



Corporate Report

NO: R216

COUNCIL DATE: OCTOBER 15, 2007

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **October 11, 2007**

FROM: **City Solicitor**

FILE: **3900-20-15199**

SUBJECT: **Regulation of Exotic Animals**

RECOMMENDATION

That the information in this report be received.

INTENT

The intent of this report is to update Council on the current state of exotic animal regulation in Surrey.

BACKGROUND

On December 1, 2003 Council passed Surrey Exotic Animal By-law, 2003, No. 15199 (the "By-law"). The By-law addresses the issue of endangered, exotic, wild and dangerous animals by prohibiting their sale and purchase within the City of Surrey. Ownership or possession of these animals is not prohibited by the By-law.

The By-law arose out of a recommendation of the Public Safety Committee in 2003. After that recommendation, a public information meeting was held in September of 2003. A draft by-law was then forwarded to Council and an additional public information meeting was held on November 13, 2003. Members of the public as well as spokespersons from the pet industry, the SPCA and the Humane Society were given an opportunity to comment on the By-law prior to its adoption by Council. The By-law had the support of most stakeholders who made representations and provided input to Council.

DISCUSSION

The term "exotic animals" is typically comprised of two classes of animals – those that are endangered species and those that are deemed dangerous as potentially harmful to humans.

Endangered animals are regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The implementation and administration of CITES are shared among several federal and provincial agencies. Ultimately, the Federal Wildlife Enforcement Branch is responsible for border controls relating to the importation of endangered species into Canada.

The federal government also regulates the importation of certain animals from a health perspective through the Canadian Food Inspection Agency and Health of Animals Regulation. From time to time, various species of animals are added to or removed from the regulation depending on prevailing health issues and concerns. Currently, amphibians and reptiles are no longer regulated under the Health of Animal Regulation and as a result, no Canadian Food Inspection Agency import permit is required for amphibians or reptiles, nor is a health certificate. Imports of amphibians and reptiles are permitted for any use to any destination in Canada, except for those which are endangered species that fall within CITES.

Therefore, in large part, the regulation of animals that are potentially dangerous but not endangered or a health threat is left to individual provinces and in turn, to individual local governments to address.

The Reptile Refuge in Surrey is symptomatic of the larger problem of the abandonment of these animals when they have grown to an adult size or are too difficult to care for in an ordinary residence. A ban on the future possession of exotic animals would help alleviate the demand for exotic animal care facilities.

The City has the option and the authority to regulate the possession of animals under the *Community Charter*. A number of organizations, including the Vancouver Humane Society and the SPCA, have been of the view that the City's by-laws should take this step. Other groups feel that the restriction in the By-law on the sale and purchase of these animals is adequate.

The recommendation to Council in 2003 that the issue of exotic animals be addressed solely through prohibiting the purchase and sale of these animals was based, in part, on a consideration of the staff, vehicles, buildings, equipment and other resources that would be necessary should the City prohibit possession.

Should Council wish to consider taking a step toward banning the possession of these animals, it is recommended that, as was done in the past, there be consultation with key stakeholders and other interested parties for their input. Any by-law revisions should also take into consideration the resources required to administer and enforce its provisions and well as address issues relating to the grandparenting of prohibited animals that are already lawfully in the possession of individuals in Surrey.

CONCLUSION

Currently, the City does prohibit the purchase and sale of exotic and dangerous animals through its By-law. There is an ongoing issue of how to deal with the abandonment of these animals and one option to address this issue is a prohibition on possession of them. Should Council choose to consider taking the step of banning the possession of these animals, a public information process and consultation with key stakeholders would be appropriate.

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