

# **Memorandum**

## **Animal Control By-law 2020-30**

## **Business Licence By-law 2020-31**

June 29, 2020

Attached are new drafts of the Animal Control and Business Licence By-laws for Council's consideration.

The attached draft by-laws incorporate feedback and changes, as discussed at the June 15, 2020 Special Electronic Committee of the Whole meeting. Town Staff also consulted with three (3) deputants following this meeting to review the proposed by-laws and receive recommendations for amendments. In addition to minor clerical changes, the following amendments are being proposed as follows:

### **Animal Control By-law**

- Sections 4 and 5 have been amended by changing the term “domestic animal” to “animal” to ensure all animals are given protective care and not simply dogs and cats, as previously proposed;
- Sections 4(8), 4(9), and 4(10) have been added to specify that any existing animals owned by residents that may now become unlawful based on the permissive animal list proposed are eligible to be grandfathered. The requirements include registering the grandfathered animal with the Town within 90 days of this By-law coming into effect; and
- Section 4(11) has been added to include a prohibition on obtaining or purchasing any animal for the purpose of research, unless in accordance with provincial or federal regulations.

### **Animal Control By-law – Schedule A**

- Schedule A of the proposed by-law has been changed from a ‘prohibited animal list’ to a ‘permitted animal list’ when referring to types of animals permitted as household pets;
- The newly proposed ‘permitted animals list’ mirrors the Town of Aurora’s, but also further clarifies specific animals identified through additional consultation with three (3) deputants that addressed Council during the Special Committee of the Whole meeting;
- World Animal Protection and Zoocheck have also provided additional recommendations to specifically exclude amphibians, salt water fish, hedgehogs, and several types of birds and reptiles in their entirety. However, upon review of their recommended list, Town staff do not believe that the proper consultation has been completed with Newmarket residents to understand impacts on restricting such animals. For example, two additional pet stores have been identified in Newmarket that specifically focus on the sale of reptiles and fish. Neither

business has been consulted on imposing further restrictions on types of animals permitted to be sold or kept within Newmarket. For this rationale, Town staff are recommending further research and consultation be completed as part of the proposed 'phase two' approach to Animal Control, where staff will report back on options for amending the currently proposed Schedule A.

### **Business Licence By-law**

- Section 8.1(6)(a) requires all cats and dogs to obtain a health assessment from a licensed Veterinarian. Additional wording has been added to require the vet care to be current and up to date;
- Section 8.1(6)(b) requires cat or dogs to only be sourced from very specific sourcing options. Additional wording has been added to clarify the term 'sale' by adding "where facilitated through adoption";
- Section 8.1(6)(d) ensures no sick, injured, or diseased animals are kept within a Pet Store. Additional wording has been added to state "unless under the direction of a veterinarian" to clarify the intention that the animal has received proper care.
- Section 8.1(9) has been updated to reference the change in a prohibited animals list to a permitted animals list, pursuant to the proposed changes within the Animal Control By-law.

### **Fees and Charges By-law**

- The proposed annual licensing fee of short term rental operators has been changed from the initial proposal of \$150 per bedroom to \$100 per bedroom, as directed by Council.

### **AMPS By-law**

- Minor clerical amendments have been made to update the short form wording of each section to incorporate changes proposed throughout the Animal Control and Business Licence By-laws.

For more information, email Flynn Scott, Manager of Regulatory Services at [fscott@newmarket.ca](mailto:fscott@newmarket.ca)