

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

BYLAW 6966

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

The Council for The Corporation of the District of North Vancouver enacts the following:

Title

1. This bylaw may be cited as the “ **PET SHOP REGULATION BYLAW**”.

Interpretation

2. In this bylaw,

“animal” means a mammal, reptile, amphibian or bird.

“cage” means a kennel, pen, tank, or any other container or enclosure used or intended to be used to confine animals.

“inspector” includes Animal Control Officers, Bylaw Enforcement Officers, Property Use Inspectors and Business Licence Inspectors.

“pet” means any animal kept by a person for purposes other than for food or other utility.

“pet shop” means any place where pets are sold or kept for sale.

“pet shop keeper” means any owner, operator or any other person who is in charge of a pet shop.

“veterinarian” means a person registered as such under the Veterinarians Act.

“wild animal” includes any animal, except fish, that lives in the wild, or does not customarily live and breed in captivity.

Business Licence Required

3. A pet shop keeper shall comply with, and be licenced pursuant to, the Business Licence Bylaw.

Duties of Pet Shop Keeper

4. A pet shop keeper shall

- (a) ensure that all persons who attend to the care of animals have the skill, knowledge, ability and supplies necessary for the proper care of such animals;

- (b) protect all animals from unsupervised viewing or handling by members of the public;

- (c) provide all animals with sufficient food, water, shelter, warmth, lighting, cleaning, sanitation, exercise and any other care required to maintain the health, safety and well being of such animals.

Pet Shops & Cages

5. A pet shop, cage or other place where animals are kept shall be maintained

- (a) in good repair;
- (b) clean, sanitary and free of soiled material, excrement and offensive odours; and
- (c) well ventilated.

6. A cage shall

- (a) be proportionate in size to the size and species of animal and which allows room to stand to its full height, move with ease, lie in a fully extended position, and perform any other normal postural or behavioural movement;
- (b) be equipped with appropriate containers for food and water;
- (c) except for bird cages, have floors with an impermeable surface and of solid construction which will support the animal's weight without bending;
- (d) in the case of birds, have removable impermeable bottoms, and be of sufficient size to enable each bird sufficient space for full extension of its wings in all directions while all birds are perched.

Segregation of Ill or Injured Animals

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

Veterinary Care

8. A pet shop keeper shall

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

Records of Purchase and Sale

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

10. Each record in the pet shop register shall

- (a) be retained for at least 12 months from the date of the transaction;
- (b) contain the date and time of the transaction;
- (c) in the case of transactions involving dogs or cats, contain a description of the animal including its sex, colouring, markings, tattoos, age, breed or cross breed;

- (d) in the case of animals other than dogs and cats, contain the number and the species of animals contained in each shipment;
- (e) in the case of a purchase or other acquisition of an animal, contain the name and address of the supplier or person from whom the animal was otherwise obtained;
- (f) in the case of a sale or other disposition of an animal, contain the name and address of the purchaser or person who obtained custody of the animal from the pet shop.

Inspection of Register

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

Information Provided to Purchasers

- 12. A pet shop keeper shall, at the time an animal is sold, provide the purchaser with a written description of the animal and the document shall include:
 - (a) the date of the sale;
 - (b) the name and address of the pet shop and of the purchaser;
 - (c) a description of the animal including its sex, age, colour and markings; and
 - (d) in the case of a dog or a cat, a description of a tattoo, breed or cross breed, a record of all vaccinations and a certificate verifying the animal's health which shall be dated and signed by a veterinarian.

Public Notices to be Posted

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

Prohibitions

- 14. No person shall allow
 - (a) incompatible species of animals to be confined in the same cage;
 - (b) any animal to be sold or offered for sale prior to its weaning age;
 - (c) any animal to be sold or offered for sale if its colour has been altered or enhanced with dye, whether applied externally or by ingestion;
 - (d) any animal to be sold or offered at a discounted price, as a sales promotion or as a bonus to the sale of any other goods or services;
 - (e) any wild animal to be sold, offered for sale, or displayed to the public;
 - (f) an animal to be sold or offered for sale which suffers from or exhibits signs of
 - (i) an infectious disease,
 - (ii) a nutritional deficiency,
 - (iii) parasitism, fractures, or congenital deformities.

Enforcement

- 15. An inspector may enter a pet shop at all reasonable times to ascertain whether the requirements of this Bylaw are being met.
- 16. No person shall prevent, obstruct, or impede an inspector from entering a pet shop or from enforcing any provision of this Bylaw.

Offence

- 17. Every person who
 - (a) violates any provision of this Bylaw,
 - (b) causes, suffers or permits anything to be done in contravention of this Bylaw,
 - (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw,commits an offence and is liable to a fine of not more than \$2,000.00 and not less than \$100.00.

Designation for Municipal Tickets

- 18. This Bylaw is designated pursuant to section 934.1 of the *Municipal Act* as a Bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officer

- 19. Inspectors and members of the Royal Canadian Mounted Police are designated to enforce this bylaw by means of a ticket pursuant to section 934.1 of the *Municipal Act*.

Ticketing

- 20. The words or expressions listed below in the Designated Expression column and the fines indicated in the Fine column are authorized to be used on a ticket pursuant to section 934.1 of the *Municipal Act* to designate the offence and the fine for contravention of the section of this bylaw appearing in the corresponding Section column.

<u>Designated Expression</u>	<u>Section</u>	<u>Fine</u>
Pet Shop/Cage not maintained	5(a)-(c)	\$100.00
Inadequate cage	6(a)-(d)	\$100.00
No Segregation Area	7	\$100.00
Name of veterinarian not posted	8(a)	\$100.00
Fail to have ill / injured animal treated promptly by veterinarian	8(b)	\$150.00
Fail to segregate ill / injured animal	8(c)	\$100.00
Improper Euthanasia/Disposal of Animal	8(d)	\$150.00
Fail to keep/maintain pet shop register	9	\$100.00

Inadequate record in pet shop register	10(a)-(f)	\$100.00
Fail to produce pet shop register	11	\$100.00
Fail to provide information to purchaser	12(a)-(d)	\$100.00
Fail to post notice describing animals	13	\$100.00
Confine incompatible species together	14(a)	\$150.00
Sell animal before weaned	14(b)	\$100.00
Sell dyed animal	14(c)	\$100.00
Animal as bonus for goods or service	14(d)	\$100.00
Sell wild animal	14(e)	\$150.00
Sell ill / injured animal	14(f)	\$150.00
Obstruct inspector	16	\$200.00

PASSED by the Council on the 11th day of August, 1997.

FINES APPROVED by the Chief Judge on the 9th day of September, 1997.

ADOPTED by the Council on the 22nd day of September, 1997.

"D.H. BELL"

MAYOR

"D.W. BACK"

MUNICIPAL CLERK

Certified a true copy

Municipal Clerk