



**City of Richmond**

**Report to Committee**

**To:** General Purposes Committee **Date:** December 3, 2009  
**From:** Andrew Nazareth **File:** 12-8275-01/2009-Vol  
 General Manager, Business & Financial Services 01  
**Re:** **Banning the sale of dogs in storefronts.**

**Staff Recommendation**

That the staff report dated December 3, 2009 from the Chief Licence Inspector with regard to banning the sale of dogs in storefronts, be received for information.

Andrew Nazareth  
General Manager, Business & Financial Services  
(604-276-4095)

Att. 4

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<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>	
Community Bylaws .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Parks Programs .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
Law .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
<b>REVIEWED BY TAG</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<b>REVIEWED BY CAO</b> YES <input checked="" type="checkbox"/>
			NO <input type="checkbox"/>

## Staff Report

### Origin

This report is in response to a July 13, 2009 Council referral “ That staff review and report back on what is required to implement a bylaw to ban the sale of dogs in storefronts.”

### Findings of Fact

The City’s Business Regulation Bylaw prohibits the sale of select animals to the community excepting those that are suited for domestic purposes.

Prohibited animals include those that are protected or endangered species, venomous or toxic animals, various reptiles, arachnids, bullfrogs, scorpions, millipedes etc., and a host of species not suited for an urban environment. Exceptions to the prohibitions include the domestic dog, cat, ferret, rabbits, two animals that are derived from self-sustaining captive populations and the African pigmy hedgehog.

To ban the sale of dogs in storefronts would require a Bylaw Amendment to the Business Regulation Bylaw No. 7538, Schedule B, Section 8, removing the Domestic Dog as an exception to the Prohibited Species of Canidae, thus making Domestic Dogs a prohibited animal that a pet store operator must not sell, offer to sell or display to the public.

### Analysis

The City regulates the three Pet Store Operators licensed for the retail sale of animals in Richmond through the Business Regulation Bylaw No. 7538, Part Twelve: Pet Store Regulation - Pet Store Owners. These regulations detail a pet store operators duties and obligations which amongst others detail requirements for:

- The skill of persons attending to the care of the animals
- Care of the animals
- Requirements and use of cages
- Segregation of animals
- Veterinary Care
- Pet Store Register which includes amongst other requirements:
  - Information on each animal acquired
    - From whom acquired
    - Date of purchase
    - Description
    - Date animal sold
  - Produce register for inspection at the request of a licence inspector
- Information to be provided to purchasers
- Prohibitions restricting a pet store operator from selling, offer to sell, or display to the public any prohibited animal listed in Schedule B to the Business Regulation Bylaw.

Staff discussions with operators indicates the amount of sales generated from the sale of dogs in storefronts can represent from 15% to 70% of pet store operators gross revenue.

The City also regulates Commercial Dog Kennels and Hobby Dog Kennels under the Business Regulation Bylaw, which has provision for whelping areas. These regulations consider the land parcel, building, animal register, food sales and animal care but does not regulate breeding activity.

The Canadian Kennel Club (CKC) has a code of ethics and code of conduct for breeders however this association only deals with purebreds and does not permit their members selling to retail stores.

Dogs are also sold in Richmond through newspaper classified advertisements and on the internet from both Club Breeders and non-affiliated breeders. Without surrounding jurisdictions participating in a ban on the sale of dogs in storefronts, Richmond pet stores including those who may not sell dogs, may be disadvantaged as consumers travel to a neighbouring jurisdiction to purchase a dog, supplies and accessories from a competing pet store.

The only local government found with an ordinance *in place* banning the retail sale of dogs and cats by pet stores and pet store operators is the City of South Lake Tahoe, USA. Their ordinance speaks to the inhumane conditions of “puppy mills” and encouraging pet consumers to adopt dogs and cats from shelters. In response to a recent incident, the City of Langley is in the process of considering restrictions on the sale of puppies in storefronts.

Council’s referral has generated viewpoints with many from the general public speaking in favour of a proposed ban on the sale of dogs in storefronts referring to the inhumane treatment associated to “puppy mills” and the abundance of animals available from shelters. Albeit, animals in shelters may originate from retail pet store operators, club breeders or non-affiliated breeders.

A submission from the BC SPCA (Attachment 1) speaks to a belief that “a ban would play a role in reducing the number of dogs bred in horrific conditions.”

The Pet Industry Joint Advisory Council (PIJAC) who advocates for the Canadian pet industry has indicated (Attachment 2) they “do not support the approach presently considered by Council and would prefer an alternate solution that puts every business on the same level and uses their collective strengths to promote proper animal care and responsible pet ownership”.

The comments on a proposed ban from the existing Pet Store Operators (Attachments 3 and 4) voice concerns that:

- Banning the sale from storefronts will:
  - Force closure of several legitimate businesses
  - Drive the sales of puppies to un-regulated back-yard breeders
- Ban should apply to sale of dogs via newspapers, internet, street signs etc.
- City to require all adult dogs be spayed or neutered
- All dog breeders should be licensed
- Pet buyers have more protection buying from a retail store

Subsequently, the following options are presented for consideration:

### **Option 1**

*That staff;*

- *Continue regulating pet store operators under the Business Regulation Bylaw No. 7538 Part Twelve: Pet Store Regulations recording the breeders used by local operators; and*
- *Liaise with Richmond's Animal Shelter to identify pets originating from local pet store operators to determine lack of compliance with regulatory requirements.*

The strengths to this option include a heightened awareness of breeders used by the local operators which may motivate them to ensure ethical breeding practices are taking place by their pet suppliers.

Consumers requesting information of an operators breeders (if not provided by the operator) can request the information from the City enabling an informed decision by the consumer on the place of their purchase.

This option will also focus on pets dropped off at shelters to determine if Richmond pet store operators animals are being dropped off and assess if they are attending to the health of the animals and addressing new pet owner (purchasers) care and feeding requirements.

The challenges to this option are that it may not impact non affiliated breeding activity or drop offs at the local shelter.

This is an intermediate step with the potential to increase regulatory oversight over time.

### **Option 2**

*That staff prepare an amendment to the Business Regulation Bylaw No. 7538, Schedule B Section 8, removing the Domestic Dog as an exception to the Prohibited Species of Canidae but exempting existing pet store operators from the prohibition against selling the domestic dog.*

The strengths to this option are that it works toward impacting the financial viability of unethical breeding activity and may promote pet adoption.

The challenges with this option are that it permits one form of sales over another (i.e. newspaper / internet), may not reduce impulse buying and would not materially impact out of jurisdiction non affiliated breeders sales activity.

Without surrounding jurisdictions participating in a ban on the sale of dogs in storefronts the City's impact on non-affiliated breeders, reducing impulse buying and pet drop offs at shelters is questionable. Exempting existing operators from the prohibition will take a longer time frame to have an impact on non affiliated breeders.

This is a middle step option between banning the sale of dogs in storefronts outright and a greater regulatory enforcement initiative while protecting the financial viability of existing operators.

### **Option 3**

*That staff prepare an amendment to the Business Regulation Bylaw No. 7538, Schedule B Section 8, removing the Domestic Dog as an exception to the Prohibited Species of Canidae, effectively banning the sale of all dogs from storefronts in Richmond.*

This option may increase adoptions from shelters and reduce breeding activity of local non-affiliated or unlicensed breeders. This also supports development of affiliated (CKC) breeders who appear to have a stronger screening process for new buyers.

The challenges with this option are that it permits one form of sales over another (i.e. newspaper / internet) and would not materially impact current out of jurisdiction non affiliated breeders sales activity.

Without surrounding jurisdictions participating in a ban on the sale of dogs in storefronts the City's impact on non-affiliated breeders, reducing impulse buying and pet drop offs at shelters is questionable.

This option could close existing operators or harm local pet supply businesses as pet buyers travel to other cities to purchase pets and supplies.

This may also increase the local non affiliated breeding activity as the market responds to a reduction in the supply of pet dogs.

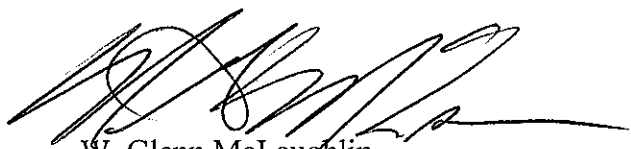
In addition there would be less bylaw control over dog care through the sales activity.

### **Financial Impact**

There is no financial impact on the City relating to this report.

### **Conclusion**

The report provides Council with background, community and industry response on the sale of dogs in storefronts.



W. Glenn McLaughlin  
Chief Licence Inspector & Risk Manager  
(604-276-4136)



have 4 kittens examined and treated by a veterinarian within 24 hours because of obvious illness.

There is a plethora of information on the internet about Hunte Corp., their practices and the sourcing of puppies from puppy mills. While we must advise you that some of the images you will see and factual accounts you will read are extremely disturbing, we do encourage you spend some time undertaking a search. We are also including a couple of short pieces on puppy mills: "10 Questions About Puppy Mills", "Breeding for the Sheer Greed of It" and "Puppy Mills Profit from Pain."

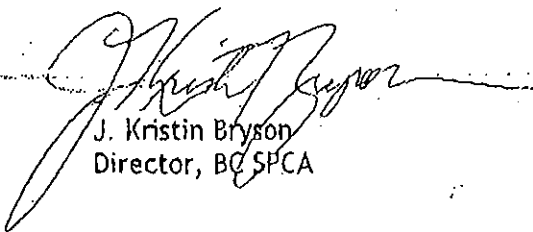
You had also asked us about whether we have statistics on dogs being surrendered to the BC SPCA who had originated as pet store purchases. Unfortunately, we do not have such statistics, as this information is not always disclosed at the time of surrender. We can say, anecdotally, however, that we do have a large number of such animals surrendered to us. The health problems suffered by dogs who were born into a puppy mill environment and are sold through pet stores are often so serious that new owners are overwhelmed by the time commitment and money needed to overcome them, if they can be overcome.

Further, pet stores do not take any steps to ensure a proper match between the animal and the potential guardian. This is something the BC SPCA does in every case. We have an extensive process that both animal and potential guardian must go through in order to ensure that they are suited to one another. We consider things such as lifestyle of the person, the person's family situation, the person's experience with animals, the temperament of the animal and so on. The result is a happier experience for both animal and person and very few animals being returned to us.

In closing, the BC SPCA commends the Council for considering the adoption of a bylaw which would see the sale of dogs in retail stores banned. Such a bylaw would play a key role in reducing the number of dogs bred in horrific conditions and dog guardians who unknowingly purchase sick and ill-bred dogs. Should the Council decide to move forward with a bylaw, we would be pleased to provide support. The BC SPCA has a wealth of knowledge and experience drafting municipal bylaws and would be willing to assist in any manner you saw fit.

If you have questions or would like additional information on this or any other topic involving animal welfare, please contact us. We would be pleased to speak with you, other members of the Council or members of your staff at anytime. I can be reached at 660-4118 or 671-7614 or by e-mail at [j.kristin.bryson@gov.bc.ca](mailto:j.kristin.bryson@gov.bc.ca). Thank-you, again, for allowing us to be a part of this process.

Yours truly,



J. Kristin Bryson  
Director, BC SPCA



The voice of the Canadian pet industry  
La voix de l'industrie des animaux de  
compagnie au Canada

Attachment 2.

August 11<sup>th</sup> 2009

Wayne G. Mercer  
Manager, Community Bylaws  
City of Richmond  
6911 No 3 Road  
Richmond, BC V6Y 2C1

**Re: Proposed new bylaw in Richmond to ban the sale of dogs in pet stores.**

Dear Sir;

On behalf of the Pet Industry Joint Advisory Council of Canada, I would like to thank you for allowing us the opportunity to comment on the above-mentioned exercise. It is my understanding that you and your staff have been asked to prepare a report to Council for their consideration upon their return from Summer hiatus. I would respectfully ask that you consider the following points during the preparation of this document.

PIJAC Canada is a not for profit trade association that represents the different sectors of the Canadian pet industry. Over the years, our expertise has been recognized in many areas of interest to pet owners and their companion animals. This expertise is regularly sought by municipalities across this country, as well as by agencies from the provincial and federal governments.

For the record, PIJAC Canada has always been supportive of regulations that address area of concerns, provided this is done in a fair and efficient manner. Responsible pet ownership, proper animal care and husbandry are just a few of the areas our organization promotes, by providing information and training to a variety of stakeholders.

**On the orientation considered by Council**

PIJAC Canada respectfully submits that the orientation presently considered by Council will do nothing to alleviate concerns over impulse buying and ensure that the dogs offered for sale to Richmond residents are of good quality.

Such a bylaw would amount to the City of Richmond demonstrating a preference towards one type of business over another, even though both of them offer the same service (offering dogs to Richmond residents). In our opinion, such a decision, based on hearsay and misguided opinions, would create unfair business practices and eliminate legitimate sources where Richmond residents can obtain a healthy pet dog.



Pet Industry Joint  
Advisory Council

Conseil consultatif  
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The voice of the Canadian pet industry  
La voix de l'industrie des animaux de  
compagnie au Canada

It is our experience that should Council go forward with such an action, it would produce the reverse effect, residents going to alternative sources to obtain their pets. We would submit that many of these sources (classifieds, internet, point of sale in other municipalities) are less known and less controlled than local area pet stores and have the potential to make the situation worse than what it is.

By the nature of their operations, area pet stores are established businesses in the community that have fixed addresses and remain accountable to the customers they serve. These legitimate businesses are self-sustaining and bring a steady tax revenue stream to the City. Because of their high visibility amongst residents and the general public, they see the importance of offering quality animals and quality information to their customers. Proper veterinary care and proper information on the care and husbandry of the animals they offer for sale, is tantamount to the success of their business. If not already done, a visit of the Richmond pet stores by staff would quickly validate this claim.

There is no factual evidence to support the claim that all shelter/rescue dogs come from pet stores. In fact a quick survey of the dog breeds/types found in pet stores and shelters/rescues would quickly show that this is not the case. A recently published Ipsos Reid study (Fall 2008) studying the habits of Canadian pet owners, reported that less than 10% of owned dogs originated from pet stores. We would also contend that higher purchase prices usually found in pet stores would tend to discourage impulse buying rather than promote it.

Not all dog owners are interested in obtaining their dog from a shelter or rescue group. For those looking for alternative sourcing, reputable pet stores should remain a legitimate option. The role of the municipality should not be to favor one type of operation over another. What the City of Richmond should do in our opinion is try to maximize the number of good operations where its residents can obtain a pet dog.

### **Suggested alternative**

PIJAC Canada would support a bylaw exercise that applies equally to all the different types of pet establishments operating within the City of Richmond. This bylaw should recognize the importance of offering quality pets and quality information to perspective owners. A decision to allow a business to offer dogs for sale/adoption should not be based on the "type" of operation.

PIJAC Canada would welcome the opportunity to work with staff and Council on the elaboration of such a bylaw. Our Certified Companion Animal Specialist training program represents an excellent tool for all types of pet establishments whose operations involve the care and husbandry of dogs and other pets. All Richmond pet retail establishments should have some of their staff trained on such programs.



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We submit that the recommended approach should also include the establishment of a uniform message to be promoted in partnership by the City and all of Richmond's pet establishments. Such a message should highlight responsible pet ownership and promote proper animal care and husbandry. This uniform message should be supported through the dissemination of information material by all the partners to the residents of Richmond and existing/prospective dog owners.

PIJAC Canada recognizes the desire to improve the overall dog situation in the city. We do not support the approach presently being considered by Council and would prefer an alternative solution that puts every business on the same level and uses their collective strengths to promote proper animal care and responsible pet ownership.

Our association reiterates its commitment to work with the city of Richmond to achieve this common objective. We look forward to your comments.

Sincerely,

Louis McCann  
Executive Director  
PIJAC Canada



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Advisory Council**

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Emailed 7/10/09

Dear Mr. Mayor and Councillors,

Attachment 3.

Re: Banning the sale of puppies in pet stores

This proposed bylaw will create the following immediate negative results:

1. Force the closure of several legitimate Richmond businesses and numerous jobs lost to Richmond residents
2. Loss of tax revenue to the City of Richmond, the Province of BC, and Canada
3. Will drive the sales of puppies to un-regulated back-yard breeders
4. Encourage an underground economy to prosper in Richmond
5. Promotes an uncontrolled market with no protection to our citizens

The creation of this bylaw does not address the control and restriction of aggressive dogs, which endanger our residents, specifically our children.

This proposed bylaw only serves to penalize a couple of businesses, without addressing the true needs of ensuring that animals are well taken care of. If one is to ban sales of puppies in stores, then the ban must be extended to all, including the ban of sales in newspapers, internet, street signs, or any other media where the public has access. For in our free society, what applies to one must apply to all.

Pet Habitat at Richmond Centre has been serving our Richmond community since 1980. In those 30 years it has strived to offer our customers the best possible companion animals. We are a professional business that is already regulated through existing business and pet bylaws.

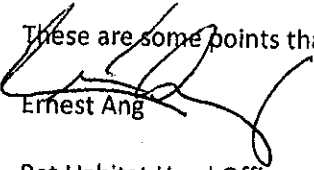
Pet Habitat was one of the first to offer:

1. Multiple veterinarian checks before arrival
2. USDA inspected breeding facilities
3. USDA approved brokerage facilities
4. Full documentation of health records for pets
5. 4 generation pedigrees at time of purchase
6. Free veterinary check up for puppy after purchase
7. Warranty program for purchases
8. Support for vaccination programs
9. Encouragement for neutering and spaying
10. Recommendation of professional dog training
11. Promotion of licensing of dogs and cats with City of Richmond
12. Micro-chipping for positive identification

Through all of these options, Pet Habitat promotes responsible pet ownership and awareness.

We wish to work with our city to improve every positive aspect regarding operating a model pet shop.

These are some points that I wish you can help us with; to improve our community, which we all care and love.

  
Ernest Ang

Pet Habitat Head Office

Tel: (604) 266-2721

Fax: (604) 266-5880

Pets Wonderland  
#1260-4580 No.3 Road  
Richmond, BC V6X 2C2  
604-207-9011/ 604-779-1745

Oct 20, 2009

Dear W.Glenn McLaughlin:

We thank you for your invitation to let us express our point of view via banning the sale of dogs in storefronts. In order to prevent the overpopulation of dogs or abandoned animals in Richmond or even the whole society, the city should make a rule to have all the adult dog spayed/neutered and any dog breeder or pet shop owner need to acquire a license if they want to breed or sell any pet.

Preventing the sales of dogs in pet stores will not reduced the abandoned dogs end up in Shelter in Richmond. It may rather encourage the sales of those puppy mills owner or backyard breeder. In fact, there are an increasing number of dog sales on newspaper or over the internet without any control. Any person can owns a dog and he/she can breed for any reason. It is necessary to educate people how important to spayed/neutered their dog and make it a rule for doing so. Those "home breed, family raised" puppies listed both on the newspaper and internet is doubtful and they can be coming from an unknown source. Over thousands of puppies are being offer for sales locally on the internet daily. There is no protection for the new pet owner as puppies sometimes been adopted before the age of 8 weeks and quite often some of these puppies have not received any shot or even no vet check is given before they were sold. And of course most of these breeders do not offer Health Guarantee to the pet owner.

An increasing number of dogs that are end up in Shelter in Richmond area are not necessary coming from Pet Store in Richmond. They may be coming from many sources such as other province of Canada and United States... Therefore we do not agree banning the sales of dog in pet store. We think new pet owner have more protection buying from a license pet store. We will provide all information of the puppy and offer health guarantee to the new pet owner. We do not sell puppy that are under 8 weeks old while we know that there are people selling puppy that are much younger than 8 weeks old. In general, we will provide the following service for each new pet owner:

- Vet check Record booklet (age appropriate vaccine and de-wormed, microchip)
- 1 Year Health Guarantee (sales contract)
- Puppy care information
- After sales (Dog Training) help
- Educate and encourage new owner have the puppy spayed/neutered (\$50 in store coupon is given after the dog is spayed/neutered)

Most of our puppies are coming from a local breeder with license. (We can provide proof upon request). We are proud of our puppies that are selling to the public and we can provide pet owner or vet reference if necessary. It is inappropriate to ban the sales of dogs in storefront in Richmond. Because we are licensed, we paid tax for each puppy we sold and we also made donation to Red Cross, World Vision and SPCA in the past years. We make effort to ensure all our puppies are coming from a happy healthy environment and we also make sure the puppies have found a right home. It would not help with the overpopulation of dogs or abandoned animals in the society even the sales of dog in storefront is banned. Please considering the information we gave and please feel free to contact us if you have any questions or would like to discuss further this issue with us. Thank you for reading our opinion.

Regards,

Anna Yu  
Owner of Pets Wonderland

