

**CITY OF BURNABY**

**BYLAW NO. 13892**

A BYLAW to amend the Animal Control Bylaw  
to repeal pet store regulations

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY ANIMAL CONTROL BYLAW 1991, AMENDMENT BYLAW NO. 1, 2018.**
  
2. The Burnaby Animal Control Bylaw 1991, as amended, is further amended:
  - a) at Section 2, by repealing the definition of “pet store”;
  
  - b) by repealing Section 15C in its entirety.

Read a first time this	day of	2018
Read a second time this	day of	2018
Read a third time this	day of	2018
Reconsidered and adopted this	day of	2018

MAYOR

CLERK

**CITY OF BURNABY**

**BYLAW NO. 13893**

A BYLAW to amend the Business Licence Bylaw  
to add pet store regulations

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY BUSINESS LICENCE BYLAW 2017, AMENDMENT BYLAW NO. 1, 2018.**

2. The Burnaby Business Licence Bylaw 2017 is amended by adding, after Schedule D, the schedule attached to this bylaw.

Read a first time this                      day of                      2018

Read a second time this                      day of                      2018

Read a third time this                      day of                      2018

Reconsidered and adopted this                      day of                      2018

MAYOR

CLERK

Schedule to Bylaw No. 13893

**SCHEDULE “E”**

**PET STORES**

**1.0 Definitions**

1.1 In this Schedule,

“**cat**” includes any male or female domestic cat of any age

“**dog**” includes any male or female domestic dog of any age

“**pet store**” means a **business premises** that offers to sell or sells, at retail or wholesale, live animals, except animal shelters and kennels

**2.0 Regulations**

2.1 No owner or operator of a **pet store** shall sell or adopt out or offer to sell or adopt out any of the animals listed in Appendix 1 to this Schedule;

2.2 No **person** who has been convicted of an offence involving cruelty to animals shall own or operate a **pet store**.

2.3 No owner or operator of a **pet store** shall employ at that **pet store** any **person** who has been convicted of an offence involving cruelty to animals.

2.4 Every owner or operator of a pet store shall ensure that:

- (a) all **persons** who attend to the care of animals have the necessary skills, knowledge, training, abilities and equipment and supplies for the humane care of those animals;
- (b) all animals are provided with sufficient food, water, shelter, warmth, lighting, cleaning, sanitation, grooming, exercise, veterinary care and any other care necessary to maintain the health, safety and well-being of those animals;
- (c) no animals are handled by members of the public except under the supervision of a qualified employee.

2.5 Every owner or operator of a pet store shall ensure that all cages, enclosures or other places where animals are kept are at all times:

- (a) of sufficient size to allow the animal in which it is kept to stand to its full height, lie down, easily turn around and perform any other normal movement;

- (b) equipped with adequate and appropriate containers for food and water;
  - (c) maintained in good repair and in a condition that is safe to the animal;
  - (d) maintained in a clean and sanitary condition and free of animal waste;
  - (e) regularly disinfected and kept free of offensive odours; and
  - (f) well ventilated.
- 2.6 Every owner or operator of a **pet store** shall provide an area for the segregation from other animals of all animals that are ill, injured or in need of special treatment, care or attention.
- 2.7 Every owner or operator of a **pet store** that has an animal in its care that is or appears to be suffering from an illness or disease that is transmittable to human or other animals shall:
- (a) immediately notify the local health authority of the situation;
  - (b) ensure that the animal is kept isolated from humans and healthy animals until the local health authority has determined that it is no longer necessary to isolate the animal; and
  - (c) if so directed by the local health authority, have the animal euthanized humanely and in the manner directed by the local health authority.
- 2.8 Every owner or operator of a **pet store** shall:
- (a) post in a conspicuous place in the **pet store** the name and telephone number of a veterinarian who may be contacted by employees to provide necessary veterinary services; and
  - (b) ensure that, in the case of a **dog, cat** or other mammal not being a rodent or a rabbit:
    - (i) any animal that is ill or injured is promptly examined and treated by a veterinarian; and
    - (ii) any necessary euthanasia of an animal is performed by or under the supervision of a veterinarian.
- 2.9 Every owner or operator of a **pet store** shall:
- (a) keep and maintain in the **pet store** a legible written register containing a record of all transactions in which animals, other than arthropods, fish or amphibians, have been acquired, sold, placed for adoption, adopted out, returned or disposed of by the **pet store**; and

- (b) produce the register referred to in subsection (a) for inspection at the request of an **Inspector** and provide copies of any entries required by the **Inspector**.
- 2.10 The register required to be kept and maintained under section 2.9 of this Schedule shall contain the following information:
- (a) for all animals other than **dogs** or **cats**:
- (i) the name and address of the **person** or organization from whom the animal was acquired;
  - (ii) the date of purchase or acquisition;
  - (iii) the description of the sex and colouration of the animal and, where applicable, any tattoo or microchip number or marking;
  - (iv) the date the animal was sold or otherwise disposed of by the **pet store**; and
  - (v) where the animal has been disposed of other than by sale, the method of and reason for such disposition
- (b) for **dogs** and **cats**:
- (i) the name of the municipal animal shelter or animal shelter or rescue society or charity that is offering the **dog** or **cat** for adoption;
  - (ii) the date that the **dog** or **cat** was placed in the **pet store** for adoption;
  - (iii) the description of the sex and colouration of the **dog** or **cat** and, where applicable, any tattoo or microchip number or marking; and
  - (iv) the date the **dog** or **cat** was adopted out or returned to the municipal animal shelter or animal shelter or rescue society or charity that placed the **dog** or **cat** in the **pet store** for adoption.
- 2.11 Every owner or operator of a **pet store** shall, at the time of sale or adoption of an animal other than an arthropod, fish or amphibian, provide the purchaser or adopter with a written record of the sale or adoption containing the following information:
- (a) a description of the animal;
  - (b) the date of sale or adoption;
  - (c) the name and address of the **pet store**;
  - (d) a description of the animal, including its sex, colour and markings, and, if known, its age;

- (e) a description of any tattoo or microchip;
  - (f) a record of all vaccinations and inoculations; and
  - (g) the species and, if applicable, breed or cross breed of the animal.
- 2.12 For the adoption of a **cat** or **dog**, the owner or operator of a **pet store** shall, in addition to providing the information required under section 2.11 of this Schedule, provide the adopter with a dated and signed certificate from a veterinarian:
- (a) verifying the health of the **cat** or **dog**; and
  - (b) indicating that the **cat** or **dog** has been de-wormed and vaccinated or inoculated for the diseases specified in the certificate.
- 2.13 Every owner or operator of a **pet store** shall at the time of sale or adoption of any animal, other than an arthropod or fish, provide the purchaser or adopter with written instructions on the proper care and feeding of the animal, including
- (a) appropriate diet, including any recommended dietary supplements;
  - (b) proper handling techniques;
  - (c) basic living environment and, if applicable, type of enclosure, including appropriate enclosure size, lighting, heating, humidity control, materials and planting, substrate and recommended cleaning frequency;
  - (d) exercise needs, if any;
  - (e) any other care requirements necessary to maintain the health and well-being of the animal; and
  - (f) any human health risks associated with the handling of the animal.
- 2.14 An owner or operator of a **pet store** shall not adopt out an unsterilized **cat** unless the owner or operator provides to the adopter at the time of adoption:
- (a) a voucher that entitles the adopter to have the **cat** spayed or neutered, without further charge, at the office of a veterinarian practicing in the **City**, with the name, address and contact information of the veterinarian shown on the voucher; and
  - (b) written information describing the benefits of sterilizing **cats**.
- 2.15 The owner or operator of a **pet store** shall:
- (a) not display a **dog** or **cat** for adoption in the **pet store** for a period greater than twelve weeks;

- (b) return a **dog** or **cat** to the originating municipal animal shelter or animal shelter or rescue society or charity upon the expiry of the twelve-week period under subsection 2.15(a) of this Schedule; and
  - (c) not charge an adoption fee for a **cat** or **dog** that exceeds the total costs incurred by the owner or operator of the **pet store** for feeding, keeping, veterinary care and other incidental costs associated with the **cat** or **dog** while placed in the **pet store** for adoption.
- 2.16 Every owner or operator of a **pet store** at all times that the **pet store** is open for business and at all other reasonable times permit an **Inspector** to inspect the **pet store**, any animal in the **pet store** and any records required to be maintained under this Schedule to ensure that the provisions of this Schedule and **Bylaw** are complied with.

**SCHEDULE “E”****Appendix 1****List of Prohibited Animals**

- all non-human primates
- all felidae and canidae, except domestic **cats** and **dogs** offered for adoption through a municipal animal shelter or animal shelter or rescue organization that is a registered charity or a society registered under the BC *Societies Act*, other than a member-funded society
- all ursidae (bears)
- all proboscidea (elephants)
- all pinnipedia (seals, walrus)
- all marsupials
- all edentates (anteaters)
- all xenarthra (such as sloths, armadillos and tamanduas)
- all monotremata (spiny anteater and platypus)
- all venomous or poisonous reptiles and amphibians
- all venomous and poisonous invertebrates (black widow spiders, tarantulas)
- all ungulates, except the bison and domestic breeds of cow, goat, sheep, pig, horse, mule, donkey, ass, llama and alpaca
- all hyaenidae (hyenas)
- all hyracoidean (hyraxes)
- all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
- all procyonidae (raccoons, coatimundis)
- all viverridae (civets and genets)
- all herpestidae (mongooses)
- all cetacean (whales, porpoises, dolphins)
- all chiroptera (bats), colugos (flying lemurs) and scandentia (treeshrews)
- all lagomorphs (rabbits and hare), except spayed and neutered domestic rabbits
- all aquatic or semi-aquatic turtles



**CITY OF BURNABY**

**BYLAW NO. 13894**

A BYLAW to amend the Bylaw Notice Enforcement Bylaw

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY BYLAW NOTICE ENFORCEMENT BYLAW, 2009, AMENDMENT BYLAW NO. 2, 2018.**
2. Burnaby Bylaw Notice Enforcement Bylaw, 2009, as amended, is further amended:
  - (a) at Schedule A, under the heading “Burnaby Animal Control Bylaw 1991”, by repealing the rows relating to Sections 15.C(2) to 15.C(16), inclusive, in their entirety;
  - (b) at Schedule A, under the heading “Burnaby Business Bylaw 2017”, by adding after Schedule D, the rows in the schedule attached to this bylaw.

Read a first time this	day of	, 2018
Read a second time this	day of	, 2018
Read a third time this	day of	, 2018
Reconsidered and adopted this	day of	, 2018

MAYOR

CLERK

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## Schedule to Bylaw No. 13894

<b>Schedule E</b>	<b>Pet Store Businesses</b>			
2.1	Adopt or sell, or offer to adopt out or sell a prohibited animal listed in Appendix 1	500	400	NO
2.3	Employ a person convicted of cruelty to animals	500	400	NO
2.4(a)	Fail to ensure all person attending to animals have the necessary skills, knowledge, training, abilities and equipment and supplies for humane care of those animals	500	400	NO
2.4(b)	Fail to ensure all animals have sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, veterinary checks and any other care required to maintain the health, safety and well-being	500	400	NO
2.4(c)	Permit handling of an animal without employee supervision	400	320	NO
2.5(a)	Fail to ensure cage, enclosure or place where animal is kept is of sufficient size	400	320	NO
2.5(b)	Fail to ensure cage, enclosure, or place where animal kept is equipped with adequate containers for food or water	400	320	NO
2.5(c)	Fail to ensure cage, enclosure, or place where animal kept is maintained in good repair or condition.	400	320	NO
2.5(d)	Fail to ensure cage, enclosure, or place where animal kept is maintained in sanitary condition and free of animal waste	400	320	NO
2.5(e)	Fail to ensure cage, enclosure, or place where animal kept is equipped is regularly disinfected and kept free of odors	400	320	NO
2.5(f)	Fail to ensure cage, enclosure, or place where animal kept is well ventilated	400	320	NO
2.6	Fail to segregate an ill or injured animal from other animals	500	400	NO
2.7(a)	Fail to notify health authority of transmittable disease	500	400	NO

2.7(b)	Fail to isolate ill or diseased animal from other animals and humans	500	400	NO
2.7(c)	Fail to humanely euthanize animal as directed	500	400	NO
2.8(a)	Fail to post veterinarian information	500	400	YES
2.8(b)(i)	Fail to provide prompt veterinarian care	500	400	NO
2.8(b)(ii)	Fail to have animal euthanized by or under the supervision of a veterinarian	500	400	NO
2.9(a)	Fail to keep or maintain register	400	320	NO
2.9(b)	Fail to produce register for inspection	400	320	NO
2.10	Incomplete register information	400	320	YES
2.11	Fail to provide written record to adopter or purchaser	400	320	NO
2.12	Fail to provide certificate from veterinarian to adopter or purchaser of cat or dog			
2.13	Fail to provide adopter or purchaser written instruction on proper care and feeding	400	320	NO
2.14(a)	Fail to provide adopter of unsterilized cat with veterinarian voucher	400	320	NO
2.15(a)	Display a dog or cat for adoption for period greater than twelve weeks	400	320	NO
2.15(b)	Fail to return a dog or cat to originating municipal shelter, animal shelter or rescue society or charity	400	320	NO
2.15(c)	Charging an adoption fee greater than cost	500	400	NO
2.16	Fail to permit inspection of premises or records	400	320	NO