

DATE OF MEETING July 6, 2020

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SUBJECT ANIMAL CONTROL SERVICE CONTRACT RENEWAL

OVERVIEW

Purpose of Report

To provide Council with recommendations with respect to the City's Animal Control Service contract, cats in Nanaimo, and updates to the "Licencing and Control of Animals Bylaw 1995 No. 4923" to update animal control services.]

Recommendation

That Council:

1. Endorse in principle the recommendations of the Animal Control Services review and direct Staff to prepare an RFP for revised contracted services subject to adoption of the 2021-2026 Financial Plan.
2. Direct Staff to prepare an update to the "Licencing and Control of Animals Bylaw 1995 No. 4923" to incorporate the recommendations of the service review; and
3. Direct Staff to work with the Cat Nap society to identify measures to support their work.

BACKGROUND

Animal control services in Nanaimo are contracted to a private company specializing in animal control. The current service agreement was for the period from 2015 to 2018, and was extended an additional two years, expiring on 2020-AUG-31.

In anticipation of the contract expiration, the City contracted Neilson Strategies to review the purpose, scope, service level, and service delivery model of animal control services to provide Council with options and recommendations for future service agreements, improvements, or replacement of the City's pound and adoption centre, and bylaw revisions to update and modernize these services. The consultant's draft report was presented to Council at the 2020-JUN-08 Special Council meeting.

Council directed Staff to prepare a report summarizing the recommendations for Council's consideration.

DISCUSSION

The Animal Control Service Review provides advice with respect to:

- The service delivery model to deliver animal control services at the expiration of the current contract, level of staffing, and required investments in the facility;
- Cats in Nanaimo; and
- “Licencing and Control of Animals Bylaw 1995 No. 4923” (“Licencing and Control of Animals Bylaw”) and proposed changes to dog licensing.

Service Delivery Model

The service review recommends the City retain the contract-based service delivery model for the animal control service and issue a Request for Proposals (RFP) to select a contractor to deliver animal control service under a new service agreement.

The current service agreement sets out that the contractor will enforce City bylaws relevant to the control and keeping of animals and operation of the pound and adoption centre. Other responsibilities include the provision of after-hours call-out services for emergencies, removal of animal carcasses from public lands, seizure and care of injured animals, the sale and tracking of dog licences on behalf of the City, public education on the care of animals, and the adoption of animals from the adoption centre.

The contractor is responsible for providing all necessary equipment to deliver the service, including vehicles, supplies, communication equipment, and office equipment. The contractor also occupies and maintains the pound and adoption centre and an adjacent caretaker’s dwelling and associated lands.

The City has the option of continuing to contract out these services or bring the service in-house using City Staff. In addressing this question, factors including relative cost, flexibility, degree of control, approaches used by other local governments, and the City’s recent experiences may be considered.

The review concluded there was not a compelling reason to change the existing contract-based service delivery model. However, a number of changes are proposed to revise the existing service agreement to improve efficiencies.

Recommendation

It is recommended the City retain the contract-based service delivery model for animal control services, and that an RFP to select a contractor to provide these services under a new service agreement be initiated as part of the 2021-2026 Financial Plan. The current month-to-month agreement will be maintained until a new service agreement is completed in early 2021 upon adoption of the provisional budget.

Deceased Animals

Nanaimo is unique in tasking animal control officers to remove and dispose of all deceased animals found on public land, roads, and beaches. Most jurisdictions assign this responsibility to public works, who typically have better equipment and crew resources. In particular, the resources required to remove large sea mammals from beaches requires significant time and resources that would be better spent patrolling parklands, doing enforcement, engaging animal owners, and other relevant duties.

The City's Public Works Department does not currently have personnel capacity to take over responsibility for removing and disposing animal carcasses from public land and roads. It would be appropriate for animal control officers to continue to pick up and remove dog and cat carcasses, as they have the expertise and access to records to potentially identify and notify owners.

Recommendation

It is recommended the responsibility for dealing with all animal carcasses, other than cats and dogs, be transferred to a separate contracted service agreement.

Noise Complaints

Barking dog complaints are currently investigated by the City's Bylaw Enforcement Officers. It is recommended this responsibility be transferred to the animal control contract with the rationale that animal control officers focus on dog-related matters and are better suited to ensuring attendant dog-related issues, including licensing, are identified and addressed. It is recognized animal control officers do not have capacity to take on new responsibilities without surrendering others, which goes to the rationale for transferring animal carcass removal and disposal matters to a separate contract.

Recommendation

It is recommended the responsibility to investigate complaints of barking dogs be transferred from Bylaw Services to the animal control service.

Levels of Staffing

The service agreement requires the contractor provide a minimum of two uniformed Animal Control Officers (ACOs) to patrol the City for a minimum of 70 hours weekly, with additional capacity for summer months, supported by a clerk who manages operation of the pound/adoption centre, and a full-time kennel worker. There is also a half-time employee responsible for cleaning duties. These resources are supplemented by the contractor who adds some capacity as a senior ACO several days a month. These service levels have not increased since 1986. This does not suggest in itself that additional staffing resources are required; however, it is recognized Nanaimo is a growing urban community with a greater number of pets, animals in local parks and public areas, animal attacks, abandoned animals, and a need for increased education, regulation, and enforcement measures.

From a financial perspective, the number of overtime call outs for dogs at large, injured animals, and carcass removal are ever increasing. The extra cost of an additional ACO would be somewhat offset by anticipated increased dog licensing revenue, which would be generated through increased enforcement and public awareness.

Recommendation

It is recommended funding be adjusted to increase the number of ACOs by one full-time equivalent (FTE) position.

City Pound and Adoption Facility

The City's pound and adoption centre is a purpose-built animal shelter constructed in 1977 to accommodate abandoned or seized animals. The facility is operated by the City's contractor in accordance with the terms of the service agreement. It is recognized the contractor meticulously maintains the facility, but the building and kennel facilities do not meet current basic requirements set out in the Canadian Standards of Care in Animal Shelters. The structure is 43 years old, and has had no significant improvements since it was constructed, leaving it undesirable, if not unsuitable to continue as a facility to house animals.

The service review considered options of renovating the facility, replacing it with a new building, or partnering with other existing animal facilities in the region to serve as a City pound.

The City commissioned a study by Space Craft Design Corp. in 2017 to assess the condition of the building, which concluded the facility was deficient and required extensive renovations. The 2017 estimated cost to renovate started at \$214,000, as well as an additional \$72,000 for mechanical upgrades. These were minimum improvements that did not include seismic review and upgrades, lighting, storage, security, or maintenance improvements, or updating of the aging kitchen and laundry areas. These would be the minimum requirements to update the facility to current standards of animal care.

A new, modern facility with best-practice features to provide a high level of animal care and treatment would be very expensive. For example, the SPCA facility in Nanaimo constructed in 2016 cost \$3.4 million. A well-equipped, newly constructed facility would potentially cost \$8 million or more.

There are limited options for partnering with other agencies in the region. The only local animal shelter facility is the Nanaimo SPCA branch, which does not have capacity to accommodate the City's shelter needs, nor is the operation of animal control pounds consistent with their core mandate. All neighboring local governments utilize a contract service that operates an animal shelter in Duncan.

Renovation of the existing shelter facility will likely not provide a permanent solution, given the age and condition of the building; however, improvements are required immediately and this would represent the fastest and least expensive available option.

Recommendation

It is recommended funds be committed to the 2021 budget cycle to renovate the Pound and Adoption Centre Facility.

Cats in Nanaimo

The City currently plays a very minor role in managing stray, abandoned, and feral cat populations in the community. The only bylaw provisions relating to cats is a requirement for pet owners to isolate cats suffering from contagious or infectious disease.

The pound and adoption centre will receive and care for sick and injured cats delivered by ACOs, the SPCA, or volunteer societies, including Cat Nap. The SPCA receives 700 cats in a typical year, but does not deal with feral cats. This is substantially managed by the Cat Nap Society, a not-for-profit, volunteer-based organization that traps, spays/neuters, and returns feral cats in the community. It is recognized cats abandoned by their owners inevitably join the feral cat population.

The City's pound and adoption centre does not have suitable infrastructure to receive, assess, and care for cats. Staff have improvised makeshift space to accommodate stray and injured cats (does not receive known feral cats) to the best of their ability to the extent they can properly manage. Recommendations for improvements to the shelter facility are, in part, to provide proper infrastructure and to nominally increase capacity to care for cats.

It is evident the City has minimal capacity to manage the abandoned and feral cat population and relies on a volunteer society to deal with these matters. Cat Nap traps up to 500 cats a year, which is considered to represent just a small portion of the total feral cat population.

There are three outstanding issues the City can address to promote responsible cat ownership, capacity to deal with stray cats, and strategies to manage the feral cat population.

1. The first recommendation is to amend the City's Licencing and Control of Animals Bylaw to include provisions requiring cat identification through tattoos, microchips or collar tags, and to have cats permitted to go outdoors spayed or neutered.
2. The second recommendation is to include the incorporation of a "cat wing" into renovations of the pound and adoption centre to provide two impound rooms with a combined capacity for 12 newly-impounded cats that do not appear to be infectious, a room to segregate potentially feral cats that require assessment, and a 14-kennel adoption room for cats that are healthy, have been spayed/neutered, and are deemed to be adoptable.
3. Finally, it is recommended the City should consider providing some assistance to support the Cat Nap Society, which has been the bulwark for the community in managing the uncontrolled feral cat population. In their absence, the City would be pressured to take a more direct role in feral cat management.

Recommendation

It is recommended a financial contribution in the form of an annual grant-in-aid be provided to support the Cat Nap Society to support the society's work and ensure its sustainability.

Licensing and Control of Animals Bylaw

The City's Licensing and Control of Animals Bylaw requires extensive review, modernization, and updating to ensure any service changes undertaken are reflected in bylaw updates. It is also necessary to update and revise the bylaw to incorporate existing best practices.

A new bylaw would emphasize the importance of responsible pet ownership and update relevant statutory references, which would include, but not be limited to:

- Removing references to 'Restricted Dogs', which are no longer viewed as practical or best practice;
- Definitions of "vicious" and "aggressive" dogs;
- Restructuring of licence fees to differentiate between fixed, intact, and to separate aggressive dogs.
- Best practices in tethering and transportation of dogs;
- Leaving dogs in vehicles in hot weather; and
- Setting out requirements for cat owners.

Recommendation

It is recommended Staff be directed to review and update or replace the current Licensing and Control of Animals Bylaw.

Dog Licensing

As noted in the service review, the annual purchase of a dog licence is the first condition of responsible pet ownership. The municipal animal control service is required, in large part, to accommodate pet ownership, and provides the best opportunity for lost and injured animals to be returned home safely.

It is estimated only 50% of dog owners in Nanaimo license their dogs. There are a number of recommendations that may increase this rate of compliance.

Enhanced communication strategies could be utilized to draw public attention to licensing requirements, and to prompt existing licence holders to renew their licences. Suggested methods could include additional advertisement through printed and social media, and a 'Pet Ambassador' program in local parks. The service review also suggests additional opportunities may exist to make the purchase and renewal of licences more convenient by providing on-line purchase options, and increasing the number of purchase sites throughout the community to include City recreation facilities, pet stores, and veterinary offices.

Annual dog licence renewal notices are sent out by the City Finance Department in late January, but there is no formal process to follow up on idle accounts (i.e., un-renewed licences). This task inevitably falls on clerical staff at the animal shelter who call dog owners to remind them to renew licences, or to send ACOs to speak to them in person. Additional clerical resourcing at the animal shelter to coordinate all these activities would increase licensing compliance.

The base cost for a dog licence is \$30, which is discounted to \$25 if purchased before the end of February. This is consistent with other municipalities, but the single-rate approach is not. Many cities in the province use a tiered approach that imposes higher rates for intact and

aggressive dogs. Suggested rates are \$60 annually for intact dogs (discounted to \$50), and \$90 for dogs designated as dangerous or aggressive (discounted to \$75).

The next proposed strategy is enforcement-based. The fine for failing to license a dog in Nanaimo is \$50, which is considerably lower than most cities. Some communities impose penalties as high as \$300, but a more reasonable middle-road figure of \$125 has been recommended (reduced to \$100 if paid within 14 days). The current local enforcement practice is to waive ticketing if a dog licence is purchased. This provides no deterrent effect, and a zero tolerance approach as taken by most municipalities is recommended.

A final consideration is to incentivize the purchase of dog licences. One option would be to offer a free first-year licence when a dog is spayed/neutered, which would promote responsible dog care and get the animal registered and identified in the City licensing system. There may also be opportunities to develop a rewards program with local veterinary and pet services, which would offer discounts for licenced animals.

Recommendations

It is recommended a tiered approach be adopted for dog licensing rates, keeping base rates at \$30 (discounted to \$25 before end of February), increasing the rate for intact dogs to \$60 (discounted to \$50) and \$90 for dogs designated as dangerous or aggressive (discounted to \$75).

It is recommended the fine penalty for failing to licence a dog be increased from \$50 to \$125 (discounted to \$100 if paid in 14 days), with a zero-tolerance policy for fail-to-licence offences.

OPTIONS

1. That Council:

1. Endorse the contract-based service delivery model for Animal Control Services and direct Staff to proceed with a new service agreement that incorporates the recommended changes within the report;
2. Direct Staff to communicate with Cat Nap society to identify measures that will support the Society's work and ensure its sustainability; and
3. Direct Staff to review and update "Licencing and Control of Animals Bylaw, 1995 No. 4923" to incorporate recommendations within in the report.
 - Advantages: The recommendations have been developed through a detailed examination of the existing service, consultation with service stakeholder, evaluation of identified service issues, and research on best practices and experiences in other jurisdictions. The current Animal Control Service Contract will expire 2020-AUG-31 and must be updated and renewed.
 - Disadvantages: There are many different options and approaches with respect to use of in-house versus contract service delivery models for animal control services. The use of outside contractors removes decision making and control over many aspects of service delivery from the City.
 - Financial Implications: Animal control service levels have not been adjusted since 1986, and the City's pound and adoption centre facility requires extensive renovation to be suitable to continue to house and care for animals. These

expenses may be off-set in part by the potential to increase revenues from dog licensing.

2. That Council receive the recommendations set out in the Animal Control Service Review, with the following modifications:
 1. That Council choose to deliver animal control services in-house.
 - Advantages: This option would enable the City to exercise full control over animal control, including its day-to-day delivery using their own Staff. This would provide opportunity to select, train, and retain skilled and experienced staff.
 - Disadvantages: There would be considerable transition and start-up costs to bring the service in-house, including the acquisition of Staff, vehicles, and required equipment and miscellaneous items. It is unclear whether the City could maintain the same degree of flexibility, or at the same cost, for matters of hours of work, scheduling, and Staff call outs for emergencies and overtime. The current service agreement expires in several months, leaving little time for transition.
 - Financial Implications: There would be considerable start-up expenses and a potential for higher costs associated with scheduling, call-outs, and overtime situations.
3. That Council receive the recommendations set out in the Animal Control Service Review and direct the renewal of the contract service agreement, keeping the scope of services and staffing status-quo to the existing contract.
 - Advantages: Animal control services have operated at existing levels since 1986. This does not, in and of itself, necessitate increased service levels. The City may wish to provide minimum levels of animal control service if cost is a factor.
 - Disadvantages: The City's population has doubled, and an increased level of animal control service is recommended based on a review of comparisons with other jurisdictions, the current scope of service, and anticipated challenges faced by ACOs in the rapidly growing urban environment, with greater numbers of dogs and other household pets and more residents using local parks and public areas.
 - Financial Implications: This option would reduce the overall cost of providing animal control services, but savings may be undermined by rising overtime and call-out expenses, or potential liability if service levels increase risk of animal-related attacks or injuries.

SUMMARY POINTS

- The Animal Control Service Contract will expire 2020-AUG-31. A service review has been completed to evaluate the scope of service and service delivery model through which the City will deliver animal control moving ahead.
- The City's pound and adoption centre facility was constructed in 1977 and requires extensive renovation or replacement.
- The service review provides recommendations to update and modernize the purpose, scope, and service levels of animal control.
- The report recommends a Request for Proposals be issued to enter into a new service agreement which would include an additional level of staffing, investment in the current facility and a new contract for animal carcass removal.
- With regard to cats in Nanaimo, the report recommends a financial contribution in the form of an annual grant-in-aid be provided to support the Cat Nap Society to support the society's work and ensure its sustainability.
- The current "Licencing and Control of Animals Bylaw, 1995 No. 4923" requires updating and amendments. The dog licencing process would also benefit from revisions including a tiered approach to the annual licence fee.

ATTACHMENTS:

ATTACHMENT A: Animal Control Service Review Final Report

Submitted by:

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Concurrence by:

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