

NO: **R190**

COUNCIL DATE: **October 19, 2009**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **October 14, 2009**

FROM: **City Solicitor**

FILE: **3900-20-12167**

SUBJECT: **Appointment of Animal Control Officers**

RECOMMENDATION

The Legal Services Division recommends that Council:

1. Approve amendments to the By-Law Enforcement Officers By-law, 1994, No. 12167 (the "By-law") as documented in Appendix A to this report, which will have the effect of formally recognizing the new position of "Animal Control Officer" and provide authority to these Officer positions to enforce the City's By-laws in relation to animal control within the City; and
2. Authorize the City Clerk to bring forward the related amendment by-law for the required readings.

DISCUSSION

The SPCA has informed the City that due to its values as an organization, it is no longer interested in providing by-law enforcement services in relation to animal control for the City, but will continue to provide pound services. As such, staff has reviewed alternative approaches to providing such by-law enforcement services. It has been concluded in the context of both effective and efficient delivery of these services that the By-Law Enforcement and Licensing Section of the City should take on this function as it is complementary to the other by-law enforcement services already being undertaken within that Section.

The resources required to provide these services will include six animal control by-law enforcement positions, which will be added to the City's organizational structure. A job classification and description for these positions has been created and approved by Human Resources and CUPE Local 402. Recruiting to fill these positions is currently in process with a view to the City taking over the responsibility from the SPCA on November 1, 2009.

To allow for the appointment of these individuals as Animal Control Officers, the By-law needs to be amended to recognize the position of "Animal Control Officer" and to provide for such Officers to enforce the provisions of various City by-laws related to the control of animals. The necessary amendments are documented in Appendix A.

Financial Considerations:

The net cost to the City of taking on the animal control by-law enforcement function will be approximately the same as the amounts that have been paid by the City to the SPCA to perform this service for the City. Finance staff concur that this assessment of the financial impact to the City is reasonable.

CRAIG MacFARLANE
City Solicitor

KER:mlg
Attach. – Appendix A

c.c. John Sherstone, Manager By-law & Licensing

APPENDIX A

Proposed Amendments to Appointment of By-law Enforcement Officers, By-law, 1994, No. 12167 (the "By-law")

The By-law be further amended as follows:

1. By adding the words ", Animal Control Officers" immediately following the words "By-law Enforcement Officers" in Sections 2 and 5; and
2. By adding a new Section 3.1 immediately following existing Section 3 as follows:

3.1 Animal Control Officers – Authority to Enforce

The Animal Control Officers are authorized to enforce the following By-laws, as amended from time to time, and enter at all reasonable times on to any property or premises to ascertain whether the regulations and provisions of the said By-laws are being or have been complied with:

- Surrey Dog Responsibility By-law, 1999, No. 13880
- Surrey Pound By-law, 1958, No. 1669
- Surrey Noise Control By-law, 1982, No. 7044
- Surrey Dog Responsibility By-law, 2009, No. 16656