

NO: R148

COUNCIL DATE: June 25, 2018

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **June 21, 2018**
FROM: **Manager, Public Safety Operations** FILE: **0550-06**
SUBJECT: **Sullivan Heights Peafowl Relocation Action Plan**

RECOMMENDATION

The Bylaw Enforcement & Licensing Services Division recommends that Council:

- 1) Receive this report for information; and
- 2) Endorse the Sullivan Heights Peafowl Relocation Action Plan (“Action Plan”), as described in this report.

INTENT

The purpose of this report is to obtain approval from Council to proceed with the relocation of peafowl from the Sullivan Heights neighbourhood.

BACKGROUND

Around the year 2006, a group of peafowl were left behind by a previous owner in the Sullivan Heights neighbourhood. The population of peafowl continued to grow as residential development progressed. In some instances, area residents have fed the peafowl and supported their presence in the area, whereas, other residents have been strongly opposed to their presence.

Since 2010, various requests have been made to the City regarding peafowl in the Sullivan Heights neighbourhood. The primary issues raised by residents have been related to noise, excrement, damage to property and aggressive behaviour towards domestic pets and children. A door to door canvassing survey further found that the community was almost evenly split on their feedback regarding peafowl. Area residents were divided in their feedback between allowing the peafowl to remain in the Sullivan Heights neighbourhood, trapping and removing the birds, and/or removing the roosting trees. At that time, the City retained a local expert who attempted to conduct a site evaluation; however, a few local residents intervened and objected to the concept of trapping the birds.

In 2014, requests related to peafowl resurfaced. While some area residents continued to feed and support the population of birds, others did not want them in their neighbourhood and, therefore, attempted to deter them from their properties by placing netting for the purpose of trapping. In an effort to diminish the negative impact on the community, Bylaw Enforcement & Licensing

Services sent letters to area residents informing them of the negative impact of feeding peafowl and the potential of receiving nuisance fines and charges if caught housing/feeding peacocks. Bylaw Enforcement staff continued to monitor the area.

DISCUSSION

On April 30, 2018, Bylaw Enforcement & Licensing Services staff were notified that a resident in the Sullivan Heights neighbourhood had cut down a tree protected by the City in his backyard that had been a roosting habitat for several peafowl. This particular resident had previously applied for, and was subsequently denied, a tree cutting permit. A municipal ticket was issued to the resident and the City is now proceeding with legal charges. Following this incident, residents have once again come forward to voice their concerns related to peafowl in their neighbourhood. While the community continues to be divided on the issue of peafowl, staff recognize the negative impacts to safety and property caused by the nuisance peafowl. Staff appreciate some residents want them to remain as an aesthetic value, but a residential area is not an appropriate place for peafowl. Tensions continue to rise in the area, and staff receive a high amount of daily calls, emails and complaints. A Bylaw Officer was also assaulted by a peafowl supporter while attending a peafowl feeding complaint.

Resolution of this issue is complicated by the fact that there is a legislative gap, as the Provincial Wildlife Act does not cover invasive species; nor is local government responsibility clear when ownership of animals is not evident. The increasing size of the peafowl population in Sullivan Heights has amplified the impact of the birds, such as noise, excrement and property damage. Homeowner's backyards are made unusable by the presence of peafowl, vehicles and houses are attacked by male birds during mating season and residents feel that their children and domestic pets are in an unsafe and unsanitary environment. Peafowl are known to carry a number of infectious diseases and parasites that have the potential to spread, via the birds' droppings, to livestock and/or humans.

At this time, staff estimate that there are 100 birds occupying the area of 148th to 150th Street and 60th to 63rd Avenue. The current population of peafowl is thriving in this environment and therefore, staff expect the population to continue growing. Research indicates that peahens lay 3-8 eggs annually, half of which will survive the existing group. This exponential growth rate will continue to detrimentally impact the residents of the community.

Consultation with Other Municipalities and Experts

Staff have consulted with other municipalities and subject matter experts to explore possible solutions to this matter. Initial findings indicate that this complex and divisive issue has not been quickly or easily resolved in other municipalities due to the following:

- Peafowl are large flighted birds that roost in elevated locations (such as trees) therefore, they are difficult to trap and there are limited options for containing or confining them;
- Peafowl are occupying both private and public spaces;
- Challenges with relocation related to the health of the birds, and issues at potential relocation areas related to the noise and habits of peafowl; and
- Availability of qualified professionals to execute the action plan in a full/wholesome

manner – ie. if any peafowl are left behind, the issue will continue to exist.

In consultation with several other jurisdictions, it was determined that this issue occurs with some frequency. For example:

- Longboat Key, Florida began a peafowl removal program in January 2016. Their efforts were incomplete and the population (while much smaller) is growing again. They have used both contract trappers and staff to manage their efforts.
- Rancho Palos Verdes, California began their process in August 2015 and currently have small pockets of remaining peafowl in several neighbourhoods that are removed on a complaint basis by the Los Angeles Zoo. They have intensively resourced the issue through their Code Enforcement Department with additional staff and by working collaboratively with the Los Angeles Zoo.
- Australia is developing a national strategy to address feral peafowl populations which may be adopted this summer. The strategy includes a variety of potential resolutions that can be applied in individual locations – for example: stabilizing the population by removing all reproductive peafowl, culling the entire population or leaving the peafowl as is.

In addition, staff continue to connect with subject matter experts at the Greater Vancouver Zoo, Toronto Zoo, a local exotics veterinarian, the BC SPCA, Critter Care Wildlife Society and professional trappers to inform our approach to this issue.

Peafowl Relocation Action Plan

As a result of research and consultation, staff recommend capturing and relocating all peafowl to a proper location. A certified contractor will be retained and a project timeline/budget will be finalized. Once peafowl are captured, they will be transported to the Surrey Animal Resource Centre and be subject to the standardized intake procedure, including a medical evaluation.

The Action Plan, as described below, is based on the broad consultation staff conducted and the need to address the nuisance activity caused by peafowl in the Sullivan Heights neighborhood. The Action Plan is built on a staged approach that will begin to address all concerns associated with feral peafowl. The core principles behind the action plan are as follows:

- Humane capture and handling of peafowl;
- Safety of area residents and pets; and
- Immediate sustained action.

If approved by Council, staff intend to proceed with the following staged approach:

1. Signage & Education:
 - Implementation of signage indicating that housing/feeding peafowl is strictly prohibited;

- Increased enforcement from both a proactive and reactive approach, with zero tolerance for those found housing/feeding peafowl; and
- Immediate fines for those found housing/feeding under the City of Surrey's Nuisance Bylaw No. 12883 Section 2(a) Cause/Permit Nuisance, up to \$250 per instance.

2. Peafowl Capture:

- Bylaw Officers to remove any peafowl that are able to be caught in public areas and where an owner requests, on private property;
- Eggs will be removed on public property and from private property, by owner request;
- Humane Traps will be provided to owners upon request. Once peafowl are captured, Bylaw Officers will remove them immediately. Owners will be provided with guidelines for monitoring traps;
- Traps will be safe for residents, children and other animals; and
- A Certified Biologist will be retained to oversee the Action Plan.

3. No Keeping of Peafowl:

- Keeping of Peafowl is not permitted as part of City of Surrey's Animal Responsibility Bylaw No. 19105 Section 4(b) Possess a prohibited animal. If anyone is found keeping peafowl, the peafowl will be seized and fines of \$450 per bird will be levied.

All captured peafowl and eggs will be transferred to the Surrey Animal Resource Centre and processed as per normal operating procedures. In addition to this approach, staff will work to finalize contractual arrangements for a complete Peafowl Capture Program.

Permission to trap peafowl on private property will be obtained from property owners prior to commencement of the Action Plan. Bylaw Enforcement will enforce the housing/feeding components of the available regulations to its full extent.

NEXT STEPS

If endorsed by Council, staff intend to commence the Action Plan immediately, while the contractual arrangements are finalized for a full capture and relocation project.

Staff will hold a neighbourhood meeting on Thursday, July 12th at the Surrey Operations Centre to inform the community of the forthcoming Action Plan.

Due to the complex nature of this matter, a long-term commitment by the City to resolving this issue may be required.

SUSTAINABILITY CONSIDERATIONS

The peafowl relocation action plan supports the Sustainability Charter 2.0. Specifically the theme of Health & Wellness in the Desired Outcome DO 5: Services and programs are responsive to shifting health and social needs, and local and external factors.

CONCLUSION

Based on the above discussion, the Bylaw Enforcement & Licensing Services Division recommends that Council:

- Receive this report for information; and
- Endorse the Sullivan Heights Peafowl Relocation Action Plan (“Action Plan”), as described in this report.

Jas Rehal, CPA, CMA
Manager, Public Safety Operations