

ANIMAL
ALLIANCE
OF CANADA



Animal Alliance
Environment Voters
Party of Canada



TO: Chair and Members,
Licensing and Standards Committee

FROM: Lia Laskaris, Manager
Animal Alliance of Canada

Liz White, Leader
Animal Alliance Environment Voters Party of
Canada

Barry MacKay, Canadian Representative
Born Free.

SUBJECT: LS9.3 – Licensing of Wildlife Control
Operators

DATE: January 21, 2016.

Dear Chair and Members of Licensing and Standards Committee,

Thank you for your consideration in this matter. We urge you vote in favour of licensing wildlife control companies and to prohibit the use of leghold and body gripping traps in Toronto.

No conflict between *the Fish and Wildlife Conservation Act* and a City licensing regime:

The intent of the *Fish and Wildlife Conservation Act* is to allow property owners to address human/wildlife conflicts in a timely manner in a way that requires that it be done as humanely as possible for the animals involved and safe for members of the public and other animals, including pets.

Toronto will not violate the Act by licensing wildlife control companies. Indeed, the intent is to ensure that property owners get the best possible service in a timely fashion and that public safety and humane concerns are addressed.

In her October 22, 2014 legal opinion provided for Animal Alliance, Camille Labchuk, Barrister and Solicitor writes, "In my opinion, establishing a municipal licensing regime or otherwise regulating wildlife falls squarely within the authority of municipalities in Ontario. Municipalities possess clear authority to regulate matters within their delegated spheres of authority, including licensing businesses operating in a municipality...

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Establishing a licensing regime for wildlife operators will not frustrate provincial wildlife legislation, which aims to protect the rights of property owners that wish to protect their property from damage by wildlife.”
(Authority of Municipalities to License Wildlife Control Operators, Camille Labchuk, Barrister and Solicitor, October 22, 2014 – See attached)

The recommendation to ban certain traps addresses public safety and humane issues regarding the use of these devices in dense urban environments.

Why is it important for the City to license wildlife control operators?

In 2014, we brought this issue to Toronto and other municipalities because, despite repeated requests, the Ontario Ministry of Natural Resources and Forestry has refused to take responsibility for licensing these businesses. Toronto Council wrote to the Ministry on September 12, 2014 to “consider expanding its licensing requirements to include wildlife control operators”. To date the City has not received a response.

Two of the authors of this letter are members of the provincial Human/Wildlife Conflict Advisory Group. The group, consisting of a range of stakeholders that includes representatives of farming, trapping, and hunting interests advises Ministry staff on how best to resolve human/wildlife conflict issues and the group passed a unanimous recommendation for the Ministry to license wildlife control businesses. The Ministry rejected the recommendation.

Residents who are experiencing conflicts with wildlife are faced with numerous unlicensed and unregulated wildlife control operators from which to choose. Residents often face costly, ineffective and sometimes damaging results from “fly by night companies” that have no experience in removing wild animals from houses and other structures and do not have the experience to do the preventive work necessary to stop the conflict from occurring again. Orphaning of dependent wild animals is a fairly common occurrence and may result in further damage to property done by a frantic mother raccoon or other animal trying to retrieve her young. Residents left with orphaned animals face additional costs to have the young removed once the mother is taken away. Some of these young animals are accepted into rehabilitation centres but in many cases they are euthanized or simply die of hunger and exposure.

In addition, when wild animals are live trapped, they must be released no more than 1 kilometre from where they were caught as set out in the Fish and Wildlife Conservation Act and Regulations. Many wildlife control operators are under substantial pressure from their paying customers to “take the animals away as far as possible” and without licensing requirements, this often happens.

In addition, review of OMNR Enforcement News for the last three years shows that Conservation Officer activities focused mostly on hunting and fishing violations.

We were unable to find any enforcement actions regarding the illegal relocation of wildlife, or any regarding individuals who left animals in traps for longer than 24 hours. Absence of any enforcement evidence under this Section suggests that the OMNR dedicates little or no enforcement hours to these sorts of offences.

In a letter to the Committee, the Fur Institute of Canada states, "*As you may already be aware, Ontario has some of the most stringent and competent wildlife regulation and enforcement activity in the country via-a-vis the Ministry of Natural Resources and Forestry, as well as the Ontario Society for the Prevention of Cruelty to Animals (OSPCA).*" The problem remains that the so called "stringent" regulations do not apply to wildlife removal companies who are not required to get a trapping license but can simply buy some live traps and set business. The trapping referred to the letter largely pertains to the use of killing traps such as snares and conibear traps and leghold traps.

Therefore the City needs to address this issue, given the Ministry's refusal to license these businesses. The Ministry has clearly demonstrated its intent not to get involved in human/wildlife conflicts in municipalities and have been largely absent in resolving human/wildlife conflicts in municipalities of Toronto, Ottawa, Cornwall, London and Hamilton, to name a few major urban centres.

Why is it important for the City to ban leghold and body gripping traps?

These devices can currently be used in the City of Toronto and are problematic in such a dense urban environment.

Toronto Sun published a picture by Ken Kerr of a young raccoon whose face was caught in a leghold trap. This picture prompted discussion about a prohibition on the use of body gripping traps in Toronto.

In 2009, a small dog named Harper died in a Conibear trap set next to a dog park in the City of Guelph. The public outcry resulted in a by-law that prohibited the use of body gripping traps in Guelph subject to certain provisions.

In 2014, the Hamilton Spectator carried a picture of a snapping turtle killed in a Conibear trap resulting in the Hamilton Conservation Authority reconsidering the use of such devices.

Both issues were on the agenda of the December 1, 1998 Board of Health Agenda:

The Board considered the following:

Recommending the following changes to the proposed by-law respecting animals:

a. Leg-hold and such other traps in the City

The Subcommittee requested the Board of Health and City Council to consider making application for special legislation from the Province so as to permit the bylaw to cover the prohibition of leg-hold and other such traps in the City.

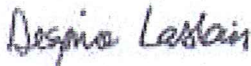
b. Wildlife Removal Companies

The Subcommittee requested the Board of Health to defer consideration of this issue until the new Fish and Wildlife Conservation Act by the Ministry of Natural Resources is proclaimed and that this matter be reviewed by the Animal Services Advisory Subcommittee in the next 12 months.

Conclusion:

Seventeen years ago the Board of Health considered both addressing wildlife removal companies and prohibiting leghold and other such traps. The items were again raised in 2014. Now is the time for the Licensing and Standards Committee to act. Therefore, we urge you to license wildlife control companies and prohibit the use of body gripping traps. City residents deserve to know who to contact to deliver a service that is effective and timely, humane and ensures public safety.

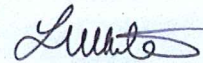
Sincerely,



Lia Laskaris
Animal Alliance



Barry MacKay
Born Free



Liz White
Animal Alliance
Environment
Voters



Memorial to Harper:

Harper was adopted through the JRTRC in September 2004 to Tara Szczygiel. She comments on him here:

"Harper came to us, as I'm sure an many JRT's do, quite rough around the edges (he was a brat!). But with lots of patience, hard work and love we turned him into quite a sweet little gentleman. We always received compliments on his behaviour everywhere we went. His favourite things were rolling in disgusting stuff, lying in laundry straight out of the dryer and unwrapping presents - it didn't matter if they were his! His sassy and sweet personality as well as his silly antics will be deeply missed!"

On December 13th, Tara was walking her dogs, Hero and Harper, in an off leash area in a park in Guelph. Harper was running near a fence, and he had put his head through a hole, and Tara heard him scream. She had thought that he had got his head caught in the fence, or had possibly caught an animal himself. What she found, though when she did find Harper was that his head and neck were caught in a conibear trap, and he was suffocating. Tara was unable to get the trap off him herself and ran for help. She did find some workers in the park, but even with the additional help, they were not able to get the trap off Harper. He suffocated to death with the trap still around his neck.

This was in a public park, and the trap was set illegally. The Ministry of Natural Resources (MNR) is investigating, and they are aware of who set the trap. Unfortunately, the illegal setting of a trap does not neatly fall under any jurisdiction of the Criminal Code, so no charges have yet been laid. The MNR has authority over all trapping issues in Ontario and is able to address this. This could have been any one of our dogs, and this is indeed something that every dog owner should be concerned about.

Snapping turtle killed in Conibear trap



Hamilton Spectator picture of a snapping turtle caught in a Conibear trap.
(April 2014)

Leghold trap on the face of a young raccoon



Credit Toronto Sun, K

This picture was taken by Ken Kerr at the Toronto Sun. This incident and other resulted in discussion about banning body gripping devices.
(Date unknown)