s) in Tow Truck	225.00	300.00	375.00
	263.	8.6(7)	Failure to provide or maintain Tow Truck Equipment	225.00	300.00	375.00
	264.	8.6(8)(a)	Failure to comply with Tow Truck Vehicle requirements	225.00	300.00	375.00
	265.	8.6(8)(b)	Failure to affix Sticker Plate on Tow Truck Vehicle	225.00	300.00	375.00
	266.	8.6(9)	Failure to comply with towing rates	450.00	600.00	750.00
	267.	8.6(10)	Failure to comply with Re-Tow towing rates	450.00	600.00	750.00
	268.	8.6(11)(a)	Failure to maintain Tow Truck Driver information	225.00	300.00	375.00
	269.	8.6(11)(b)	Failure to maintain Tow Truck information	450.00	600.00	750.00
	270.	8.6(12)	Failure to maintain Tow Truck Trip information	225.00	300.00	375.00
	271.	8.6(13)	Failure to maintain run sheets	225.00	300.00	375.00
	272.	8.6(14)	Failure to provide affiliated Public Garage information	225.00	300.00	375.00
<b>Noise By-law 2017-76</b>						
<b>Noise By-law 2017-76, as amended</b>	273.	3.1	Make, cause or permit the emission of noise likely to disturb	150.00	200.00	250.00
	274.	3.2(a)	Make, cause or permit tires to squeal	150.00	200.00	250.00
	275.	3.2(b)	Operate a combustion engine without an effective exhaust or muffler	150.00	200.00	250.00
	276.	3.2(b)	Operate a pneumatic device without an effective exhaust or muffler	150.00	200.00	250.00
	277.	3.2(c)	Make, cause or permit the operation of a vehicle with a trailer to clank, squeal or other like noises	150.00	200.00	250.00
	278.	3.2(d)	Make, cause or permit the use of a horn, whistle, bell, or other	150.00	200.00	250.00
	279.	3.2(e)	Make, cause, or permit the operation of an air conditioner not in proper working order	150.00	200.00	250.00
	280.	3.2(e)	Make, cause or permit the operation of a pool pump or filter not in proper working order	150.00	200.00	250.00
	281.	3.2(e)	Make, cause or permit the operation of a heat pump not in proper working order	150.00	200.00	250.00
	282.	3.2(f)	Make, cause or permit noise from false alarm in excess of 10 minutes	150.00	200.00	250.00
	283.	3.2(g)	Make, cause or permit the operation of a roof top unit not in proper working order	150.00	200.00	250.00
	284.	4.1	Make or permit noise during prohibited time	150.00	200.00	250.00
<b>Parking By-law 2019-62</b>						
<b>Parking By-law 2019-62, as amended</b>	285.	5(2)	Interfere with Authorized Sign	30.00	40.00	50.00
	286.	5(3)	Obstruct Authorized Sign	30.00	40.00	50.00
	287.	6(1)(a)	Park facing wrong direction	30.00	40.00	50.00
	288.	6(1)(b)	Park more than 30cm from curb	30.00	40.00	50.00
	289.	6(1)(c)	Fail to park parallel to curb	30.00	40.00	50.00
	290.	7(1)(a)	Park within 9m of non-signalized intersection	37.50	50.00	62.50
	291.	7(1)(b)	Park within 15m of signalized intersection	37.50	50.00	62.50
	292.	7(1)(c)	Exceed posted time	30.00	40.00	50.00
	293.	7(1)(d)	Park contrary to traffic control device	30.00	40.00	50.00
	294.	7(1)(e)	Park causing obstruction	30.00	40.00	50.00
	295.	7(1)(f)	Park between 0200 and 0600 hrs	75.00	100.00	125.00
	296.	7(1)(g)	Park on boulevard	37.50	50.00	62.50
	297.	7(1)(h)	Park within 3m of hydrant	75.00	100.00	125.00
	298.	7(1)(i)	Park within 152m of firefighting apparatus	56.25	75.00	93.75
	299.	7(1)(j)	Park within 7m of fire hall entrance – same side	37.50	50.00	62.50
	300.	7(1)(k)	Park within 30m of fire hall entrance – opposite side	37.50	50.00	62.50
	301.	7(1)(l)	Park on a bridge	37.50	50.00	62.50
	302.	7(1)(m)	Park within 6m of bus stop	30.00	40.00	50.00
	303.	7(1)(n)	Park in a public laneway	30.00	40.00	50.00
	304.	7(1)(o)	Park on a median	37.50	40.00	50.00
	305.	7(1)(p)	Double park	37.50	50.00	62.50
	306.	7(1)(q)	Park within turning circle	30.00	40.00	50.00
	307.	7(1)(r)	Park displaying vehicle for sale	30.00	40.00	50.00
	308.	7(1)(s)	Park without valid registration	30.00	40.00	50.00
	309.	7(1)(t)	Parked while washing or repairing vehicle	30.00	40.00	50.00
	310.	7(1)(u)	Exceed 3 consecutive hours	30.00	40.00	50.00
	311.	7(1)(v)	Park within 0.6m of driveway	37.50	50.00	62.50
	312.	7(1)(w)	Park obstructing previously parked vehicle	30.00	40.00	50.00
	313.	7(1)(x)	Park on narrow roadway	30.00	40.00	50.00
	314.	7(1)(y)	Park alongside railway tracks	30.00	40.00	50.00
	315.	7(1)(z)	Park causing obstruction to building	30.00	40.00	50.00
	316.	7(1)(aa)	Park within 15m of Authorized Sign intersection	30.00	40.00	50.00
	317.	7(1)(bb)	Park within 30m of traffic signal intersection	37.50	50.00	62.50
	318.	7(1)(cc)	Park within a turning basin	30.00	40.00	50.00
	319.	7(1)(dd)	Interfere with funeral procession	30.00	40.00	50.00

<b>Parking By-law 2019-62, as amended</b>	320.	7(1)(ee)	Park within 15m of dead-end roadway	30.00	40.00	50.00
	321.	7(1)(ff)	Park within 3m of walkway	30.00	40.00	50.00
	322.	7(1)(gg)	Park within Unauthorized Area	75.00	100.00	125.00
	323.	7(2)	Park commercial vehicle on street	41.25	55.00	68.75
	324.	7(3)	Park trailer on street	41.25	55.00	68.75
	325.	7(4)(a)	Park within 15m of crosswalk – same side	37.50	50.00	62.50
	326.	7(4)(b)	Park within 30m of crosswalk – opposite side	37.50	50.00	62.50
	327.	7(5)(a)	Unauthorized parking on private property	30.00	40.00	50.00
	328.	7(5)(b)	Unauthorized parking on Town property	30.00	40.00	50.00
	329.	7(5)(c)	Park during restricted time	30.00	40.00	50.00
	330.	8(1)(a)	Stop within intersection	37.50	50.00	62.50
	331.	8(1)(b)	Stop within 9m of pedestrian crossover	37.50	50.00	62.50
	332.	8(1)(c)	Stop within 9m of School Crossing Guard	37.50	50.00	62.50
	333.	8(1)(d)	Stop causing obstruction	37.50	50.00	62.50
	334.	8(1)(e)	Stop contrary to traffic control device	30.00	40.00	50.00
	335.	8(1)(f)	Stop parallel to vehicle	30.00	40.00	50.00
	336.	8(1)(g)	Stop on a bridge	37.50	50.00	62.50
	337.	8(1)(h)	Stop within tunnel	37.50	50.00	62.50
	338.	8(1)(i)	Stop obstructing traffic	56.25	75.00	93.75
	339.	8(1)(j)	Stop within turning circle	37.50	50.00	62.50
	340.	8(1)(k)	Stop within Unauthorized Area	75.00	100.00	125.00
	341.	9(3)	Park within fire route	112.50	150.00	187.50
	342.	10(1)	Park contrary to No Parking sign	37.50	50.00	62.50
	343.	11(1)	Stop contrary to No Stopping sign	37.50	50.00	62.50
	344.	13(1)(a)	Park contrary to municipal parking area	30.00	40.00	50.00
	345.	13(1)(b)	Park in more than one space	30.00	40.00	50.00
	346.	13(1)(c)	Unauthorized parking in municipal parking area	30.00	40.00	50.00
	347.	14(1)(a)	Failure to display accessible permit	300.00	300.00	300.00
	348.	14(1)(b)	Unauthorized use of accessible permit	300.00	300.00	300.00
	349.	17(2)	Obstruct a Municipal Enforcement Officer	75.00	100.00	125.00
<b>Property Standards By-law 2017-62</b>						
<b>Property Standards By-law 2017-62, as amended</b>	350.	6.1(9)	Dilapidated structure or accumulated materials causing a nuisance	150.00	200.00	250.00
	351.	6.1(10)	Failure to maintain yard from pests	150.00	200.00	250.00
	352.	6.1(12)	Unightly growth	150.00	200.00	250.00
	353.	6.1(15)	Construction bin in yard	150.00	200.00	250.00
	354.	6.1(17)	Interior furniture in yard	150.00	200.00	250.00
	355.	6.3(1)	Recurrent ponding of storm water in yard	150.00	200.00	250.00
	356.	6.3(2)	Instability or erosion of soil in yard	150.00	200.00	250.00
	357.	6.3(5)	Failure to maintain drainage pattern	150.00	200.00	250.00
	358.	7.3	Failure to maintain conditions which prevent passage	150.00	200.00	250.00
	359.	8.3(2)	Discharge water on walkways, stairs, or neighbouring property	150.00	200.00	250.00
	360.	9.1	Failure to maintain exterior lighting	150.00	200.00	250.00
	361.	10.1(1)	Failure to maintain fence	150.00	200.00	250.00
	362.	10.1(2)	Failure to maintain fence in structurally sound condition	150.00	200.00	250.00
	363.	11.1	Failure to maintain retaining wall	150.00	200.00	250.00
	364.	12.1	Failure to maintain sign	150.00	200.00	250.00
	365.	13.1(2)	Failure to maintain accessory building	150.00	200.00	250.00
	366.	14.2	Failure to provide report from professional engineer	150.00	200.00	250.00
	367.	15.1	Failure to demolish or repair damaged structure	150.00	200.00	250.00
	368.	17.1(1)	Failure to maintain roof in watertight condition	150.00	200.00	250.00
	369.	17.1(2)	Failure to secure loose materials on roof	150.00	200.00	250.00
	370.	17.1(3)	Failure to remove snow or ice from roof	150.00	200.00	250.00
	371.	17.2	Failure to maintain soffit or fascia	150.00	200.00	250.00
	372.	17.3	Failure to maintain eaves trough or downspout	150.00	200.00	250.00
	373.	18.1	Failure to maintain stairs, landings, guards, or handrails	150.00	200.00	250.00
	374.	18.2	Failure to provide handrail	150.00	200.00	250.00
	375.	18.4	Failure to secure fire escape	150.00	200.00	250.00
	376.	19.4	Failure to maintain fire protection requirements	150.00	200.00	250.00
	377.	20.5(5)	Failure to maintain chimney or gas vent	150.00	200.00	250.00
	378.	21.1	Failure to prevent nuisance	150.00	200.00	250.00
	379.	21.1(1)	Failure to prevent light into dwelling	150.00	200.00	250.00
	380.	21.1(2)	Failure to prevent debris onto adjacent property	150.00	200.00	250.00
	381.	21.1(3)	Failure to remove accumulated materials	150.00	200.00	250.00
	382.	21.2(1)	Failure to maintain place for storage of refuse	150.00	200.00	250.00
	383.	21.2(3)	Failure to screen place for storage of refuse	150.00	200.00	250.00
	384.	22.1	Unoccupied and unsecured property	150.00	200.00	250.00
	385.	22.2	Failure to board vacant building	150.00	200.00	250.00
	386.	22.3	Failure to disconnect or secure utilities for vacant building	150.00	200.00	250.00
	387.	24.1	Failure to clear debris or material from demolition	150.00	200.00	250.00
	388.	24.3	Failure to protect adjoining property from demolition	150.00	200.00	250.00
	389.	25.1(2)	Failure to maintain appliances	150.00	200.00	250.00
	390.	25.1(3)	Failure to keep exit unobstructed	150.00	200.00	250.00
	391.	26.1	Failure to maintain dwelling free from conditions	150.00	200.00	250.00

<b>Property Standards By-law 2017-62, as amended</b>			encouraging infestation			
	392.	26.3	Failure to maintain garbage disposal room	150.00	200.00	250.00
	393.	27.1	Use non-habitable room	300.00	400.00	500.00
	394.	27.10	Failure to equip carbon monoxide detector	150.00	200.00	250.00
	395.	27.11	Failure to equip smoke detector	150.00	200.00	250.00
	396.	28.2	Failure to provide or maintain mail box	150.00	200.00	250.00
	397.	29.1	Disconnect service or utility	150.00	200.00	250.00
	398.	30.2	Failure to install locking devices on doors	150.00	200.00	250.00
	399.	30.4	Failure to maintain wall or ceiling	150.00	200.00	250.00
	400.	31.1	Failure to provide adequate heating system	150.00	200.00	250.00
	401.	31.4	Failure to provide written report by certified heating contractor	150.00	200.00	250.00
	402.	33.1(2)	Failure to maintain plumbing or fixtures	150.00	200.00	250.00
	403.	33.2	Failure to provide potable running water	150.00	200.00	250.00
	404.	33.6	Failure to provide hot or cold running water	150.00	200.00	250.00
	405.	34.1	Failure to maintain structure from mould	150.00	200.00	250.00
	406.	35.1	Failure to connect dwelling unit to electrical supply system	150.00	200.00	250.00
	407.	35.2	Failure to maintain electrical in good working order	150.00	200.00	250.00
	408.	35.6	Failure to maintain electrical fixtures	150.00	200.00	250.00
	409.	36.1(2)	Failure to maintain window in good repair	150.00	200.00	250.00
	410.	36.1(3)	Failure to maintain window locks	150.00	200.00	250.00
	411.	36.3	Failure to provide or maintain window screen	150.00	200.00	250.00
	412.	37.1(1)	Failure to provide natural or artificial ventilation	150.00	200.00	250.00
	413.	38.5	Failure to provide and maintain voice communication system	150.00	200.00	250.00
	414.	40.1	Failure to maintain elevating device	150.00	200.00	250.00
<b>Second Hand Goods Shops and Dealers By-law 2008-79</b>						
<b>Second Hand Goods Shops and Dealers By-law 2008-79, as amended</b>	420.	3.1	Operate business without a licence	450.00	600.00	750.00
	421.	3.2(3)	Failure to post licence in premise	225.00	300.00	375.00
	422.	3.2(4)	Purchase second hand good with serial numbers removed or obstructed	225.00	300.00	375.00
	423.	4.1	Failure to record complete acquisition	225.00	300.00	375.00
	424.	5.1	Dispose of goods not in accordance with by-law	225.00	300.00	375.00
	425.	11.1	Failure to produce records	225.00	300.00	375.00
<b>Sign By-law 2017-73</b>						
<b>Sign By-law 2017-73, as amended</b>	426.	3.1	Prohibited sign	225.00	300.00	375.00
	427.	3.2	Prohibited sign location	150.00	200.00	250.00
	428.	3.4	Sign causing obstruction	150.00	200.00	250.00
	429.	3.7	Flashing, animated, or noise emitting sign	150.00	200.00	250.00
	430.	3.8	Sign on vehicle or trailer	150.00	200.00	250.00
	431.	3.10	Unlawful temporary sign	150.00	200.00	250.00
	432.	4.1	Failure to obtain a sign permit	150.00	200.00	250.00
	433.	4.2	Alter sign after approval	150.00	200.00	250.00
	434.	7.3	Failure to removed expired sign	150.00	200.00	250.00
	435.	10.1(c)	Failure to maintain sign	150.00	200.00	250.00
	436.	11.2	Erect, post, or display sign on Town property	150.00	200.00	250.00
	437.	11.6	Erect, post, or display sign on private property	150.00	200.00	250.00
	438.	22.2	New home development sign displayed during prohibited time	150.00	200.00	250.00
<b>Waste Collection By-law 2017-19</b>						
<b>Waste Collection By-law 2017-19, as amended</b>	439.	4.1	Failure to set out refuse in accordance with by-law	150.00	200.00	250.00
	440.	4.2	Deposit refuse on private or public property	150.00	200.00	250.00
	441.	4.3	Place or permit refuse causing a nuisance	150.00	200.00	250.00
	442.	4.4	Refuse placed for collection on improper date or time	150.00	200.00	250.00
<b>Emergency Measures By-law 2020-21</b>						
<b>Emergency Measures By-law 2020-21</b>	443.	3(1)	Permit or gather with more than the number of individuals prescribed by an Emergency Order	450.00	600.00	750.00
	444.	3(2)	Enter or remain in any park deemed closed	450.00	600.00	750.00
	445.	3(3)	Failure to maintain a 2m physical social distance	450.00	600.00	750.00
	446.	3(4)	Guardian permits or allows individuals to not maintain 2m physical social distance	450.00	600.00	750.00
	447.	3(5)	Permit more than 50 customers to enter premise at one time	450.00	600.00	750.00
	448.	3(6)	Failure to restrict access to enter premise	450.00	600.00	750.00

<b>Emergency Measures By-law 2020-21</b>	449.	3(7)	Failure to maintain 2m physical social distance of customers within premise	450.00	600.00	750.00
	450.	3(8)	Failure to comply with any order made during a declared emergency	450.00	600.00	750.00
	451.	5(3)	Obstruct a municipal enforcement officer	450.00	600.00	750.00

**Schedule “B”**

**Administrative Monetary Penalty System By-law  
Administrative Fees**

1. The table below lists the **Administrative Fees** as defined in Section 2 of this By-law.

Administrative Fee Description	Fee Amount
Adjudication Fee	\$25.00
Fee – Hearing No-Show	\$100.00
Fee – MTO Plate Denial	\$20.00
Fee – MTO Search	\$10.00
Fee – Screening No-Show	\$50.00
Note: Fees listed in Schedule “B” to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.	





# Corporation of the Town of Newmarket

## By-law 2020-XX

A by-law to amend Fees and Charges By-law 2019-52 being a by-law to adopt fees and charges for services or activities provided by the Town of Newmarket. (Legislative Services - Licensing Charges).

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Whereas Council enacted By-law 2019-52 to establish Legislative Services - Licensing Fees for the Corporation of the Town of Newmarket; and,

Whereas it is deemed necessary to amend the Schedule of By-law 2019-52.

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That the Schedule to the By-law 2019-52 be amended to add the following fees:

Service Provided	Unit of Measure	2020 Fee
Pet Stores	each	\$150.00
Short Term Rentals – 1 Bedroom	each	\$150.00
Short Term Rentals – 2 Bedrooms	each	\$300.00
Short Term Rentals – 3 Bedrooms	each	\$450.00
Short Term Rental Companies - Initial	each	\$5,000.00
Short Term Renal Companies - Room booking per night	each	\$ 1.00

Enacted this 29th day of June, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk