

CITY OF NANAIMO  
THE HARBOUR CITY



Animal Responsibility Bylaw  
Presented by: Karen Robertson, Deputy City Clerk

CITY OF NANAIMO  
THE HARBOUR CITY

### Background

In December, 2019, Allan Neilson, of Neilson Strategies was retained by the City to conduct a review of the City's animal control services which included:

- Identifying service-related issues;
- Researching best practices and experience in other jurisdictions; and
- Providing recommendations for the City to consider.

### **Background Cont:**

- At the June 8, 2020 Council meeting, Mr. Neilson presented his findings and outlined key issues and recommendations for moving forward, which included having staff prepare amendments to the bylaw that focused on the importance of responsible pet ownership.
- At the July 6, 2020 Council meeting, Council formally endorsed the recommendations.

### **Background Cont:**

Provisions to be included in the new bylaw:

- Removing reference to “Restricted Dogs”
- Changing “Vicious Dog” to “Aggressive Dog”
- Modernizing sections to reflect current best practices on standards of care
- Implementing mandatory identification for cats
- Requiring mandatory sterilization for outdoor cats
- Prohibiting cats from running at large in a public place or another person’s property

## Model Bylaws

As recommended by the Consultant, the following bylaws, were used as guides for provisions associated with responsible pet ownership:

- SPCA Model Bylaw;
- District of North Cowichan;
- City of Duncan;
- City of Victoria; and
- Township of Esquimalt.

## Consultation/Engagement Process

The following stakeholders provided feedback on the draft bylaw:

- Alison Cuffley (Government Relations Officer, SPCA)
- Leon Davis (Shelter Manager, SPCA)
- Ian Fraser (Owner – Nanaimo Animal Control Services)
- Carley Colclough (Pound and Adoption Coordinator)
- Chrystal Kleis (Executive Director, Cat Nap Society)
- Lynn Devries (Experienced Beekeeper)

## Consultation/Engagement Process

The following City staff were consulted and provided input:

- Dave LaBerge, Manager of Bylaw Services
- Cheryl Kuczarski, Senior Bylaw Enforcement Officer
- Kevin Brydges, Environmental Protection Officer
- Barbara Wardill, Manager, Revenue Services; and
- Jeremy Holm, Director of Development Approvals

## Companion Animal Limits

- The current bylaw does not have a limit on the number of pets which can result in hoarding issues
- The goal was to find an acceptable limit that allows for enforcement in hoarding situations, while not penalizing the average owner
- Several bylaws that have limits on pets were reviewed
- Average was 6 companion animals (including no more than 4 dogs over the age of 16 weeks and no more than 5 cats over the age of 12 weeks)

### Companion Animal Limits (Cont.)

- A maximum of 4 small animals (such as hamsters, gerbils, guinea pigs, and small birds) also included
- Exemptions are provided for those who are temporarily fostering dogs and cats, subject to being part of an animal rescue organization such as the SPCA.
- 7,239 Residents took out dog licences. Of those, 32 residents have more than 4 dogs.

### Removing Reference to Restricted Dogs

“Restricted Dog” means:

- (a) A Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier or an American Staffordshire Terrier; or
- (b) A dog of mixed breeding which breeding includes the blood line of the breeds referred to in (a).

A Dog is not a “Restricted Dog” if the Dog is registered with the Canadian Kennel Club, the burden or proof of which registration is on the Dog Owner or the Dog owner has successfully completed the tests required to qualify for the Canine Good Citizen (CGC) certification.

*(Bylaw 5399)*

### **Arguments for Removing BSL**

- Not enough long term data collection and analysis to confidently state that breed specific legislation works;
- Concerns for other breeds that may have tendencies to be aggressive being excluded from the bylaw; and
- Lack of public support and compliance.

### **Aggressive Dogs**

- New provisions have been included that reflects current legislation and laws associated with aggressive dogs
- Requirement for owner to hold liability insurance
- Dogs deemed aggressive must be muzzled in public
- Signage must be posted on the property
- Provisions contained to apply to have the designation removed after a period of 2 years

## Standards of Care

- Animal Cruelty provisions
- Basic Animal requirements
- Outdoor shelter requirements
- Sanitation requirements
- Tethering provisions
- Transport or keeping of animals in motor vehicles
- Exercising dogs from motor vehicles



## Cat Identification

Cat identification has been demonstrated to be important for:

- Controlling animal movement associated with disease control;
- Preventing theft and recovering strays, lost and stolen animals;
- Helping to reunite pets and owners;
- Reducing stress to individuals animals and their owners;
- Reducing daily care costs if found; and
- Reducing the number of animals euthanized due to not being claimed by owners who cannot trace them.

### **Mandatory Sterilization for Cats**

- The majority of the animals that the SPCA takes in are either strays or unwanted litters
- The workload for animal control officers and organizations such as the Cat Nap Society, as well as control, housing and euthanasia of unwanted animals are costly budget items

### **Prohibition on Cats at Large**

Risks to cats outdoors include:

- Other cats or dogs in the neighbourhood can cause injuries to a cat;
- Busy streets and traffic can cause injury or death;
- Exposure to contagious diseases and parasites;
- Extreme weather conditions;
- Poisoning;
- Pet theft;
- Animal cruelty; and
- Eaten or injured by wildlife.

Roaming cats also cause problems by digging in neighbor's gardens, marking territory by spraying, and preying on songbirds.



## Feeding Wildlife & Feral Cats

- A person must not intentionally feed or leave food out for the purposes of feeding wildlife
- A person must not intentionally feed, or leave food out for feral cats
- Provisions made for feeding of feral cats for those registered with the Cat Nap Society's Trap, Neuter, Release program

## Next Steps

- Feedback from the Governance and Priority Committee incorporated and then forwarded to the November 16, 2020 Council meeting for consideration of first 3 readings
- Bylaw referred to the Minister for approval
- Associated fee and fine schedule bylaws developed and introduced in conjunction with adoption of the bylaw
- Upon adoption, a press release and a FAQ sheet will be distributed

# QUESTIONS: