

**Chapter 349, Animals – Status Update**

<b>Date:</b>	September 3, 2013
<b>To:</b>	Licensing and Standards Committee
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2013\Cluster B\MLS\LS13016

**SUMMARY**

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The report responds to the submissions filed at the Licensing and Standards Committee on May 27, 2013. The submissions highlight a number of issues and proposals concerning Toronto Animal Services (TAS) that can be categorized into the following topics: prohibited animals, euthanasia, spay/neuter program, pet licensing and fees, animal welfare and customer service.

TAS has undertaken many initiatives highlighted in the submissions and identifies proposals that require further research and consultation because of their impact on pet owners, pet shops, dog trainers or veterinarian practices.

The report recommends that Council adopt the guiding principles on animal euthanasia and convey its support to the College of Veterinarians of Ontario (CVO) to approve a mobile spay/neuter clinic that would provide free services to residents of Toronto. The report also recommends that staff research and consult the public on the following topics for report back at a future Licensing and Standards Committee meeting: mandatory spaying/neutering of animals, ban on pinch and choke collars, ban on medically unnecessary veterinary surgeries and expanding the list of prohibited animals.

**RECOMMENDATIONS**

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**The Executive Director, Municipal Licensing and Standards recommends that:**

1. City Council adopt Toronto Animal Services' Guiding Principles on Animal Euthanasia as described in Attachment 1.

2. City Council convey its full support to the College of Veterinarians of Ontario to approve the request from Toronto Animal Services for a mobile spay/neuter clinic that would provide free services to residents of Toronto.
3. City Council request the Executive Director, Municipal Licensing and Standards to conduct further research and public consultations and report back to a future Licensing and Standards Committee meeting on: expanding the list of prohibited animals to include snakes, flamingos and other animals; a ban on veterinary surgeries that are deemed unnecessary; a ban on pinch/choke collars; and the mandatory spaying/neutering of companion animals.

## Financial Impact

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## DECISION HISTORY

At its meeting of May 27, 2013, the Licensing and Standards Committee referred the submissions filed at the meeting, to the Executive Director, Municipal Licensing and Standards, for a report back to the Committee on policies that could be codified and adopted immediately; policies that require further research and consultation; and adding flamingos to Schedule A of Chapter 349, Prohibited Animals.

<http://app.toronto.ca/tmmis/viewPublishedReport.do?function=getDecisionDocumentReport&meetingId=6881>

## COMMENTS

### Prohibited Animals

In Chapter 349, Animals, 349-2, Keeping of Certain Animals Prohibited bans animals that may be considered a *health and/or safety risk* to the residents of Toronto. The prohibited list also includes animals whose keeping in an urban setting may lead to *significant nuisance problems*, such as noise and/or odour for neighbouring residents.

Licensing and Standards Committee (L&SC) requested that the following species be added to the list of prohibited animals found in Schedule A at the end of Chapter 349, Animals: varanidae (monitor lizards), iguanidae (iguanas), chelydridae (snapping turtles), red-eared slider, gruiformes (cranes, rails), flamingos, penguins, raptors (eagles,

hawks, owls, vultures), pennipedeas (seals, sea lions, walruses), cetacea (whales, dolphins, porpoises), erinacidae (hedgehogs), and certain types of rodents. The rationale for inclusion of these species is based on the animals' need for specialized care.

The City of Toronto currently has no process for adding or deleting species from the prohibited animals list. Staff need to do research and conduct public consultations with relevant stakeholders on the possibility of adding these new species based on criteria such as proper care and health and safety risks. Staff will develop a new process to add or delete species and report out at a future meeting on a revised prohibited animals list.

Issues concerning the proper care of animals *not* included in the prohibited list can be addressed under Section 349-5. The by-law requires persons to provide care that is “adequate and appropriate” to the specific needs of the species.

### Euthanasia

L&SC requested that the City of Toronto commit to eliminating the euthanasia of adoptable animals in the care and control of the City.

TAS does not euthanize healthy and treatable companion animals in its animal care centres. TAS veterinarians administer euthanasia as a last resort to animals that are suffering mentally or physically, terminally ill, or considered dangerous to themselves, other animals, and/or humans.

Staff conducted research on animal euthanasia, which included a review of the Asilomar Accords. The Asilomar Accords are a set of guidelines created by the major animal welfare organizations in the United States as a way to standardize results of shelters and to unify organizations that are working towards the same goal of reducing animal overpopulation and increasing pet adoption. The Asilomar Accords define what these organizations constitute as healthy and treatable animals. These uniform definitions help shelters properly categorize the number of animals euthanized and the number adopted.

Based on the Asilomar Accords, Municipal Licensing and Standards staff developed TAS' Guiding Principles on Animal Euthanasia for City Council approval. The principles, as described in Attachment 1, are:

- Toronto Animal Services strives to be a leader in animal welfare.
- Toronto Animal Services will work to save the lives of all healthy, treatable or manageable companion animals.
- Toronto Animal Services will not euthanize healthy, treatable or manageable companion animals.

- Toronto Animal Services will work with organizations, rescue groups and coalitions for the purpose of saving the lives of all healthy, treatable or manageable companion animals.
- Toronto Animal Services will work with organizations, rescue groups and coalitions for the purpose of saving the lives of animals requiring medical intervention, long-term care, foster care and other treatment that may be required to rehabilitate sick and injured animals.
- If an animal must be euthanized, Toronto Animal Services will do everything humanly possible to minimize pain and distress for the animal, prior to and during the procedure.

TAS also recognizes that the goal of eliminating euthanasia needs to be supported with key programs, such as spay and neuter campaigns, a commitment to trap, neuter and return (TNR) of feral cats, a foster care and adoption program, as well as collaborating closely with community organizations such as rescue groups.

It is important to note that non-for-profit or charitable organizations that function as rescue groups for animals have to be registered with TAS. Committee proposed that this condition be removed from the definition of Rescue Group in Section 349-1 since these groups already receive status from other levels of government. Committee was also concerned that rescue groups might find themselves obliged to follow TAS policies in order to maintain registration status. However, the purpose of registration is simply to keep a record of contact information for active rescue groups in Toronto so that TAS staff are aware of them. There are no qualifying criteria or expectations that groups must meet as a condition for registration since they are registered with other levels of government.

L&SC was concerned that the practice of giving live, healthy animals to research occurs. The giving, gifting or selling of live animals to research is not an available option for TAS and as such, no by-law amendments are being proposed on this issue.

### Spay/Neuter Program

L&SC brought forward a number of proposals to help increase the sterilization of pets in Toronto, including the creation of a new internal spay/neuter clinic, free sterilization services for low-income neighborhoods, and a by-law that makes the spaying/neutering of dogs and cats mandatory.

TAS promotes the spaying/neutering of pets in Toronto. These surgeries prevent unwanted pregnancies and help control the overpopulation of unwanted dogs and cats. Other potential benefits to pets include improved health, longer life and less aggressive behaviour. For this reason, TAS sterilizes all dogs and cats it offers for adoption.

In line with one of the Committee's proposals, a new spay/neuter clinic was completed in July 2013 at the central animal care centre to serve internal animals. This clinic will make services more efficient as animals will not have to be transferred to other clinics in the city. Animals will also avoid undue hardships that can be incurred during transport.

Outside the animal care centres, the decision to spay or neuter pets rest with individual pet owners. Some of these owners, however, cannot afford the cost of sterilization. As a result, TAS offers all residents of Toronto, a low cost spay/neuter program for domestic cats. Fees at TAS spay/neuter clinics are less than half the price of those in private veterinary practices. Furthermore, residents that spay/neuter their cat can obtain a pet license at a reduced rate.

TAS is also working with the College of Veterinarians of Ontario (CVO) to allow for the operation of free mobile spay/neuter clinics for residents of Toronto. The initiative will be funded through public donations. The CVO's governing council will be discussing TAS' request in the fall of 2013. This report recommends that City Council convey its support for TAS' request for free mobile spay/neuter clinics to the CVO.

The Committee's proposal to make the spaying/neutering of pets mandatory necessitates further research and consultation with the CVO, veterinarians, pet owners and other stakeholders. For some, mandatory sterilization does not address the underlying issue of irresponsible pet ownership. It is also unclear how such a provision can accommodate veterinarians who do not spay or neuter cats till they are 6-8 months of age due to health concerns for the animal. Staff will report back at a future meeting after conducting further research and public consultations.

### Pet Licensing and Fees

L&SC recommended a number of actions that concern the licensing of pets in Toronto. It proposes that TAS establish a pet rewards program and make license renewals more convenient, such as creating a two-year license, in order to increase compliance rates for pet licensing. Recent estimates show that only 30% of dogs and 10% of cats in the City of Toronto are licensed. Other recommendations include micro-chipping all pets and waiving licensing fees for persons adopting an animal from a City shelter and animals under the care of City recognized rescue groups and humane societies.

In accordance with Toronto Municipal Code, Chapter 349, all dog and cat owners in the City of Toronto must purchase a licence for their pet. Pet licensing fees are used to fund various services and programs that support responsible pet ownership and to quickly return pets to their owners. Licenses are also used to facilitate frequent contact with pet owners and to gather up-to-date data on the status of pets in Toronto. For this reason, the licenses are renewed yearly rather than every two years.

In line with the Committee's recommendation, TAS is developing a pet rewards program named "Blue Paw". Blue Paw will allow pet owners with a license to receive discounts

on pet related products and services at approved partnering businesses. The program aims to increase compliance with pet licensing by adding value to the service.

TAS has also taken steps to make the renewal of licenses more convenient. In addition to traditional methods of mail, telephone and in-person counter service, residents of Toronto can also use the e-Pet program. e-Pet is a secure web portal that provides pet owners with the opportunity to obtain and renew their pet licence and to make donations online. In addition, TAS continues to build partnerships with veterinarian offices, Toronto Humane Society and pet shops to allow for licence sales at these locations.

TAS has been able to promote the licensing and identification of dogs and cats using the Animal Services' Chip Truck, a mobile microchip and licensing vehicle. The initiative was launched in 2012 and after only four microchip clinics; over 320 animals were licensed and micro-chipped. Due to the popularity of the Truck, TAS has made it available twice each month.

Municipal Licensing and Standards has also submitted a report to Licensing and Standards Committee at the September 2013 meeting requesting expanded authority for the Executive Director, Municipal Licensing and Standards to reduce or waive fees based on established criteria. Should this policy be adopted by Council, it will address the Committee's recommendations regarding the waiving of licensing fees for animals adopted from City shelters or in the care of City recognized community groups.

TAS continues to develop new strategies to increase the compliance rates for pet licensing as well as the number of pets that are microchipped in Toronto. These strategies will be reported out at a future meeting.

### Animal Welfare

L&SC brought forward a number of initiatives to improve the welfare of animals in Toronto. These include greater enforcement powers for TAS, the prohibition of certain veterinarian surgeries, a ban on choke and pinch collars, and greater restrictions on the tethering of animals. Committee also recommended that TAS meet regularly with animal welfare organizations and expand volunteer opportunities at its shelters to enhance the capacity of the City to care for animals.

TAS recognizes that there are significant limitations when dealing with the cruel and inhumane treatment of animals. The Ontario Society for the Prevention of Cruelty to Animals (OSPCA) has the jurisdiction to enforce animal cruelty laws in Toronto, although there are only two staff from OSPCA that support the entire city.

To address this service gap, Committee has recommended that TAS seek approval from the Ontario government to have City of Toronto employees appointed with authorization to enforce the OSPCA Act. The Act itself is legislation that sets provincial animal

welfare requirements. TAS is currently consulting with the Ministry of Safety and Corrective Services to gain these enforcement powers for its staff.

L&SC also proposed for the City to ban veterinary surgeries that some consider unnecessary and inhumane, such as declawing, debarking, ear cropping and tail docking. These surgeries are performed by veterinarians, who are regulated by the College of Veterinarians of Ontario (CVO) under the *Veterinarians Act*, 1990. The *Act* does not prohibit any specific surgical procedure, but it does consider professional misconduct if a veterinarian provides services or treatments that are "not reasonably useful or needed" to the animal. It also leaves it up to the veterinary profession in Ontario as a whole to establish peer expectations for its members and to determine factors to consider when deciding if a surgery is prudent.

In Ontario, the CVO provides licensed veterinarians a list of surgeries that can be considered "medically unnecessary veterinarian surgeries" (MUVS) based on common practice. The list includes all of the surgeries mentioned above except for declawing. It also offers a set of guidelines to help individual veterinarians decide whether to perform one of these surgeries. The banning of these surgeries in Toronto would require further consultation with the CVO as well as other stakeholders, including kennel clubs.

Other practices that have raised concern include the use of choke and pinch collars as a training tool. At the moment, there is no consensus as to whether these collars are inhumane. Some would argue that the tool is only as humane as the user. TAS will provide education material on its website to inform residents about the potential pitfalls of using choke and pinch collars. However, the proposal to ban the use of these items in the City of Toronto will necessitate further research and stakeholder consultations, particularly with dog trainers.

L&SC referred to staff a recommendation for a by-law amendment that ensures that no animal shall be tethered for more than three hours per day and no animal shall be tethered between sunset and sunrise. Chapter 349, Animals, section 349-7, aims to ensure the welfare of tethered animals. It is the opinion of staff that the by-law is sufficient and that the proposed recommendations would not be enforceable.

L&SC requested that TAS meet with community organizations to discuss ways of improving animal welfare within the City of Toronto. TAS staff meet regularly with stakeholders such as animal welfare organizations and provincial representatives to address animal issues at the municipal and provincial level. In 2012, TAS participated in the Animal Welfare Task Force formed by the provincial government to recommend actions for improving the protection of animals in shelters. TAS is also a member of the Greater Toronto Shelter Alliance (GTSA), which consists of animal care and control leaders from different municipalities. Members meet to leverage resources and share best practices. TAS will continue collaborating with its many partners.

L&SC directed TAS to continue publishing all of its statistics on an annual basis and continue to make this easily available on its website. TAS currently provides data on

shelter activity for the four animal care centres it operates on the City's Open Data website. In the coming year, TAS will publish more data such as the type of enforcement calls received. This data will be made available on TAS' homepage in easy-to-understand formats, including visuals and graphics. The sharing of statistics not only keeps TAS accountable to the residents of Toronto, it also helps community organizations understand how to best support TAS.

TAS also supports the welfare of animals in the city through the volunteer program at its animal care centres. Volunteers dedicate their time to ensuring that animals at the centres receive the care they need. Committee proposed that TAS increase the amount of volunteer time spent with the animals and encourage local youth to volunteer as part of their high school requirements. Currently, there are 250 volunteers in animal care centres.

Although TAS is committed to strengthening its volunteer base, it does not have the resources to support growth in the volunteer program. There are also challenges with encouraging high school students to volunteer with TAS. The volunteer opportunities offered at the animal care centres are too limited to meet the schools' criteria for community hours. Due to safety concerns, youth under the age of 18 can only participate in the cat cuddling program. Furthermore, youth under the age of 18 have to be accompanied by parents at the centres and require parental consent to foster pets.

### Customer Service

L&SC offered recommendations to help improve customer service at TAS. These include ongoing evaluations of customer experience as well as strategies to increase communication with the public particularly donors and licensees.

Currently, TAS is undertaking a number of initiatives to evaluate and improve its customer service. Since July 2013, TAS staff have been encouraging the public to rate their customer experience through surveys available at Animal Services counter locations. As advertised on the survey ballot boxes, shelter posters, licence renewal letters and receipts, customer service surveys can also be completed online.

This evaluation effort is aligned to the corporate Customer Service initiative and contains City approved customer service questions. It also asks for feedback on how TAS services were accessed and whether multi-year billing would be a welcome option. The evaluation results will be analyzed in the fall of 2013 and will be used to inform service improvements and identify appropriate training for staff. For example, TAS staff and volunteers will receive training in November 2013 on how to manage shelter dogs including recognizing behaviours, managing stress levels and how to facilitate a great match with a new adopter.

The TAS website will be upgraded in early 2014 to host fundraising campaigns and to increase the profiling of animals that have benefited from public donations. Once the licensing rewards "BluePaw" program is implemented, TAS will also be sending licensed



pet owners regular newsletters through post mail. The popular "Rescue My Pet" stickers will continue to be distributed during "chip truck" events. TAS is also working on having them distributed to residents when they license their pets for the first time.

## **CONTACT**

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## **SIGNATURE**

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Tracey Cook, Executive Director  
Municipal Licensing and Standards

## **ATTACHMENT**

Attachment 1: Toronto Animal Services' Guiding Principles on Animal Euthanasia

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- If an animal must be euthanized, Toronto Animal Services will do everything humanly possible to minimize pain and distress for the animal, prior to and during the procedure.

### Definitions

Healthy means all dogs and cats, eight weeks of age or older, that have no sign of a disease, injury or behaviour that could pose a health or safety risk, or otherwise make the animal unsuitable for placement as a pet.

Treatable means all dogs and cats who are not healthy, but who are likely to become healthy, if given medical, foster, behavioural, or other care equivalent to the care typically provided to pets by reasonable and caring pet owners.

Manageable means all dogs and cats who are not healthy and who are not likely to become healthy, but who would likely maintain a satisfactory quality of life, if given medical, foster, behaviour, or other care, equivalent to the care typically provided to pets by reasonable and caring owners.

Unhealthy and Untreatable means all dogs and cats who:

- (a) have a behavioural or temperamental characteristic that poses a health or safety risk and are not likely to become healthy or treatable even if provided the care typically provided to pets by reasonable and caring pet owners.
- (b) are suffering from a disease, injury, or congenital or hereditary condition that adversely affects the animal's health and are not likely to become healthy or treatable even if provided the care typically provided to pets by reasonable and caring pet owners.