



**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**“PET ESTABLISHMENT REGULATION BYLAW, 1998, No. 7040”**

**CONSOLIDATED FOR CONVENIENCE – OCTOBER 4, 2010**

Amendment Bylaw, 2009, No. 8011	Bylaw Notice Process
Amendment Bylaw, 2010, No. 8106	Prohibited Animal sold or offered for sale

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## Bylaw No. 7040

**A bylaw to regulate the carrying on of pet establishment businesses in the City of North Vancouver for the purposes of preventing cruelty to animals and protecting the public by preventing and minimizing nuisances and misleading business practices pursuant to Sections 704 and 679 of the Municipal Act (RSBC 1996, c.323)**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the "**Pet Establishment Regulation Bylaw, 1998, No. 7040.**"

2. **INTERPRETATION**

In this bylaw,

"**animal**" means a mammal, reptile, amphibian or bird;

"**cage**" means a kennel, pen, tank, or any other container or enclosure used or intended to be used to confine animals;

"**inspector**" includes Animal Control Officers, Bylaw Enforcement Officers, Property Use Inspectors and Business License Inspectors;

"**pet**" means any animal kept by a person for purposes other than for food or other utility;

"**pet establishment**" means any place where pets are sold or kept for sale;

"**pet establishment keeper**" means any owner, operator or any other person who is in charge of a pet establishment;

"**veterinarian**" means a person licensed by the Veterinary Medical Association of British Columbia;

"**wild animal**" includes any animal, except fish, that lives in the wild, or does not customarily live and breed in captivity and includes but is not limited to those listed in Appendix "A".

3. **BUSINESS LICENSE REQUIRED**

A pet establishment keeper shall comply with, and be licensed pursuant to, the Business License Bylaw and a pet establishment shall include the following businesses:

- Licensed retail store
- Breeders of cats, dogs, birds and reptiles
- Animal refuge shelters
- Animal boarding facilities
- Private animal control companies

but shall not include municipal pounds and S.P.C.A. shelters.

4. **DUTIES OF PET ESTABLISHMENT KEEPER**

A pet establishment keeper shall:

- (a) Ensure that all persons who attend to the care of animals have the skill, knowledge, ability and supplies necessary for the humane care of such animals;
- (b) Protect all animals from unsupervised handling by members of the public;
- (c) Provide all animals with sufficient food, water, shelter, warmth, lighting, cleaning, sanitation, exercise and veterinary care (as required), grooming and any other care required to maintain the health, safety and well being of such animals.

5. **PET ESTABLISHMENTS AND CAGES**

A pet establishment, cage or other place where animals are kept shall be maintained:

- (i) (a) In good repair;
- (b) Clean, sanitary and free of soiled material, excrement and offensive odours; and
- (c) Well ventilated.

A cage shall:

- (ii) (a) Be proportionate in size to the size and species of animal and which allows room to stand to its full height, move with ease, and perform any other normal postural or behavioural movement;
- (b) Be equipped with appropriate containers for food and water;
- (c) For kittens; have floors with an impermeable surface and of solid construction which will support the animal's weight without bending; a cage holding more than one kitten shall provide an elevate position, surface or surfaces, which shall be of adequate size to hold the occupants. The cage shall have a litter pan made from nonabsorbent material, or disposable pans containing sufficient litter.

- (d) For puppies; each puppy shall be kenneled in a housing unit which shall have a floor with an impermeable surface and of solid construction which will support the puppy's weight without bending and be of such construction that it can be easily cleaned and sanitized;
- (e) In the case of birds, have either removable impermeable bottoms, or be constructed of materials which are impervious to moisture, easy to clean and disinfect and be of sufficient size to enable each long-tailed bird sufficient space for full extension of its wings in all directions, finches and canaries should have two perches available to encourage them to fly between. Perch space should be adequate so that all birds may sit comfortably while all birds are perched.

**6. SEGREGATION OF ILL OR INJURED ANIMALS**

A pet establishment shall contain an area suitable to segregate animals, which may be injured, ill, in need of special care, treatment or attention, from other animals in the pet establishment.

**7. VETERINARY CARE**

A pet establishment keeper shall:

- (a) In a conspicuous place accessible to all employees of the pet establishment, post the name and telephone number of a veterinarian who may be contacted to provide all necessary veterinary services;
- (b) Ensure the prompt examination and treatment by a veterinarian of any animal which is ill or has been injured;
- (c) Segregate any ill or injured animal from other animals in the pet establishment;
- (d) Ensure that any necessary euthanasia and disposal of an animal is performed by a veterinarian or under veterinarian supervision.

**8. RECORDS OF PURCHASE, SALE OR ACQUISITION**

A pet establishment keeper shall keep and maintain, on the pet establishment premises, a legible pet establishment register containing a record of all transactions where animals have been acquired or disposed of by the pet establishment.

- i. In the case of dogs and cats the register shall contain:
  - (a) Name of supplier/breeder or other method of acquisition;
  - (b) Date of purchase or acquisition;
  - (c) Description of sex and colouring of the animal purchased or acquired and, when applicable for purebreds, the tattoo or microchip number or other identifying markings;

- (d) At the time of sale: the name, address and telephone number of the purchaser and the name of the employee who sold the animal.
- ii. In the case of all other animals purchased or acquired:
  - (a) Name of supplier/breeder or (if other than purchased) type of acquisition;
  - (b) Date of purchase from supplier/breeder or date otherwise acquired;
  - (c) Date of sale to client;
  - (d) Client's name, address, phone number and the name of the employee who sold the animal;
  - (e) Number of animals contained in each shipment.

**9. PET ESTABLISHMENT REGISTER**

Each record in the Pet Establishment register shall:

- (a) Be retained for at least 12 months from the date of the transaction;
- (b) In the case of acquisition of an animal, other than by purchase, contain the name and address of the supplier or person from whom the animal was obtained;
- (c) In the case of disposition, other than sale, of an animal, contain the name and address of the person who obtained custody of the animal from the pet establishment.

**10. INSPECTION OF REGISTER**

Upon the request of an inspector a pet establishment keeper shall produce the pet establishment register for inspection and shall provide copies of any entries which the inspector may require.

**11. INFORMATION PROVIDED TO PURCHASERS**

- i. A pet establishment keeper shall, at the time a cat or dog is sold, provide the purchaser with a written description of the animal and the document shall include:
  - (a) The date of the sale;
  - (b) The name and address of the pet establishment and of the purchaser;
  - (c) A description of the animal including its sex, age, colour and markings;

- (d) A description of a tattoo, breed or cross breed, a record of all vaccinations and a certificate verifying the animal's health which shall be dated and signed by a veterinarian.
  - (e) A certificate, signed by a veterinarian, which indicates proof of inoculation and de-worming.
- ii. For all other animals sold a pet establishment keeper shall provide the purchaser with a written or printed description of the animal and the document shall contain:
- (a) The date and time of sale;
  - (b) The name and address of the pet establishment and of the purchaser.

## 12. PUBLIC NOTICES TO BE POSTED

A pet establishment keeper shall, in a conspicuous place within the pet shop, display for public viewing, a notice containing a written description of each animal, its country of origin and the name of the breeder or supplier of each animal kept in the pet establishment.

## 13. PROHIBITIONS

No pet establishment keeper shall allow:

- (a) Incompatible species of animals to be confined in the same cage;
- (b) Any animal to be separated or delivered prior to it being weaned, except for those birds separated for the purpose of hand feeding;
- (c) Any animal to be sold or offered for sale if its colour has been altered or enhanced with dye, whether applied externally or by ingestion;
- (d) Any wild animal to be sold, offered for sale, or displayed to the public;
- (e) An animal to be sold or offered for sale which suffers from or exhibits signs of
  - (i) An infectious disease,
  - (ii) A nutritional deficiency,
  - (iii) Parasitism, fractures or congenital deformities.
- (f) Any rabbit to be sold or offered for sale.

## 14. ENFORCEMENT

An inspector may enter a pet establishment at all reasonable times to ascertain whether the requirements of this Bylaw are being met.

No person shall prevent, obstruct, or impede an inspector from entering a pet establishment or from enforcing any provision of this Bylaw.

15. **OFFENCES, PENALTIES AND ENFORCEMENT**

Every person who violates a provision of this Bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw or any other applicable Bylaw of the City, and is guilty of a separate offence each day that a violation continues to exist.

Any person who contravenes any of the provisions of the Bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than six months or to both. Each day that an offence continues shall constitute a separate offence.

Pursuant to Section 264 of the Community Charter, S.B.C. 2003 Chapter 26, any person designated as a Bylaw Enforcement Officer pursuant to the Bylaw Notice Enforcement Bylaw, 2005, No. 7675 or is named as the enforcement officer pursuant to the Ticket Information Utilization Bylaw, 1992, No. 6300 is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice or Municipal Ticket Information or as otherwise provided by this or any other Bylaw.

The provisions of this Bylaw are severable. If for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction; such a decision shall not affect the validity of the remaining provisions of this Bylaw.

Read a first time by the Council on the 20<sup>th</sup> day of July, 1998.

Read a second time by the Council on the 21<sup>st</sup> day of December, 1998.

Read a third time and passed by the Council on the 21<sup>st</sup> day of December, 1998.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 11<sup>th</sup> day of January, 1999.

“John E. Loucks”

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MAYOR

“Bruce Hawkshaw”

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CITY CLERK

## Schedule A to Bylaw No. 7040

### WILD ANIMAL INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

- All artiodactylous ungulates, except domestic goats, sheep, pigs and cattle.
- All canidae, except the domestic dog.
- All crocodylians (such as alligators and crocodiles).
- All edentates (such as anteaters, sloths and armadillos).
- All elephantidae (elephants).
- All erinacidae (except the African pigmy hedgehog).
- All felidae, except the domestic cat.
- All hyaenidae (hyenas).
- All marsupials (such as kangaroos and opossums) except Sugar Gliders.
- All mustelidae (such as skunks, otters and weasels) except the domestic ferret.
- All non-human primates (such as gorillas and monkeys).
- All pinnipeds (such as seals, fur seals and walruses).
- All perissodactylous ungulates, except the domestic horse and ass.
- All procyonidae (such as raccoons, coatis and cacomistles).
- All pteropodidae (bats).
- All raptors, diurnal and nocturnal (such as eagles, hawks and owls).
- All ratites (such as ostriches, rheas and cassowaries).
- All ursidae (bears).
- All venomous reptiles.
- All viverridae (such as mongooses, civets and genets).

*Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.*