



## Corporate Services Committee Meeting Agenda

Monday, September 12, 2022, 9:30 a.m.  
Council Chamber

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Pages

### Public Meeting

#### **Additional Agenda Items**

(As may be presented at the meeting)

#### **Declarations of Pecuniary Interest**

(As may be presented by Committee Members)

#### **Presentations**

None

#### **Delegations**

None

#### **Correspondence Requiring Action**

None

#### **Referrals from Council and Committees**

None

#### **Reports from Advisory Committees**

##### **CORP-22-55 - Fifth Report of the Oshawa Accessibility Advisory Committee (All Wards)**

The Oshawa Accessibility Advisory Committee respectfully reports and recommends to the Corporate Services Committee its Fifth Report.

1. Accessibility Awards - Checklist and Inspections (OAAC-22-41)

##### **Recommendation**

That a checklist be established and a physical inspection be undertaken prior to a

nomination for an accessibility award.

**CORP-22-56 - Sixth Report of the Oshawa Accessibility Advisory Committee (All Wards)**

The Oshawa Accessibility Advisory Committee respectfully reports and recommends to the Corporate Services Committee its Sixth Report.

1. Power Assisted Door Operators (OAAC-22-39)

Recommendation

That the Oshawa Accessibility Design Standards include 'wave' type door openers as an additional option for power-assisted doors.

**Reports Requiring Action**

None

**Public Consent Agenda**

**Correspondence**

None

**Staff Reports/Motions**

**CORP-22-52 - Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa (All Wards)**

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Recommendation

That the Corporate Services Committee recommend to City Council:

That Report CORP-22-52, dated September 7, 2022 concerning Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa be received for information.

**CORP-22-53 - Regulating the Keeping of Animals: Permitted and Prohibited Animals Lists (All Wards)**

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Recommendation

That the Corporate Services Committee recommend to City Council:

1. That pursuant to Report CORP-22-53, dated September 7, 2022 concerning regulating the keeping of animals and permitted/prohibited animal lists, the Provincial Government be requested to amend the Provincial Animal Welfare Services Act, 2019 to include regulations for the keeping of exotic animals; and,
2. That staff be directed to continue to enforce existing standards for the keeping of animals through Schedule "A" Prohibited Animals List to the Responsible Pet Owners By-law 14-2010, as amended.

**CORP-22-54 - Corporate Services Committee Outstanding Items List Status Report - Third Quarter 2022 (All Wards)**

107

Recommendation

That the Corporate Services Committee recommend to City Council:

That Report CORP-22-54, dated September 7, 2022 being the Corporate Services Committee's Outstanding Items Status Report for the third quarter of 2022 be received for information.

**Public Discussion Agenda**

**Matters Excluded from Consent Agenda**

**Items Introduced by Members**

**Closed Consent Agenda**

**Closed Correspondence**

None

**Closed Staff Reports/Motions**

None

**Closed Discussion Agenda**

**Matters Excluded from Consent Agenda**

**Items Requiring Action**

None

**Adjournment**



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To: Corporate Services Committee

From: Tracy Adams, Commissioner,  
Corporate Services Department

Report Number: CORP-22-52

Date of Report: September 7, 2022

Date of Meeting: September 12, 2022

Subject: Proposed Animal Welfare Standards for Pet Stores in the City  
of Oshawa

Ward: All Wards

File: D-2200

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## 1.0 Purpose

The purpose of this report is to respond to the direction of City Council to item CORP-21-39, to provide a report on the following recommendation of the Oshawa Animal Care Advisory Committee (O.A.C.A.C.) concerning amendments to the Responsible Pet Owners By-law regarding pet stores:

“That current by-laws and/or regulations be amended to incorporate the recommendations listed in Appendix II of Report OACAC-21-31 concerning pet stores that sell animals in Oshawa.”

**Attachment 1** is CORP-21-39 “Fifth Report of the Oshawa Animal Care Advisory Committee – Proposed Amendments to the Responsible Pet Owners By-law concerning Pet Stores.”

**Attachment 2** is an excerpt from New Tecumseth’s Business Licensing By-law No. 2008-119 related to pet store standards.

## 2.0 Recommendation

That the Corporate Services Committee recommend to City Council:

That CORP-22-52, dated September 7, 2022, “Proposed Animal Welfare Standards for Pet Stores in the City of Oshawa” be received for information.

## 3.0 Executive Summary

Not Applicable

## 4.0 Input From Other Sources

The following City branch was consulted as part of this review: Legal Services

Additionally, staff reviewed Pet Shop By-laws and Business Licensing By-laws from:

- Brampton, Cambridge, Kingston, Kitchener, London, Markham, Montreal, Newmarket, New Tecumseth, Oakville, Orangeville, Ottawa, Richmond Hill, Toronto, Vaughan, Waterloo, and Windsor.

## 5.0 Analysis

### 5.1 Background

The Responsible Pet Owners By-law 14-2010, as amended (R.P.O. By-law) broadly regulates the care, control, and the keeping of all animals in the City of Oshawa. In 2017 Council approved [CORP-17-88](#) which amended the R.P.O. By-law to create a licensing system for pet stores that adopt and/or sell dogs and cats. The intent of this licensing system was to more efficiently administer the newly established ban on the sale of cats and dogs, with the exception of those sourced from adoption. The licence required such pet stores to keep records confirming the source of their cats and dogs. In addition to regulating the keeping of animals and the licensing of pet stores, the by-law also established broad standards with respect to the control and well-being of animals (in many areas, including pet stores). This includes requirements for food and water, humane treatment, access to veterinary care, and more. The R.P.O. By-law is enforced by the City's Municipal Law Enforcement Officers.

Additionally, Ontario's Provincial Animal Welfare Services Act, 2019, S.O. 2019 c. 13 (P.A.W.S. Act) and associated regulation O. Reg. 444/19: Standards of Care and Administrative Requirements establishes broad requirements for animal welfare and standards of care including access to adequate food, water, light, sanitary conditions and exercise, veterinary care, and more. The P.A.W.S. Act is enforced by provincial animal welfare inspectors, and or local police.

In June 2021, the Corporate Services Committee considered CORP-21-39 "Fifth Report of the Oshawa Animal Care Advisory Committee – Proposed Amendments to the Responsible Pet Owners By-law concerning Pet Stores" (**Attachment 1**). The O.A.C.A.C. developed a proposed list of amendments to promote animal health and safety, and improve consumer protection by mitigating the sale of sick animals. Following Council's consideration of that report, staff were directed to consider amending the R.P.O. By-law with enhanced animal welfare standards specific to animals in pet stores, based on municipal benchmarking conducted by the O.A.C.A.C. This report addresses that direction.

### 5.2 O.A.C.A.C. Proposed Standards

The O.A.C.A.C. proposed animal welfare standards to the R.P.O. By-law (**Attachment 1**) addresses:

- Animal Health and Safety – to ensure that animals are provided clean sanitary environments and proper veterinary care where required.
- Public Health and Consumer Protection – that sick animals are not being sold to people or spreading diseases into the community.

The O.A.C.A.C. provided pet shop by-laws, business licensing by-laws, staff reports and other relevant documents from eighteen (18) municipalities concerning pet store animal sales, licensing systems, and welfare standards. Amongst these municipalities, the following eight (8) had animal welfare standards specific to pet stores:

- Brampton, Markham, Newmarket, New Tecumseth, Oakville, Orangeville, Waterloo, and Windsor.

Some common elements amongst the eight (8) by-laws include:

- Animals are kept in sanitary, adequately sized cages or containers
- Animals shall be provided with fresh water and fed periodically with the particular food requirements of that species
- Animals shall be provided with reasonable exercise

The proposed pet stores standards from the O.A.C.A.C. were modelled after New Tecumseth's Business Licensing By-law No. 2008-119 (**Attachment 2**).

### **5.2.1 R.P.O. By-law Standards**

Oshawa's R.P.O. By-law has broad standards that address animal welfare, health, and safety, including but not limited to:

- The animal is provided with shelter, food and water that is appropriate to the animal's species
- The animal is treated humanely
- The animal is forthwith examined and treated by a veterinarian when the animal's health reasonably requires it
- The animal is not kept in conditions that could pose a risk to the animal's health or safety

The existing broad animal welfare standards in the R.P.O. By-law allow staff to address a wide range of situations that may not be explicitly defined in the by-law, where more prescriptive standards may restrict the City's ability to effectively enforce the by-law and respond effectively to such issues.

### **5.2.2 P.A.W.S. Act Standards**

Many of the standards proposed by the O.A.C.A.C. for inclusion in the R.P.O. By-law exist in O. Reg. 444/19 of the P.A.W.S. Act, including:

- Every animal must be provided with an adequate and appropriate resting and sleeping area, and be sanitary with the appropriate light and ventilation
- Every animal must be provided with adequate and appropriate food and water
- Every animal must be provided with adequate and appropriate space to enable the animal to move naturally and to exercise

### **5.3 Analysis**

After reviewing the by-laws and other resources provided by the O.A.C.A.C., staff recommends maintaining the existing standards in the R.P.O. By-law for three (3) main reasons:

- Broad standards are less restrictive in addressing animal welfare issues and more effective for enforcement.
- The proposed standards would be a duplication of what already exists in the R.P.O. By-law and the P.A.W.S. Act.
- The City has received one (1) complaint regarding animal welfare in pet stores, which did not lead to a violation.

#### **5.3.1 More Restrictive Standards**

The standards in the R.P.O. By-law and the P.A.W.S. Act are broad in scope in the sense that they apply to a wide range of animals. Animal welfare standards that are more specific (e.g. unique and more prescriptive animal welfare standards for pet stores) may result in a more restrictive interpretation of those standards, limiting the City's ability to enforce the by-law.

There is a need to achieve a balance between having broad standards which are sufficient in allowing the City to address animal welfare issues, and establishing prescriptive standards that inform the public on providing a basic level of care for animals. The current R.P.O. By-law achieves that balance, and is robust enough to address all animal concerns, within and outside of pet stores. The adoption of more specific standards may diminish the City's ability to respond to such issues.

#### **5.3.2 Duplication of Standards**

The standards being proposed by the O.A.C.A.C. already exist in both the R.P.O. By-law and the P.A.W.S. Act. Specifically, standards around the keeping of animals (e.g. adequate shelter, light, ventilation, etc.), the feeding of animals (e.g. access to the appropriate food and water for their species), and access to veterinarian care. Adopting the proposed amendments by the O.A.C.A.C. would be duplicating standards that already exist in two (2) pieces of legislation.

## **6.0 Financial Implications**

There are no financial implications directly related to this report.

## 7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report responds to the Oshawa Strategic Plan Goals of Accountable Leadership.



Phil Lyon, Director,  
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,  
Corporate Services Department

**Oshawa Animal Care Advisory Committee: Bylaw and Regulatory Working Group**

**Update on proposed “Positive Pet List” update to bylaws:**

After last month’s presentations by Rob Laidlaw of Zoo Check Canada, Michele Hamers of World Animal Protection and our own Martin Field about this topic – Councillor Nicholson requested that similar presentations be made directly to the Council Committee. Therefore work on this issue by our working group is suspended pending the outcome of those presentations and the subsequent Committee discussion.

**New Item: Pet Store Regulations**

Further to our previous work with respect to improving the regulation of pet store’s animal sales, and based on our discussion during last month’s meeting, we have spent some time examining how other regions regulate pet stores. Please see attached as Appendix I an analysis of some of the different regions bylaws / regulations with respect to pet store animal sales, provided by Martin. Based on our analysis we have drafted a proposed set of improvements to either the RPO bylaw or the business licensing regulations concerning pet stores - attached as Appendix II. These were largely modelled after a similar update to bylaws done by New Tecumseth.

**Motion**

Motion to recommend to the Corporate Services and Community Services Committees that they amend current bylaws and/or regulations to incorporate the recommendations listed in Appendix II with respect to pet stores who sell animals in Oshawa.

## Pet Shop Municipal By-laws, Business Licensing, Staff Reports & Related Documents

**Animal Health and Safety** – to ensure that animals are provided clean sanitary environments and proper veterinary care where required.  
**Public Health & Consumer protection** – that sick animals are not being sold to people or spreading diseases into the community.

### **City of Brampton**

By-law 270-2016

To amend Schedule 20 to Business Licensing By-law 332-2013 regarding Licensing of Pet Shops

Section 4 (r). Page 3

<https://www.brampton.ca/EN/City-Hall/Bylaws/2016/270-2016.pdf>

Business Licensing By-law 332-2013

Schedule 20. Section 4 (r) Pages 72-74

<https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/Business%20Licensing.pdf>

### **City of Cambridge**

Council Meeting No.14-16 Tuesday, May 17, 2016

Reports Referred to Council: Item 19. (Page 14).

Regulating the Sale of Cats and Dogs in Pet Stores.

<file:///C:/Users/marfi/Downloads/3568CBCA4AC300DCE053AC191DF04AF1.pdf>

### **City of Kingston**

By-Law Number 2006-213 A By-Law To License, Regulate and Govern Certain Businesses

Schedule P2–Pet Stores: Provisions - Reason for Licensing/Conditions & Special Conditions (1);(2);(3)

<https://www.cityofkingston.ca/documents/10180/16904/Business+Bylaw.pdf/389bb24b-2ef1-4036-afa6-62fa013873d5?t=1549054762000>

Staff Report No: ARCP-13-013. Report from Cynthia Beach, Commissioner, Sustainability & Growth.

[https://www.cityofkingston.ca/documents/10180/1343237/ARC\\_A0613-13013.pdf/bb071e7d-9805-42d4-9def-208820cb36e5?t=1609863792333](https://www.cityofkingston.ca/documents/10180/1343237/ARC_A0613-13013.pdf/bb071e7d-9805-42d4-9def-208820cb36e5?t=1609863792333)

### **City of Kitchener**

Licensing & Regulation of Businesses. Schedule 19.2 – Pet Shop.

Every Pet shop Licensee, when acquiring an animal for the purpose of offering the animal for sale, shall obtain the animal only from the following sources:

a) municipal animal shelter; b) registered humane society; c) registered shelter; or d) rescue group.

### **City of London**

Business Licensing By-law L-131-16: Schedule 14 - Pet Shop  
131-16

<https://london.ca/by-laws/business-licensing-law-l-131-16>

### **City of Markham**

Business Licensing By-law 2018-19

Licensing and Regulation of Stationary Businesses: Schedule 25 (Page 86)

[https://www.markham.ca/wps/wcm/connect/markham/53681425-7479-4975-99eb-d7f33fca4d8c/2018-90+-+Consoildated.pdf?MOD=AJPERES&CONVERT\\_TO=url&CACHEID=ROOTWORKSPACE.Z18\\_2QD4H901OGV160QC8BLCRJ1001-53681425-7479-4975-99eb-d7f33fca4d8c-npTHg0V](https://www.markham.ca/wps/wcm/connect/markham/53681425-7479-4975-99eb-d7f33fca4d8c/2018-90+-+Consoildated.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_2QD4H901OGV160QC8BLCRJ1001-53681425-7479-4975-99eb-d7f33fca4d8c-npTHg0V)

### **City of Montreal**

<https://www.cbc.ca/news/canada/montreal/pet-stores-animal-shelters-breeders-1.4709009>

### **Town of Newmarket**

Pet Shop Sourcing Media Article

<https://www.toronto.com/news-story/10057673-pet-stores-pet-owners-face-tighter-rules-in-newmarket/>

Compliance Agreement

<https://www.newmarket.ca/LivingHere/Documents/Business%20Licenses/Form%20-%20Pet%20Shop%20-%20Licensing%20Sourcing%20Agreement.pdf>

Animal Control and Pet Store Licensing Staff Report to Council

Report Number: 2020-40 : Pages 5 & 7-9.

<https://pub-newmarket.escrimemeetings.com/filestream.ashx?DocumentId=21279>

### **Town of New Tecumseth**

Additional Memorandum Document, including Business Licensing By-law, 2008-119, as amended.

[https://newtecumseth.civicweb.net/document/104989/ ADMIN-2021-09%20-%20Additional%20Information%20Memorandum.pdf?handle=FDDADA4933674A2FBEF5D4E14D55DEFE&fbclid=IwAR0te\\_3zX7qkb4tHBYgvt96hCsz1PqtyxC4YhM3VUx4EIHnriAw0oJLUv0](https://newtecumseth.civicweb.net/document/104989/ ADMIN-2021-09%20-%20Additional%20Information%20Memorandum.pdf?handle=FDDADA4933674A2FBEF5D4E14D55DEFE&fbclid=IwAR0te_3zX7qkb4tHBYgvt96hCsz1PqtyxC4YhM3VUx4EIHnriAw0oJLUv0)

### **Town of Oakville**

BY-LAW NUMBER 2015-075 A by-law to provide for the licensing and regulation of various businesses in the Town of Oakville.

Schedule 26. 2(9). Pages 94 & 95

<https://www.oakville.ca/assets/general%20-%20business/By-law%202015-075%20Licensing%20By-law%20-%20Consolidated.pdf>

### **Town of Orangeville**

Pet Shop By-law 2021-10

<file:///C:/Users/marfi/OneDrive/Documents/Pet%20Shop%20Orangeville%20By-law%202021-010.pdf>

Highlights - November 9, 2020: Pet Shop By-law 95-2005 Amended.



<https://www.orangeville.ca/en/news/council-highlights-november-9-2020.aspx>

By-law to amend By-law 95-2005 being a By-law to license and regulate pet shops in the Town

<https://www.orangeville.ca/Modules/Bylaws/Bylaw/Details/d16ef45d-b7d5-481a-b2da-714f29715cf8>

**City of Oshawa**

Public Report CORP-16-57. Page 5: Assessment & Page 7: Conclusion

[http://app.oshawa.ca/agendas/corporate\\_services/2016/06-20/REPORT\\_CORP-16-57.pdf](http://app.oshawa.ca/agendas/corporate_services/2016/06-20/REPORT_CORP-16-57.pdf)

Staff Report CORP-17-88. December 4, 2017

[http://app.oshawa.ca/agendas/Corporate\\_Services/2017/12-04/REPORT\\_CORP-17-88.pdf](http://app.oshawa.ca/agendas/Corporate_Services/2017/12-04/REPORT_CORP-17-88.pdf)

Pet Shop License & Sourcing Restriction

<https://www.oshawa.ca/business-and-investment/pet-store-licences.asp>

**City of Ottawa**

Ottawa Business Journal

<https://www.obj.ca/article/ottawa-council-approves-pet-shop-ban-commercially-bred-dogs-cats>

**City of Richmond Hill**

By-Law 6-17 A By-law to amend Chapter 826 of the Town of Richmond Hill Municipal Code, being By-Law 189-05, as amended, relating to business licensing (Pet Shops).

Article 5: Pet Stores

<https://www.richmondhill.ca/en/shared-content/resources/documents/Community-Standards-By-laws/826---Pet-Shops-6-17.pdf>

**City of Toronto**

BY-LAW No. 182-2013 To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting pet shops.

<https://www.toronto.ca/legdocs/bylaws/2013/law0182.pdf>

**City of Vaughan**

ANIMAL CONTROL (Consolidated Version – Enacted as By-law 066-2020)

Provision 20.0 (Pet Shops) Page 14.

[https://www.vaughan.ca/cityhall/by\\_laws/Bylaws/066-2020%20\(Consolidated\).pdf](https://www.vaughan.ca/cityhall/by_laws/Bylaws/066-2020%20(Consolidated).pdf)

**City of Waterloo**

By-law 2014-085 Business Licensing & Regulation: Schedule 29 - Pet Shop (Page 63)

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**City of Windsor**

By-law No. 395-2004 LICENSING AND REGULATION OF VARIOUS BUSINESSES

Schedule P1 – Pet Shops Provisions 5.1 (Pages 96-99)

<https://www.citywindsor.ca/cityhall/By-laws-Online/Documents/395-2004-Business-Licensing-Bylaw.pdf>

### **Bylaw / Regulatory updates: Pet Stores**

The following additional regulations shall be added to the requirements of all registered Pet Store licensees:

- to promote animal health and safety by ensuring that animals are provided clean sanitary environments and proper veterinary care as required; and
- to safeguard public health & provide improved consumer protection by mitigating the sale of sick animals and the spread of diseases into the community.

#### **Every Person who owns or operates a Pet Store shall comply with the following requirements:**

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 shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of animal housed therein.
3. Every cage or other container used for the keeping or housing of any animal shall:
  - (a) be of adequate size to permit any such animal 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 containers, 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 situated 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. Fresh water shall be provided daily to every animal in sufficient quantity to maintain at all times a potable supply available to such animal.
5. Animals shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal kept within the Pet Store.
7. All enclosed dogs or cats shall be provided with reasonable exercise.
8. Pet Store's shall:
  - (a) permit only persons to attend to the care, feeding and cleaning of animals in the pet shop or kennel, who have been adequately trained, commensurate with their responsibilities, by the pet shop or kennel owner, and who demonstrate that they are able to discharge their responsibilities in a positive, caring manner;
  - (b) ensure that appropriate staff are onsite during business hours and are responsible for the care and safe keeping of animals;
  - (c) keep posted in a conspicuous place for employees, instructions for the cleaning, care and feeding of animals;
  - (d) not display any animal in an exterior display window;
  - (e) 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;
  - (f) not permit to be sold, offer for sale, or give away any prohibited animal, as identified in the City's Prohibited Animal By-law;

- (g) not keep or sell any sick, injured, or diseased animals unless under the direction of a veterinarian;
  - (h) provide every adopter with a health assessment from a licensed Veterinarian to verify the animal has received up to date veterinary care;
  - (i) give the adopter on any adoption all available information pertaining to the disposition of any dog or cat, a receipt showing the name and address of the animal organization and the adopter, the date of adoption, the adoption price, the breed or crossbreed, sex, age, and description;
  - (j) maintain a registry of each dog or cat brought in for adoption or otherwise obtained. Each entry shall be made at the time each dog or cat or comes into the possession of any Owner, employee, or Person associated with the Pet Store and shall include:
    - (i) the date of adoption;
    - (ii) a full description of the dog, cat or rabbit;
    - (iii) the name, address, and contact information of the Person or organization from whom the dog, cat or rabbit was obtained; and
  - (iv) retain the register in respect of each transaction for the period of thirty-six (36) months thereafter and be made available to City Licensing Officer or Municipal Law Enforcement Officers upon request.
9. Where a City Licensing Officer or Municipal Law Enforcement Officer determines that an animal appears to require medical attention, they may require the licensee or the animal organization that owns the animal to take the animal to a qualified Veterinarian forthwith.

The Corporation of the  
Town of New Tecumseth

By-law

Number 2021-046

"Business Licensing and Regulation By-law -Amendment No. 7 By-law"

A by-law to amend By-law No. 2008-119 being the Business and Regulation  
By-law for the Town of New Tecumseth

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**Whereas** the Council of The Corporation of the Town of New Tecumseth enacted Business and Regulation By-law 2008-119 on the 14<sup>th</sup> day of July, 2008 to licence and regulate various businesses;

**And Whereas** the Council of The Corporation of the Town of **New** Tecumseth deems it necessary to amend Business Licensing and Regulation By-law 2008-119 to include licensing and regulating provisions for Pet Stores;

**Now Therefore** the Council of The Corporation of the Town of New Tecumseth does hereby enact as follows:

1. That Business Licensing and Regulation By-law 2008-119, as amended, be amended as follows:
  - a) That Schedule **A-4** attached hereto be inserted after Schedule A-3.
  - b) That Schedule #1 be amended to include the following after Tow Truck Fees:

Fees:	Pet Stores	\$150.00
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  - c) That Schedule #2 be amended to include the following after Tow Truck Licensing:

Pet Store Licensing - January 1 to December 31
2. That the following section shall come into force and effect on September 30, 2021:

Section 6

  - a) only permit a cat, dog and/or rabbit within the Pet Store for the purpose of adoption, where facilitated through adoption and where the cat, dog and/or rabbit has been obtained from one (1) of the following sources:
    - Municipal Animal Shelters;
    - Humane Societies or OSPCA'S
    - a Reputable Animal Rescue Group
3. That this by-law shall be cited as the "Business Licensing and Regulation By-law -Amendment No. 7 By-law".

4. That this by-law shall come into force and take effect on the date of final passing thereof.

Read a first, second and third time and finally passed this 12<sup>th</sup> day of April, 2021.



Mayor



Clerk

**Schedule A-4  
To  
By-law 2008-119**

**Pet Stores**

Animal Health and Safety - to ensure that animals are provided clean sanitary environments and proper veterinary care where required. Public Health & Consumer protection - that sick animals are not being sold to people or spreading diseases into the community.

**1. DEFINITIONS**

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

**"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;

**"Manager"** means the Town of New Tecumseth Supervisory, Municipal Law Enforcement Services or their designate;

**"Municipal Law 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;

**"Municipality" or "Town"** means The Corporation of the Town of New Tecumseth;

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

**"Prohibited Animal"** means an Animals identified as a "Prohibited Animals" as listed in the Town's Wildlife and Prohibited Animals By-law Schedule 'A', as amended;

**"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 the primary purpose of 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;

**Reputable Animal Rescue Groups** non-profit organizations that provide the provenance of animals, essential vet care including vaccinations, rabies and spay or neuter and complete medical records to the adopter.

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

## 2 LICENCES

### 2.1 Licence Requirements for Pet Store Owners

No person shall own or operate a Pet Store that offers or keeps for retail sale, adoption or rental to the public an Animal without a Licence to do so issued by the Town of New Tecumseth.

### 2.2 Specific Regulations

**Every Person who owns or operates a Pet Store shall comply with the following requirements:**

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 shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of Animal housed therein.
3. Every cage or other container used for the keeping or housing of any Animal shall:
  - (a) be of adequate size to permit any such Animal 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 containers, 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 situated 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. Fresh water shall be provided daily to every Animal in sufficient quantity to maintain at all times a potable supply available to such Animal.
5. Animals shall be fed periodically each day in accordance with the particular food requirements of each type or species of Animal kept within the Pet Store.
6. Every Applicant licensed or required to be licensed with the Town under this By-law shall:

- a. only permit a cat, dog and/or rabbit within the Pet Store for the purpose of adoption, where facilitated through adoption and where the cat, dog and/or rabbit has been obtained from one (1) of the following sources:
    - (i) Municipal Animal Shelters;
    - (ii) Humane Societies or OSPCA'S
    - (iii) a Reputable Animal Rescue Group;
  - b. provide to every adopter of a cat, dog and/or rabbit or a health assessment from a licensed Veterinarian to verify the Animal has received up to date veterinary care;
  - c. provide all enclosed cats, dogs and/or rabbits reasonable exercise;
  - d. not keep or sell any sick, injured, or diseased Animals unless under the direction of a veterinarian;
  - 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 adopter on any adoption all available information pertaining to the disposition of any cat, dog and/or rabbit a receipt showing the name and address of the animal organization and the adopter, the date of adoption, the adoption price, the breed or crossbreed, sex, age, and description.
7. Every Pet Store shall maintain a registry of each cat, dog and/or rabbit brought in for adoption or otherwise obtained. Each entry shall be made at the time each cat, dog and/or rabbit or comes into the possession of any Owner, employee, or Person associated with the Pet Store and shall include:
- a. the date of adoption;
  - b. a full description of the cat, dog and/or rabbit
  - c. the name, address, and contact information of the Person or organization from whom the cat, dog and or rabbit was obtained; and
- the Pet Store shall retain the register in respect of each transaction for the period of twelve (12) months there-after and be made available to the Manager upon request.
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 Wildlife & Prohibited Animal By-law shall not be placed 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 Nottawasaga OPP Police Services.

11. Where the Licensing Officer or Municipal Law Enforcement Officer determines that an Animal appears to require medical attention, they may require the licensee or the animal organization that owns the Animal to take the Animal to a qualified Veterinarian forthwith.

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To: Corporate Services Committee

From: Tracy Adams, Commissioner,  
Corporate Services Department

Report Number: CORP-22-53

Date of Report: September 7, 2022

Date of Meeting: September 12, 2022

Subject: Regulating the Keeping of Animals: Permitted and Prohibited  
Animals Lists

Ward: All Wards

File: D-2200

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## 1.0 Purpose

The purpose of this report is to address Direction 3 in CORP-22-12:

“That the Prohibited Animals List as detailed in Schedule A to Responsible Pet Owners By-law 14-2010 be referred back to staff to prepare an option on a permissive list and enforcement process for the consideration of the Corporate Services Committee and Council.”

**Attachment 1** is a scholarly article from Schuppli and Fraser “A Framework for Assessing the Suitability of Different Species as Companion Animals.”

**Attachment 2** is a presentation from World Animal Protection and Zoocheck Inc. delivered at the March 7, 2022 Corporate Services Committee Meeting.

**Attachment 3** is a presentation from the Pet Industry Joint Advisory Committee delivered at the March 7, 2022 Corporate Services Committee Meeting.

**Attachment 4** is correspondence from CanHerp, Speciality Pet Families of Oshawa, Pet Reptile Retail Specialists of Canada.

**Attachment 5** is a side-by-side comparison of Oshawa’s Schedule “A” Prohibited Animals List from the Responsible Pet Owners By-law 14-2020 and Newmarket’s Schedule ‘A’ Permitted Animals List from The Animal Control By-law 2020-30.

**Attachment 6** is Newmarket’s Schedule ‘A’ Permitted Animals List from The Animal Control By-law 2020-30.

**Attachment 7** is Aurora's Permitted Animals List from The Animal Services By-law 6197-19.

**Attachment 8** is Kitchener's Permitted, Restricted, and Prohibited Animals Lists from The Animals Regulation By-law.

**Attachment 9** is an example of a Permitted Animals List provided by World Animal Protection and Zoocheck Inc.

## **2.0 Recommendation**

That the Corporate Services Committee recommend to City Council:

1. That pursuant to Report CORP-22-53, dated September 7, 2022, "Regulating the Keeping of Animals: Permitted and Prohibited Animals Lists", the Provincial Government be requested to amend the Provincial Animal Welfare Services Act, 2019 to include regulations for the keeping of exotic animals; and,
2. That staff be directed to continue to enforce existing standards for the keeping of animals through Schedule "A" Prohibited Animals List to the Responsible Pet Owners By-law 14-2010, as amended, as detailed in Report CORP-22-53, dated September 7, 2022, "Regulating the Keeping of Animals: Permitted and Prohibited Animals Lists".

## **3.0 Executive Summary**

Not applicable.

## **4.0 Input From Other Sources**

### **4.1 City Branches**

The following City branches were consulted as part of this review:

- Animal Services
- Legal Services

### **4.2 Animal By-laws from Other Municipalities**

Staff reviewed the Animal Services By-laws and related by-laws from the following municipalities as part of this review:

- Aurora, Kitchener, and Newmarket

### **4.3 Other Documents**

Staff reviewed the following documents and articles as part of this review:

- Assigning Degrees of Ease or Difficulty for Pet Animal Maintenance: The EMODE System Concept
- Exotic Pet Trading and Keeping: Proposing a Model Government Consultation and Advisory Protocol
- Positive List Q & A: For the Regulation of Domesticated and Non-Domesticated Animals
- Regulating Pets Using an Objective Positive List Approach
- Regulating the Keeping and Use of Exotic Animals
- Turning Negatives into Positives for Pet Trading and Keeping: A Review of Positive Lists Analysis

## 5.0 Analysis

### 5.1 Background

#### 5.1.1 Prohibited Animals List

The Responsible Pet Owners By-law 14-2010, as amended (R.P.O. By-law) broadly regulates the care and control of all animals in the City of Oshawa. Amongst these regulations, Schedule “A” of the R.P.O. By-law (“Prohibited Animals List”) regulates the keeping of animals which are deemed to be unsuitable pets through the Prohibited Animals List, which lists animals that are not permitted to be kept.

In September 2012, Council approved an independent review of the Prohibited Animals List by animal experts to ensure the list was suitable and that the scientific classification of animals was accurate. The independent review assessed the suitability of animals listed in the Prohibited Animals List using a robust and unbiased criteria as outlined in ‘A Framework for Assessing the Suitability of Different Species as Companion Animals’ (see **Attachment 1**) which considered the following:

- Welfare of the animal
- Welfare of others (humans)
- Risks to the environment

Staff performed an extensive literature review and reviewed the R.P.O. By-law with experts to ensure the Prohibited Animal List was modern, effective, and addressed public health as well as animal welfare concerns. In December 2012, staff presented the findings in [CORP-12-263](#) “Expert Review of Proposed Amendments to Schedule “A” of the Responsible Pet Owners By-law 14-2010” which amended Schedule “A” to permit certain non-venomous snakes and lizards, sugar gliders, and tarantulas as pets. Following these enhancements, the Prohibited Animals List has been a clear and concise tool in regulating the keeping of prohibited animals in an effective and consistent manner.

In May 2021, the Oshawa Animal Care Advisory Committee (O.A.C.A.C.) submitted OACAC-21-25 to the Corporate Services Committee recommending “That the Prohibitive List (Schedule ‘A’) in the Responsible Pet Owner By-law 14-2010 be amended to that of a ‘Permitted List.’” The O.A.C.A.C.’s reasoning was that a permitted list would simplify the list making it easier for staff to maintain and enforce, and easier for residents to interpret.

At its June 21, 2021 meeting, City Council directed (CORP-21-31) this item to staff for a report back. At the March 7, 2022 Corporate Services Committee Report [CORP-22-12](#) was considered, which provided an analysis on the benefits and detractors of permitted and prohibited animals lists. Following Council's consideration of this report, staff were directed to prepare an option on a permissive list and enforcement process for the consideration of the Corporate Services Committee and Council.

### **5.1.2 March 2022 Corporate Services Committee Meeting**

At the March 7, 2022 Corporate Services Committee meeting CORP-22-12 was considered, a report that responded to OACAC-21-25 by:

- Adding tiered and escalating administrative monetary penalties (A.M.P.) to the R.P.O. By-law
- Adding regular mail as a method of service to serve documents pursuant to the R.P.O. By-law
- Limiting the sale of rabbits in Oshawa pet stores
- Providing an analysis on the benefits and detractors of a permitted versus prohibited animals list to regulate the keeping of animals

At this meeting, Committee and staff heard delegation from World Animal Protection and Zoocheck Inc. (**Attachment 2**), as well as from the Pet Industry Joint Advisory Committee (P.I.J.A.C.) (**Attachment 3**), regarding the potential permitted animals list. In addition, correspondence was received by CanHerp that supports the use of prohibitive lists (**Attachment 4**).

### **5.1.3 World Animal Protection and Zoocheck Inc.**

Representatives from World Animal Protection, and Zoocheck Inc. delivered a presentation to Committee in favour of adopting a permitted animals list (**Attachment 2**). Feedback received on CORP-22-12 was that a limited analysis was undertaken and the report did not properly explain the merits for a permitted list, including greater efficiency, or addressing a large number of exotic animals the by-law currently ignores.

The delegation suggested that historically prohibited animals lists have been used to address nuisance and public safety, but now there are additional reasons to use a permitted list, such as regulating exotic animals, since there is no provincial legislation which does so. Amongst the reasons for adopting a permitted list, the delegation cited the precautionary principle, meaning that species will not be listed until there is sufficient evidence they have met the pre-determined criteria to be on the list. Additionally, common pets would generally meet this criterion, so a permitted list would not have any significant impact on the retail pet sector. If a new list were to make a person's pet prohibited, they would not have to surrender it, since when they acquired the animal it was permitted. Based on literature provided to staff by World Animal Protection and Zoocheck Inc., common criteria to develop an inclusive permitted list include:

- Animal welfare
- Public health and safety
- Environmental protection

- Protecting wildlife population elsewhere
- Disposition of animals
- Available knowledge
- Precautionary principle

#### **5.1.4 Pet Industry Joint Advisory Committee**

A representative from P.I.J.A.C. presented in favour of a prohibited list. The delegation supported a prohibited list as it is more effective and efficient to enforce animal ownership standards, and that it has been successfully enforced on a number of occasions. The delegation also referenced the robust and unbiased criteria used to develop Oshawa's prohibited list, and that adopting a permitted list would be challenging from an administrative and training perspective, since staff would be required to be knowledgeable on such a large number of different species.

#### **5.1.5 Council's Direction (CORP-22-12)**

City Council directed staff to develop an option on a permitted list so members of Council could compare the two (2) options; this is presented in **Attachment 5**.

### **5.2 Permitted Animals List**

#### **5.2.1 Municipal Benchmarking**

Staff conducted extensive benchmarking and were only able to identify Newmarket, Aurora, and Kitchener as Ontario municipalities that use permitted lists to regulate the keeping of animals. Other Ontario municipalities that regulate the keeping of animals use prohibited animal lists.

Newmarket (see **Attachment 6**)

- No person shall keep any animal other than on Newmarket's Permitted List
- Groups animals into broad categories rather than naming each species, for example:
  1. Birds: Only birds that are in compliance with all provincial and federal regulations
  2. Fish: All ornamental fish except for wild-caught and in compliance with all provincial and federal regulations
  3. Mammals: Carnivora - Domestic Cats and Dogs

Aurora (see **Attachment 7**)

- No person shall keep any animal other than on Aurora's Permitted List
- Groups animals into broad categories rather than naming each species, for example:
  1. Birds: birds are only permitted in compliance with any provincial and federal laws
  2. Dogs
  3. Cats

Kitchener (see **Attachment 8**)

- Uses three (3) separate lists in one by-law:
  1. Permitted animals
    - Specific groups of animals which are permitted (e.g. dogs, cats, and birds, reptiles and fish “which are not restricted or prohibited animals”)
  2. Restricted animals
    - Lizards that will grow to over 25.6 inches in length, snakes that will grow to over 2 metres in length
    - Prohibited animals that were kept or harboured by its owner on or before the date they became prohibited
      - Anyone can own a restricted animal, but are subject to specific ownership requirements (e.g. animal housing approved by a Poundkeeper, notifying a Poundkeeper of an address or ownership change)
  3. Prohibited animals
    - A mix of specific animals that are prohibited, and characteristics that make an animal prohibited
      - Animals which are venomous or poisonous
      - Animals which are wild-caught
      - Animals from the Orders Rheiformes and Struthioniformes

During municipal benchmarking, staff learned that Newmarket’s list is modelled after Aurora’s, and they share certain animal services as both municipalities are part of the Regional Municipality of York. Since Kitchener uses three (3) lists, Newmarket and Aurora are the only municipalities staff identified in Ontario regulating the keeping of animals exclusively through a permitted animals list.

### 5.2.2 Literature Review

Animal regulation through listing has been a topic of discussion in Canada for decades and there are stakeholders on both sides of the debate. The pet industry is generally in favour of a prohibited list approach and animal welfare organizations are typically in support of a permitted animal list.

World Animal Protection and Zoocheck Inc. provided staff with a Standard Positive List Proposal (**Attachment 9**) which can be used as a framework for a permitted list. However, staff is of the opinion that Newmarket’s list (**Attachment 6**) should be used as a framework if Council were to choose to adopt a permitted list, as it is clearer and has been used in practice.

### Reasons for Supporting a Prohibited List

In 1988, P.I.J.A.C. developed the first ever prohibited species list which has been used as a framework for prohibited lists. P.I.J.A.C. contends that there are a number of benefits of a prohibited list:

- **Simpler Criteria:** It is easier to develop criteria that is not allowed rather than what is allowed.
- **Application and Management:** A permitted list would constantly require modification due to changes in consumer demand, market trends, etc. as well as in-depth training and education for Municipal Law Enforcement Officers (M.L.E.O.). A prohibited list is simpler to maintain, interpret and enforce.
- **Length:** A permitted list can become quite long if it contains every animal that is permitted whereas a prohibited list is more concise and simplified for the general audience.

### Reasons for Supporting a Permitted List

Literature from scholars and animal welfare organizations (e.g. World Animal Protection, Zoocheck Inc.) have advocated for governments to adopt permitted lists to regulate the keeping of animals. Some of the reasoning for favouring a permitted list approach include:

- **More Robust Criteria:** Evidence-based risk assessment offers consumer protection as well as animal health and welfare. Prohibited lists often do not offer that same assessment, and only consider the welfare of humans (e.g. prohibiting dangerous animals) rather than animal welfare as well.
- **Easier to Interpret:** Administratively simple and easier to enforce, greater clarity for the public regarding which species can be kept.
- **Precautionary:** Similar to how certain professions (e.g. doctor, veterinarian) and products (e.g. cars, drugs) are required to meet acceptable conditions before working or operating, permitted lists adopt a precautionary principle where the burden of proof is placed on the proponent of the animal to prove it should be permitted.

### 5.2.3 Enforcement Process

Municipal Law Enforcement's (M.L.E.) enforcement process for the R.P.O. By-law if Schedule "A" was amended to become a permitted animals list would be very similar to the current enforcement approach of the Prohibited Animals List, specifically:

- An M.L.E.O. would undertake an inspection following a complaint, using enforcement tools (e.g. education and voluntary compliance, animal control orders, monetary penalties) to achieve compliance.
- If an inspection leads to an animal the M.L.E.O. is not knowledgeable on (e.g. an exotic reptile or bird), they may engage an animal expert for assistance.
- When the situation warrants it, M.L.E. may require an animal owner to surrender their pet to the appropriate agency.

## 5.3 Permitted and Prohibited List Analysis

### 5.3.1 Ease of Interpretation

Permitted animal list advocates often cite ease of interpretation as a key reason to adopt a permitted list, suggesting it would be easier to see if an animal is on a list, and immediately

know you are permitted to have one. However based on staff's benchmarking, a prohibited animals list may be easier to interpret for the public and enforcement staff.

Both prohibited and permitted lists use the scientific names as well as the common names of animals (e.g. Newmarket: Mammals, Carnivora, Domestic Dogs, and Oshawa: Carnivora, Canidae, Domestic Dogs). While the scientific name is more precise, the common names are also included for ease of reference and to make the by-law easier to interpret.

Newmarket and Aurora use permitted lists to regulate which animals are permitted. By grouping animals into broad categories they allow the list to stay concise, as opposed to listing every specific animal that residents are permitted to own. Kitchener, however, uses three (3) different lists to regulate the keeping of animals. Additionally, all three (3) municipalities benchmarked reference other legislation or sections to define a permitted animals. For example:

- Newmarket: "only birds that are in compliance with all provincial and federal regulation"
- Aurora: "birds are only permitted in compliance with any provincial and federal laws"
- Kitchener: "all birds, reptiles, amphibians, fish and invertebrates which are not restricted or prohibited animals"

This type of language can make a by-law difficult to interpret for both enforcement staff and residents. Readers of the by-law have to cross-reference provincial and federal legislation, which is not explicitly defined, in order to determine if a bird is permitted to be kept. For example, Ontario's *Fish and Wildlife Conservation Act, 1997* regulates the keeping of wild animals, the *Canada Wildlife Act, 1985* regulates the possession of native animal species, and Canada's *Species at Risk Act, 2002* regulates ownership and possession of extirpated, endangered and threatened native wildlife species.

If a resident wanted a parrot in Oshawa, they could reference the R.P.O. By-law and see that parrot is not on the list; therefore, parrots would be permitted. But in Newmarket or Aurora, a person may then be required to research all applicable provincial and federal legislation before determining if a parrot can in fact be owned in order to ensure compliance with their respective by-laws.

### **5.3.2 Criteria for the Keeping of Animals**

A common assertion in favour of a permitted list is the robust and unbiased criteria associated with the list in order for an animal to be permitted. Based on the literature provided by World Animal Protection and Zoocheck Inc., some common criteria for a permitted list include:

- Animal welfare
- Public health and safety
- Environmental protection
- Protecting wildlife population elsewhere
- Disposition of animals

- Available knowledge
- Precautionary principle

However, Oshawa's Prohibited Animals List is based on the suitability of animals using a robust criteria (see **Attachment 1**) including but not limited to:

- Welfare of the animal
  - Nutritional and exercise requirements
  - Health care
  - Suitable food
- Welfare of others (humans)
  - Is the animal poisonous?
  - Does it pose a risk of attacking others?
  - Can it transmit diseases?
- Risks to the environment
  - Can the animal cause ecological damage if it escapes or is released?
  - Can its capture effect its native population or ecosystem?

Both Oshawa's current Prohibited Animals List as well as Newmarket's Permitted Animals List (**Attachment 6**) use robust unbiased criteria that considers animal welfare, welfare of others, environmental risks, and more.

### **5.3.3 Exotic Animals**

Presentations to Committee on behalf of a permitted animals list, as well as the literature provided suggests that a key reason to adopt a permitted list is to regulate exotic animals. However, Oshawa's Prohibited Animals List does address exotic animals, for example, animals on the list include:

- Kangaroos, Wallabies, Tasmanian Devils
- Tigers, Leopards, Lynx
- Zebras, Rhinoceros, Giraffes, Elephants
- Crocodiles, Alligators
- Monkeys, Apes

Although Ontario is the only province in Canada without legislation governing the ownership of exotic animals, Oshawa's Prohibited Animals List establishes robust standards around the keeping of such animals.

### **5.3.4 Precautionary Principle**

Permitted animals lists utilize the precautionary principle, meaning a species will not be listed until there is sufficient evidence it meets the list's criteria. Similar to how medicine cannot be approved until it meets certain criteria, animals are all prohibited until they meet a set of predetermined standards.

Oshawa's list does not abide by that principle, instead animals are prohibited based on a robust unbiased set of criteria detailed in **Attachment 1** and in Section 5.3.2.

### 5.3.5 Effective Enforcement

M.L.E.O.s consider a prohibited list the most efficient and effective way to enforce animal ownership standards as by-laws that establish prohibitions and create obligations are a legal best practice for ensuring clarity in an enforcement context. Also, the format of the R.P.O. By-law is consistent with other City by-laws, in that it defines what is prohibited, rather than permitted. Additional enforcement related considerations in favor of keeping the Prohibited Animals List include:

- There have been no complaints regarding the use of the Prohibited Animals List.
- In 2021, M.L.E. received only six (6) inquiries from residents about the Prohibited Animals List.
- The Prohibited Animals List has been successfully enforced on numerous occasions.
- Short form wording for issuing orders such as charges under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, Administrative Monetary Penalties, etc. would need to be rewritten to reflect violations of a permitted list.

### 5.4 Provincial Exotic Animal Legislation

Ontario is the only province in Canada without legislation on exotic pet ownership. Because of this, municipalities within Ontario have to use permitted or prohibited lists to determine which exotic animals can or cannot be kept within their jurisdiction. This leads to a wide-range of legislation where in some instances municipalities have no legislation governing the keeping of such animals. Because of this, staff recommends requesting the Provincial Government address regulating the keeping of exotic animals by amending the *Provincial Animal Welfare Services Act, 2019* to include such regulations.

### 5.5 Option for a Permitted Animals List

After considering the benchmarking, literature, and additional research surrounding the adoption of a permitted animals list, staff recommend maintaining the Prohibited Animals List.

However, if Council chooses to amend Schedule “A” of the R.P.O. By-law from a Prohibited Animals List to a Permitted Animals List, the following recommendation should be passed:

1. That pursuant to Report CORP-22-53, dated September 7, 2022, “Regulating the Keeping of Animals: Permitted and Prohibited Animals Lists”, the Provincial Government be requested to amend the Provincial Animal Welfare Services Act, 2019 to include regulations for the keeping of exotic animals; and,
2. That the Permitted Animals List presented in **Attachment 6** be reviewed by a panel of animal experts comprised of stakeholders from the Pet Industry, Animal Protection Groups, and Veterinarians to develop a Permitted Animals List for the Responsible Pet Owners By-law 14-2010, as amended, as detailed in Report CORP-22-53 “Regulating the Keeping of Animals: Permitted and Prohibited Animals

Lists”, dated September 7, 2022, and staff be directed to report back to the Corporate Services Committee for approval.”

Staff is recommending reconvening a panel of experts for the following reasons:

- Ensuring that the permitted list is reviewed by experts
- Ensuring that the permitted list would provide a balanced approach to the keeping of exotic animals (e.g. by engaging experts from the pet industry, animal protection organizations, and exotic animal veterinarians)

## **6.0 Financial Implications**

Should Council select the Permitted Animals List option, the cost of hiring a panel of animal experts to review the potential permitted list would be approximately \$3,000 and would be funded from the Municipal Law Enforcement and Licensing Services Operating Budget.

## **7.0 Relationship to the Oshawa Strategic Plan**

The recommendations in this report responds to the Oshawa Strategic Plan Goals of Accountable Leadership.



Phil Lyon, Director,  
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,  
Corporate Services Department

# A Framework for Assessing the Suitability of Different Species as Companion Animals

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University of British Columbia

## KEYWORDS

animal welfare, companion animals, ethics, exotic animals, pet animals, pet ownership

## ABSTRACT

Municipal regulations and humane movement policies often restrict or discourage the use of 'exotic' species as companion animals. However, confusion arises because the term 'exotic' is used in various ways, and because classifying species as exotic or non-exotic does not satisfactorily distinguish suitable from unsuitable companion animals. Even among commonly kept species, some appear to be much more suitable than others. Instead, decisions about suitable companion animal species need to be based on a number of relevant issues. As ethical criteria, we considered that keeping a companion animal should not jeopardize - and ideally should enhance - its welfare, as well as that of its owner; and that keeping a companion animal should not incur any appreciable harm or risk of harm to the community or the environment. These criteria then served as the basis for identifying and organizing the various concerns that may arise over keeping a species for companionship. Concerns include how the animals are procured and transported, how well their needs can be met in captivity, whether the animal poses any danger to others, and whether the animal might cause environmental damage. These concerns were organized into a checklist of questions that form a basis for assigning species to five proposed categories reflecting their suitability as companion animals. This assessment framework could be used in creating policy or regulations, and to create educational and decision-making tools for pet retailers, animal adoption workers, and potential owners, to help prevent animals from being placed in unsuitable circumstances.

## Introduction

In 1992, the Toronto city government was considering whether to allow miniature pigs as domestic pets within the city boundaries. The week before the final vote was a busy one for pig biologists. Proponents of pet pigs wanted expert testimony that pigs are highly intelligent and make engaging companion animals. Opponents were seeking scientific data on the size and strength of pigs and their ability to damage dwellings and public property. City officials wanted to know whether pigs carry diseases that could be transmitted to humans or other domestic animals. The three groups, although addressing the same issue, saw very different criteria as relevant to the decision.

The Toronto pig debate was one small example of the ongoing confusion over the use of non-traditional species as companion animals<sup>1</sup>. In many cases, the concerns have been expressed simply as a call to

avoid 'exotic' or 'wild' species<sup>2</sup> for purposes of companionship. Some municipalities have enacted regulations concerning the keeping of exotic animals, and many animal welfare organizations have policies discouraging trade in wild and exotic species (eg British Columbia Society for the Prevention of Cruelty to Animals [1982]; American Veterinary Medical Association [1990]; Metropolitan Toronto Zoo [1994]; American Humane Association [1995]; The Humane Society of the United States, see Farinato & Lamb [1995]; Canadian Federation of Humane Societies [1997]; Royal Society for the Prevention of Cruelty to Animals [1997]; People for the Ethical Treatment of Animals [1998]; Zoocheck Canada [1998]).

Unfortunately, these policies and regulations often give rise to conflicting interpretations. Confusion arises partly because the term 'exotic', which most correctly refers to animals that are not native to the local area, has sometimes been used to mean merely non-traditional or faddish companion animals. In fact, none of these meanings is necessarily related to the ethical issues that arise over keeping companion animals. For example, gerbils, *Meriones* spp., which appear to be satisfactory pets for young children, are a North African and Central Asian species which have been captive-bred only since the 1960s (Huddart & Naherniak 1995), and hence would be considered exotic by some definitions. Furthermore, even among species that are commonly kept as companion animals, some appear to be much more suitable than others, as evidenced by the numbers given up to animal shelters or for euthanasia. Hence, simply designating species as exotic or non-exotic does not satisfactorily distinguish suitable from unsuitable companion animals. In addition, suitability is also influenced by the owner's awareness and ability to care for the animal. Therefore, a more systematic analysis is needed to evaluate the suitability of different species as companion animals, based on the wide range of issues relevant to this assessment.

The purpose of this paper is to identify the various issues that affect the suitability of different species as companion animals, and to bring these issues together in the form of a systematic assessment framework which could be used in creating policy or regulations, and for educational purposes.

### **Ethical criteria for keeping animals as companions**

Companion animals are often kept for the purpose of enhancing the welfare of the owner by providing companionship, protection, assistance or stimulation. Ethical objections to keeping a companion animal could arise if such benefits to the owner were achieved to the detriment of the animal. However, animals of many species seem capable of leading very satisfactory lives as companion animals, with at least some elements of their welfare (eg freedom from hunger, fear and disease) enhanced as a result of their being kept for companionship. In fact, companion animals are sometimes kept specifically as a service to the animals themselves, as sometimes occurs in the adoption of unwanted animals.

There is a risk, however, that we may fail to recognize a threat to the animal's welfare, especially when dealing with unfamiliar species. For example, keeping a particular species might lead to suffering if the animals are prevented from carrying out an important element of their natural behaviour such as migration, or if the animals are procured in an inhumane manner. In such cases, use of the species could raise legitimate ethical concerns. To prevent such concerns, we would want to ensure that keeping the animals would enhance, or at least not jeopardize, the welfare of the animal.

Ethical issues may also arise over any benefits or harms caused to other parties. Undesirable effects on other people (eg injury) or to the environment (eg ecological damage) could be grounds for refusing to allow owners to keep certain animals, however positive the relationship might be for the owners and the animals themselves.

Our criteria for assessing the suitability of species as companion animals were, therefore, that keeping a companion animal: i) should not jeopardize - and ideally should enhance - the welfare of the animal, as

well as of the owner; and ii) should not incur any appreciable harm or risk of harm to the community, including other wild and domestic animals, or to the environment. We then used these criteria as the basis for organizing the various concerns that arise over keeping animals for purposes of companionship.

### **Concerns that arise over using species as companion animals**

#### *Welfare of the animal*

The welfare of animals is affected by a range of factors, many of which have been captured in the 'five freedoms' of the Farm Animal Welfare Council (1992). We consider these in turn.

First, freedom from hunger, thirst and malnutrition requires both that the nutritional requirements of the species are adequately known and that suitable foods are available to the owner. Among herbivorous and omnivorous reptiles such as the green iguana, *Iguana iguana*, metabolic bone disease is a common problem when owners with insufficient knowledge of the animals' nutritional requirements provide a diet of poor-quality vegetables and fruits (Jacobson 1987).

Second, freedom from disease and injury requires that adequate veterinary knowledge of the species exists, and that the expertise is available to the owner. For some exotic animals, little is known about basic care and diseases. For other species, considerable information may exist, but veterinarians and other individuals with this knowledge may not be readily available (eg Jacobson [1987]; Barten [1993]). In either case, animals may suffer because of inappropriate treatment. For example, ivermectin is commonly used as an ecto- and endo-parasiticide in reptiles but can harm turtles and tortoises if used on those species (Clyde 1996).

Third, freedom from physical and thermal discomfort requires that the housing and environmental needs of the species are known and can be met by the owner. Many species require very specialized housing. Ectothermic ('cold-blooded') reptiles and amphibians require a variety of temperature and moisture regimes within their enclosures (Barten 1993). Many tropical species, such as the African pygmy hedgehog, *Erinaceus albiventris*, and the sugar glider, *Petaurus breviceps*, require year-round warm temperatures of 22-27 °C (Polachic 1997; Pet Industry Joint Advisory Council of Canada 2000). Supplying these complex conditions can be difficult within the household environment.

Fourth, for animals to be free from fear, distress and other negative psychological states, they must not be unduly upset by captivity and close human proximity. This requires an ability to recognize negative psychological states in the given species (Flecknell & Molony 1997; Mench & Mason 1997), and an ability to house and handle the animals accordingly.

Fifth, for animals to be free to carry out most normal forms of behaviour, knowledge of their natural behaviour is needed, and important features of their natural environment need to be provided. Some species require high levels of exercise or key stimuli in the environment in order to live normal lives. For example, gerbils in the wild dig burrows, but in captivity, when they cannot dig a burrow, they often carry out a stereotypical behaviour of scrabbling in the corners of their cages. Wiedenmayer (1997) found that captive gerbils stopped corner-scrabbling when provided with tunnels. Other species are extremely social, and their normal behaviour requires ample interaction with conspecifics unless humans can make appropriate substitutes. For certain highly social species such as primates, the demands for interaction can be very great. For example, Rhesus monkeys, *Macaca mulatta*, establish strong and complex social-emotional bonds in captivity, without which behavioural problems can develop (Mitchell *et al* 1979). For many exotic species, little is known about the environmental features necessary to allow natural behaviour.

Animal welfare may also be jeopardized if the owner loses interest in, or commitment to, the animal. In some instances, long-term commitment may be reduced if the animal grows too large and becomes difficult to house or costly to keep. For example, the so-called 'miniature' pot-bellied domestic pig, *Sus scrofa*, can grow to more than 50kg; these animals became fashionable pets in North America during the 1990s, but because of their large size, many of them were given up to animal shelters where they were likely to be euthanized because facilities were inadequate to accommodate them (Farinato & Lamb 1995). A similar problem occurs when small fish outgrow their aquaria (Tetra undated), as public aquaria cannot accommodate the influx of these unwanted fish. Consistent care may also be jeopardized if animals are very long lived. For example, parrots in captivity can live 30-80 years (Forshaw 1973), as do many primates. Such pets may outlive their owners, or the owners may lose the interest or ability to provide care, with the result that the animal is put into a shelter or is passed through a series of owners.

Small body size may also affect the welfare of companion animals. Some species, such as the sugar glider, are so small and fragile that they can be easily crushed by improper handling (Humane Society of Tucson 1998).

As well as these general aspects of animal welfare, additional considerations arise for species that are collected directly from their native habitat. Some methods of wild capture inflict considerable harm to animals; for example, some wild birds remain stuck to unattended glue sticks or die from inadequate care after capture (Bowles *et al* 1992). Animals that survive capture may then travel long distances, sometimes in crowded and unhygienic conditions (Bowles *et al* 1992). Based on studies in Senegal (a major bird exporter) and several bird-importing countries, the total average mortality of birds from capture, export and quarantine has been estimated at 70 per cent (Carter & Currey 1987).

#### *Welfare of others*

Some animals create a risk of injury to humans (either owners or community members) and to other animals. Venomous snakes, pythons, crocodylians, primates, wolves, wolf-hybrids and large cat species are generally considered unsuitable as companion animals for this reason (Diesch 1981; Jacobson 1993; Payne 1998; People for the Ethical Treatment of Animals 1998). The Canadian Veterinary Medical Association (1993) cautions owners about pet ferrets, *Mustela putorius Jura*, because they are known to bite people unpredictably, especially children (Paisley & Lauer 1988). In extreme cases, people have died from bites by exotic companion animals (Diesch 1981; 1982). However, safety concerns are by no means limited to exotic species: in the United States, there are 2-3 million bites by domestic dogs annually (Cornwell 1997), which account for 0.3 per cent to 1.1 per cent of all emergency department visits (Sokal & Houser 1971; Avner & Baker 1991; Weiss *et al* 1998) and cause as many as 18 human deaths per year (Sacks *et al* 1996).

Companion animals may also expose humans to disease. For example, pet racoons, *Procyon lotor*, and skunks, *Mephitis mephitis*, have sometimes been found to test positive for rabies (Diesch 1981), yet there is no licensed rabies vaccine for these species in the United States (National Association of State Public Health Veterinarians Inc 1998). Health Canada (1997) has documented human salmonellosis, attributed to *Salmonella tilene*, transmitted from African pygmy hedgehogs and sugar gliders. Turtles are also known carriers of *Salmonella* (D'Aoust *et al* 1990). Hence, there has been a ban on the importation of pet turtles for commercial purposes in Canada (D'Aoust & Lior 1978) and on the commercial sale and distribution of pet turtles in the United States (Lecos 1988). Common pet species are a problem as well as exotic species, in that a number of human illnesses can be acquired from traditional pets such as dogs and cats (Elliot *et al* 1985; Folkenberg 1990).

Zoonoses transmitted to wild or domesticated animals are also a concern. According to Fowler (1978), Newcastle Disease, transmitted from imported parrots destined for the pet trade, required the euthanasia of 12 million chickens and the destruction of hundreds of nondomestic birds in California in 1971. Bacteria, viruses and parasites are common in many shipments of imported aquarium fish (Trust & Bartlett 1974; Shotts & Gratzek 1984), and many parasites are transferred to native fish from shipments of exotics (Hoffman & Schubert 1984).

Species may be ill-suited as companion animals simply because they have qualities that may detract from, or fail to enhance, the welfare of the owner. In such cases, the animal's standard of care may also suffer because of reduced owner commitment. Suitability in this respect depends greatly on the owner. For example, fish may be boring for young children but suitable for owners seeking quiet, undemanding companion animals. Companionship is one of the most important reasons for owning an animal (Mugford 1980; Serpell 1986; Endenburg 1991). Hence, if an animal is solitary, inactive or nocturnal, the owner may find it unsatisfactory; for example, hedgehogs are nocturnal and roll into a ball when handled inappropriately (Pet Industry Joint Advisory Council 2000). Offensive qualities of animals (noise, odour, unruly or destructive behaviour) may also be undesirable to owners – and possibly to other members of the community.

#### *Risks to the environment*

When wild species are used in the companion animal trade, a major concern is the impact that wild captures have on the native populations and ecosystems from which the animals are taken. In some areas, nestlings of cavity-nesting birds are captured by destroying nest trees; this may pose a threat to local populations if the availability of nesting sites is reduced (Beissinger & Bucher 1991). In the fish trade, tropical reef fish are often collected by stunning with cyanide (Rubec 1986). In addition to causing delayed mortality in targeted fish, cyanide also kills non-target fish and shellfish, along with eggs and larvae, and poses a health hazard for the fishers (Rubec 1986; McAllister *et al* 1998). Fish dealers can certify that their fish were caught with nets or other less objectionable methods (Tetra undated).

In some cases, species can become endangered partly by capture for the pet trade (Smart & Bride 1993). As many as 18 out of the 140 New World parrot species may be considered at risk of extinction through a combination of capture for the pet trade and habitat destruction (Collar & Juniper 1991). Attempts to prohibit trade in endangered species include legislation such as the 1992 *Wild Bird Conservation Act* in the United States (Department of the Interior 1992), and international agreements such as the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES [CITES Secretariat 1973]) and the *Convention on the Conservation of European Wildlife and Natural Habitats* (Council of Europe 1982). However, for species in which trade is allowed, the scientific data needed to monitor sustainable harvesting levels are often lacking (Beissinger & Bucher 1991). This, combined with the poor regulatory capabilities of many exporting and importing countries, raises major concerns about the continued acquisition of companion animals caught from the wild.

Concerns also arise over non-native species being introduced into new habitats. When owners tire of companion animals, they sometimes release them into the wild. For example, many exotic fish species have been released deliberately or accidentally into the continental United States from the aquarium fish trade (Courtenay *et al* 1984). The risk of a species colonizing and damaging an ecosystem will depend on both the biology of the species and the physical and biological properties of the environment (Pimm 1987; Vitousek 1990; Smallwood & Salmon 1992). Introduced species can affect ecosystems by altering the food chain and structure of the biological community, or even by driving native species to extinction (Pimm 1987). Agricultural damage is often caused by introduced species (Smallwood & Salmon 1992). During the early 1940s, the house finch, *Carpodacus mexicanus*, became established in eastern North

America from the release of caged birds in the pet trade (Elliott & Arbib 1953). The house finch is responsible for damaging many fruit crops in California, and as the population spreads it will probably become a nuisance to crops in new areas (Long 1981).

**Table 1. Checklist of questions to assess the suitability of species as companion animals.**

***Welfare of the animal***

- 1 Is there adequate knowledge of the species with respect to:
  - 1.1 nutritional requirements?
  - 1.2 health care?
  - 1.3 environmental requirements for physical and thermal comfort?
  - 1.4 recognizing and preventing negative states such as fear, pain and distress?
  - 1.5 requirements for exercise, social interaction, and natural behaviour?If there is adequate knowledge of the species' requirements, might the owner still have practical difficulty in providing:
  - 1.6 suitable food?
  - 1.7 veterinary services?
  - 1.8 an environment that meets the animal's needs regarding comfort, psychological welfare, exercise, social interaction, and natural behaviour?
- 2 Is the animal's size:
  - 2.1 so large when mature that the owners may be unable to accommodate it?
  - 2.2 so small that the animal might easily be injured?
- 3 Is the animal's life expectancy so great that the owner may lose the commitment or ability to provide care throughout its life?
- 4 Is there any appreciable risk of suffering, injury, illness, or death arising from:
  - 4.1 procurement?
  - 4.2 transportation

***Welfare of others***

- 5 Is the animal poisonous or venomous?
- 6 Is there any appreciable risk of the animal attacking or injuring:
  - 6.1 humans?
  - 6.2 other animals?If a risk of injury exists, can it be made acceptably low by selecting safe individuals or by proper management?
- 7 Is there any appreciable risk of the animal transmitting disease to:
  - 7.1 humans?
  - 7.2 wild or domestic animals?If a risk of disease transmission exists, can it be made acceptably low by finding individuals free from the disease(s) or by proper management?
- 8 Does the animal have objectionable characteristics (eg noise, odour, uncleanliness, unruliness, destructive behaviour) that may prove unacceptable to:
  - 8.1 the owner?
  - 8.2 the community?
- 9 Does the animal have other characteristics (eg solitary, sedentary or nocturnal nature) that may cause the owner to lose interest and commitment?

***Risks to the environment***

- 10 Is there any appreciable risk of the animal causing ecological damage if it escapes or is released?
- 11 For species that exist in the wild, are trade and transportation subject to adequate regulation and enforcement?
- 12 If there is ongoing wild capture, is there any appreciable risk that capture might have undesirable effects on native populations and ecosystems?  
If a risk exists, can it be avoided by use of captive-breeding that does not depend on continued wild capture?

**Table 2. Categories of animal species classified according to their degree of suitability as companion animals.**

<b>Category A</b>	Species whose use for companionship is generally positive for the animal and the owner, whose needs are easily met, whose procurement and transportation raise no appreciable problems, and whose use involves no apparent risks to the community or the environment.
<b>Category B</b>	Species that require significant commitment of time and/or resources in order that their use be positive for the animal and the owner, but where ownership is unproblematic with regard to procurement, transportation and effects on the community and the environment. Substantial owner education may be needed for such species.
<b>Category C</b>	Species that have complex or demanding requirements needing skilful and knowledgeable owners who are prepared to commit significant time and/or resources to animal ownership, but where ownership is unproblematic with regard to procurement, transportation and effects on the community and the environment. Control of ownership (eg ownership only by qualified persons) may be appropriate for such species.
<b>Category D</b>	Species where there is insufficient knowledge (eg regarding procurement, transportation, environmental impact or the animal's needs) to allow a confident assessment of its suitability as a companion animal. Use of these species might be acceptable in the future if knowledge becomes adequate and any necessary safeguards are in place.
<b>Category E</b>	Species that are unsuitable as companion animals because of undue harm or risk of harm to one or more of: the animal, the owner, the community, or the environment.

**An assessment framework**

As a guide for assessing the suitability of different species as companion animals, we attempted to capture the above issues in the form of a checklist of questions (Table 1).

Three features of the checklist require comment to clarify its use. First, use of the checklist requires substantial knowledge of the species. Thus, while the questions provide a uniform process whereby a knowledgeable person can assess a species in a systematic way, the questions do not reduce or eliminate the need for such knowledge. Second, some of the questions inherently require ethical or value-related judgements, for example, to decide whether enforcement of trade regulations is 'adequate', or whether risk of injury is 'acceptably' low. Whether to use a particular animal for purposes of companionship is inherently an ethical issue. The checklist helps to structure the empirical knowledge and normative judgements that are needed to arrive at a decision, but cannot turn the decision into a purely empirical or objective one. For example, some individuals may attach particular importance to certain concerns; some users, for instance, may consider that the risk of ecological damage or inhumane procurement is sufficiently high to rule out all use of wild-caught species. Finally, the suitability of a species depends partly on the owner and circumstances as well as on the characteristics of the species; hence, the assessment process often does not lead to a universal 'yes or no' decision. Rather, we suggest that the assessment leads most logically to classifying species into one of five possible descriptions (Table 2), reflecting in part the degree of owner commitment and expertise required.

The following examples illustrate how we see the framework being used, but these are not intended as final evaluations of the species in question.

Domestic mice, *Mus musculus*, and golden hamsters, *Mesocricetus auratus*, are examples of animals that might be assigned to category A. These animals are readily procured (by captive breeding) and transported without risk to themselves or the environment; there is substantial experience of and research into their care, nutrition and behaviour (Baumans 1999; Whittaker 1999); and their welfare needs appear

to be met easily and cheaply within a human home by an enriched cage environment coupled with regular handling. The few undesirable traits can generally be dealt with by simple management. The occasional tendency of hamsters to nip can usually be overcome by regular, gentle handling (Whittaker 1999); objectionable odours from mice can be managed successfully by regular cleaning and the use of simple 'latrines' in the cage (Boyd 1988). Small body size may lead to a risk of injury, but this can be minimized by owner education. The nocturnal habits of these rodents, while undesirable for some owners, may actually correspond well to normal playtime for children attending school, and night-time noise is usually not a problem outside the room where the animals are kept. The solitary nature of hamsters makes them suitable for rearing individually (Whittaker 1999); the more social nature of mice can be accommodated by housing two same-sex litter mates together (Baumans 1999).

Many popular dog and cat breeds are likely to be classified in category B as long as they are procured from known and responsible sources. The animals' health, nutrition, and behaviour have been studied extensively (MacArthur Clark 1999), and expertise is widely available. Food and care products are easily accessible, and the animals' requirements for comfort, exercise, and most forms of normal behaviour can generally be met with sufficient owner commitment. Numerous potential problems exist for the owner and community. These include noise, odour, hygiene, disease transmission, injury, and destructiveness (MacArthur Clark 1999); however, the problems can generally be overcome with a reasonable level of owner commitment. Consequently, the animals can be expected to thrive when kept as companions, and they may greatly enhance human welfare. However, certain dog breeds may merit category C or E because they have been bred for extreme traits that seriously jeopardize their welfare (Steiger 1998); or, in the case of breeds predisposed to aggression, because of a danger to others and the high requirement for animal training and owner skill.

Among common exotic pet species, the green iguana may be an example of category C. Green iguanas can be maintained reasonably well in the home, but require a specialized, temperature- and humidity-controlled environment in some climates (Barten 1993). Although much is known about their care, housing, and health needs (Barten 1993), this expertise may not be readily accessible to a given owner. The animals' specialized needs, potential to transmit disease, large adult size, and long lifespan (Barten 1993) require an owner with unusual knowledge and commitment.

Category D is included to acknowledge that in some cases we may not have sufficient knowledge to be assured that keeping a species for companionship is acceptable. This category could be applied if the methods of procuring or transporting the animal are not well known, if the ecological effects of their capture from the wild are uncertain, if their escape into a new environment could have unpredictable consequences, or if the animal's needs are not well enough known to be met reliably.

Category E consists of species that are judged unsuitable as companion animals for any of a variety of reasons. Animals judged to fall into this category may include: i) dangerous species such as venomous snakes and large cat species; ii) exotic species that could cause ecological damage if they escaped; iii) wild species whose capture or transportation raises humane or environmental concerns; iv) long-lived species whose lifespan is likely to exceed an owner's ability to provide care; and v) species whose requirements (eg for normal social behaviour) cannot reasonably be met in captivity.

### **Uses for the framework**

The keeping of animals for companionship is influenced by decisions and actions made by municipal governments, national and sub-national (eg state or provincial) governments, international organizations, pet distributors, animal adoption organizations and individual animal owners. The framework described above could help to guide decisions at any of these levels.

Some municipal governments regulate the keeping of companion animals, most often to prevent unwanted impacts of animals on the community. Typical examples are regulations for controlling noisy or stray dogs (eg City of Vancouver [2000]). Where exotic species are considered, regulations are often designed mainly to control dangerous pets such as large cats (eg Cincinnati [1995]; Portland [1997]). However, some municipalities have also created ordinances to prohibit the keeping of exotic or wild animals as pets. Some prohibit all species except the most traditional pets (eg Spotsylvania County [1993]). Others prohibit specific species or families such as members of the bear family, weasel family (including ferrets), non-human primates, porcupines, racoons, alligators, crocodiles, large cats, and wolves (Erie County 1983; King County 1994). Often, birds, fish, reptiles, amphibians or unusual species are not considered, unless they are poisonous (Erie County 1983; King County 1994). The framework described above could provide a more systematic process and rationale for deciding which species to permit in a given municipality or how animal ownership should be regulated. For example, a municipality might choose to permit only species judged to fall into categories A and B, or it might require licensing for species judged to fall into category C.

Many national or sub-national governments control the importation of animals, often to prevent the introduction of disease. In Canada, the Canadian Food Inspection Agency enforces the *Health of Animals Act* (Department of Justice 1997) which monitors imported and exported live animals to protect livestock and poultry from serious diseases. The framework developed above suggests broader criteria that governments might consider as grounds for refusing to accept importation. For example, a country might refuse to accept certain species destined for the pet trade if these species have a history of injury or death through procurement or transportation. National and sub-national governments could also regulate companion animal species in other ways. For example, Diesch (1981) suggested that unacceptable ownership of exotic animals might be prevented by a regulatory system modelled after the one used for falconry in the United States. This system restricts the practice of falconry to qualified individuals by requiring an examination, inspection of facilities and equipment, and other requirements (Diesch 1981). A similar system could be created for species assigned to category C, with potential owners screened in some manner, perhaps with a requirement for membership of an appropriate organization such as a herpetological society.

International treaties regulate trade in certain animal species. Most notably, countries that are members of CITES act by banning commercial international trade in an agreed list of endangered species and by regulating and monitoring trade in certain others (CITES Secretariat 1973). This process helps to curtail the use of some species as companion animals. In Canada, for example, permits are seldom approved for parrots of endangered species purchased as pets (Environment Canada 1997). Although CITES was designed specifically for threatened and endangered species, it provides a model that could be extended to regulate international trade in species that are deemed unsuitable as companion animals.

Apart from policy and regulatory questions, pet retailers, animal adoption workers and potential animal owners are often confronted with the issue of whether particular animals, including those of common pet species, are suitable for particular circumstances. The matching of individual animals and owners raises many of the same questions that enter into policy issues over appropriate species. For example, animal adoption workers may need to assess whether a potential owner can provide adequately for an animal's needs, accommodate its mature size, care for it throughout its expected lifespan, and tolerate any negative aspects such as odour and noise. In such cases, the checklist of questions may also be useful as a decision-making tool to help ensure that animals are placed in appropriate circumstances, and as an educational tool to guide potential owners through a rational decision about whether a particular animal is suitable for them.

### *Animal welfare implications*

The welfare of animals can be jeopardized if unsuitable species are used as companion animals. The assessment framework we propose incorporates the wide range of factors that affect the suitability of species for companion animal use. The framework could be used by the humane movement and by different levels of government in developing policy and regulations regarding appropriate companion animal species. It may also be useful for pet retailers, animal adoption workers, and potential owners to make well-considered decisions about appropriate companion animals for particular circumstances.

<sup>1</sup> We are using 'companion animal' as interchangeable with 'pet animal', as defined by the *European Convention for the Protection of Pet Animals* (Council of Europe 1987) as: 'animals sharing man's companionship and in particular living in his household'.

<sup>2</sup> Diesch (1981) uses the term 'wild' to refer to native species that are not domesticated but occasionally kept as pets, and 'exotic' for foreign species, generally ones that are not domesticated, but occasionally kept as pets. For simplicity, we will use 'exotic' to encompass both groups of companion animals.

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CORP-22-53  
Attachment 2

World Animal Protection and  
Zoocheck Inc. Presentation



Positive List regulation of animals: A better way!

## What is a Positive List?



A list of animal species or types that have been vetted to ensure they satisfy a set of pre-determined criteria and are therefore allowed to be kept by anyone within a jurisdiction, with all other animals by default being prohibited.



## Permitted/Positive list (PL) benefits

- Based on pre-determined criteria
    - Comprehensive and robust criteria will reduce the number of animals on the list
  - Evidence based approach, relies on science
  - Easy to understand, the list only includes animals a person is allowed to keep
    - Simplifies training of enforcement officers
    - Cost effective
    - Puts control in hands of government
  - Preventative and pre-cautionary rather than reactive
-



## Criteria to consider

- **Animal welfare**
    - An appropriate pet can be taken care of by anyone regardless of species-specific knowledge and/or caretaking expertise without diminishing the welfare of the animal (Tilburgh, 2017).
    - Numerous accessible scientific tools are available to determine suitability of species for private keeping.
  - **Human health and safety**
    - Physical harm and the ability/likelihood of zoonotic disease transfer.
  - **Environment**
    - Potential of a species to establish in native habitat and/or introduce novel diseases.
-



## Criteria to consider

- Protecting wildlife populations elsewhere (i.e., conservation)
  - Derived from self-sustaining captive populations.
  - No detrimental impacts on wild populations of species.
- Available expertise
  - Availability of specialized veterinarians.
  - Availability of rehoming/placement options for disposed animals.
  - Local authorities must have the ability to administer and review the Positive list.
- Precautionary Principle

## Positive Lists

Animals **NOT** listed are automatically prohibited within a jurisdiction

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As of March 2, 2022, **11,690 reptile species** have been identified

# Example Reptile Positive List

## NORWAY

- Green tree python
- Ball python
- Carpet python
- Garden tree boa
- Boa constrictor
- Rainbow boa
- Common kingsnake
- Corn snake
- Milk snake
- Crested gecko
- Common leopard gecko
- Madagascar day gecko
- Ocellated spinytail
- Central bearded dragon
- Jewelled lizard
- Hermann's tortoise
- Red-footed tortoise
- Chinese pond turtle

Oshawa currently allows the possession of nearly 11,000 reptile species

# Regulatory solution

## 1. Positive list

53

## 2. Legacy/grandfathering provision

## 3. Proof of animal origin

### + Positive list

List only animals that have been evaluated and that satisfy all required criteria

Applies to all animal species

Animal welfare a key consideration

Precautionary

Consumer safety guaranteed

Easy to enforce, low level of expertise required

Easy to understand, no expertise needed

People who want to keep, sell or otherwise exploit animals have to do the work to prove animals satisfy all criteria for inclusion on list

Comprehensive criteria used to determine suitability of animals for keeping as pets

Considers capacity of shelters and rescues when rehoming is required

Considers capacity and knowledge of enforcement agencies and government

Transparent, accessible and fair process

Protects native wildlife and natural ecosystems

### - Negative list

Lists mostly animals that pose a significant physical safety threat to humans

Applies to relatively small number of animal species, with a disproportionate emphasis on mammals

Animal welfare not considered

Reactionary

Lacks consistent consumer safety criteria

Difficult to enforce, high level of expertise required

Difficult to understand, some level of expertise required

Governments, humane societies and other organizations have to do the work to prove animals should be on list

Physical safety threat animals posed to humans is often the only criterion

Does not consider capacity of shelters and rescues when rehoming is required

Does not consider capacity and knowledge of enforcement agencies and government

Process unfair due to lack of scientific foundation, and key issues not being considered

Does not protect native wildlife and natural ecosystems

Animal welfare is everyone's business!<sup>TM</sup>



Corporate Services Committee and Council  
City of Oshawa, March 7, 2022



# Oshawa Staff Expertise

Staff and the professional branch of the City of Oshawa consider a prohibited list the most efficient and effective way to enforce animal ownership standards

# Finding the Positive in the Negative

**Canada Loves Specialty Pets**

Animal welfare is everyone's business!™



The Voice of Canada's Pet Industry



**\$11.7 Billion**

estimated health care cost savings of pet ownership

**5.3 Million**

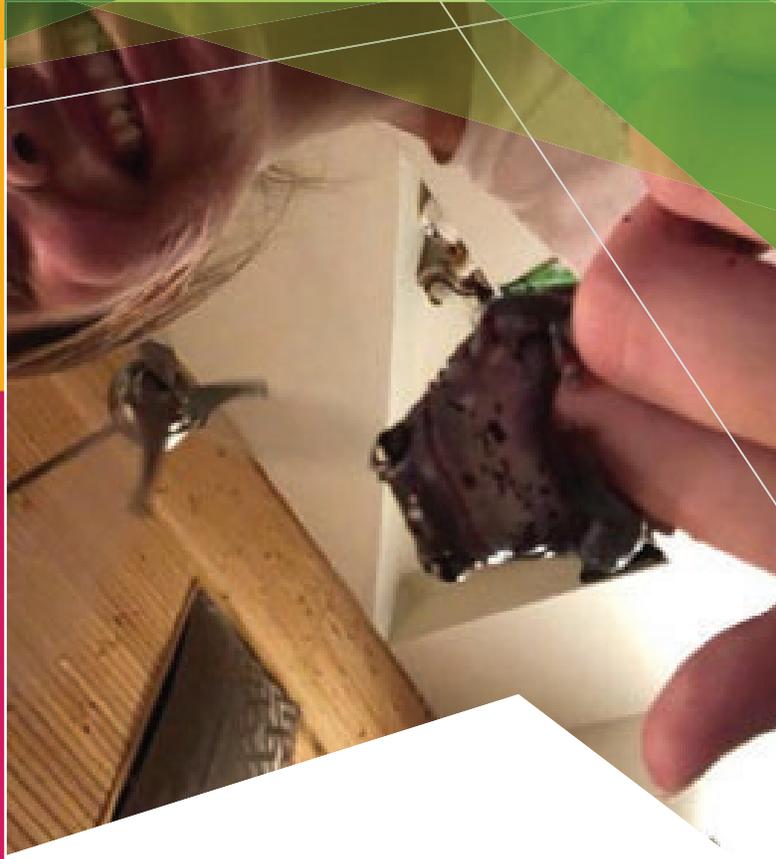
Ontario households with specialty pets enjoying the benefits of the human-animal bond

**\$3 Million**

PIJAC Presentation

funded in innovative human-animal bond research projects

# Powerful relationship between Everyday Pets and their families





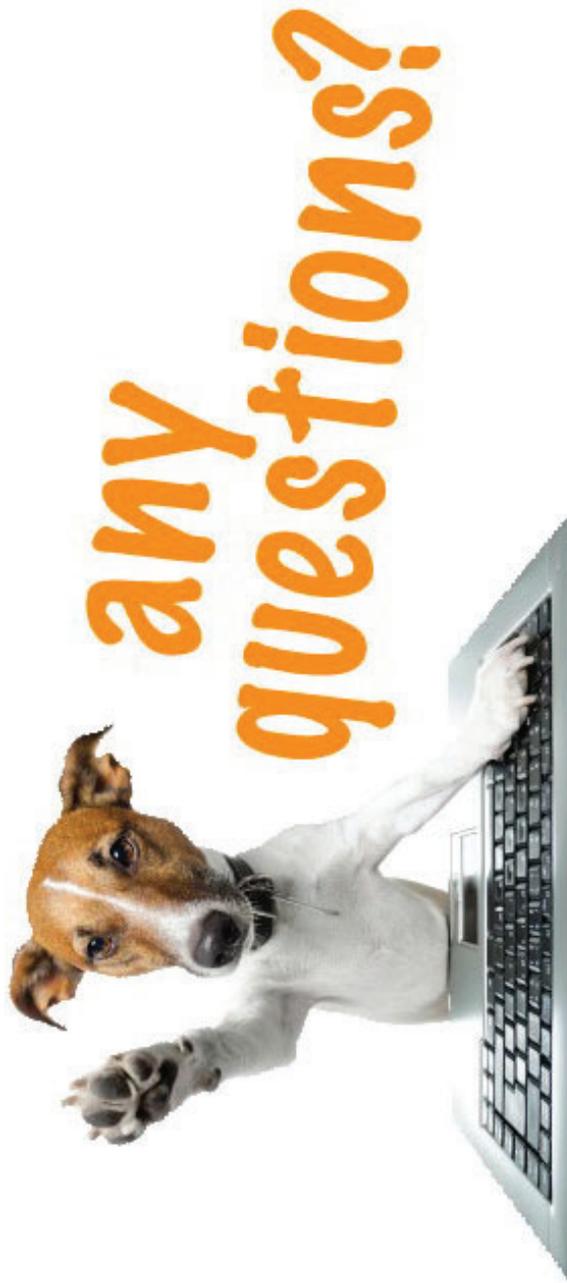
# Tax Dollars of Constituents

# Rabbits



We support Option A to maintain the sale of rabbits in pet retail stores and encourage you to consider additional layer of responsibility for all sources that offer rabbits

- Rabbits sold in pet store must come with a spay neuter certificate
- Microchip for traceability



## **CORP-22-17**

From: Grant Fauna <M.F.I.P.P.A. Sec 14(1)>  
Sent: Friday, March 4, 2022 9:11 AM  
To: Sam Harris <[SHarris@oshawa.ca](mailto:SHarris@oshawa.ca)>  
Subject: CANHERP Submission for the 14-2010 Update

Good Day Sam and the City of Oshawa,

I hope this email finds everyone well and enjoying a level of almost normality as we all find our post COVID footsteps once again.

Please accept this submission to share with the City of Oshawa council on or before the Monday March 7th meeting regarding the proposed amendment of Bylaw 14-2010, Responsible Pet Ownership.

During COVID many families across Canada including in the municipality of Oshawa turned to the companionship of pets for comfort and support during the troubling times. This is very important to remember for all groups when considering amending pet ownership bylaws. The percentile of pet companions in Canadian homes post COVID has increased immensely.

CANHERP has advocated for specialty pets for over 20 years, supporting education, policing with regulatory groups at all levels, created re-homing programs for those unfortunate pets seeking new forever homes, supported local conservation efforts, supporting retailers and the list of achievements goes on. Being a significant voice for the pet industry and specialty pet stakeholders has been our first focus.

CANHERP along with PIJAC LIVE prepared a document that I would like to share with you on the world of Specialty Pets in Canada. It really defines the specialty pets from the world of Exotic Animals. Specialty pets are the family companion pets that do not fall in the line of dog or cat.

Specialty pets are the aquatic fish, reptiles, small animals, inverts and birds. All in which are being misinterpreted as these wild animals being kept in homes. In fact this is completely opposite as the Canadian family pets are over 85% now captive produced from successful breeding families right here in Canada. Yes the Canadian pet family has become self sustaining in providing pets to the families from local breeders, this in turn has eliminated the need to bring from countries of origin the imported pets. Its a great achievement that many countries are envious of.

CANHERP would like to share with you the list of prohibited species that has been shared across Canada as the foundation marker for all municipalities and provinces to consider. CANHERPS advisory panel of veterinarians, environmentalist, biologists, zoological curators, specialty pet breeders and pet retailers looked at all of the fundamentals regarding species of pets in today's pet companion world. Its presented in the attachments of this email

Thank you again for sharing this document with the City of Oshawa Councillors and if the opportunity arises to present to the council our proposal please confirm with an email to us and we will have one of our advisors ready to do so.

With thanks and acknowledging responsible pet ownership is everyone's responsibility

--

GRANT CROSSMAN

CANHERP EXECUTIVE DIRECTOR  
PIJAC LIVE COMMITTEE CHAIR  
PIJAC CANADA DIRECTOR

CELL / TEXT M.F.I.P.P.A. Sec 14(1)

## Oshawa Proposed Amendments to Responsible Pet Owners By-law 14-2010

Submitted on Behalf of:  
CanHerp  
Specialty Pet Families of Oshawa  
Pet Reptile Retail Specialists  
of Oshawa



To Animal Services, Mayor, and council of the City of Oshawa,

CanHerp is an association of reptile and amphibian enthusiast's, working together to preserve, foster, and grow the reptile and amphibian hobby in Canada by supporting Specialty Pet breeders, hobbyists, veterinarians, retailers, educators, and most importantly Pet families. Our stakeholders agree that responsible pet ownership, animal welfare, and public safety are top priorities when developing municipal by-laws.

In response to the Oshawa Animal Care Advisory Committee and Proposed Amendments to Responsible Pet Owners By-law 14-2010, CanHerp would like to thank you for allowing us the opportunity to provide feedback regarding the subject of Permitted vs Prohibitive lists.

Prohibitive lists are easier for Animal Services employees to use, as they are easier to understand, and clearly identify animals that are not generally considered acceptable pets. However, CanHerp does not believe that a Permitted List is a beneficial means of managing pets. Permitted lists are also difficult to maintain as they require animal services to be aware of each animal identified on the list as an acceptable pet.

Approximately 80% of all reptile and amphibian pets in Canada are captive-bred and born in Canada, or the USA. Imported pets that reside in Canada are from countries of origin that have been regulated by Environment Canada, CFIA and CITES (Convention of International Trade of Endangered Species). Furthermore, enthusiasts often self-police the rehoming of animals to ensure they're sent to homes who are properly prepared to provide and care for their pets. Most reptile and amphibian pets are also captive-bred, to preserve the species and further establish captive-breeding programs. This helps save species from the main problem animals are faced with globally, including deforestation, loss of habitat and the encroachment of humans of the species native habitats.

Due to the lack of allergy potential, reptiles also make amazing pets and life companions. Pet owners who are allergic to dogs, cats, or birds don't enjoy interacting with pets the same way as other pet owners.

Today, pet owners have access to tools and resources that enable them to provide their pets with the best care possible. Examples include thermostats to help regulate temperature, along with various heating products such as heat pads, heat panels, and lights, depending on the requirements of the animal. There are also lights available that provide a portion of the sun's natural UV rays which are important to their health and wellbeing. One of the fastest growing segments of the world of Canadian Veterinarian schooling are the educational programs focused on specialty pets. These educational programs provide pet owners the veterinarian care and support to the specialty pet families across Canada.

Furthermore, groups such as CanHerp along with pet retailers are important resources available for pet owners to research the needs of their family pets. Scientific research and knowledge are also available that has been conducted by highly educated and experienced professionals. This knowledge has been passed onto pet owners world-wide via social networking, enabling responsible pet owners to provide the best of care for their animals. Recent research has shown that more naturalistic habitats add additional psychological stimuli for our pets, and many pet owners are now actively starting to engage in these new standards of husbandry.

Please take this package as CanHerp's submission for consideration as you prepare your new Oshawa Pet Bylaw and remember CanHerp is here to collaborate with you in this development.

We look forward to hearing from you

CanHerp

Advocating for the Canadian Pets

## Specialty Pets

**Includes the world of reptiles, amphibians, inverts, small mammals, birds, and aquatics.**

### **Species Allowable and Prohibited List**

Presenting the cases for each species we wanted to come together with the concerns that the majority of municipalities have considered throughout this process historically. All with the same two main concerns of public safety and the overall wellbeing of the specialty pets being maintained within the city at the time of the bylaw presentation.

On the reptile lists you will see considered elements related to each species. CanHerp took the Five Freedoms into consideration within our proposal.

**Public Safety Risk** - The potential risk that an animal may inflict harm to a human.

**Husbandry Requirements** - Within today's open pet market, products are available to sustain all the needs of the animals proposed.

**Invasive Species** - None of these proposed animals would be able to sustain long term life within the climate of Oshawa to establish as an invasive species.

**Available Captive-bred in North America** - The species is available from captive breeding groups already established within North America.

**Zoonotic Transmission Risk** - the risk of transmission of a zoonotic germ being spread from specialty pet to human.

**Vet Care Availability** - is there a veterinarian available within a reasonable area that would provide the necessary care and support of the species.

**Enrichment/Betterment of Life** - Today pet owners have access to tools, such as digital hygrometers and thermostats, and resources such as online educational material and research. This enables them to provide their pets with enrichment and betterment of life.

**CITES Controlled** - Is the species under any Appendix of the CITES List. CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species.

## **The Five Freedoms\* is a core concept in animal welfare:**

1. Freedom from hunger and thirst by ready access to fresh water and a diet to maintain full health and vigor.
  - Given the achievements in research on dietary and nutritional needs of all species of pets and specialty pets, there is a wide range of feed available.
2. Freedom from pain, injury or disease by prevention or rapid diagnosis and treatment.
  - Oshawa has one of the largest offerings of specialty pet veterinarian practices available on a per capita population scale. Within a 15-minute drive from strategic points of Oshawa, a veterinarian is available to support the treatment of an emergency case and/or a regular health schedule is at the doorstep of a specialty pet family.
3. Freedom from discomfort by providing an appropriate environment, including shelter and a comfortable resting area.
  - All the habitats available to the pet and specialty pets families focus on the educational format of space for the species that require specific environments. For those that require specific items for habitat such as lighting, live foliage, climate control, environmental seasonal cycling all these support items are readily available.
4. Freedom to express normal behavior by providing sufficient space, proper facilities, and companionship.
  - All the habitats available to pets and specialty pets' families will provide natural habitats that best mimic the natural habitat of that species. Specific items for habitat such as lighting, live foliage, climate control, environmental seasonal cycling all these support items are readily available. However, some species are solitary, and prefer to be on their own.
5. Freedom from fear and distress by ensuring conditions and treatment which avoid mental suffering.
  - With the evolution of information on each species' origin surrounding habitat, dietary needs, lighting needs, veterinarian needs, exercise needs the overall mental stress is minimized even being from captive-bred populations.

Canada respectively is one of the leading countries that has many regulatory steps to encourage legal import of animals as well as working as a safety wall in respect to our native habitat and native species. Here are the three federal segments that regulate the animals entering Canada:

Canada is one the leading members of the CITES treaty.

#### **CITES Trade in protected species: international convention**

The **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)** is a treaty protecting wild plants or animals. It sets controls on international trade so that the species are not harmed. CITES protection applies to endangered animals and plants in any form:

- Alive or dead
- Whole or in parts
- or any products made from them

A permit is needed to import, or export CITES protected species.

CITES has 3 levels of protection:

- Level 1 (Appendix I) are species at risk. Commercial trade is generally not allowed.
- Level 2 (Appendix II) are species that need controls to protect them. Trade is possible with the right permits.
- Level 3 (Appendix III) are species at risk in a country needing help monitoring the trade.

**When travelling between countries, you will need a CITES permit for many exotic pets. Some examples are:**

- Most parrots
- Some lizards, turtles, and snakes
- Hybrid cats (wild cat crossed with domestic cat)

Certificates of ownership, also known as **pet passports**, are available for species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

**Check before you travel.**

**The country you are visiting may also have additional requirements or restrictions.**

## **CFIA Import Restriction NOTICE May 12, 2018**

Canada prohibits the import of all species of the order Caudata (such as salamanders, newts, and mudpuppies) unless accompanied by a permit. The goal is to protect wild Canadian salamander species from a harmful fungus.

This import restriction includes living or dead specimens, as well as any of their:

- Eggs
- Sperm
- Tissue culture
- Embryos

It also includes any other parts or derivatives of species of the order Caudata.

This measure is implemented under the following act and regulation:

- Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)
- Wild Animal and Plant Trade Regulations (WAPTR)

The current restriction came into effect on May 12, 2018. It replaced a temporary one-year import restriction on salamanders. The fungus continues to pose a significant conservation threat to Canadian salamanders.

## **ENVIRONMENT CANADA**

Environment Canada acts as the enforcing agents of the above regulatory bodies on behalf of Canada.

## **Reference Links or Papers**

- CITES
  - (Accessed online: <https://www.canada.ca/en/environment-climate-change/services/convention-international-trade-endangered-species.html>)
- CITES TREATY
  - (Accessed online: <https://cites.org/eng/disc/text.php>)



# CanHerp Prohibitive Species List

Version 1.0

Common Name	Latin Name	Public Safety Risk	Husbandry Requirements	Invasive Species Risk	Available Captive-bred	Zoonotic Transmission Risk	Vet Care Availability	Enrichment/Betterment of Life	Five Freedoms	CITES
<b>Snakes</b>										
- Boas or Pythons exceeding 2-meters in length										
- Other Snake species that exceed 3-meters in length										
- Venomous or devenomized										
<b>Pythons</b>										
<i>Pythonidae</i>										
African Rook Python	<i>Python sebae</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Southern Rook Python	<i>Python natalensis</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Reticulated Python	<i>Python reticulatus</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Asian Rook Python	<i>Python molurus</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Burmese Python	<i>Python bivittatus</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Australian Olive Python	<i>Liasis olivaceus</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Scrub Pythons	<i>Simalia amethystina</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Australian Scrub Python	<i>Simalia kinghorni</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
<b>Boas</b>										
<i>Boidae</i>										
Green Anaconda, Yellow Anaconda	<i>Eunectes sp.</i>	Yes	Challenging	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
<b>Colubrids</b>										
<i>Colubridae</i>										
Boomsnang	<i>Diopholidis sp.</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
African Vine Snake	<i>Thelotornis sp.</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Green Racer	<i>Philodryas(Chlorosoma) vir</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Lichtenstein's Green Racer	<i>Philodryas offersii</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Blind Snakes, Thread Snakes	<i>Scolecophidia</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Blandings Tree Snake	<i>Toxicodryas blandingii</i>	Yes	Achievable	None	Yes	Minimal	Specialized	Not Achievable	Not Achievable	No
Tiger Keelback Snake	<i>Rhabdophis tigrinus</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Centipede Eating Snakes	<i>Tantilla sp.</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
<b>Stiletto Snakes, Burrowing Asps</b>										
<i>Atractaspidinae</i>										
<b>Elapids</b>										
<i>Elapidae</i>										
Cobras, Coral Snakes; Death Adders, Mambas	<i>All Elapidae</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
<b>Vipers</b>										
<i>Viperidae</i>										
Bush Vipers, Rattlesnakes, other Pit Vipers, Adders	<i>All Viperidae</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
<b>Sea Snakes, Marine File Snakes</b>										
<i>All Hydrophiinae</i>										
Sea Snakes	<i>All Hydrophiinae</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
Sea Kraits	<i>All Laticaudinae</i>	Yes	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	No
<b>Lizards - All species that may reach 1-meters in length</b>										
- No lizard species reaching 1-meter as an adult										
- No lizard species venomous or devenomized										
Taylor's Fat Tail Gecko	<i>Hemiteconyx taylori</i>	No	Specialized diet	None	No	Minimal	Available	Not Achievable	Not Achievable	No
Flying Lizard	<i>Draco sp.</i>	No	Not Achievable	None	No	Minimal	Available	Not Achievable	Not Achievable	No
Horned Lizard	<i>Phrynosoma sp.</i>	No	Specialized diet	None	Yes	Minimal	Available	Not Achievable	Not Achievable	No
Iguana	<i>Iguana iguana</i>	No	Achievable	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
Black and white tegu, red tegu etc	<i>Tupanambis sp.</i>	No	Achievable	None	Yes	Minimal	Available	Not Achievable	Not Achievable	Yes
European Wall Lizard	<i>Podarcis muralis</i>	No	Achievable	Yes	Yes	Minimal	Available	Achievable	Achievable	No
Long-nosed Leopard Lizard	<i>Gambelia wislizenii</i>	No	Specialized diet	None	No	Minimal	Available	Not Achievable	Not Achievable	No
Zebra-tailed Lizard	<i>Callisaurus draconoides</i>	No	Not Achievable	None	No	Minimal	Available	Not Achievable	Not Achievable	No
<b>Chelonians</b>										
- As per law 1977 CFIA regulation prohibits import of all chelonians										
<b>Tortoises</b>										
<i>Chelonoidis nigra complex</i>										
Galapagos Tortoise, Chatham Tortoise, Abingdon Tortoise	<i>Chelonoidis nigra complex</i>	No	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	Yes
Aldabra Tortoise	<i>Aldabrachelys gigantea</i>	No	Not Achievable	None	No	Minimal	Specialized	Not Achievable	Not Achievable	Yes
Sulcata Tortoise	<i>Centrochelys sulcata</i>	No	Not Achievable	None	Yes	Minimal	Specialized	Not Achievable	Not Achievable	Yes
<b>Turtles</b>										
<i>Chelus fimbriata</i>										
Sliders	<i>Trachemys sp.</i>	No	Achievable	Yes	No	Minimal	Available	Not Achievable	Not Achievable	No
Mata Mata	<i>Chelus fimbriata</i>	No	Challenging	None	No	Minimal	Available	Not Achievable	Not Achievable	No
Alligator Snapping Turtle	<i>Macrochelys temminckii</i>	Yes	Challenging	None	No	Minimal	Available	Not Achievable	Not Achievable	Yes
<b>Crocodylians</b>										
<i>Crocodylians</i>										
Alligators, crocodiles, caimans	<i>Crocodylians</i>	Yes	Challenging	None	No	Minimal	Specialized	Not Achievable	Not Achievable	Yes
<b>Invertebrates</b>										
<b>Arachnida and Chilopoda</b>										
Yes Challenging None Yes Minimal Specialized Not Achievable Not Achievable No										
(a) all venomous spiders, including, but not limited to, tarantula, black widow and solifugid, scorpion, except the following species of tarantula: Chilean Rose Hair ( <i>Grammostola rosea</i> ), Mexican Tarantulas of the genus ( <i>Brachypelma sp.</i> ) and Pink-Toed ( <i>Aviculanana sp.</i> ); and (b) all venomous arthropods, including, but not limited to, centipede.										
<b>Public Safety</b> The potential risk that an animal may inflict harm to a human.										
<b>Husbandry Requirements</b> Within today open pet market, products are available to sustain all the needs of the animals proposed										
<b>Invasive species</b> None of these proposed animals, would be able to sustain long term life within the local climate to establish as an invasive species										
<b>Available Captive-bred in NA</b> The species is available from captive breeding groups already established within North America										
<b>Zoonotic Transmission</b> The risk of transmission of a zoonotic germ being spread from pet to human.										
<b>Vet Care Availability</b> Is there a veterinarian available within the reasonable area that would provide the necessary care and support of the species.										
<b>Enrichment/Betterment of Life</b> Today pet owners have access to tools, such as digital hygrometers and thermostats, and resources such as online educational material and research. This enables them to provide										
<b>CITES Controlled</b> Is the species under any Appendix of the CITES List. CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora). Is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species										



# CanHerp Permitted Species List

Version 1.0

Common Name	Latin Name	Invasive Species Risk	Available Captive-bred	Zoonotic Transmission Risk	Vet Care Availability	Enrichment/Betterment of Life	Five Freedoms	CITES		
<b>SNAKES</b>										
<b>Pythons</b>										
<b>Pythons reaching an adult length of no greater than 2-meters or than 3-meters</b>										
<b>Pythons</b>										
Childrens Python, Stimson's Python	<i>Antaresia ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Woma Python, Blackheaded Python	<i>Aspideres ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Ringed Python	<i>Bothriechis ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Water Python	<i>Liasis fuscus</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Macklot's Python, Savu Python	<i>Liasis mackloti ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
White Lipped Python	<i>Liasis fuscus</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Timor Python	<i>Malayopython timoriensis</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Boelen's Python	<i>Morelia boeleni</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Bredt's Python	<i>Morelia bredti</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Rough Scale Python	<i>Morelia cannata</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Carpet Python	<i>Morelia spilota ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Green Tree Python	<i>Morelia viridis ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Angolan Python	<i>Python anchietae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Borneo Python	<i>Python breitensteini</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Blood Python	<i>Python brongersmai</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Short Tailed Python	<i>Python curtus</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Gull Python	<i>Python regius</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
<b>Boas</b>										
<b>Boas</b>										
Rod Tail Boa	<i>Boa constrictor ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Central American Boa	<i>Boa imperator ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
New Guinea Boa	<i>Carolia ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
West Indian Boa	<i>Chilabothrus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Emerald Tree Boa, Amazon Tree Boa	<i>Corallus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Rainbow Boa	<i>Epicrates ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Sand Boa	<i>Erycinae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Rosy Boa	<i>Charina ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
<b>Colubrids</b>										
<b>Colubrids</b>										
All Colubrids allowed	<i>Colubridae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Sunbeam Snakes	<i>Xenopeltidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
House Snakes, Sand Snakes	<i>Lamprophiidae ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Mexican Burrowing Python	<i>Loxocercidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
<b>LIZARDS</b>										
<b>Lizards reaching an adult length of no greater than 1-meter</b>										
<b>Geckos</b>										
<b>Geckons</b>										
Leopard Geckos, Cave Geckos, Cat Geckos	<i>Eublepharidae (synonymous with Gekkonidae)</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Chameleon Geckos, Knob Tail Gecko	<i>Gehyraeidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Crested Geckos, Spiny Tail Geckos, Velvet Geckos	<i>Diplodactylidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Wall Geckos, Turnip Tail Geckos	<i>Phyllodactylidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Frog-eyed Geckos, Least Geckos, Clawed Geckos	<i>Sphaerodactylidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Blue Tongue Skink, Fire Skink, Plated Lizards	<i>Scincidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Girdled Lizard, Sungezer	<i>Corydidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Laocerta's, Wall Lizards, Jewelled Lizards	<i>Laocertiidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Bearded Dragons, Rock Agamas, Earless Agamas	<i>Agamidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Monkey Anoles, Panamanian Anoles	<i>Polychrotidae (Anolis, Polychrotus ssp)</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Green Anoles, Chameleon Anoles	<i>Dactyloidae (Polychrotidae)</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Veiled Chameleons, Panther Chameleons	<i>Chamaeleonidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Fathead Anoles, Smooth Lizards	<i>Leioleauridae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
South American Chuckwalla, Tree Lizards	<i>Liolaemidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Casquehead Lizards, Basilisks	<i>Crotaphanidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Collared Lizards, Leopard Lizards	<i>Crotaphytidae</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Wood Lizards	<i>Erylloides ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
North American Chuckwalla	<i>Sauromalus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Fence Lizards, Swifts	<i>Sceloporus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Gallwasps	<i>Diploglossus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Alligator Lizards	<i>Eigania ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Alligator Lizards	<i>Gerrhonotus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Mexican Alligator Lizards	<i>Abronia ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
European Legless Lizard	<i>Pseudopus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Chinese Crocodile Lizard	<i>Shinisaurus crocodilurus</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Rock Lizards	<i>Petrosaurus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Collared Tree Lizards	<i>Ptilia ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Lava Lizards	<i>Microlophus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Night Lizards	<i>Xenosaurus ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
<b>TURTLES &amp; TORTOISES</b>										
<b>- As per law 1977 CFIA regulation prohibits import of all chelonians</b>										
Red Footed Tortoise	<i>Chelonoidis carbonaria</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Yellow Footed Tortoise	<i>Chelonoidis denticulata</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Indian Star Tortoise	<i>Geochelone elegans</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Elongated Tortoise	<i>Indotestudo elongata</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Pancake Tortoise	<i>Malacochersus tornieri</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Leopard Tortoise	<i>Stigmochelys pardalis</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Russian Tortoise	<i>Agrotomys horsfieldii</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Greek Tortoise, Hermanns Tortoise	<i>Testudo ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Box Turtles	<i>Terrapene carolina ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Eastern Box Turtle	Excluding <i>Terrapene carolina carolina</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Ornate Box Turtle	<i>Terrapene ornata ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Diamondback Terrapin	<i>Malaclemys terrapin</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Black Breasted Leaf Turtle	<i>Geomyda ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Golden Coin Turtle	<i>Cuora trifasciata</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Pinkbelly Sideneck Turtle	<i>Emydura subglobosa</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Razorback Musk Turtle	<i>Stemotherus carolinatus</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Reeve's Turtle	<i>Maureremys reevesii</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
<b>AMPHIBIANS</b>										
<b>All Amphibians allowed</b>										
<b>AMPHIBIANS</b>										
<b>INVERTS</b>										
Chilian Rose Hair Tarantula	<i>Grammostola rosea</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
Mexican Red Kne Tarantula	<i>Brachypelma smithi</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	Yes
Pink Toe Tarantula	<i>Avicularia ssp</i>	None	Achievable	None	Yes	Minimal	Available	Easily Accomplished	Achievable	No
<b>Public Safety</b>										
<b>Husbandry Requirements</b>										
<i>The potential risk that an animal may inflict harm to a human.</i>										
<i>Within today open pet market, products are available to sustain all the needs of the animals proposed</i>										
<b>Invasive species</b>										
<i>None of these proposed animals, would be able to sustain long term life within the local climate to establish as an invasive species</i>										
<b>Available Captive-bred in NA</b>										
<i>The species is available from captive breeding groups already established within North America.</i>										
<b>Zoonotic Transmission</b>										
<i>The risk of transmission of a zoonotic germ being spread from pet to human.</i>										
<b>Vet Care Availability</b>										
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<b>Enrichment/Betterment of Life</b>										
<i>Today pet owners have access to tools, such as digital hygrometers and thermostats, and resources such as online educational material and research. This enables them to provide the</i>										
<b>CITES Controlled</b>										
<i>Is the species under any Appendix of the CITES List. CITES (The Convention on International Trade in Endangered Species of Wild Fauna and Flora). Is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species.</i>										

# Canada Loves Specialty Pets

Animal welfare is everyone's business!™



The Voice of Canada's Pet Industry

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# Background

Pet ownership in Canada has steadily grown over the last 20 years, and for over three decades the Pet Industry Joint Advisory Council of Canada (PIJAC Canada) has been working with business and government agencies, at all levels, to advance the well-being of pets in Canada.



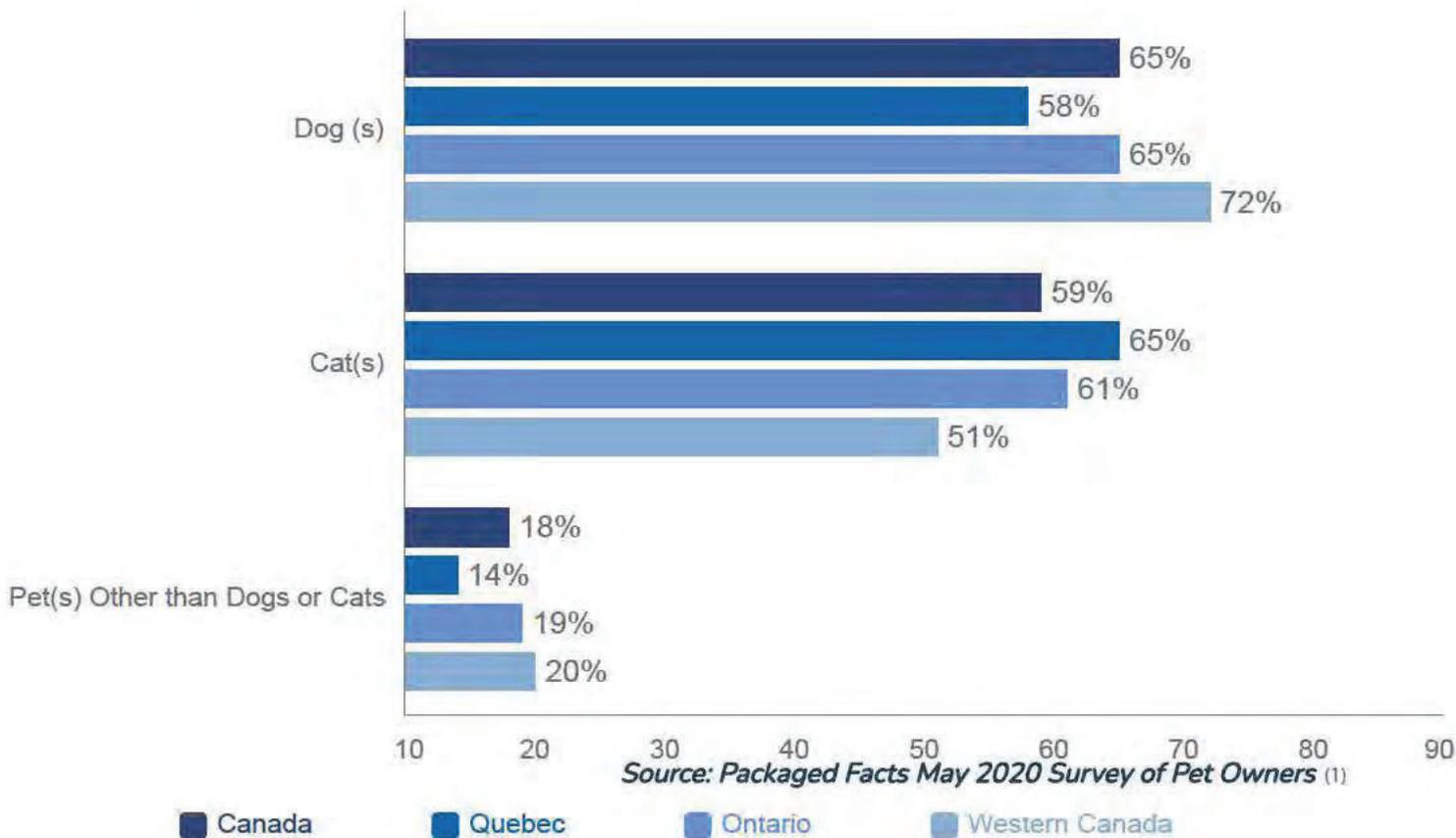
Educating members of the pet industry is a top priority for PIJAC Canada. Numerous pet retailers recognize that the success and even survival of their businesses rests on their ability to offer customers high quality service and expertise in such areas as animal husbandry, speciality pet ownership, and customer satisfaction. PIJAC Canada supports the pet industry's efforts, in this regard, by providing pet resource materials and information on a range of different species which they, in turn, can pass on to their clientele.

# Pet Ownership Trends

## ARE ON THE RISE!

### Canadian Pet Ownership

Pet Ownership Rates: Dogs, Cats, and Other Pets by Region or Province— Quebec, Ontario, and Western Canada, 2020 (percent of pet owners)



Pet ownership in Canada is becoming increasingly popular. Pre-pandemic figures place pets in 63 percent of Canadian homes, which amounts to nearly 28 million pets sharing their lives with humans. Now, when most people think of pets they generally think of cats or dogs, but many Canadians also own what is classified as speciality pets.

As a matter of fact, of the 28 million pets currently living in Canadians' homes, 45 percent are actually speciality pets which includes species of birds, reptiles, amphibians, fish and small mammals (guinea pigs, rabbits, hamsters etc.). (2)

# Canada's pet industry adds over \$9 billion to the nation's economy



Whether it's a cat or dog, or a speciality pet, there are many reasons a person selects a specific, or different type of pet, be it for companionship, interest or general appreciation of the species.

Speciality pet lovers are a devoted and growing group in the area of pet ownership.

This is reflected by the fact that pet retailers across North America are seeing a notable increase in demand for these types of pets. The latest data, coming from the USA, notes a seven percent increase in families adding a reptile to their home.

While such data has not been tracked in Canada, pet retailers here say they are seeing an increased demand for such pets as well.

Western Canadian pet lovers lead the way in owning the highest number of specialty pets in Canada today.

Eighteen percent of the households in Western Canada have a pet other than a dog or a cat, which translates in over 1.6 million households in the country owning a speciality pet.

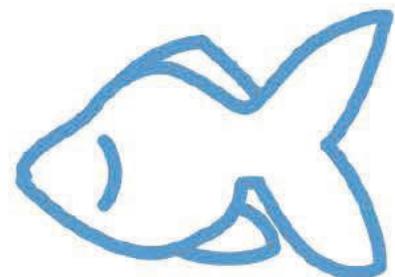


# What Are Specialty Pets?



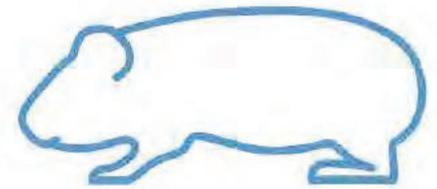
When you think of some of these specialty pets you might be visualizing “exotic species”, but there is a big difference between the two.

Exotic animals often are not all that exotic at all. They are just any animal that would require a different type of care than required for customary household animals.



# Exotic Animal Policy

Since 1992, PIJAC has made available to various government agencies its own Exotic Animal Policy that includes a Prohibited Species list which identifies animals that we view as not suitable to be sold as pets.



Type of Animal*	Prohibited Examples*	Exceptions
Artiodactylous ungulates (hooved)	Deer, Giraffe, Elk, Gazelle, etc.	Domestic Goats, Sheep, Cattle
Canidae (canine)	Wolf, Coyote, Dingo, etc.	Domestic Dog
Crocodylians	Alligator, Crocodile, Cayman, etc.	one
Edentates	Anteater, Sloth, Armadillo	one
Elephantidae (elephants)	African and Indian Elephant	one
Erinacidae	Spiny Hedgehog, Moonrat, etc.	African Pigmy Hedgehog
Felidae (felines)	Lions, Tigers, Cheetahs, Pumas, etc.	Domestic Cat
Hyaenidae (hyenas)	Hyenas	one
Marsupials	Koala, Kangaroo, Opossum, etc.	None
Mustelidae (musk glands)	Skunk, Weasel, Badger, etc.	Domestic Ferret
Non-human primates	Gorilla, Monkey, Chimpanzee, etc.	None
Pinnipeds (sea mammals)	Seal, Sea Lion, Walrus, etc.	one
Perissodactylous ungulate (hooved)	Zebra, Rhinoceros, Tapir	Domestic horse and ass
Procyonidae	Raccoon, Coati, Cacomistle	one
Pteropodidae (bats)	Bats (all species)	one
Raptors (birds of prey)	Eagle, Hawk, Owl, etc.	one
Ratites (flightless birds)	Ostrich, Emu, Rhea, etc.	one
Ursidae (bears)	Polar, Black, Grizzly, etc.	one
Venomous Reptiles	Rattle Snake, Coral Snake, etc.	one
Viverridae	Mongoose, Civit, Genets	one

*\* Examples of animals of a particular prohibited group are given, but they are examples only and should not be construed as limiting the generality of the group.*

Through resources such as our Exotic Animal Policy and a wide network of animal experts, PIJAC Canada has been a trusted source for members of the pet industry, with a reputation for collaboration and commitment to animal welfare. We stand by our motto that 'Animal welfare is everyone's business'<sup>TM</sup> which guides our organization and its over 1,500 members.

# What Is Captive Breeding?

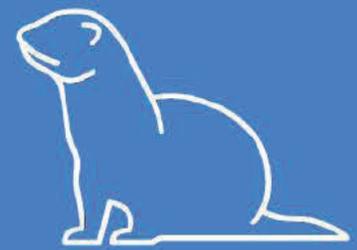


Specialty pets born under human care is part of how they are ethically sourced. It involves the rearing of animals born and raised in a controlled environment designed to support and monitor the health of the animals, as well as ensure preservation of the species.

Through this approach, pet retailers are able to provide their customers with pets that are healthier, easier to handle and much friendlier towards their prospective owners. This helps maximize the chances of a successful pet-owner relationship and benefits everybody: the animal, the pet owner and the retailer.

Today, there's an increasing variety of human raised (captive bred) animals available to Canadian pet owners. The birds and small mammals available to pet retailers almost exclusively come from captive breeding facilities and the number is increasing every year. The benefits of captive breeding for the purposes of pet ownership in the area of specialty pets are legion.

Human raised animals make better pets. Because they are hand-raised they are better suited to life as a pet. As human raised animals are subject to a variety of veterinary protocols, they are free of certain diseases and parasites commonly found in their wild counterparts. Over the last two decades, the focus has shifted towards well-known, multi-generational captive-bred species as they are healthier, well socialized and more relaxed.



### Percentage of Human Raised Speciality Pets Sold in Pet Stores



Over 90 percent of speciality pets such as birds, small animals and fish sold in Canadian pet stores come from captive breeding programs either from abroad or here in Canada. While favouring local sources, some of the demand requires importing species from captive-breeding facilities in other countries.

These same pet retailers have received training, through PIJA Canada, in how to implement their own animal care and husbandry protocols to help them identify issues like the threat of zoonosis, (disease that can be spread from animals to people) for example. Pet store operators are also in the front lines identifying and working only with ethical suppliers of speciality pets.

In addition, captive breeding programs usually don't take animals from the wild; they contribute to species preservation and help ensure genetic diversity. In rare cases, wild specimens remain part of the equation while breeding techniques are developed and refined.

That being said, breakthroughs in captive breeding programs often appear through small, devoted hobbyists and all pet retailers to market human raised animals exclusively, advance captive breeding research and innovation.

International conventions such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES, and closer to home, federal regulations such as WAPPRITA, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, recognize the importance of well-established structured captive breeding programs.

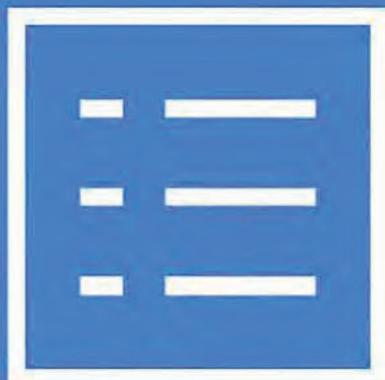


# Why 'Allowable' Pets Lists Can't Work

There's a movement afoot to change pet classification models from PIJA Canada's recommended prohibited species list to permitted species lists. Here's why this change in approach can't work.

The call for the use of permitted species' lists aimed at limiting exotic species, as opposed to animals that can be kept as speciality pets, is a disproportionate approach. Given that there are no identified issues of concern regarding the species our industry currently imports, PIJA Canada maintains that species should only be restricted where it can be properly demonstrated, based on a scientific risk assessment, that they constitute some form of risk.

**We also believe that educating people to select the right pet for their lifestyle and care for it properly is the key to happy and healthy pets and owners, not limiting species through 'permitted species' lists.**





# 4 FACTORS

Make  
Allowable Lists  
Unworkable

## 1. How will the list of criteria be determined and respected?

When developing a permitted species list criteria would have to be determined that would allow, rather than disallow which type of animals would be included in the list. This would require a very long and complex set of criteria based on numerous facts or assumptions. Whereas the prohibited criteria developed as part of PIJAC Canada's Exotic Animal Policy provides a very simple and succinct criteria.

For example, with reptiles, PIJA's Exotic Animal Policy sets out regulations related to how animals should be prohibited related to their size using its three-metre/two-metre rule, which is defined as follows: "An adult snake's length cannot exceed three metres and an adult lizard's length cannot exceed two metres (snout to the tip of the tail)."

***"Any animal that would require a standard of care and control greater than required for a customary household."***





## Easy To Apply Rules

This rule because is easy to apply and enforce through the simple use of a measuring tape. This is another reason that a prohibited species list is more feasible than a permitted one, because the more species that are added to a permitted species list, the more training of enforcement officers will be required to properly identify them. Relying on identification, only, can be problematic because, with age, an animal's colour patterns may change. There are also a growing number of colours available to herpetoculturists (captive reptile breeders) such as hypomenalistic species such as albinos, and granite and calico patterns.

English common name	Species	*Length
Green anaconda	Eunectes murinus	6.3 to 8m
Yellow anaconda	Eunectes notaeus	5.3 to 6m
Reticulated python	Python reticulatus	6.3 to 10m
African rock python	Python sebae	6.3 to 9m
Burmese python	Python molurus bivittatus	5.3 to 8m
Indian python	Python molurus molurus	5.3 to 6m
Amethyst python	Morelia amethystina	6.3 to 8m

## Prohibited Species

As a complement to this approach, PIJA Canada has identified six different species and, one sub-species of snakes that should be prohibited as pets. All of them exceed three meters and are recognized for their unsuitability and risk to human health and the environment.

They are all members of the Family Pythonidae (constrictors, e.g. boa, anaconda) and we recommend their inclusion on a prohibited species list, with a statement such as: 'These six species and this one sub-species, members of the Pythonidae Family are prohibited'.

Length suggested in literature. Snakes grow during their entire life and the total length they may reach is greatly influenced by the captive conditions in which they are kept. As for the two-meter rule in lizards, it eliminates a large number of unsuitable specimens, as well as those that are of real threat to pet owners.

4

FACTORS

Make  
Allowable Lists  
Unworkable



## 2. Difficulty in Application and Management

**Provided that an agreement could be reached on the list of criteria that must be met, it is likely that the number of proposed speciality pet species, that do not meet the list's criteria, would be far smaller than those that do. The result would be a list tens of thousands of animals that are permitted.**

Such a list would prove to be a nightmare for those charged with administering and enforcing it. Those individuals would need to be extremely well versed in each species on the list, requiring in-depth training and education which adds to departmental budgets. Another key factor to consider is that, while a large part of the list would be comprised of established species, the list would require constant modification, due to changes in consumer demand, market trends, and availability of new species and other factors.

Keeping the list current would prove to be totally unfeasible. For example, Newfoundland has a list which permits only a small number of finch species to be sold as pets when, in reality, that number of finch species available to the pet trade is exponentially higher. Such list modifications would be lengthy and often out-dated by the time they would be put in place. This situation would create frustration among bird hobbyists and risks driving them to black market breeding operations.

**Prohibited Species lists are much shorter and easier to maintain and administer. References to the list can be accessed more quickly and controlled. The size of the list, itself, makes it much easier for cross-referencing by common and scientific names. By way of example, the Dutch courts annulled that country's permitted species list on the grounds of a lack of expertise in advising such a list!**



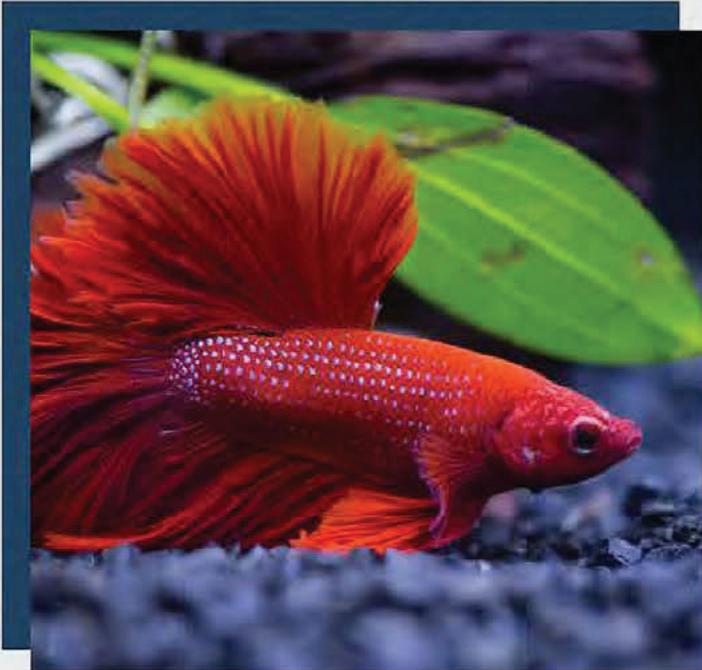
**4**  
**FACTORS**  
Make Allowable Lists Unworkable

### 3. Restrictions on Trade

Opting for a permitted species list will make it difficult to introduce new permitted species to the local pet trade. One has only to mention the domestic ferret (not found in the Newfoundland list), the African pigmy hedgehog and the degu rodent as examples.

All three species, while they meet the list of criteria for speciality pets (human raised, easily kept in captivity) they are comparatively new to Canada's pet stores but have been widely available elsewhere in the pet trade for years.

The omission of any permitted species on the list would put unfair and unjust trade restrictions on pet wholesalers and retailers. It would also be a direct contradiction to the acceptance of the "what is already being traded" criteria. Such situations do not occur with the use of a 'prohibited species' list.



# 4 FACTORS

Make  
Allowable Lists  
Unworkable



## 4. Will not stop people from keeping banned pets

Furthermore, evidence demonstrates that such a move would do little to stop people from keeping banned pets but, rather, drive ownership underground. This also does nothing to protect animal welfare, because sick animals may be denied veterinary attention if they are kept illegally. We saw this when many reptiles were discovered in Swedish homes after the country joined the EU and its ban on reptile ownership was lifted.



Another example is when Norway lifted its extensive 40-year ban on the ownership of most species of reptiles. The Norwegian Government had to acknowledge there was more than 100,000 reptiles in private ownership, indicating a flourishing and long-term black-market trade.

# How is Canada's pet trade regulated?



Perhaps one of the most frustrating things about a forced shift towards the permitted list approach is that it is wholly unnecessary. There are many laws already in place in Canada and internationally that protect both animals and people as it relates to “specialty pets” and “exotic animals”.

Animals in Canada are protected under two official layers of legislation, federally and provincially. These, like all of our laws, evolve over time, but their primary focus is on protecting animals from cruelty by mandating that they receive the necessities of life for them to be healthy and comfortable.

Global animal protection is also alive and well. Animals that may be brought into the country are protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), an international agreement between governments aimed at ensuring that international trade in specimens of animals and plants does not threaten the survival of the species.



# Regulations for Importation of Animals into Canada

## CITES Regulations

**Appendix 1** – Animals that are not allowed to be imported into Canada

**Appendix 2** – Animals that are allowed to be imported or exported, with a permit\*

Note: This Convention is there to regulate, not to prohibit trade

\*The Canadian Wildlife Services (under Environment and Climate Change Canada) issues the import permit, and the Canadian Food Inspection Agency (CFIA) verifies the health of the animal at the point of entry into Canada.



## Bird or Reptile Imports

Commercial shipments of birds and reptiles are required to undergo quarantine. CFIA offers quarantine facilities or importers can host the quarantine at their own facility under the scrutiny of CFIA. Border inspections by CFIA veterinarians ensure the animal meets all health requirements and approves.

## Fish Imports

Commercial fish imports are kept in quarantine by the importer under the guidance of the National Aquatic Animal Health Program operated by CFIA.

# Regulations For INTERPROVINCIAL TRANSPORT OF ANIMALS

'Listed' and regulated animals are overseen by WAPPARIITA, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act. It includes:

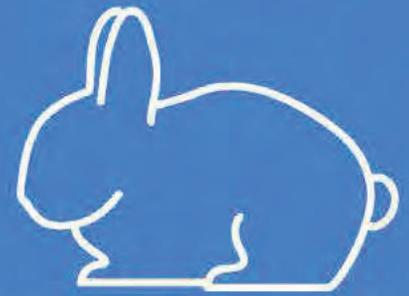
- Species on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) control list.
- Foreign species whose capture, possession, and export are prohibited or regulated by laws in their country of origin.
- Canadian species whose capture, possession, and transportation are regulated by provincial or territorial laws.
- Species whose introduction into Canadian ecosystems could endanger Canadian species

The Act forbids the import, export and interprovincial transportation of these species, unless the specimens are accompanied by the appropriate documents (licences, permits).



**Just as laws will differ from province to province, so will municipal laws, however, the spirit of each one is the same to protect the animals in our care.**

**PIJAC Canada supports all laws that protect animals against harm and provide for their needs including the physical and mental well-being. PIJAC Canada wholeheartedly supports animal welfare, including the research, which leads to the advancement of the animal welfare laws. However, we do not agree with the animal rights doctrines that mandate that animals should no longer be allowed as pets.**



## Animal Welfare

Animal Welfare as defined by the World Organization for Animal Health (OIE) states that: "Animal welfare means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering any pain, fear or distress.

Animal welfare means disease prevention and veterinary treatment, appropriate shelter, management and nutrition.



## Animal Rights

Whereas Animal Rights is a philosophical perspective that proposes animals should have the same rights as humans. Meaning that animals should not be viewed as property and used for human purposes and—in the extreme sense—should not be kept as pets.

# Why Canadians LOVE PETS!

While Canada's pet industry adds billions to the national economy, what pets offer Canadians is worth so much more. You'd be hard pressed to find someone whose life has not been positively touched by an animal be it a dog or cat, or a gecko or guinea pig.



As a source of comfort and companionship, it has been scientifically proven that pets contribute physical and mental health well-being of those who care for them. A study commissioned by The Human Animal Bond Research Institute about the health care cost savings of ownership is startling in that it found pet ownership saves health care costs of more than \$11 trillion globally each year.

Given this trend, it was not surprising to see a rise in people bringing pets into their lives as we bore the brunt of the pandemic. One of the most beautiful things about pets, regardless of species, is the joy they bring to their human families and what these families will do to love their companions and ensure they are happy and healthy. Anecdotally, in the past 30 years we've witnessed an exponential rise in available nutritional options and environmental enhancements for Canada's specialty pets. As we learn more, we do more, which is also the case in human care. Specialty pets may make up a smaller percentage of 90 animals in homes in comparison to dogs and cats, but they are loved and cared for just as much.



# Why Collaboration Beats OVER REGULATION

For millennium, humans have shared their lives with a wide variety of species, from dogs and cats to goldfish and geckos. That's why indiscriminate and broad ranging bans on speciality pets via the use of a permitted species list would have a significant negative and unfair impact on Canada's responsible pet owners.

Live animals in the pet trade have moved between countries successfully for decades under a heavily regulated and continuously evaluated system that protects both human and animal health. Research illustrates that pet companionship improves human health and mental well being and brings a direct connection with nature right into our homes for us and our children in an increasingly urbanised world.

Such contact helps people develop greater compassion for animals, and a better understanding of the natural world, while making significant contributions to our national economy. Whether it be a mainstream pet like a dog or cat, or a specialized species such as tropical fish, snakes and spiders; pet keepers and the pet care community that brings them together readily acknowledge the need to source and care for these companions responsibly and legally.



**PIJAC Canada has always believed in collaboration over confrontation and that there is value in debate. The well being of the animals that we care for is what drives our organization. If, however, you want to look at it strictly from a dollar and cent perspective, without a supply of health animals, for any type of legitimate pet-related business, there is no pet industry. This means that doing what's best and always working to raise the bar on the welfare of animals is in best interest of the pet sector. Over the last three decades PIJAC CANADA has worked with countless federal and provincial agencies to assist them in their work. Beyond that, we have also worked with humane societies, animal rescue agencies, SPCA's, pounds and all types of businesses, throughout Canada, to assist where we can. This has to be a collaborative discussion based on traceable, independent, scientific findings.**

# REFERENCES



01

[PIJAC Canada  
Exotic Animal Policy\\*](#)

02

[Canadian Pet Survey](#)

03

[HABRI Report](#)

04

[Canada Wild  
Species Protection](#)

05

[CITES Regulations](#)

06

[OIE International  
Health Standards](#)

(1) Packaged Facts: Canadian Pet Market Survey - 2020

(2) Euromonitor International: Pet Care in Canada - 2020 (In the case of Euromonitor International they estimate the number of individual fish, whereas Packaged Facts, counts homes with one or more aquariums as a single unit.)

\*PIJAC Canada's Exotic Animal Policy is a living document which is reviewed regularly, and updates are ongoing.

Schedule "A" Prohibited Animals List from the Responsible Pet Owners By-law 14-2010 compared with Newmarket's Schedule 'A' Permitted Animals List from The Animal Control By-law 2020-30

**Schedule "A" Prohibited Animals List from Oshawa's Responsible Pet Owners By-law 14-2010**

<b>Birds</b>	
<b>Struthioniformes or Ratites</b>	
Struthionidae	Ostriches
Rheidae	Rheas
Casuariidae	Cassowaries
Apterygidae	Kiwis
Dromaiidae	Emus
<b>Anseriformes</b>	Ducks, Geese, Swans
<b>Galliformes</b>	Chickens, Pheasants, Guineafowl, Turkeys
<b>Phoenicopteriformes</b>	Flamingos
<b>Sphenisciformes</b>	Penguins
<b>Raptors: Diurnal and Nocturnal</b>	
Falconiformes	Hawks, Falcons, Eagles
Strigiformes	Owls

<b>Mammals</b>	
<b>Marsupialia: Marsupials or Pouched Mammals</b>	
Macropodidae	Kangaroos, Wallabies
Didelphidae	American Opossums
Dasyuridae	Tasmanian Devil, Pouched Mouse
Notoryctidae	Marsupial Mole
Peramelidae	Australian Bandicoot
Caenolestidae	Pouched Rat, Shrew-Opossums
Phalangeridae	Cuscus (a marsupial monkey)
Phascolarctidae	Koala

**Newmarket's Schedule 'A' Permitted Animals List from The Animal Control By-law 2020-30**

<b>Birds</b>
Only birds that are in compliance with all provincial and federal regulations

<b>Mammals</b>
<b>Carnivora</b>
Domestic Dogs
Domestic Ferrets
Eulipotyphla
Hedgehogs
<b>Lagomorpha</b>
Domestic Rabbits
<b>Rodentia</b>
Chinchillas

Schedule "A" **Prohibited Animals List** from Oshawa's Responsible Pet Owners By-law 14-2010

Newmarket's Schedule 'A' **Permitted Animals List** from The Animal Control By-law 2020-30

<b>Mammals</b>	
<b>Marsupialia: Marsupials or Pouched Mammals</b>	
Vombatidae	Wombats
Petauridae	Leadbeater's Possum, Triok, Gliders, <b>except</b> Sugar Gliders
<b>Carnivora: Carnivorous land Mammals</b>	
Canidae	Wolf, Coyote, Fox, Wolf-Dog hybrids, <b>except</b> domestic dogs
Ursidae	Bear, Pandas
Procyonidae	Raccoon, Kinkajou, Coatimundi
Mustelidae	Weasels, Stoat, Wolverine, Marten, Mink, Badger, Otter, <b>except</b> domestic Ferrets
Mephitidae	Skunk
Herpestidae	Mongoose
Viverridae	Civet, Genet
Hyaenidae	Hyena
Felidae	Ocelot, Lion, Tiger, Leopard, Lynx, Mountain Lion, Bobcat, Wild-Cat hybrids, <b>except</b> domestic Cats
<b>Pinnipedia</b>	Seals, Sea Lions, Walruses
<b>Chiroptera</b>	Bats
<b>Perissodactyla: Odd-toed hoofed Mammals</b>	
Equidae	Horse, Ass, Zebra, Mule
Tapiridae	Tapir
Rhinocerotidae	Rhinoceros

<b>Mammals</b>
Degus
Domestic Mice
Domestic Rats
Gerbils
Guinea Pigs
Hamsters

Schedule "A" **Prohibited Animals List** from Oshawa's Responsible Pet Owners By-law 14-2010

Newmarket's Schedule 'A' **Permitted Animals List** from The Animal Control By-law 2020-30

<b>Mammals</b>	
<b>Artiodactyla: Even-toed hooved Mammals</b>	
Suidae	All Pigs, Warthog
Tayassuidae	Peccaries
Hippopotamidae	Hippopotamus
Camelidae	Camel, Llama, Alpacas
Tragulidae	Mouse Deer
Cervidae	Deer, Reindeer, Caribou, Moose, Elk
Giraffidae	Giraffe, Okapi
Antilocapridae	Prong-Horned Antelope
Bovidae	Sheep, Goat, Bison, Water Buffalo, Musk, Ox, Cow, Heifer, Steer, Bull, Antelope
<b>Scandentia</b>	
Tupaiidae	Tree shrews
<b>Xenarthra</b>	Anteaters, Sloths, Armadillos
<b>Erinaceomorpha</b>	
Erinaceidae	Hedgehogs <b>except</b> African Pygmy Hedgehogs
<b>Proboscidea</b>	
Elephantidae	Elephants
<b>Hyracoidea</b>	
Procaviidae	Hyraxes
<b>Rodentia</b>	Prairie dogs, <b>except</b> domestic rodents which do not exceed 1500 grams
<b>Lagomorpha</b>	Hares, Pikas, <b>except</b> domestic rabbits

<b>Mammals</b>
Degus
Domestic Mice
Domestic Rats
Gerbils
Guinea Pigs
Hamsters

Schedule "A" **Prohibited Animals List** from Oshawa's Responsible Pet Owners By-law 14-2010

Mammals	
Primates	
Prosimii	Lemurs, Lorises, Bush Babies
Anthropoidea	Monkeys, Apes
Reptiles	
<b>Squamata: Lizards and Snakes</b>	All lizards that reach an adult length of two (2) metres or more
	All snakes that reach an adult length of three (3) metres or more
	All venomous lizards and snakes
<b>Crocodylia</b>	Crocodiles, alligators, Caimans, Gavials

**Arachnids:** Scorpions, Spiders **except** Tarantulas

**Insects:** All venomous insects, except bees as defined in the Bees Act, R.S.O. 1990, c. B.6

**Note:** In order to assess whether an animal is permitted in Newmarket (e.g. a fish or bird) a review of Provincial and Federal Legislation may be required. For example, Ontario's *Fish and Wildlife Conservation Act, 1997* the *Canada Wildlife Act, 1985* and Canada's *Species at Risk Act, 2002* all regulate the ownership of different species.

Newmarket's Schedule 'A' **Permitted Animals List** from The Animal Control By-law 2020-30

Reptiles
Squamata
Bearded Dragons
Geckos
Iguanas
Lizards
All reptiles must be of the non-poisonous and non-venomous type that do not exceed 30 centimetres or 12 inches in length at maturity are permitted
Agricultural Livestock
Only animals that are raised in an agricultural setting to produce farming labour or agricultural commodities are permitted
Amphibians
Only Amphibians of the non-poisonous type are permitted
Arachnids
Only arachnids of the non-venomous type and not from the theraphosidae (tarantulas) family of spiders are permitted
Fish
All ornamental fish except for wild-caught and in compliance with all provincial and federal regulations
Snakes
Only snakes of the non-venomous and non-constrictive type that do not exceed 45 centimeters or 18 inches at maturity are permitted

## Schedule 'A' Permitted Animals List

1. Animals identified under this Schedule are hereby permitted within the Town. All other animals are restricted unless grandfathered and in accordance with Sections 4(8), 4(9), and 4(10) of this By-law. Permitted animals are subject to the restrictions set out below:

### AGRICULTURAL LIVESTOCK

Only animals that are raised in an agricultural setting to produce farming labour or agricultural commodities are permitted

### AMPHIBIANS

Only amphibians of the non-poisonous type are permitted

### ARCHNIDS

Only arachnids of the non-venomous type and not from the theraphosidae (tarantulas) family of spiders are permitted

### BIRDS

Only birds that are in compliance with all provincial and federal regulations

### MAMMALS

#### *CARN/VORA*

Domestic Cats

Domestic Dogs

Domestic Ferrets

#### *EULIPOTYPHLA*

Hedgehogs

#### *LAGOMORPHA*

Domestic Rabbits

#### *RODENT/A*

Chinchillas

Deaus

Domestic Mice

Domestic Rats

Gerbils

Guinea Pigs

Hamsters

### FISH

All ornamental fish except for wild-caught and in compliance with all provincial and federal regulations

### REPTILES

#### *SQUAMATA*

Bearded Dragons

Geckos

Iguanas

Lizards

All reptiles must be of the non-poisonous and non-venomous type that do not exceed 30 centimetres or 12 inches in length at maturity are permitted

### SNAKES

Only snakes of the non-venomous and non-constrictive type that do not exceed 45 centimeters or 18 inches at maturity are permitted

**Schedule "B" - Permitted Animals**

Only the following animals are permitted in Town, subject to the restrictions set out below:

- agricultural livestock
  - only animals that are raised in an agricultural setting to produce farming labour or agricultural commodities are permitted
- amphibians
  - only amphibians of the non-poisonous type are permitted
- arachnids
  - only arachnids of the non-venomous type and not from the theraphosidae (tarantulas) family of spiders are permitted
- birds
  - birds are only permitted in compliance with any provincial and federal laws
- cats
- chinchilla
- dogs
- domestic Mice
- domestic Rabbit
- domestic Rats
- equine
- ferret
- fish
  - fish are only permitted in compliance with any provincial and federal laws
- gerbil
- guinea pig
- hamster
- hedge hog
- reptiles
  - only reptiles of the non-poisonous and non-venomous type that do not exceed 30 centimetres or 12 inches in length at maturity are permitted
- snakes
  - only snakes of the be non-venomous and non-constrictive type that do not exceed 45 centimeters or 18 inches at maturity are permitted

**08.2.3 Leash - length**

No leash shall exceed 2.4 metres (8 feet).

**408.2.4 Excrement - removal by owner - upon defecation**

Every owner of an animal shall remove forthwith and dispose of any excrement left by his/her animal on any property in the City other than his/her own property.

**408.2.5 Attack - fighting - prohibited**

No owner shall permit his/her animal to attack or fight with any animal.

**408.2.6 Trespass by animal - prohibited**

No owner shall permit his/her animal to trespass on private property. By-law 98-186, 30 November, 1998.

**408.2.7 Slaughter house - location - restrictions**

No person shall at any time use any house, dwelling unit, or accessory building, or any part thereof, or any land abutting same, as a place for slaughtering animals unless such place is distant not less than 180 metres (590.6 feet) from any dwelling unit and not less than 45 metres (147.6 feet) from any highway.

**408.2.8 Permitted animals**

Permitted animals means:

- (a) mammals which are commonly known as the following:
  - cats;
  - chinchillas;
  - degus;
  - dogs, including dogs over the age of twelve weeks;
  - ferrets;
  - gerbils;
  - guinea pigs;
  - hamsters;
  - hedgehogs;
  - mice;
  - rabbits;
  - rats;
  - sugar gliders.
- (b) all birds, reptiles, amphibians, fish and invertebrates which are not restricted or prohibited animals;
- (c) all animals which are used for animal husbandry or are otherwise permitted by the Zoning By-law.

**408.2.9 Restricted animal**

A restricted animal means:

- (a) a lizard which will grow to more than 65 centimetres (25.6 inches) in length from snout to vent;
- (b) a snake which will grow to more than 2 metres (6.6 feet) in length;
- (c) a prohibited animal which was kept or harboured by its owner on the date the animal was prohibited or which was purchased by its owner from a pet shop in the City in accordance with Chapter 575 of The City of Kitchener Municipal Code. By-law 99-169, 4 October, 1999.

**408.2.10 Prohibited animal**

A prohibited animal means:

- (a) an animal which is venomous or poisonous in captivity;
- (b) an animal which is wild-caught, provided that a wild-caught fish shall be deemed to be a permitted animal until January 1, 2004;
- (c) an animal whose parent is a prohibited animal;
- (d) a mammal which is not a permitted animal;
- (e) birds which are members of the following orders:
  - Order Anseriformes, for example, but not limited to, ducks, geese and swans;
  - Order Casuariiformes, for example, but not limited to, cassowaries and emus;
  - Order Galliformes, for example, but not limited to, grouse and pheasants, except for non-indigenous quail species which have been captive-bred for more than six generations;
  - Order Rheiformes, for example, but not limited to, rheas; and
  - Order Struthioniformes, for example, but not limited to, ostriches;
- (f) reptiles which are members of the following orders:
  - Order Crocodylia, for example, but not limited to, crocodiles; and
  - Order Sphendonitida, for example, but not limited to, tuatara;

- (g) amphibians which are members of the Order Gymnophiona or Apoda commonly known as legless amphibians. By-law 99-169, 4 October, 1999; By-law 2013-091, 24 June, 2013.

**408.2.11 Prohibited animal - keeping - offence**

No person shall keep or harbour or permit to be kept or harboured a prohibited animal.

**408.2.12 Restricted animal - keeping requirements**

The owner of a restricted animal shall comply with the following requirements:

- (a) to register the restricted animal on or before February 15, 2000 or after that date within seven working days of becoming the owner of the restricted animal by providing the Poundkeeper with his/her name, address and telephone number and a description of the restricted animal;
- (b) to keep the restricted animal, when it is on the lands and premises of the owner, confined and under effective control, as approved by the Poundkeeper;
- (c) to keep the restricted animal under the effective control of an adult person and under leash or otherwise contained at all times when it is not confined in accordance with clause (b);
- (d) to provide the Poundkeeper with the new address and telephone number of the owner within two working days of moving the restricted animal;
- (e) to provide the Poundkeeper with the name, address and telephone number of the new owner within two working days of selling or giving away the restricted animal;
- (f) to advise the Poundkeeper within two working days of the death of the restricted animal; and
- (g) to advise the Poundkeeper forthwith if the restricted animal is running at large or has bitten or attacked any person or animal, including dogs over the age of twelve weeks.

**408.2.13 Prohibited - restricted animal - exceptions**

Sections 408.2.11 and 408.2.12 of this Chapter shall not apply to:

- (a) an animal hospital or clinic lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
- (b) an animal shelter operated by the Kitchener-Waterloo and North Waterloo Humane Society;

- (c) premises registered as a research facility in accordance with the *Animals for Research Act*;
- (d) the lawful operation of a circus, carnival, performance, exhibition, zoo, or public display;
- (e) subject to the approval of the Kitchener-Waterloo and North Waterloo Humane Society:
  - i) premises where animals are being kept for the purposes of rehabilitating the individual animal; or
  - ii) when under the auspices of the federal or provincial government or an organization or facility with appropriate expertise, premises where animals are being kept for the purpose of preserving the individual animal or the animal species, provided that the premise meet Canadian Association of Zoos and Aquarea standards;
- (f) day care facilities or educational establishments where short-term educational programs are being conducted; or
- (g) a person keeping up to four hens on a property in accordance with the requirements of this Chapter. By-law 2016-118, November 21, 2016

#### **408.2.14 Animal Designation Appeal Committee - hearing**

The Poundkeeper or a resident of the City may request that a Committee of Council, known as the Animal Designation Appeal Committee, conduct a hearing as to whether:

- (a) a species of mammal should be added to Section 408.2.8 as a permitted animal or to Section 408.2.9 as a restricted animal; or
- (b) a species of bird, reptile, amphibian, fish or invertebrate should be added to Section 408.2.9 as a restricted animal or to Section 408.2.10 as a prohibited animal.

#### **408.2.15 Request for hearing**

- (a) Requests from residents shall be submitted between January 1 and February 15 of each year.
- (b) One request from a resident in regard to Section 408.2.14(a) and one request from a resident in regard to Section 408.2.14(b), such requests to be chosen by lottery after February 15 if necessary, shall be considered by the Animal Designation Appeal Committee during the remainder of the year.

# Standard Positive List Proposal for the Private Keeping of Animals

The standardized Positive List has been created to support legislative review processes pertaining to the categorization of exotic animals and their (sub)species. This list has been created from the principle that non-domesticated animals are not suitable as pets and that native wildlife cannot be kept as pets in most jurisdictions. The average owner is not sufficiently knowledgeable or equipped to meet the complex husbandry and welfare needs of non-domesticated animals (often referred to as exotic animals) and can at best provide captive environments that can be described as rudimentary or substandard. At the same time, it is necessary to acknowledge that exotic animals are currently kept as pets and that legislative bodies require a practical and enforceable solution for dealing with them.

This list has been created to safeguard as much as possible human health and safety, animal welfare and the integrity of wildlife populations and ecosystems and is guided as much as is reasonable by the precautionary principle. Another important guiding principle is that, at all times, animals should only be sourced from sustainable captive-bred populations.

This list is dynamic, meaning it can be subject to change as understanding of animal biology, behaviour, husbandry needs, welfare, veterinary medicine, conservation and the risks that animals pose to human health evolves.

<b>MAMMALS / MAMMIFÈRES</b>		
<b>CARNIVORA</b>		
(Domestic) Cat	<i>Felis catus</i>	Chat
(Domestic) Dog	<i>Canis lupus familiaris</i>	Chien
(Domestic) Ferret	<i>Mustela putorius furo</i>	Furet
<b>LAGOMORPHA</b>		
European Rabbit	<i>Oryctolagus cuniculus</i>	Lapin de garenne
<b>RODENTIA</b>		
Guinea Pig	<i>Cavia porcellus</i>	Cochon d'Inde
Gerbil	<i>Meriones unquiculatus</i>	Mérione de Mongolie
Hamster	<i>Mesocricetus auratus</i>	Hamster doré
House Mouse	<i>Mus musculus</i>	Souris commune
Norway (Common, Brown) Rat	<i>Rattus norvegicus</i>	Rat brun/Surmulot
Black (Roof, White Laboratory) Rat	<i>Rattus rattus</i>	Rat noir
Bushy-tailed Jird	<i>Sekeetamys calurus</i>	Gerbille à queue touffue

<b>BIRDS / OISEAUX</b>		
<b>ESTRILDIDAE</b>		
Cut-throat Finch	<i>Amadina fasciata</i>	Amandine cou-coupé

Strawberry Finch (Red Avadavat or Red Munia)	<i>Amandava amandava</i>	Bengali rouge
Red-headed Parrot-Finch	<i>Erythrura cyanovirens</i>	Diamant vert-bleu, Pape royal
Gouldian Finch/Lady Gould's	<i>Erythrura gouldiae</i>	Pape de Gould
Blue-headed (Blue-faced) Parrot-Finch	<i>Erythrura trichroa</i>	Pape de Kittlitz
Crimson-rumped Waxbill	<i>Estrilda rhodopyga</i>	Astrild à croupion rose
Bronze Mannikin or Hooded Weaver	<i>Lonchura cucullata</i>	Capucin nonnette
White-headed Munia	<i>Lonchura maja</i>	Capucin à tête blanche
Chestnut Mannikin/Tricolored Munia	<i>Lonchura malacca</i>	Capucin marron
Nutmeg Mannikin or Scaly-breasted Mannikin	<i>Lonchura punctulata</i>	Capucin damier
Society Finch	<i>Lonchura striata domestica</i>	Moineau du Japon
Star Finch	<i>Neochmia ruficauda</i>	Diamant à queue rousse
Long tailed Grassfinch	<i>Poephila acuticauda acuticauda</i>	Diamant à longue queue
Heck's Grassfinch	<i>Poephila acuticauda hecki</i>	Diamant à longue queue de Heck
Masked Grassfinch	<i>Poephila personata</i>	Diamant masqué
Melba Finch/Green-winged Pytilia	<i>Pytilia melba</i>	Beaumarquet melba
Diamond Firetail	<i>Stagonopleura guttata</i>	Diamant à gouttelettes
Red-eared firetail Finch	<i>Stagonopleura oculata</i>	Diamant oculé
Double-barred/Owl Finch	<i>Taeniopygia bichenovii</i>	Diamant de Bichenov
Zebra Finch	<i>Taeniopygia guttata</i>	Diamant mandarin
Red-cheeked Cordon-bleu	<i>Uraeginthus bengalus</i>	Cordon-bleu à joues rouges
Blue-capped Cordon-bleu	<i>Uraeginthus cyanocephalus</i>	Cordon-bleu cyanocéphale
Purple Grenadier	<i>Uraeginthus ianthinogaster</i>	Cordon-bleu violacé
<b>FRINGILLIDAE</b>		
European Goldfinch	<i>Carduelis carduelis</i>	Chardonneret élégant
Fancy Canary	<i>Serinus canaria</i>	Serin canari
<b>PSITTACIDAE</b>		
Cockatiel	<i>Nymphicus hollandicus</i>	Calopsitte élégante
Budgerigar (Budgie)	<i>Melopsittacus undulatus</i>	Perruche ondulée
<b>PASSERIFORMES</b>		
Plum-headed (Cherry/Crimson) Finch	<i>Aidemosyne modesta</i>	Diamant modeste
Sudan Golden Sparrow/Golden Song Sparrow	<i>Passer luteus</i>	Moineau doré
Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>	Bulbul orphée
Village Indigobird/Steelblue Windowfinch	<i>Vidua chalybeata</i>	Combasson bleu

<b>COLUMBIDAE</b>		
Diamond Dove	<i>Geopelia cuneata</i>	Géopélie diamant/Colombe diamant
Ring-necked Dove	<i>Streptopelia capicola</i>	Tourterelle du cap
Ringed Turtle-Dove/Ringneck Dove	<i>Streptopelia risoria</i>	Tourterelle domestique

<b>REPTILES / REPTILES<sup>1</sup></b>		
<b>SQUAMATA</b>		
Zebra-tailed Lizard	<i>Callisaurus draconoides</i>	Lézard à queue de zèbre
Collared Lizard	<i>Crotaphytus collaris</i>	Lézard à collier
Long-nosed Leopard Lizard	<i>Gambelia wislizenii</i>	Gambelia wislizenii
Curly-tailed Lizards <sup>2</sup>	<i>Leiocephalus spp.</i>	Lézard à queue courbée
Northern Curly-tailed Lizard	<i>Leiocephalus carinatus</i>	L'iguane caréné à queue bouclée ou lézard à queue recourbée
Bearded Dragon	<i>Pogona vitticeps</i>	Dragon barbu
Star Agama Lizard	<i>Stellagama stellio</i>	Agame d'Europe
Northern Spiny-Tailed Gecko	<i>Strophurus ciliaris</i>	Strophurus ciliaris
<b>SERPENTES</b>		
Milk Snake	<i>Lampropeltis triangulum</i>	Serpent de lait de l'est
King Snakes	<i>Lampropeltis getula</i>	Serpent roi
Corn Snake	<i>Pantherophis guttatus</i>	Serpent des blés

## AMPHIBIANS / AMPHIBIENS

<sup>1</sup>The husbandry, health, nutritional and welfare needs of many reptiles have not been comprehensively studied in the wild, so data is deficient for many species. Additionally, ever accumulating scientific evidence suggests that the keeping of reptiles as pets can be highly problematic for their physical and psychological health and welfare, particularly in clinical, highly artificial environments. Small simplistic captive environments are, for all intents and purposes, ubiquitous in reptile keeping and breeding. Reptiles also pose human health (i.e. zoonotic) risks to vulnerable persons, including children younger than 5 years old, elderly people over 65 years of age, pregnant women, and anyone who is immunocompromised, due to potentially pathogenic organisms (such as Salmonella) being a part of their natural internal flora and fauna.

The commonly traded reptile species listed below are not excessively large, their biological, behavioural, husbandry and welfare needs are better understood than many other reptiles, and for informed keepers who do not promulgate folklore reptile husbandry practices, they can potentially be kept in a way that satisfies their basic biological and behavioural needs.

<sup>2</sup>Curly-tailed lizards are a group of lizards existing of 29 individual species. Only species not recorded by the [International Union for Conservation of Nature](#) (IUCN) as vulnerable, threatened or endangered or listed by the [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) can be kept.

**NOTE:** Due to the risk of native amphibian populations being exposed to *Batrachochytrium dendrobatidis* and *Batrachochytrium salamandrivorans* no amphibian species should be included in the Positive List. These lethal fungal pathogens can be introduced into local environments through escaped or released pet amphibians infected with either disease or through the disposal of contaminated water or other materials they may have contacted.

### FISHES / POISSON

**NOTE:** Most fish species have not been comprehensively reviewed due to the large number of species in trade. Commonly traded, ornamental fishes are allowed except for:

- Saltwater fishes
- Freshwater fishes that are not from self-sustaining captive populations.
- Freshwater fishes that are sourced from the wild, either directly or through intermediaries.
- Fish species that are known to be wide-ranging and/or migratory and that require very large spaces in captivity.
- Fishes that reach an adult length of 1 meter or more.
- Fishes that pose a risk of establishing themselves in local environments if released.
- Fishes identified by the Canadian Food Inspection Agency (or other relevant jurisdictional authorities).
- Venomous fishes or other fishes that pose a medically significant risk to human health or safety.

### INVERTEBRATES / INVERTÉBRÉS<sup>3</sup>

Feeder crickets, mealworms, other worms, flies, cockroaches, etc.	<i>Insecta various sp.</i>	Grillons, vers de farine, autres vers, mouches, cafards, etc.
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<sup>3</sup> Scientific research regarding the husbandry and welfare needs of most invertebrates, both terrestrial and aquatic, is lacking. As well, significant conservation concerns are associated with a number of invertebrates, such as certain tarantula species, that are extracted from the wild for the pet trade. Therefore, invertebrates from self-sustaining captive populations should only be allowed. Additionally, the Precautionary Principle should be considered in vetting of invertebrates.

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
1.	Duplex Registration System	CORP – Feb 5/18 CORP-18-10	CNCL-Apr 9/18 CORP-18-10	That staff investigate either adding duplexes under two unit house registration or create a mirrored registration system for duplexes.	M.L.E.L.S.	Fourth Quarter 2022
2.	Termination of Administrative or Procedural Directions	Notice of Motion – Council Jan. 28/19	CORP- Feb. 25/19 CORP-19-15	That City Council Referral CORP-19-15 concerning the termination of administrative or procedural directions be referred to staff for a report.	City Clerk Services	2023
3.	Administration of Naloxone Kits by City Staff	CORP – Sept. 9/19 CORP-19-77	CNCL – Mar 29/21 CORP-21-15	Referred to Legal Services to investigate liability to the City if the program is implemented	Legal Services	T.B.D.
4.	Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process  (Related Correspondence CORP-22-21 and Notice of Motion CORP-22-48)	CORP- Jan 13/20 CORP-20-02	CORP-April 4/22	Public meeting held on April 4, 2022  Related Correspondence and Notice of Motion CORP-22-48 Referred to staff for inclusion in the upcoming staff report.	M.L.E.L.S.	Fourth Quarter 2022

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
5.	Confidentiality Clauses in Settlement Agreements	Notice of Motion – Council Nov 4/19	CORP – Nov 9/20 CORP-20-38	Referred back to staff for further review.	Legal Services, Finance Services, Human Resource Services	T.B.D.
6.	Data Governance Framework for the City of Oshawa	CORP – Oct 20/20 CORP-20-37	CNCL - Oct 26/20 CORP-20-37	That staff investigate and report back on data governance rights as they pertain but not limited to both voting tabulator technology and online and telephone voting, including exploring the option of working with field experts and local stakeholders on developing a data governance framework for the City of Oshawa.	Information Technology Services, City Clerk Services	Second Quarter 2023

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
7.	2022 Municipal and School Board Elections	CORP- Oct 5/20 CORP-20-31 and CORP-20-20	CORP – Oct 20/20 CORP-20-36	That Option 2 be referred back to staff: (a) To further investigate risk mitigation strategies associated with Internet and Telephone voting with consideration being given to a comprehensive security analysis including end-to-end verifiability, security audits and appropriate authentication measures; and, (b) To develop a public consultation strategy on Internet voting; and, (c) To report back to the Corporate Services Committee on the above matters in the fourth quarter 2024	City Clerk Services	Fourth Quarter 2024
8.	Request for Summary of Complaint History on Vacant Properties	CORP - Feb 8/21 CORP-21-09	CORP - Feb 8/21 CORP-21-09	Referred to Legal Services	Legal Services	T.B.D.

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
9.	Council Electronic Access to other Committee and Task Force Meetings	CNCL – Feb 22/21	CNCL – Feb 22/21	Referred to staff for a report	City Clerk Services	First Quarter 2023
10.	Third Report of the Oshawa Animal Care Advisory Committee - Proposed Amendments to the Responsible Pet Owners By-law to amend Schedule 'A' to permit that of a 'Permitted List'	OACAC – May 26/21 OACAC-21-25	CNCL – March 28/22  CORP-22-12	That the Prohibited Animals List be referred back to staff to prepare an option on a permissive list and enforcement process for consideration.	M.L.E.L.S.	September 12, 2022

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
11.	Proposed Amendments to the Signage of Landmark Facilities to Include a Parallel Name in 'Anishinaabemowin' - the Heritage Language of the Local First Nation	CNCL- June 21/21 CORP-21-36	CNCL- June 21/21 CORP-21-36	That staff investigate the feasibility of the City, wherein possible, amending the signage of landmark facilities in consultation with the local First Nation, by including in addition to the name of the facility and locations in English, a parallel name in 'Anishinaabemowin' the heritage language of the local First Nation.	Facilities Management Services, Innovation and Transformation	T.B.D.
12.	Proposed Short-Term Rental Licensing System	CNCL- May 25/20 CNCL-20-59	CNCL- May 25/20 CNCL-20-59	That staff be directed to investigate entering into Memorandums of Understanding with participating Short Term Rental Companies that facilitate the booking of S.T.R.s located in the City of Oshawa and report back to the Corporate Services Committee	M.L.E.L.S., Legal Services	T.B.D.

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
13.	Fifth Report of the Oshawa Animal Care Advisory Committee – Proposed Amendments to the Responsible Pet Owners By-law concerning Pet Stores	OACAC- June 22/21 OACAC-21-31	CNCL – Sept 27/21 CORP-21-39	Referred to staff for a report	M.L.E.L.S.	September 12, 2022
14.	Arlene Feeney – Land Acknowledgement for Columbus Community Centre	CORP- Sept 13/21 CORP-21-41	CNCL – Sept 27/21 CORP-21-41	Referred to staff for a report	Innovation and Transformation	T.B.D.

## Corporate Services Committee Outstanding Items Status Report

Item	Subject	Origin	Last Direction Date & Item	Direction	Branch Responsible	Expected Response
15.	2021 Municipal Law Enforcement Operational Review	CORP- Sept 13/21 CORP-21-43	CNCL- Sept 27/21 CORP-21-43	Part 1 and 2 referred to staff for a report	M.L.E.L.S.	2023
16.	Strategies to Amend Administrative Penalties and Other Fees to those Creating Offences	CORP- Sept 13/21 CORP-21-45	CNCL-Sept 27/21 CORP-21-45	Referred to staff for a report	M.L.E.L.S.	First Quarter 2023
17.	Service Oshawa Resident Inquiries	CORP-Nov 8/21 CORP-21-65	CNCL-Nov 22/21 CORP-21-65	Referred to staff for a report	City Clerk Services	First Quarter 2023
18.	Addition of Socio-Economic Status to By-law 51-2015 'Code of Conduct' and any Council-approved policies	CORP-Nov 8/21 CORP-21-67	CNCL-Nov 22/21 CORP-21-67	Referred to staff for a report	City Clerk Services	First Quarter 2023