



AGENDA

GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

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**WEDNESDAY, MAY 28, 2014 –
IMMEDIATELY FOLLOWING TRANSPORTATION COMMITTEE**

COUNCIL CHAMBER – 2nd FLOOR – CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

Members

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2 (Chair)
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7
Councillor Katie Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

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INDEX – GENERAL COMMITTEE – MAY 28, 2014

CALL TO ORDER

APPROVAL OF THE AGENDA

DECLARATIONS OF CONFLICT OF INTEREST

PRESENTATIONS - Nil

DEPUTATIONS

- A. Item 1 Grant Crossman, Acting Executive Director, CanHerp
- B. Item 2 Linda Beaudoin, Resident

MATTERS TO BE CONSIDERED

- 1. Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals
- 2. Licensing of Children's Entertainers
- 3. By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga

ADVISORY COMMITTEE REPORTS

Towing Industry Advisory Committee Report 3-2014 May 6, 2014

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OTHER BUSINESS/ANNOUNCEMENTS

CLOSED SESSION - Nil

(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)

ADJOURNMENT

CALL TO ORDER

APPROVAL OF THE AGENDA

DECLARATIONS OF CONFLICT OF INTEREST

PRESENTATIONS - Nil

DEPUTATIONS

- A. Item 1 Grant Crossman, Acting Executive Director, CanHerp
- B. Item 2 Linda Beaudoin, Resident

MATTERS TO BE CONSIDERED

1. Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals

Corporate Report dated April 29, 2014 from the Commissioner of Transportation and Works with respect to proposed amendments to the Animal Care and Control By-law 0098-04, as amended regarding the regulation of the sale and ownership of exotic animals.

RECOMMENDATION

1. That a by-law to amend the Animal Care and Control By-law 0098-04, as amended, be enacted to prohibit the sale and ownership of certain species of exotic animals as outlined in the report from the Commissioner of Transportation and Works dated April 29, 2014 and entitled "Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals".
2. That the practice for the transfer of exotic animals prohibited under the Animal Care and Control By-law 0098-04, as amended, which are recovered by Animal Services as outlined in the report from the Commissioner of Transportation and Works dated April 29, 2014 and entitled "Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals" be approved.

(1.)

3. That a by-law authorizing the Commissioner of Transportation and Works, or their designate, on behalf of the Corporation of the City of Mississauga, to enter into agreements between the City and local pet stores in the City of Mississauga that sell exotic animals for the transfer of exotic animals recovered by Animal Services and permitted under the Animal Care and Control By-law 0098-04, as amended, be approved.

2. Licensing of Children's Entertainers

Corporate Report dated April 30, 2014 from the Commissioner of Transportation and Works with respect to licensing of children's entertainers.

RECOMMENDATION

1. That the City of Mississauga not license Children's Entertainers as outlined in the Corporate Report from the Commissioner of Transportation and Works dated April 30, 2014, entitled "Licensing of Children's Entertainers".
2. That staff, through the use of existing communication channels, provide information and tips for parents and caregivers regarding children's entertainers and encouraging safe play for children.
3. That a copy of this report be forwarded to the federal government, the provincial government, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario to encourage discussion and greater policy work towards the safety and protection of children.

3. By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga

Corporate Report dated May 13, 2014 from the Commissioner of Transportation and Works with respect to by-laws to establish a system of Administrative Penalties respecting licensing for the City of Mississauga.

RECOMMENDATION

1. That a by-law to establish a system of administrative penalties respecting licensing in the City of Mississauga (Appendix 1) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 13, 2014 and entitled "By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga".

(3.)

2. That a by-law to amend the Animal Care and Control By-law 98-04, as amended, (Appendix 2) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 13, 2014 and entitled "By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga".

ADVISORY COMMITTEE REPORTS

Towing Industry Advisory Committee Report 3-2014 May 6, 2014
(Recommendation TIAC-0007-2014 to TIAC-0010-2014)

Environmental Advisory Committee Report 3-2014 May 6, 2014
(Recommendation EAC-0012-2014 to EAC-0018-2014)

COUNCILLORS' ENQUIRIES

OTHER BUSINESS/ANNOUNCEMENTS

CLOSED SESSION - Nil

(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)

ADJOURNMENT



Corporate Report

Clerk's Files

Originator's
Files

DATE: April 29, 2014

TO: Chair and Members of General Committee
Meeting Date: May 28, 2014

General Committee

MAY 28 2014

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals**

- RECOMMENDATION:**
1. That a by-law to amend the Animal Care and Control By-law 0098-04, as amended, be enacted to prohibit the sale and ownership of certain species of exotic animals as outlined in the report from the Commissioner of Transportation and Works dated April 29, 2014 and entitled "Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals".
 2. That the practice for the transfer of exotic animals prohibited under the Animal Care and Control By-law 0098-04, as amended, which are recovered by Animal Services as outlined in the report from the Commissioner of Transportation and Works dated April 29, 2014 and entitled "Proposed Amendments to the Animal Care and Control By-law 0098-04, as amended, regarding the Regulation of the Sale and Ownership of Exotic Animals" be approved.
 3. That a by-law authorizing the Commissioner of Transportation and Works, or their designate, on behalf of the Corporation of the City of Mississauga, to enter into agreements between the City and local

pet stores in the City of Mississauga that sell exotic animals for the transfer of exotic animals recovered by Animal Services and permitted under the Animal Care and Control By-law 0098-04, as amended, be approved.

**REPORT
HIGHLIGHTS:**

- At the meeting of December 4, 2013 the General Committee considered a report from the Commissioner of Transportation and Works dated November 20, 2013 and entitled "Regulation of the Sale and Ownership of Exotic Animals". Council referred this report back to staff for further clarification.
- Mr. Grant Crossman, on behalf of the exotic animal industry in Mississauga and CanHerp, provided staff with a list of exotic animals that should be prohibited in the City of Mississauga. Further, Mr. Crossman recommended that the Animal Care and Control By-law 0098-04, as amended, be revised to incorporate this list and that length restrictions for exotic animals be removed from the by-law.
- The list of prohibited exotic animals provided by Mr. Crossman served as the starting point for staff who consulted with experts in the area of exotic animals and poison control, which have no affiliation or association with the exotic animal industry, to ensure that the list provided by Mr. Crossman was inclusive.
- In light of the further consultation conducted, staff have finalized a list of prohibited species of exotic animals for inclusion in the Animal Care and Control By-law 0098-04, as amended, in lieu of length restrictions for exotic animals, and staff have improved the processes followed by Animal Services for the transfer of exotic animals impounded by them. These changes improve public safety, facilitate responsible exotic animal ownership and support the exotic animal industry in Mississauga.
- Staff consulted with Mr. Crossman on the finalized list of prohibited species of exotic animals. Mr. Crossman has endorsed the list.

BACKGROUND:

At the meeting of December 4, 2013 the General Committee considered a report from the Commissioner of Transportation and Works dated November 20, 2013 and entitled "Regulation of the Sale and Ownership of Exotic Animals". A copy of this report is attached

as Appendix 1. As a result of this report, Council adopted the following recommendations at its meeting of December 11, 2013:

"GC-0663-2013

- 1. That the depositions by the following individuals with respect to the Regulation of the Sale and Ownership of Exotic Animals be received:*
 - a. Grant Crossman, Port Credit Pet Store and Grant Ankenman, Executive Director, CanHerp*
 - b. Tom Mason, Retired Curator of Birds and Invertebrates, Metro Toronto Zoo*
 - c. Elizabeth Semple, Executive Treasurer, Little RES Q*
 - d. Andrew Ngo, Director of Research and Curriculum, Reptilia Zoo*
- 2. That the email dated December 2, 2013 from Ellen Timms, General Manager, Port Credit Business Association with respect to the proposed amendments to the Animal Care and Control By-law 98-04 and support for the Port Credit Pet Store.*
- 3. That the letter dated December 4, 2013 from Grant Crossman, Port Credit Pet Store with respect to a rebuttal to City of Mississauga Animal Services Report.*

GC-0664-2013

That the Corporate Report dated November 20, 2013 from the Commissioner of Transportation and Works with respect to the Regulation of the Sale and Ownership of Exotic Animals be referred back to staff for further clarification."

The purpose of this report is to provide further clarification on the regulation of the sale and ownership of exotic animals in accordance with the direction provided to staff by Council at its meeting of December 11, 2013.

COMMENTS:**Regulation of Exotic Animals Through a List of Prohibited Animals:**

Mr. Grant Crossman, on behalf of the exotic animal industry in Mississauga and CanHerp, provided staff with a list of exotic animals that should be prohibited in the City of Mississauga. Further, Mr. Crossman recommended that the Animal Care and Control By-law 0098-04, as amended, be revised to incorporate this list and that length restrictions for exotic animals be removed from the by-law. A copy of the list of proposed prohibited exotic animals provided by Mr. Crossman is attached as Appendix 2.

The list of prohibited exotic animals provided by Mr. Crossman served as the starting point for staff who consulted with experts in the area of exotic animals and poison control to ensure that the list provided by Mr. Crossman was inclusive. In particular, staff had some initial concerns regarding the list submitted by Mr. Crossman as noted below:

- The removal of the length restrictions for snakes and lizards of three metres (9.84 feet) and two metres (6.56 feet), respectively. Staff needed further assurance that there were no snakes or lizards larger than three metres (9.84 feet) and two meters (6.56 feet), respectively, that were not captured on the prohibited list and were in fact dangerous to humans.
- Further research was conducted to ensure that the list of prohibited Scorpions and Tarantulas was complete and there were no exotic animals in this category that were excluded from the list and dangerous to humans.
- Further research was conducted to ensure that all venomous and poisonous exotic animals that are dangerous to humans were included on the proposed list.
- Staff also conducted further research to determine if de-venomized exotic animals should be prohibited as well.

To assist staff in their work, staff consulted with the following experts who have no affiliation or association with the exotic animal industry:

- Mr. Bob Johnson, Honours B.Sc. and Masters in Environmental Studies and the current Curator of Amphibians and Reptiles at the Metro Toronto Zoo for 31 years with prior work at Regent Park Zoo in London, England.
- Mr. Kevin C. R. Kerr, B.Sc. from the University of Guelph in Wildlife Biology, Ph.D. from the University of Guelph in Zoology, Post-Doctoral at the Smithsonian National Museum of Natural History and the Royal Ontario Museum in Ornithology and Current Curator of Birds and Invertebrates at the Metro Toronto Zoo.

Staff Findings and Conclusions:

After reviewing the proposed list of prohibited exotic animals submitted by Mr. Crossman, staff had concerns that there may be dangerous exotic animals not included on that list. More particularly the concerns were that:

- all Boa Constrictors did not appear on the proposed list of exotic animals to be prohibited, only the green Anaconda was included;
- no Tarantulas appeared on the list;
- only one family of Scorpion was included; and,
- not all exotic animals which are venomous or poisonous were included on the list of proposed exotic animals to be prohibited.

With this in mind staff consulted experts from the Metro Toronto Zoo who are independent of the exotic animal trade in Mississauga. As previously mentioned, staff contacted Mr. Bob Johnson who has been the current Curator of Amphibians and Reptiles at the Metro Toronto Zoo for the last 31 years. Mr. Johnson has been employed with the Metro Toronto Zoo for the last 40 years, has worked at Regent Park Zoo in London, England with varied reptiles and has worked with all species of giant and venomous snakes. He has also testified in court as an expert witness regarding two dangerous snake incidents and provides training to municipal animal services officers.

Staff also contacted Mr. Kevin C.R. Kerr, the current Curator of Birds and Invertebrates at the Metro Toronto Zoo, who has a Bachelor of Science from the University of Guelph in Wildlife Biology and a Post-Doctoral from the University of Guelph in Zoology. Prior to becoming the Curator of Birds and Invertebrates at the Metro Toronto Zoo, Mr. Kerr was extensively involved in the DNA Barcoding Project for "Barcode of Life". Mr. Kerr has completed Post-Doctoral work at the Smithsonian National Museum of Natural History and the Royal Ontario Museum in Ornithology. These experts were contacted to address the concerns staff had regarding the list of prohibited exotic animals proposed by Mr. Crossman.

The first concern raised was the absence of Boa Constrictors from the list of proposed prohibited exotic animals. In consultation with Mr. Johnson it was found that Boa Constrictors are not dangerous given the exotic animal industry's current breeding practices that have been in place for decades. Boa Constrictors are selected by breeders for their smaller sizes and docile temperament. Mr. Johnson does acknowledge that although there are a few specimens that have exceeded three meters (9.84 feet), they are normally much smaller given the current practices of breeding.

Staff have concluded that Boa Constrictors do not pose a significant danger to people and should not be prohibited. As a result, Boa constrictors do not appear on the list titled "Recommended List of Prohibited Exotic Animals" (Appendix 3) submitted by staff after consultation with Mr. Johnson.

The next concern was the inclusion of only the green Anaconda rather than all four species of Anaconda on the proposed list of prohibited exotic animals submitted by Mr. Crossman. In consultation with Mr. Johnson staff discovered that all four species of Anaconda should be prohibited due not only to their size but their temperament.

Anacondas typically have more aggressive tendencies and require a highly skilled owner for proper maintenance and control. Currently, breeding practices of the exotic animal trade are determined based on smaller size and docile temperament, but the practices for Anacondas are not as well established as with Boa Constrictors as outlined previously in this report. With this information all species of Anaconda (Eunectes) appear on the "Recommended List of Prohibited

Exotic Animals” (Appendix 3) as submitted by staff as they do have increased risk of being dangerous to people due to their more aggressive behavioural tendencies.

In consultation with Mr. Johnston, staff have ensured that all snakes and lizards that are dangerous to people are included on the “Recommended List of Prohibited Exotic Animals” as outlined on Appendix 3.

Staff had concerns that there are no species of Tarantula that appear on the list of proposed prohibited exotic animals submitted by Mr. Crossman. Mr. Kerr, the current Curator of Birds and Invertebrates at the Metro Toronto Zoo, was consulted as to whether or not Tarantulas are dangerous to people. Mr. Kerr confirmed that Tarantulas are not dangerous to people. According to Mr. Kerr a bite from a Tarantula may lead to body aches akin to bee stings and are not considered dangerous to people. As a result, staff have not added any Tarantulas to the “Recommended List of Prohibited Exotic Animals” (Appendix 3).

Staff expressed concern about the inclusion of only one family of Scorpion called Buthidae to be prohibited rather than all Scorpions as noted on the list of proposed prohibited exotic animals submitted by Mr. Crossman. Mr. Kerr was consulted again regarding whether or not all Scorpions were dangerous to people or just the family of Scorpions called Buthidae. Although not all Scorpions in the Buthidae family are dangerous to people, for ease of identification to staff, Mr. Kerr recommends that the entire family of Scorpion called Buthidae should be prohibited. The easily visible difference is that the family of Scorpion called Buthidae have thin claws (pincers) while the other families of Scorpions, which are not dangerous to people, such as the family called Scorpionidae have fat claws (pincers). Mr. Kerr has asserted that there are members of the family of Scorpion called Buthidae that are dangerous to people. As a result of staff consultation with Mr. Kerr, only the family of Scorpion called Buthidae appear on the list titled “Recommended List of Prohibited Exotic Animals” (Appendix 3) submitted by staff as Buthidae is the only family of Scorpion that is dangerous to people.

Staff ensured that all exotic animals with toxins that are dangerous to people have been included on the list titled "Recommended List of Prohibited Exotic Animals" (Appendix 3) through consultation with both Mr. Johnson and Mr. Kerr. It should be noted that some toxic species of exotic animals have been added to the list provided by Mr. Crossman after consultation with Mr. Johnson and Mr. Kerr. This includes the family of spider Hexathelidae commonly called Australian Funnel Web Spiders which are highly venomous and aggressive spiders. Also three species of rear-fanged snakes from the genus Rhabdophis commonly called Keelbacks, the genus Atractaspis commonly called Burrowing Vipers or Mole Vipers and the species called Philodryas Viridissimus commonly called the South American Green Racer. All of these exotic animals are on the list titled "Recommended List of Prohibited Exotic Animals" (Appendix 3) submitted by staff. None of these exotic animals are available in the exotic animal trade but should be prohibited as they are dangerous to people.

Staff confirmed that there are many animals that are venomous or poisonous but not dangerous to people through consultation with both Mr. Johnson and Mr. Kerr. Staff ensured that any exotic animals that are venomous or poisonous and dangerous to people are shown on the list titled "Recommended List of Prohibited Exotic Animals" (Appendix 3).

Staff asked Mr. Johnson to comment on the validity of prohibiting de-venomized exotic animals. Mr. Johnson confirmed that evidence shows that venom glands may regrow, there is no guarantee of de-venomization, the cost of de-venomization can be \$1000 or more and captive-bred young will still be born venomous. The animals also use the venom to aid in digestion which means that de-venomization has health consequences for the exotic animal. Due to concerns that an exotic animal may not be permanently de-venomized as demonstrated in a news article provided by Mr. Johnson in Appendix 4 and the harmful effects to the exotic animal, it is recommended that de-venomized exotic animals be prohibited as well.

Staff from Legal Services were consulted regarding the enforceability of size restrictions for snakes and lizards in accordance with Schedule "A" of the existing Animal Care and Control By-law 0098-04, as

amended. It was agreed that removal of size restrictions is recommended. Currently there is confusion between staff, exotic animal retailers and exotic animal owners as to what is considered a prohibited snake or lizard. The cause of the confusion is that information varies as to the average size of any given exotic animal. Removal of references to the size of an exotic animal from the Animal Care and Control By-law 0098-04, as amended, and replacement with a list of specific and clearly defined exotic animals to prohibit would eliminate any confusion. After consultation with Legal Services, staff recommend the removal of reference to the size of a snake or lizard from the Animal Care and Control By-law 0098-04, as amended.

Staff from Legal Services were also consulted about the terms venomous and poisonous and whether or not they should be removed from Schedule "A" of the Animal Care and Control By-law 0098-04, as amended. It was agreed that the terms venomous and poisonous should be removed due to the difficulty in defining them. There are many definitions of venomous and poisonous that can be interpreted in different ways leading to confusion and difficulty in enforcement. In order to eliminate any confusion from various interpretations of the terms venomous and poisonous, they should be removed from the Animal Care and Control By-law 0098-04, as amended, and replaced with a list of specific and clearly defined exotic animals to prohibit. Staff recommend removing any references to venomous and poisonous from the Animal Care and Control By-law 0098-04, as amended.

After consultation with Mr. Johnson, the current Curator of Reptiles and Amphibians at the Metro Toronto Zoo with final comments in Appendix 5; Mr. Kerr, the current Curator of Birds and Invertebrates at the Metro Toronto Zoo with final comments in Appendix 6; and, staff from Legal Services, staff recommend changes to Schedule "A" of the Animal Care and Control By-law 0098-04, as amended.

The changes will ensure that public safety measures are in place and that there is no increased traffic to black market exotic animal trade venues. Further, the changes promote responsible pet ownership and create an environment conducive to business development in Mississauga by supporting the exotic animal industry.

The recommended changes to the Animal Care and Control By-law 0098-04, as amended, are outlined below:

- The list titled “Recommended List of Prohibited Exotic Animals” (Appendix 3) submitted by staff be added to Schedule “A” to the Animal Care and Control By-law 0098-04, as amended.
- Remove “lizards that are venomous and that reach an adult length larger than 2 metres (6.56 ft)” from Schedule “A” to the Animal Care and Control By-law 0098-04, as amended.
- Remove “snakes that reach an adult length greater than 3 metres (9.84 ft)” from Schedule “A” to the Animal Care and Control By-law 0098-04, as amended.
- Remove “snakes that are venomous” from Schedule “A” to the Animal Care and Control By-law 0098-04, as amended.
- Remove “All poisonous insects, reptiles, and amphibians” from Schedule “A” to the Animal Care and Control By-law 0098-04, as amended.
- Prohibit the sale and ownership of de-venomized exotic animals.

Transfer of Exotic Animals:

Animal Services is not equipped to care for and house exotic animals. Historically, Animal Services has immediately transferred any exotic animals recovered, including both those presently prohibited and those permitted under the by-law, to the Port Credit Pet Centre, or other non-accredited facilities, with the understanding that the exotic animal would be transferred by them to a local zoo. Staff have concerns with this approach, given the changes to the by-law proposed in this report which will expand the list of prohibited exotic animals.

As a result, Enforcement staff have worked extensively with staff from Legal Services and propose that the following practice be followed when exotic animals are recovered by Animal Services.

If a permitted exotic animal, per the Animal Care and Control By-law 0098-04, as amended, is impounded with Animal Services then the following shall occur:

- Exotic animal retail facilities and other organizations in Mississauga wishing to receive permitted exotic animals impounded by the City of Mississauga shall enter into an agreement with The Corporation of the City of Mississauga for the safe and humane transfer, housing and care of permitted exotic animals.
- When an exotic animal becomes the property of The Corporation of the City of Mississauga, there will be a transfer of ownership to the participating exotic animal retail facilities or other organizations from the City of Mississauga.
- Once the transfer of ownership from the City of Mississauga to participating exotic animal retailers or other organizations is complete, it will then become the responsibility of the participating exotic animal retailer or other organization to allocate the exotic animal for sale, adoption or to be kept.

If a prohibited exotic animal under the Animal Care and Control By-law 0098-04, as amended, is impounded with Animal Services then the following shall occur:

- Prohibited exotic animals will only be housed at Animal Services in a safe and humane manner for the time it takes to identify the exotic animal as prohibited.
- Exotic animals found to be prohibited, shall be transferred to an accredited zoo, university or non-retail rescue organization outside the City of Mississauga for the safe and humane housing and care of the prohibited exotic animal.
- Prohibited exotic animals will be transported to an accredited zoo, university or non-retail rescue organization by companies that specialize in the safe and humane transport of exotic animals by Animal Services.

- There may be very rare instances where staff may not have the specialized equipment to safely handle and house a prohibited exotic animal. In these instances the Metro Toronto Zoo will be contacted directly to aid staff in the impoundment, humane care and safe housing of the prohibited exotic animal.

Results of Further Consultation with the Exotic Animal Industry in Mississauga:

Staff consulted with Mr. Crossman on the findings and he is in agreement with the recommended list of prohibited species of exotic pets. A signed copy of Mr. Crossman's written comments on behalf of the Mississauga exotic animal industry and CanHerp are attached to this report as Appendix 7.

FINANCIAL IMPACT: The recommended changes to the Animal Care and Control By-law 0098-04, as amended, may increase the cost to Animal Services for the transfer of exotic animals prohibited under the recommended changes to the by-law to accredited facilities including the Indian River Reptile Zoo, located in Indian River, Ontario, which is 16 kilometres (9.94 miles) east of Peterborough, Ontario or the Metro Toronto Zoo. However, at this time staff are confident that any potential cost increase will be minimal and can be absorbed in the existing operating budget for Animal Services. Moreover, the cost to transport an exotic animal from Mississauga to the Indian River Reptile Zoo, using a service that transports live animals in a safe and humane way, is approximately \$300. Costs to send exotic animals to the Metro Toronto Zoo will vary upon staff availability at the Metro Toronto Zoo to transport the exotic animal or if Animal Services must arrange transport for the exotic animal. The cost to Animal Services to transport an exotic animal to the Metro Toronto Zoo is approximately \$200. In the last three years, Animal Services has only recovered one prohibited exotic animal.

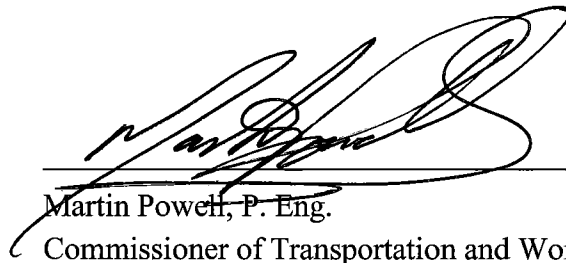
CONCLUSION: This report is in response to Council's request that staff provide further clarification on the regulation of exotic animals. As a result, in preparation of this follow-up report, staff have consulted with representatives of the local exotic animal industry in Mississauga and

CanHerp. In addition, staff have consulted with experts in the field of exotic animals who are not affiliated with the exotic animal industry. In light of the further consultation conducted, staff recommend changes to Animal Care and Control By-law 0098-04, as amended, for the sale and ownership of exotic animals as well as endorsement of the process Animal Services will follow for the transfer of exotic animals impounded by them. These changes improve public safety, facilitate responsible exotic animal ownership and support the exotic animal industry in Mississauga.

ATTACHMENTS:

- Appendix 1 Corporate Report from the Commissioner of Transportation and Works dated November 20, 2013 and entitled "Regulation of the Sale and Ownership of Exotic Animals".
- Appendix 2 List of Proposed Prohibited Exotic Animals submitted by Mr. Grant Crossman Acting Executive Director of CanHerp, owner of "Port Credit Pet Centre" and affiliated "National Reptile Supply" on behalf of CanHerp to General Committee on December 4, 2013.
- Appendix 3 Recommended List of Prohibited Exotic Pets submitted by staff after consultation with experts not affiliated with the exotic animal trade in Mississauga.
- Appendix 4 News article submitted by Mr. Bob Johnson, the current Curator of Reptiles and Amphibians at the Metro Toronto Zoo, with regards to the inadequacy of de-venomization.
- Appendix 5 Final comments from Mr. Bob Johnson the current Curator of Reptiles and Amphibians at the Metro Toronto Zoo, regarding staff proposed list of exotic animals to prohibit.
- Appendix 6 Final comments from Mr. Kevin C.R. Kerr the current Curator of Birds and Invertebrates at the Metro Toronto Zoo, regarding staff proposed list of exotic animals to prohibit.

Appendix 7 Final comments from Mr. Grant Crossman acting Executive Director of CanHerp, owner of "Port Credit Pet Centre" and affiliated "National Reptile Supply" regarding staff proposed list of exotic animals to prohibit.



Martin Powell, P. Eng.

Commissioner of Transportation and Works

Prepared By: John Bell, RVT, M.L.E.O.



Corporate Report

Clerk's Files

Originator's
Files

DATE: November 20, 2013

TO: Chair and Members of General Committee
Meeting Date: December 4, 2013

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: Regulation of the Sale and Ownership of Exotic Animals

General Committee

DEC 04 2013

- RECOMMENDATIONS:**
1. That a by-law to amend the Animal Care and Control By-law 98-04, as amended, be enacted (Appendix 1), as outlined in the report from the Commissioner of Transportation and Works dated November 20, 2013 entitled Regulation of the Sale and Ownership of Exotic Animals.
 2. That pet stores in Mississauga that sell exotic animals and residents who possess exotic animals be granted a period of six months from the date that Council enacts the amendments to the Animal Care and Control By-law 98-04, as amended, to sell or dispose of any prohibited animals to a person who does not reside in the City of Mississauga and who will be relocating the prohibited animal to a region or municipality that does not prohibit the species in question.
 3. That the practice for the transfer of exotic animals recovered by Animal Services outlined in the report from the Commissioner of Transportation and Works dated November 20, 2013 entitled Regulation of the Sale and Ownership of Exotic Animals be approved.

4. That a by-law to delegate authority to the Commissioner of Transportation and Works, or their delegate, on behalf of the Corporation of the City of Mississauga, to enter into agreements between the City and local pet stores in the City of Mississauga that sell exotic animals for the transfer of exotic animals recovered by Animal Services and permitted under the Animal Care and Control By-law 98-04, as amended, to the pet stores (Appendix 2).
5. That staff participate in the Government of Ontario's review of the existing provincial regulatory scheme for exotic pets and report back to Council on the results of this review.
6. That the Honourable Ministers of Community Safety and Correctional Services; Municipal Affairs and Housing; and, Natural Resources be sent a copy of the report dated November 20, 2013 from the Commissioner of Transportation and Works entitled Regulation of the Sale and Ownership of Exotic Animals.

**REPORT
HIGHLIGHTS:**

This report addresses the following:

- the history of snake-related calls attended to by Animal Services in the last 650 days;
- the results of recent inspections conducted by municipal law enforcement officers (MLEO) of all pet stores in Mississauga that sell exotic animals;
- the existing requirements under the Animal Care and Control By-law 98-04, as amended, regarding the sale and ownership of exotics animals and Business Licensing By-law 1-06, as amended, regarding the sale of exotic animals;
- the approaches of other municipalities to regulating the sale and ownership of exotic animals;
- existing Provincial/Federal regulations governing the sale and ownership of exotic animals;
- the August 13, 2013 joint statement from the Honourable Ministers of Community Safety and Correctional Services;

Municipal Affairs and Housing; and, Natural Resources regarding exotic animal regulation;

- the deficiencies of the existing City of Mississauga by-laws for regulating exotic animals and recommended amendments; and
- providing a grace period of six months for pet stores and residents to comply with the recommended changes to the by-law; and
- the consequences for existing stores that sell and residents that possess exotic animals following amendments to the by-law changes to processes used by Animal Services for the transfer of exotic animals recovered and enactment of related by-law.

BACKGROUND:

Staff were asked to report on the regulation of the sale and ownership of exotic animals in the City of Mississauga, with a particular emphasis on snakes.

COMMENTS:History of Snake-Related Animal Services Calls:

Animal Services has attended to ten snake-related calls in the last 650 days. Attached to this report (Appendix 3) is a summary of the snake-related calls, classified by snake species.

Animal Services Past Practice with the Transfer of Exotic Animals:

Animal Services is not equipped to care and house exotic animals. Historically, Animal Services has immediately transferred any exotic animals recovered, including both those presently prohibited and those permitted under the by-law, to primarily the Port Credit Pet Centre, or other non-accredited facilities, with the understanding that the exotic animal would be transferred by them to a local zoo. Staff have concerns with this approach, given the changes to the by-law proposed in this report which will expand the list of prohibited exotic animals.

Staff propose that the following practice be followed when exotic animals are recovered by Animal Services.

Prohibited exotic animals will be transferred directly by Animal Services to zoos that are accredited with Canada's Accredited Zoos

and Aquariums (CAZA), that do not sell exotic pets and are not associated with the exotic pet industry in Mississauga. CAZA is a national accreditation for zoos and is considered the gold standard in accreditation in Canada. At this time, staff have sourced one such facility that meets these requirements: the Indian River Reptile Zoo located in Indian River, Ontario, which is 16 kilometres east of Peterborough. This facility has been inspected by staff from Animal Services and has been deemed to be appropriate. A copy of the inspection report for the Indian River Reptile Zoo is attached as Appendix 4.

Exotic animals permitted under the by-law will be transferred by Animal Services to local pet stores in Mississauga that wish to receive them and that meet the requirements of existing by-laws and other legislation related to the care and sale of animals. Staff will notify all pet stores presently in Mississauga that sell exotic animals and enter into agreements with those pet stores that meet these requirements. This will allow all facilities an equal opportunity to participate. In the last 650 days staff from Animal Services have recovered 50 exotic animals, of which one was prohibited (a Mexican pigmy rattle snake found on May 12, 2012). The cost to transfer this one exotic pet to the Indian River Reptile Zoo would be approximately \$300 (cost of one-way trip to the zoo using a service that transports live animals in a safe and humane manner).

Staff recommend that the practice outlined in this report for the transfer of exotic pets recovered by Animal Services be approved. Staff further recommend that should this practice be approved, the Commissioner of Transportation and Works, or their delegate, be authorized to enter into agreements with local pet stores in Mississauga that sell exotic animals for the transfer to the pet store of exotic animals recovered by Animal Service that are permitted under the by-law. A draft by-law delegating authority to the Commissioner of Transportation and Works is attached as Appendix 2.

Results of Recent Pet Store Inspections:

On August 14, 2013 MLEOs from Compliance and Licensing Enforcement and Animal Services conducted inspections of the pet stores in Mississauga that sell exotic animals. The MLEOs conducted

these inspections in order to verify that the stores were in compliance with existing by-laws and to identify which species of exotic animals the stores carried. MLEOs inspected ten retail pet stores and one non-retail warehouse facility that carry exotic animals, and found all but one facility (Port Credit Pet Centre) to be in compliance with the existing by-laws. The business owner complied with the by-law and relocated the species in question outside of Mississauga. Enforcement action was not required. Appendix 5 attached to this report contains the detailed results of those inspections, including a list of exotic animal species carried in each location.

Requirements Under the Existing By-laws

The sale of exotic animals in pet stores located in the City of Mississauga is regulated through the Business Licensing By-law 1-06, as amended. In particular, Schedule 20 of the by-law outlines the conditions that owners of pet shops must meet in order to receive and maintain their business licence. These conditions include:

- carrying on business in accordance with the provisions of the city's Animal Care and Control By-law 98-04, as amended;
- outlining requirements for the storage, care, feeding and display of the animals for sale;
- addressing record keeping requirements related to the acquisition and sale of animals; and,
- requiring licensees to report anyone who offers to sell/give them an animal which has been stolen or otherwise unlawfully obtained (or which the licensee has reason to believe was stolen or unlawfully obtained) to Peel Regional Police.

The Business Licensing By-law 1-06, as amended, does not include any conditions specifically related to the sale of exotic animals.

The ownership of snakes in the City of Mississauga is regulated under the Animal Care and Control By-law 98-04, as amended. In particular, the by-law:

- prohibits the keeping of all venomous insects, reptiles, and amphibians;
- prohibits the keeping of venomous lizards that can reach an adult length larger than two metres (6.56 feet);

- prohibits the keeping of venomous snakes;
- prohibits the keeping of snakes that reach an adult length larger than three metres (9.84 feet);
- prohibits owners from keeping snakes outside of a building or structure unless they are contained in an animal enclosure;
- outlines specific requirements for indoor and outdoor animal enclosures, aimed at ensuring the health and welfare of the animal and requiring the enclosure to be escape proof;
- requires that outdoor animal enclosures for snakes be located on a property's rear yard, at least three metres (9.84 feet) from the property line, and at least 6.1 metres (20.01 feet) from any school, church, or residential building not located on the same lot, and;
- prohibits the keeping of more than four animals excluding fish at a residence.

Approaches of other Municipalities to Regulating Exotic Pets

Staff consulted with officials in 15 large Canadian municipalities to compare their approaches to regulating the sale and ownership of snakes. Appendix 6 contains a table summarizing these findings.

Staff consulted with eight Ontario municipalities: Toronto, Markham, Hamilton, Richmond Hill, Burlington, Oakville, Brampton and Ottawa. Each of these municipalities permits the sale and ownership of snakes with some restrictions. All eight municipalities prohibit venomous snakes and lizards. Six of the eight, including Toronto, Markham, Hamilton, Burlington, Oakville, and Ottawa, prohibit all snake species which can grow to longer than three metres (9.84 feet) and all lizard species which can grow to longer than two metres (6.56 feet). Two municipalities, namely Brampton and Richmond Hill, do not prescribe a maximum length for snake or lizard species. Six municipalities, Markham, Hamilton, Richmond Hill, Burlington, Brampton and Ottawa, prohibit a number of specific snake species from being owned or sold altogether, and two of those municipalities, Markham and Ottawa, also prohibit a number of specific lizard species from being owned or sold altogether.

Staff also consulted with seven cities in other Canadian provinces, namely Halifax, Moncton, Montreal, Winnipeg, Calgary, Edmonton

and Vancouver. Winnipeg and Halifax prohibit several species of snakes and maintain maximum length requirements of three metres (9.84 feet) and 3.3 metres (10.83 feet), respectively. Moncton, Calgary, Edmonton and Vancouver either do not have by-laws which regulate exotic pets (Moncton and Calgary) or have minimal regulation (Edmonton and Vancouver) and defer to provincial legislation.

The provinces of New Brunswick, Alberta and British Columbia have legislation regulating exotic pets, unlike Ontario. British Columbia enacted regulations pursuant to its *Wildlife Act* (the "Controlled Alien Species Regulation"), which are considered by many to be a standard-bearer for provincial exotic wildlife regulation. The B.C. regulations prohibit a number of specific species of exotic pets, and are the template for staff's proposed changes to Mississauga's by-laws, as discussed below. New Brunswick's *Fish and Wildlife Act* prohibits anyone from keeping exotic wildlife in captivity without a permit except for those species listed in regulations to that statute. Alberta's *Wildlife Act* prohibits anyone from possessing a "controlled species" of animal without a permit, and the regulations under that statute identifies a number of species of snakes and lizards. For further detail regarding the regulations from other provinces, please refer to the table in Appendix 6.

Provincial and Federal Regulations on Exotic Pets

The Ontario *Fish and Wildlife Conservation Act* restricts the ownership of several species of snakes which are native to the province. However, Ontario is the only province currently lacking any form of legislation governing non-native, exotic animal ownership. The *Municipal Act, 2001*, gives municipalities the authority to enact animal by-laws but, as discussed above, municipal by-laws are not standardized across Ontario municipalities. By contrast, British Columbia, for example, restricts the public from, among other things, owning, transporting and breeding certain "prohibited species" of snakes and other exotic animals, without a provincially-issued permit.

The federal government has traditionally taken the view that animals constitute property and ownership of them is a provincial responsibility; however, it does regulate the import and export of exotic animals across the Canadian border. Unlike for other animals,

the Canadian Food Inspection Agency does not require individuals to obtain a permit for the import or export of reptiles. However, the Convention of International Trade in Endangered Species (CITES), administered by Canadian Wildlife Services (a branch of Environment Canada), does prohibit the importation of certain endangered species of snakes and lizards where the trade is commercial in nature. Several species of cobras, boas, iguanas and monitor lizards are included on this list. Finally, federal law does govern the ownership of exotic animals in one respect: the *Criminal Code* prohibits cruelty to animals, which includes exotic animals.

August 13, 2013 Joint Statement from the Province Regarding Exotic Animals Regulation

On August 13, 2013 the Honourable Ministers of Community Safety and Correctional Services; Municipal Affairs and Housing; and, Natural Resources released a joint statement indicating that the province will work with Ontario municipalities to examine current rules governing the sale and possession of exotic animals, and to determine if changes are needed. A copy of the full August 13, 2013 statement is attached as Appendix 7.

Deficiencies of the Existing By-laws and Recommended Amendments

Staff are of the view that the existing by-laws governing the sale and ownership of exotic animals in Mississauga are deficient in a number of respects and should be amended as follows:

- The Animal Care and Control By-law 98-04, as amended, prohibits the sale or ownership of venomous animal species which fall in the "insect" class. However, this wording does not capture several venomous species, which do not fall in the "insect" class, such as:
 - spiders, which technically fall in the "arachnid" class;
 - centipedes, which technically fall under the "chilopoda" class; and,
 - scorpions which technically fall in the "arachnid" class.

As these other venomous species present equal dangers to the public, staff recommend amending the current by-law to prohibit the sale and ownership of all venomous, even if de-venomized, poisonous, and with the potential to become poisonous invertebrates and vertebrates. (Some exotic animals have the potential to become poisonous if their diet includes the consumption of certain foods. This is discussed in more detail later in this report). This revised list would include all living species under which "insects", "arachnids", "chilopoda", "reptiles", "amphibians", "aquatic life" and "mammals" fall.

- The Animal Care and Control By-law 98-04, as amended, prescribes a maximum permissible length for snakes of three metres (9.84 feet). However, there are other factors besides length which determine the relative dangerousness of a snake, including its muscle strength, behavioural tendencies and cross-breeding with other species. Staff therefore recommend amending the current by-law to prohibit the sale and ownership of snakes of several dangerous species. The full list of snake species that staff recommend prohibiting appears in Appendix 8. It is important to note that staff recommend maintaining a maximum length restriction for *all* snakes of three metres (9.84 feet). The restriction is the current standard of the City's by-law and allows for the prohibition of dangerous snake species that are not known to staff at the time of this report. This may include the import of new snake species or the selective breeding of smaller snakes in order to create a large dangerous snake. This is the same process of selective breeding we see in dogs that created giant breeds such as Great Danes. This list of prohibited snake species is similar to the prohibited species list employed in British Columbia's well-regarded *Controlled Alien Species Regulation*.
- The Animal Care and Control By-law 98-04, as amended, prescribes a maximum permissible length restriction for lizards of two metres (6.56 feet) at maturity and only if venomous. However, there are other factors besides length which determine the relative dangerousness of a lizard, including its muscle strength and behavioural tendencies. Staff therefore recommend amending the current by-law to prohibit the sale

and ownership of lizards of several dangerous species. The full list of lizard species that staff recommend prohibiting appears in Appendix 8. It is important to note that staff recommend maintaining a maximum length restriction for *all* lizards of two metres (6.56 feet) and not just venomous lizards. Maintaining the current length allows the sale of lizards that have a long length from the tip of the nose to the tip of the tail but without the musculature to be harmful. The species specific restrictions prohibit lizards that may grow to be less than two metres (6.56 feet) but are considered dangerous due to their musculature, behaviour and difficulty housing in an escape proof enclosure that is large enough to meet the needs of the species in question.

- The Animal Care and Control By-law 98-04, as amended, specifies that "lizards that are venomous and that reach an adult length larger than two metres (6.56 feet) are prohibited. Staff have interpreted this provision to suggest that only those lizards which are *both* venomous and which can grow to longer than two metres (6.56 feet) are prohibited under the by-law. Staff therefore recommend amending the by-law to make clear that *all* venomous lizards, regardless of their length, be prohibited, and that *all* lizards which can grow to longer than two metres (6.56 feet), regardless of whether they are venomous, be prohibited.
- The Animal Care and Control By-law 98-04, as amended, does not mention whether an animal is considered to be non-venomous if it is "de-venomized". Current research has shown that all methods of de-venomization do not prevent regrowth of the venom glands. Since there is every potential for a de-venomized animal to become venomous with time, staff recommend prohibiting all venomous, even if de-venomized, poisonous, and with the potential to become poisonous invertebrates and vertebrates.
- The Animal Care and Control By-law 98-04, as amended, does not prohibit any animal that is poisonous or has a potential to be poisonous. Poison is not the same as venom. Poison is either ingested or absorbed while venom is injected. Some

animals are always poisonous while others are only poisonous given a certain diet or environment. One of these is the Dendrobatidae (Poison Dart Frog) that when given a diet from their natural habitat produces dangerous and in some cases lethal toxins. Staff recommend prohibiting all venomous, even if de-venomized, poisonous, and with the potential to become poisonous invertebrates and vertebrates.

There are a number of broader challenges involved with the enforcement of exotic animal by-laws which limit their effectiveness. First, it is difficult to determine the number of native and exotic animals in the community, and their locations, since exotic animals are predominantly kept inside the home. Second, the regulation of exotic animals is inherently a matter of provincial jurisdiction, given the porous nature of municipal boundaries. Staff believe that it is important for the City to work with the province to enact new province-wide regulations governing the sale and ownership of exotic animals: to protect the public and the animals, and to promote responsible pet ownership.

Staff also note that there is an established exotic pet industry in Mississauga that caters to citizens who enjoy keeping exotic animals as pets. The objective of any regulation of exotic animals should be aimed at enforcing responsible pet ownership and protecting the public. In addition, too severe of an approach to regulating exotic animals may have the effect of driving the sale of dangerous species underground and thus present a greater danger to the public. In the preparation of this report, staff have consulted with key representatives from the exotic animal industry in Mississauga, as well as with experts in the field of reptiles and other exotic animals.

Consequences for Existing Exotic Pet Stores and Residents Under Amended By-law

Staff acknowledge that, if implemented, a number of the recommended amendments would render current owners of certain exotic animals in contravention of the by-law.

Recent City inspections revealed that the Port Credit Pet Centre is in possession of several species that would be prohibited under the

amended by-law: Bredl's Python, various species of venomous scorpion, various species of venomous tarantula and various species of poison dart frog. Its affiliated, non-retail location, Pet Warehouse, is also in possession of a number of yellow anacondas that would be prohibited.

Staff also acknowledge that there are a number of residents in Mississauga that are in possession of animals that would become prohibited under the proposed by-law.

It is with this in mind that staff recommend granting the owner of these properties a period of six months from the date that Council enacts the amendments to the Animal Care and Control By-law 98-04, as amended, to sell or dispose of any animals to a person who does not reside in the City of Mississauga and who will be relocating the prohibited animal to a region or municipality that does not prohibit the species in question.

Consultation

Staff consulted with experts in reptile behaviour and representatives from the exotic pet industry in Mississauga to amend the "prohibited species" list in a manner appropriate for the City of Mississauga. For technical advice in the preparation of this report, including assistance in validating the list of prohibited exotic animals, staff consulted with Dr. Craig A.E. Mosley of Mosley Veterinary Anesthesia Services, Dr. Dale Smith who is an Emeritus Professor at the University of Guelph and Dr. Catherine Filejski, Public Health Veterinarian, Ontario Ministry of Health and Long-Term Care. The experts whom staff consulted with have no affiliation or association with anyone connected to the exotic animal industry in Mississauga. Written comments from Dr. Filejski, in support of staff's proposed changes to the Animal Care and Control By-law 98-04, as amended, are attached as Appendix 9.

In addition, staff met with Mr. Grant Crossman, Acting Executive Director, CanHerp, and a vendor and distributor of exotic animals in Mississauga, to discuss the recommended changes to the Animal Care and Control By-law 98-04, as amended. CanHerp is an association of reptile and amphibian keepers working together to preserve, foster and grow the reptile and amphibian hobby in Canada. The comments

received from Mr. Crossman on the recommended changes to the Animal Care and Control By-law 98-04, as amended, are attached as Appendix 10. Mr. Crossman's written response indicates that he supports the proposed by-law changes with the exception of the wording used for the prohibition of venomous and poisonous animals.

Staff Response to Comments

Staff appreciate there is a need for a balanced approach to the regulation of the ownership and sale of exotic animals. Staff also acknowledge that, with the popularity of condominium living, the ownership of exotic pets may likely increase. Most exotic pets are small, do not have to be walked and can be maintained indoors in an enclosure and a manner that is safe to the pet, the owner and the public. There are relatively few exotic animals that pose a significant risk to the public. The proposed changes to the Animal Care and Control By-law 98-04, as amended, seek to prevent exotic animals that are dangerous or that have the potential to be dangerous from being sold and/or kept in Mississauga.

The experts consulted, as well as staff, recommend that animals that are venomous, even if de-venomized, poisonous or have the potential to become poisonous be prohibited in Mississauga for the safety of the pet owner and the general public. Staff have removed from the proposed changes to the Animal Care and Control By-law any reference to "Excluding vertebrates and invertebrates with toxins of bacterial origin", as this statement is not necessary. This statement was previously included to specifically exclude toxin created from the animal having bacteria in its mouth, which is common among all animals, including dogs, and is not a risk. Further, in amending the by-law, staff considered the needs of the exotic animal industry, the popularity of condominiums, public safety as well as the ability to effectively enforce the changes recommended to the by-law.

FINANCIAL IMPACT: The recommended changes to the Animal Care and Control By-law 98-04, as amended, may increase the cost to the city for the transfer of exotic animals prohibited under the recommended changes to the by-law to accredited zoos, particularly the Indian River Reptile Zoo, located in Indian River, Ontario, which is 16 kilometres east of

Peterborough, Ontario. However, at this time staff anticipate that any potential cost increase will be minimal and can be absorbed in the existing operating budget for Regulatory Services. Moreover, the cost to transport an exotic pet from Mississauga to the Indian River Reptile Zoo is approximately \$300. In the last 650 days, Animal Services has only recovered one prohibited exotic pet.

CONCLUSION:

This report responds to the request for a report on the regulation of the sale and ownership of exotic animals in the City of Mississauga, with a particular emphasis on snakes. Staff have conducted inspections of all pet stores in Mississauga that sell exotic animals, reviewed the existing by-laws, investigated the regulatory approaches of other Canadian municipalities and reviewed federal and provincial regulation of exotic animals.

As a result, staff recommend the following:

- amendments to the Animal Care and Control By-law 98-04, as amended, to prohibit the sale and ownership of certain species of exotic animals (Appendix 1);
- providing a grace period of six months for pet stores and residents to comply with the recommended changes to the by-law;
- changes to processes used by Animal Services for the transfer of exotic animals recovered and enactment of related by-law (Appendix 2); and,

City staff work with the province to develop new rules governing exotic animal ownership.

ATTACHMENTS:

Appendix 1: A By-law to Amend the Animal Care and Control By-law 98-04, as amended, to prohibit the sale and ownership of certain species of exotic animals

Appendix 2: A By-law to authorize the execution of agreements between the City and local pet stores for the transfer of exotic animals recovered by Animal Services

permitted under the Animal Care and Control
By-law 98-04, as amended

- Appendix 3: Summary of Snake Related Animal Services Calls
- Appendix 4: Indian River Reptile Zoo Inspection Report
- Appendix 5: Results of Municipal Law Enforcement Officer
Inspections of Pet Stores
- Appendix 6: Table Summarizing Regulatory Approaches of
Other Canadian Municipalities With Respect to
Exotic Pets
- Appendix 7: August 13, 2013 Joint Statement from the Province
Regarding Exotic Pet Regulation
- Appendix 8: Proposed List of Prohibited Exotic Pet Species
- Appendix 9: Comments from Dr. Catherine Filejski, Public
Health Veterinarian, Ontario Ministry of Health and
Long-term Care
- Appendix 10: Comments from Mr. Grant Crossman, Acting
Executive Director, CanHerp



Martin Powell, P. Eng.
Commissioner of Transportation and Works

Prepared By: John Bell, RVT, M.L.E.O

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APPENDIX 1

A by-law to amend By-law 0098-2004,
as amended, being the City's Animal Care and Control By-law.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001* authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5 and 8 of subsection 11(2) and paragraph 9 of subsection 11(3) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the protection of persons and property; and animals;

AND WHEREAS subsection 8(3) of the *Municipal Act, 2001* provides that a by-law under section 11 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a person to do things respecting the matter, or may provide for a system of permits respecting the matter;

AND WHEREAS Council is desirous to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them;

NOW THEREFORE, the Council of The Corporation of the City of Mississauga ENACTS the following:

1. That Schedule "A" to By-law 0098-2004, as amended, is hereby deleted and the Schedule "A" to this By-law is hereby substituted therefore.

ENACTED and PASSED this _____ day of _____, 2013.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2013	10	

MAYOR

CLERK

SCHEDULE "A"
PROHIBITED ANIMALS

CLASS	ORDER	COMMON NAMES
MAMMALS	Antiodactyla	cattle, goats, sheep, pigs, deer, elk
	Carnivora	panda, otter, wolves, bears, seals, walruses, coyotes, foxes hybrid, wolf dogs, tigers, leopards, cougars, lions, lynx, hyaenas, minks, skunks, weasels, otters, badgers, mongoose, civets, genets coatimundi, cacomistles, raccoons, (except domestic dogs, cats and ferrets)
	Chiroptera	bats, myotis, flying foxes
	Edentates	anteaters, sloths, armadillos
	Lagomorpha	hares, pikas (except domestic rabbits)
	Marsupialia	koala, kangaroo, possum, wallabies (except sugar gliders derived from self-sustaining captive populations)
	Primates	chimpanzees, gorillas, monkeys, lemurs
	Perissodactyla	horses, donkeys, jackasses, mules, zebras, ponies
	Proboscidea	elephants, rhinoceros, hippopotamus
	Rodentia	porcupines, prairie dogs, nutria, chinchillas (except rodents which do not exceed 1,500 grams and are derived from self sustaining captive populations)
REPTILES	Crocodylia	alligators, crocodiles, gavial, caymans
	Squamata	lizards that reach an adult length larger than two metres (6.56 feet) snakes that reach an adult length greater than 3.0 metres (9.84 feet) all venomous, poisonous or potential to be poisonous vertebrates and invertebrates, even if de-venomized. Reptiles purely or partially of the following species: <ul style="list-style-type: none"> • Anacondas; • Cuban Boa; • Amethystine and Scrub Pythons; • Boelen's python; • Oenpelli python; • Indian and Burmese Pythons; • African Rock Python; • Southern African Rock Python; • Reticulated Python; • Komodo Dragon; • Perentie; • Nile monitor; • Crocodile Monitor;

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		<ul style="list-style-type: none">• Water Monitors; and,• Lace Monitor.
BIRDS	Anseriformes	ducks, geese, swans, screamers
	Galliformes	pheasants, grouse, guineafowls, turkeys, chickens, pea fowls
	Struthioniformes	ostriches, rheas, cassowaries, emus, kiwis
		Raptors - eagles, hawks, falcons, owls
OTHER		All venomous, poisonous or potential to be poisonous vertebrates and invertebrates, even if de-venomized.

APPENDIX 2

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A by-law to authorize the execution of Agreements between The Corporation of the City of Mississauga and local pet stores for the transfer of exotic animals recovered by Animal Services permitted under the City's Animal Care and Control By-law 98-04, as amended

WHEREAS sections 8, 9 and 11 of the Municipal Act, 2001 authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5 and 8 of subsection 11(2) and paragraph 9 of subsection 11(3) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the protection of persons and property; and animals;

AND WHEREAS the City wishes to enter into agreements with local pet stores for the transfer of exotic animals recovered by Animal Services permitted under the City's Animal Care and Control By-law 98-04, as amended;

NOW THEREFORE the Council of The Corporation of the City of Mississauga **ENACTS** as follows:

1. That The Corporation of the City of Mississauga ("City") enter into agreements ("Agreements") with local pet stores in Mississauga ("Pet Stores") that sell exotic animals, for the transfer to the Pet Stores of exotic animals recovered by the City's Animal Service that are permitted under the City's Animal Care and Control By-law 98-04, as amended; and any other documentation necessary to give effect thereto, which Agreements must be in a form satisfactory to the City Solicitor.
2. That the Commissioner of Transportation and Works or his/her delegate is hereby directed and authorized to execute the Agreements on behalf of The Corporation of the City of Mississauga and to affix the corporate seal thereto.

ENACTED AND PASSED THIS **DAY OF** , 2013.

MAYOR

CLERK

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APPENDIX 3

History of Snake-Related Animal Service Calls

Garter Snakes

- September 25, 2012 (12:20 p.m.) – Garter snake called in by resident found dead on roadway after being hit by a car.
- July 23, 2013 (6:05 p.m.) – Garter snake called in by resident found dead on roadway after being hit by a car.

Corn Snakes

- April 29, 2012 (5:15 p.m.) – Resident complaint of reddish coloured snake in their home; the snake was transferred on the same day to Port Credit Pet Centre.
- January 7, 2013 (6:06 p.m.) – Resident complaint of snake in their home; snake transferred January 8, 2013 to Port Credit Pet Centre.
- May 7, 2013 (4:58 p.m.) – A deceased snake was brought in by the owner for a special cremation.

Boa Constrictor

- August 13, 2013 (9:30 p.m.) – Responded to a complaint from Peel Regional Police of a large snake found dead in a pond.
- August 13, 2013 (9:50 a.m.) – Resident contacted Peel Regional Police about a large snake in bushes. Note: the snake in question was a prop from a movie set and Peel Regional Police could not obtain sufficient evidence to lay any charges for this incident.

Ball Python

- July 10, 2013 – Resident reported a large snake in a park on a pathway. The snake was transferred on the same day to The Exotic Animal Rescue Society, as the Port Credit Pet Centre was at capacity.

Blood Python

- February 28, 2013 (10:15 p.m.) – Peel Regional Police and Mississauga Fire and Emergency Services found two blood pythons at a house fire. One did not survive and the other was transferred to the Port Credit Pet Centre as the snake was never claimed by the owner.

Mexican Pigmy Rattle Snake

- May 12, 2012 (2:30 p.m.) – In response to a resident call, a snake was found in flowers imported from Ecuador for Rabba Foods. The snake was transferred on the same day to the Port Credit Pet Centre.

Animal Services Inspection of Indian River Reptile Zoo**and Possible Animal Intake**

On October 18, 2013, staff completed an inspection of the Indian River Reptile Zoo for the potential transfer of prohibited reptiles and noted the following:

- All reptiles are housed in double paned glass enclosures to ensure they are escape proof and there is no undue risk to the public.
- All reptiles are housed in a way that objectively recreates the natural environment to the species and environmental enrichment (positive stimulation) to reduce or eliminate the stress of the reptiles.
- Antivenin is on site and is the only site with all antivenin available to any potential bite in Canada.
- All reptiles are not resold. Reptiles are not going to enter the retail trade and be sold to private collectors that may reside in Mississauga.
- All reptiles are given a marking and/or distinctive features are recorded so the reptile can be tracked at all times. This is similar to a microchip for a cat or dog.
- This facility trains federal enforcement agencies in handling reptiles, identification of the various reptiles and emergency triage.
- A breeding program is in place that is strictly controlled and only reptiles for conservation purposes are bred. The breeding is strictly controlled to ensure genetic diversity and sustainability.
- Not all reptiles may be taken into the facility as they must meet the facility's collection objectives. Reptiles that meet the criteria are those that Mississauga does prohibit and intends to prohibit. Staff from Indian River Reptile Zoo will aid Animal Services through both knowledge resources and contacts for transfer that would not be in conflict with Mississauga objectives.
- The facility is fully licensed and accredited with Canada's Accredited Zoos and Aquariums.
- The facility is licensed in the Peterborough District to operate a zoo. They also have been licensed by the provincial and federal governments to house reptiles.

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
Amber's Pet Depot 660 Eglinton Ave. W.	August 14, 2013	In Compliance	Geckos of various types, all non-venomous, 0.4 metres (1.2 feet) max. length Bearded Dragons, non-venomous, 0.6 metres (two feet) max. length	Officers spoke with manager. In all cases the enclosures are locked with swivel latch mechanisms as well as key latch mechanisms and there is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. The water dishes are clean and the species have enough space to ensure the health of the animal. At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action required at this time.
Ang's Pets 2555 Erin Centre Boulevard	August 14, 2013	In Compliance	Geckos of various types, all non-venomous, 0.4 metres (1.2 feet) max. length Bearded Dragons, non-venomous, 0.6 metres (two feet) max. length Various Frog species, all non-venomous species Chameleon species, non-venomous species, 0.3 metres (1.1 feet) max. length	Officers spoke with a staff member. In all cases the enclosures are locked with swivel latch mechanisms and there is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. The water dishes are clean and the species have enough space to ensure the health of the animal. At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action required.

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
Aquatic Kingdom 888 Dundas St. E.	August 14, 2013	In Compliance	Red Ear Slider Turtles, non-venomous	<p>Officers spoke with a staff member. There are no prohibited species and all the enclosures are secured with swivel latch mechanisms. There is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. There is enough room in the enclosure to ensure the health of the animals.</p> <p>At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action is required at this time.</p>
Big Al's 850 Dundas St. E	August 14, 2013	In Compliance	<p>Geckos, non-venomous, 0.4 metres (1.2 feet) max. length</p> <p>Chameleons, non-venomous, 0.3 metres (1.1 feet) max. length</p> <p>Woma Python, non-venomous, 1.4 metres (4.5 feet) max. length</p> <p>Savannah Monitor, non-venomous, 1.5 metres (4.9 feet) max. length</p> <p>Anole Species, non-venomous, largest species grows to a max length of 0.2 metres (0.5 feet) max. length</p> <p>Various Milk snake Species, non-venomous, 1.8 metres (six feet) max. length</p> <p>Sand Boa, non-venomous, 1.2 metres (two feet) max. length</p> <p>Brazilian Rainbow Boa, non-venomous,</p>	<p>Spoke with a staff member. There are no prohibited species and all the enclosures are secured with swivel latch mechanisms. There is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. There is enough room in the enclosure to ensure the health of the animals.</p> <p>At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action is required at this time.</p>

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Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
			<p>2.1 metres (seven feet) max. length</p> <p>Ball Pythons, non-venomous, 1.4 metres (four feet) max. length</p> <p>Blood Python, non-venomous, 1.8 metres (six feet) max. length</p> <p>Pine Snake, non-venomous, 2.5 metres (8.3 feet) max. length</p> <p>Bearded Dragon, non-venomous, 0.6 metres (two feet) max. length</p> <p>Frilled Dragon, non-venomous, 0.9 metres (three feet) max. length</p> <p>Red eared slider turtles, non-venomous</p> <p>Various Frog Species, non-venomous</p> <p>Basilisk, non-venomous</p> <p>Tortoise, non-venomous</p> <p>Water Dragon, non-venomous, one metre (3.3 feet) max. length</p> <p>Salamander Species, non-venomous, not endangered</p>	

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
Discount Dragon Aquariums 888 Dundas St. E. Unit A1-2	August 14, 2013	In Compliance	Red Ear Slider Turtles, non-venomous	Spoke with a staff member. There are no prohibited species and all the enclosures are secured with swivel latch mechanisms. There is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. There is enough room in the enclosure to ensure the health of the animals. At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action is required at this time.
Pet o Pets 3092 Mavis Rd.	August 14, 2013	In Compliance	Skinks, non-venomous Fire Bell Toad, non-venomous Tree Frogs, non-venomous Bearded Dragon, non-venomous, 0.6 metres (two feet) max. length Leopard Geckos, non-venomous, 0.4 metres (1.2 feet) max. length	Spoke with attendant at the main cash register. In all cases the enclosures were locked with key latch mechanisms and there is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. The water dishes are clean and the species have enough space to ensure the health of the animal. At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action required at this time.
Pet Smart 3105 Argentia Road, Unit 2016	August 14, 2013	In Compliance	Geckos of various types, all non-venomous, 0.4 metres (1.2 feet) max. length Bearded Dragons, non-venomous, 0.6 metres (two feet) max. length Various Frog species, all non-venomous species Green Water Dragons, non-venomous, one metre (3.3 feet) max. length	Spoke with the manager. In all cases the enclosures are locked with swivel latch mechanisms as well as key latch mechanisms and there is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. The water dishes are clean and the species have enough space to ensure the health of the animal. At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action required at this time.

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
			<p>Friiled Dragons, non-venomous, 0.9 metres (three feet) max. length</p> <p>Fancy and Common Corn Snakes, all non-venomous, size range 1.2 – 1.5 metres (four to six feet)</p> <p>Pueblan Milk Snake, non-venomous, size range 1.1 -1.2 metres (3.5 to four feet)</p> <p>Ball Python, non-venomous, size range 1.2 – 1.5 metres (four to five feet)</p>	
Pet Smart 5800 McLaughlin Road, Unit 2163	August 14, 2013	In Compliance	<p>Geckos of various types, all non-venomous, 0.4 metres (1.2 feet) max. length</p> <p>Bearded Dragons, non-venomous, 0.6 metres (two feet) max. length</p> <p>Various Frog species, all non-venomous species</p> <p>Anole Species, non-venomous, largest species grows to a max length of 0.2 metres (0.5 feet)</p> <p>Green Water Dragons, non-venomous, one metre (3.3 feet) max. length</p> <p>Friiled Dragons, non-venomous, .85 metres (2.8 feet) max. length</p>	<p>Spoke with the manager. In all cases the enclosures are locked with swivel latch mechanisms as well as key latch mechanisms and there is no chance of escape for any of the animals. All of the enclosures are well ventilated and clean. The water dishes are clean and the species have enough space to ensure the health of the animal.</p> <p>At time of inspection NO CAUSE FOR CONCERN related to prohibited species or the enclosures. No further action required at this time.</p>

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
			Sand Boa, non-venomous, does not exceed 1.2 metres (four feet)	
Port Credit Pet Centre 219 Lakeshore Road East	August 14, 2013	In Contravention of By-Laws	<p>Skinks, non-venomous</p> <p>Geckos, non-venomous, 0.4 metres (1.2 feet) max. length</p> <p>Chameleons, non-venomous, 0.3 metres (1.1 feet) max. length</p> <p>Woma Python, non-venomous, 1.4 metres (4.5 feet) max. length</p> <p>Pygmy Monitor, non-venomous, 0.3 metres (0.8 feet) max. length</p> <p>Savannah Monitor, non-venomous, 1.5 metres (five feet) max. length</p> <p>Timor Monitor, non-venomous, 0.6 metres (two feet)</p> <p>Anole Species, non-venomous, largest species grows to a max length of 0.2 metres (0.5 feet)</p> <p>Various Species of Scorpion, venomous</p> <p>Various Species of Tarantula, venomous</p> <p>Various Milk snake Species, non-venomous, 1.8 metres (six feet) max. length</p>	<p>Spoke with a staff member. Various species of lizards, all are non-venomous, the largest lizard species in the store at the time of inspection is a Savannah Monitor which can reach a maximum length of 2.0 metres (6.6 feet).</p> <p>Various turtle and tortoise species, including the Alligator Snapping Turtle. Although allowed in Mississauga according to the Animal Care and Control By-law, Schedule A Prohibited Species, special concern should be paid attention to the enclosure to make sure that it is escape proof and that members of the public cannot inadvertently become injured by placing their hand in the enclosure. In this case the enclosure is secure and no member of the public would be able to place their hand in the enclosure in accordance with Animal Care and Control By-law Part 6: Animal Enclosures Section 21(7) The animal enclosure is escape proof; and the Business Licence By-law Schedule 20 Pet Shops Section 3(4) Locate and keep all cages or other enclosures containing animals so that there is no undue physical contact with the public.</p> <p>There are various species of snakes on display. All of the snakes are considered non-venomous. There is one snake of concern that pertains to the prohibited species under the Animal Care and Control By-law, Schedule A at the store. The snake of concern is the Peruvian Boa also known as the Peruvian Red-Tailed Boa. These snakes have been recorded to reach lengths of 3.7 metres (12 feet). This is a direct contravention of the By-law.</p> <p>Various species of Tarantula. All are venomous with varying degrees of severity. Although venomous they are allowed</p>

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

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Pet Store And Address	Date of Inspection	By-law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
			<p>Sand Boa, non-venomous, 1.2 metres (four feet) max. length</p> <p>African House Snake, non-venomous, 1.5 metres (five feet) max. length</p> <p>California King Snake, non-venomous, 1.8 metres (six feet) max. length</p> <p>Nicaraguan Boa, non-venomous, 1.2 metres (four feet) max. length</p> <p>Ratsnake Species, non-venomous, 2.7 metres (8.9 feet) max. length</p> <p>Ball Pythons, non-venomous, 1.8 metres (four feet) max. length</p> <p>Colombian Boa, non-venomous, 2.1 metres (seven feet) max. length</p> <p>Blood Python, non-venomous, 1.8 metres (six feet) max. length</p> <p>Green Tree Python, non-venomous, two metres (6.6 feet) max. length</p> <p>Bredl's Python, non-venomous, can reach three metres (9.8 feet) in length</p> <p>Pine Snake, non-venomous, 2.5 metres (8.3 feet) max. length</p> <p>Macklott's Python, non-venomous, average of 2.1 metres (seven feet) in</p>	<p>under the Animal Care and Control By-law, Schedule A, as the prohibited species is specific to venomous insects. Spiders are not insects in the fact that they do not have antennae like the class of insects and they do have a more developed central nervous system. They are from the class arachnids.</p> <p>Various species of scorpion. They are all venomous to varying degrees. Although they are venomous they are allowed under the By-law as the prohibited species is specific to venomous insects. Scorpions are not insects in the fact that they do not have antennae like the class of insects and they do have a more developed central nervous system. They are from the class called arachnids.</p> <p>Various species of frogs and toads. All but one species is considered non-poisonous. There are Poison Dart Frogs on display and they are considered poisonous when their food source allows them to produce their toxin.</p> <p>All of the enclosures had a minimum of a swivel latch mechanism to secure the enclosures. For some of the larger and/or more dangerous of animals there was a key lock mechanism and in some cases there was a double locking mechanism. All of the cages are considered to be escape proof and no undue contact with the public can occur.</p> <p>At the time of inspection there was a prohibited species being housed at this location. The business owner complied with the by-law and relocated the species outside of Mississauga. Enforcement action was not required.</p>

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
			<p>length</p> <p>Jaguar Carpet Python, non-venomous, 2.1 metres (seven feet) max. length</p> <p>Dumeril's Boa, non-venomous, 2.6 metres (8.6 feet) max. length</p> <p>Hog Island Boa, non-venomous, 1.5 metres (five feet) max. length</p> <p>Peruvian Boa (Peruvian Red-Tail Boa), non-venomous, 3.7 metres (12 feet) max. length</p> <p>Poison Dart Frogs (poisonous when consumes certain foods)</p> <p>Goliath Frogs, non-venomous</p>	

Results of City of Mississauga Pet Store Inspections of Pet Stores Carrying Exotic Pets

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Pet Store And Address	Date of Inspection	By-Law Compliance Status	Types of Exotic Pet Species On-Site	Inspecting Officer Comments
Pet Warehouse 1360 Blundell Rd., (not a retail location, no public access, affiliated with the Port Credit Pet Centre)	August 23, 2013	In Compliance	There are too many varying species to list so this list will only deal with species not noted at their retail location (Port Credit Pet Centre): Sailfin Dragon, non-venomous, 1.2 metres (3.9 feet) Yellow Throat Plated Lizard, non-venomous, 0.5 metres (1.5 feet) max length Yellow Anaconda, non-venomous, 2.4 metres (eight feet) max length	Spoke with owner of the facility. All of the enclosures are secure and escape proof. Since the facility is not a retail location and not open to the public there is no chance of the public coming into undue contact with the animals. For some of the larger and/or more dangerous animals there was a key lock mechanism and in some cases there was a double locking mechanism. All of the cages are considered to be escape proof and no undue contact with the public can occur. There are no prohibited species at this time. At time of inspection there is NO CAUSE FOR CONCERN relating to prohibited species or enclosures. No contravention at this time.
Squamata Reptiles 63 Queen St. S.	August 14, 2013	In Compliance	None	Closed when attended. Will be closed for business as of August 21, 2013. On subsequent inspection after August 21 st , the business was closed and no animals were observed at this site.

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
Hamilton	Yes	<p>By-law prohibits anacondas, boa constrictors and pythons, venomous snakes and snakes that exceed three metres in length from nose to tip of tail at maturity.</p> <p>By-law prohibits iguanas, venomous lizards and lizards that exceed two metres in length from nose to tip of tail at maturity.</p> <p>By-law prohibits all animals that produces any poison, venom or toxin, including arthropods except the Chilean Rose, Mexican Red-Knee and Pink-Toed Tarantulas.</p>	<p>They have housed 19 snakes since the by-law change in 2012, most of which were strays, and only one was claimed. The remaining snakes were held in trust, temporarily, for owners who were detained by police and eventually re-claimed.</p> <p>They do not report a material increase in complaints since the by-law was changed in 2012, as staff report that people are, "pretty good about hiding snakes".</p> <p>Snake-related complaints usually concern the number of exotic pets in a single household.</p>	<p>Generally positive. There has not been a material increase in the number of complaints about snakes or the number of snakes allowed since the by-law was changed in 2012.</p> <p><i>Note: Under the previous by-law, no exotic pets were allowed, but in 2012, after public consultation, this was changed.</i></p>
Burlington	Yes	<p>By-law prohibits all Snakes which can reach an adult length greater than three metres (9.84 feet), all pythons and boas, except for the Ball Python and all poisonous snakes.</p> <p>By-law prohibits all lizards which can reach an adult length greater than two metres (6.56 feet).</p> <p>By-law prohibits all poisonous animals.</p>	<p>They receive a minimal number of complaints – only aware of a few complaints over a period of twelve years.</p> <p>The few complaints received were usually in the context of some neighbour dispute. Never encountered an example of a snake escaping.</p>	Operate on a complaint basis and have fielded very few snake-related complaints
Oakville	Yes	By-law prohibits all venomous snakes or	Staff report never having dealt	Staff report never having dealt with a snake-

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re: Experience Enforcing the Snake-Related By-Law
		<p>snakes which can reach an adult length greater than three metres (9.84 feet).</p> <p>By-law prohibits all venomous lizards or lizards which can reach an adult length greater than two metres (6.56 feet).</p> <p>By-law prohibits all venomous or poisonous insects and amphibians. It does not prohibit all venomous arthropods, however, which means that venomous chilopoda (such as centipedes) and arachnids (such as spiders) are permitted.</p>	with a snake-related complaint.	related complaint.
Brampton	Yes	<p>By-law prohibits snakes of the Python and Boa families, and all venomous snakes.</p> <p>By-law prohibits all venomous reptiles, which includes venomous lizards.</p> <p>By-law prohibits all arachnids (such as Scorpions and Tarantulas), including those which are not venomous. It does not prohibit all venomous arthropods, however, which means that venomous chilopoda (such as centipedes) and insects (such as bees and grasshoppers) are permitted.</p>	They receive no more than five complaints per year, but report an increase recently in the number of complaints about strays. Mostly, these come in by accident, for example, a pet snake is discovered after a house fire or in the context of a police raid.	By-law was amended in 2003 to allow for the keeping of snakes. Since then they report having received a minimal number of snake-related complaints.
Toronto	Yes	<p>By-law prohibits all venomous snakes and snakes which can reach an adult length greater than three metres (9.84 feet).</p> <p>By-law prohibits all venomous lizards and lizards which can reach an adult length</p>	Received seven snake-related complaints in 2012. Received six snake-related complaints up to this point in 2013. On-track for an increase in the number of complaints in 2013. Most	Staff was preparing to make submissions to council regarding an expansion of the 'prohibited animal' list this fall, but have put this on hold pending the outcome of the provincial legislative review.

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re: Experience Enforcing the Snake-Related By-Law
		greater than two metres (6.56 feet). By-law prohibits all venomous/poisonous animals, which includes all venomous arthropods.	complaints arise in the context of neighbour disputes, with some concerning escaped snakes in apartment buildings.	
Richmond Hill	Yes	By-law prohibits all venomous snakes and snakes of the python and boa families. By-law prohibits all venomous reptiles, which includes lizards. By-law is silent about venomous arthropods, therefore they are permitted.	Minimal number of complaints.	The OSPCA is contracted by the Town for enforcing the provisions of the Town's Animal Control By-law, as well as ensuring that all owners of dogs have licensed their dogs
Markham	Yes	By-law prohibits the following reptiles: <ul style="list-style-type: none"> • All Helodermas (gila monster and Mexican beaded lizard) • All front-fanged venomous snakes, even if de venomized, including, but not limited to: <ul style="list-style-type: none"> ◦ All Vipers (Viper, pit viper); ◦ All Elapids (cobra, mamba, krait, coral snake); ◦ All Atactaspis (African burrowing asp); ◦ All Hydrophids (sea snake); ◦ All Laticaudids (sea krait); ◦ All venomous, mid- or rear-fanged, Duvernoy-glanded "Typical Snakes (members of the family 	They receive very few snake-related complaints, but staff acknowledges that there may be many snakes in the community of which they are unaware.	The OSPCA is contracted by Markham to enforce the provisions of the Town's Animal Control By-law, but the Town intakes the complaints. If an individual owns a snake of a species which is specified on the prohibited animal list, they still may apply to council for a permit to keep the animal. Markham's Animal Care Committee advises council on animal regulations and reportedly takes an unfavourable view toward the keeping of exotic animals as pets.

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>Colubridae), even if de venomized</p> <ul style="list-style-type: none"> Any member or hybrid offspring of the family Boa, including, but not limited to the common or green anaconda and yellow anaconda. Any member of the family Python, including but not limited to, <ul style="list-style-type: none"> The African rock python; The Indian or Burmese python; The Amethystine or scrub python; Any member of the Monitor family including: <ul style="list-style-type: none"> The white throated monitor; Boscs or African savannah monitor; The water monitor; The Komodo monitor or dragon; The Bornean earless monitor; The Nile monitor; The crocodile monitor; Any member of the Iguana family, including the green or common iguana; Any member of the Teiidae, including but not limited to the golden, common or black and white tegu. All members of the family Chelydridae, including snapping 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>turtle and alligator snapping turtle.</p> <ul style="list-style-type: none"> All members of the Crocodylia, including, but not limited to alligator, caiman and crocodile. <p>*Additionally prohibit all other snakes that can reach adult length larger than three metres (9.84 feet), and all other lizards that reach adult length longer than two metres (6.56 feet)</p>		
Ottawa	Yes	<p>By-law prohibits:</p> <ul style="list-style-type: none"> all front-fanged venomous snakes, even if de-venomized, all venomous, mid- or rear-fanged, Duvernoy-glanded typical snakes (members of the family Colubridae), even if de-venomized, all front-fanged venomous snakes, even if de-venomized, including, but not limited to: <ul style="list-style-type: none"> all Vipers (viper, pit viper), all Elapids (cobra, mamba, krait, coral snake), all Atractaspidids (African burrowing asp), all Hydrophids (sea snake), and all Laticaudidae (sea krait). any member or hybrid offspring of the large snakes (family Boidae), including but, not limited to the common or green anaconda and yellow anaconda, save and except members of the family Boa reaching 	<p>Minimal number of complaints.</p> <p>Minimal number of strays.</p>	<p>Snakes are generally not considered to be a problem. The City has received a number of media requests recently, but not many inquiries or complaints from the public.</p>

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re: Experience Enforcing the Snake-Related By-Law
		<p>an adult length of no greater than two metres (6.56 feet)</p> <ul style="list-style-type: none"> • any member of the family Python, including but, not limited to the African rock python, the Indian or Burmese python, the Amethystine or scrub python, save and except members of the family Python reaching an adult length of no greater than two metres (6.56 feet) • any member of the Monitor family (family Varanidae), including but, not limited to <ul style="list-style-type: none"> ◦ the white throated monitor, the water monitor, ◦ the Komodo monitor or dragon, ◦ the Bornean earless monitor, the Nile monitor, ◦ the crocodile monitor, save and except members of the family Varanidae reaching an adult length of no greater than one metre (3.28 feet) • any member of the family Iguana, including the green or common iguana, • any member of the family Teiidae, including but not limited to the golden, common or black and white tegu, • all members of the family Chelydridae, including snapping turtle and alligator snapping turtle, • all members of the order Crocodylia, including, but not limited to alligator, 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>caiman and crocodile,</p> <p>*Additionally prohibit all other snakes that can reach an adult length larger than three metres (9.84 feet) and all other lizards that reach an adult length longer than two metres (6.56 feet).</p>		
Halifax	Yes	<p>By-law prohibits all venomous snakes, any snake longer than 3.3 metres (10.83 feet) from snout to tip of tail and the following seven species of the Boid family: green anaconda, yellow anaconda, reticulated python, African rock python, Burmese python, Indian python and amethyst python.</p> <p>By-law prohibits all venomous lizards, and lizards longer than two) metres (6.56 feet), from snout to tip of tail.</p> <p>By-law prohibits all venomous snakes, reptiles, insects and arachnids.</p>	<p>Minimal number of calls. Estimates three in the last year. Complaints sometimes focus on the length of the snakes.</p>	Generally positive experience.
Moncton	Yes	<p>By-law is silent about exotic pets, but many species are prohibited under provincial legislation.</p> <p>New Brunswick's Fish and Wildlife Act requires individuals to obtain permits to keep all exotic reptiles in captivity except for the following species:</p> <ul style="list-style-type: none"> Mountain Horned Dragon 	<p>Minimal number of snake-related complaints, but staff does report hearing of the occasional instance of someone walking with their pet snake in a public place.</p>	<p>Staff considers this to be a federal/ provincial matter. New Brunswick has legislation in place which prohibits several species of exotics.</p>

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Common (Red-headed) Agama • Rainbow Lizard (Jungle Runner) • Jungle Ameiva • False Coral Snake • Grenada Bush Anole (Grey Anole) • Green Anole • Knight (Bighead) Anole • Antares python • Woma python • Common Basilisk • Double-crested Basilisk • Basilisks Lizard (Banded Basilisk) • Boa constrictors • Calabar (Burrowing) Python • Zebra Tail Lizard • Changeable Lizard • Ocelated Skink • Veiled Chameleon • Flap Neck Chameleon • Jackson's Chameleon • Panther Chameleon • Rubber boa • Rosy boa • Frilled Lizard • Banded Gecko • Tree boa • Solomon Island Skink • Forest Chamaeleon (Helmeted Iguana) • Collared Lizard • Leopard Lizard • Blue Tail Skink • Spiny-tailed Iguana 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Spiny Tail Gecko • Indigo (Gopher) Snake • Major Skink • Corn Snake • Texas Rat Snake • Black Rat Snake • Yellow Rat Snake • Taiwanese Beauty Snake • Rainbow boa • Sand boas • Panther (Leopard) Gecko • Five-lined Skink • Broad-headed Skink • Tokay Gecko • Yellow Throated Plated Lizard • Sudan Plated Lizard • Black Lined Plated Lizard • False Map Turtle • Mississippi Map Turtle • House Gecko • Fat-tailed Gecko • Western Hognose Snake • Sonoran Earless Lizard • Sailfin Lizard • Jeweled Lacerta • Green Lacerta • Conehead Lizard • Milk Snake • King Snakes • Florida (Common) King Snake • Speckled King Snake • African House Snake • Star Agama Lizard • Curly-tailed (Crested-keeled) 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> Lizard • Curly Tail Lizard • White lipped python • Water python • Butterfly Agama Lizard • Carpet python • Brown Water Snake • Brown Anole • Rough Green Snake • Glass Lizard • Madagascar Ground Gecko • Day Geckos • Mountain Short-horned Lizard • Desert Horned Lizard • Argentina Horned Toad (Lizard) • Asian Water Dragon • Bull Snake • Black Pine Snake • Bearded Dragon • Sinai Agama Lizard • Angola python • Blood python • Ball python • Timor python • New Caledonian Bumpy Gecko • New Caledonian Crested Gecko • Fire Skink • Common Chuckwalla • Emerald Swift • Crevice Spiny Lizard • Swift • Sand Skink • Sand-eye Gecko • Longtail Grass Lizard 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Eastern (Peninsula) Ribbon Snake • Blue-Tongued Skinks • Sliding Turtle • Changeable Agama Lizard • Pale Agama Lizard • Orange-Eyed Crocodile Skink • Florida Softshell Turtle • Dwarf boas • Tegu lizards • Fringe-toed (Finger) Lizard • Uromastyx • Spear-Point Leaf-Tail Gecko • Guenther's Leaf-Tail Gecko • Henkel's Leaf-Tail Gecko • Lined Leaf-Tail Gecko • Fantastic Leaf-Tail Gecko • Mossy Leaf-Tail Gecko • Common Side-Blotched Lizard • Black Throat Monitor • Savannah Monitor • Green Tree Monitor • Sunbeam Snake 		
Montreal	Yes	By-law prohibits snakes that are venomous and are more than three metres (9.84 feet) long when fully-grown.	Minimal number of snake-related complaints.	Information not available.
Winnipeg	Yes	By-law prohibits: <ul style="list-style-type: none"> • all Helodermatidae (e.g. gila monster and Mexican bearded lizard); • all front-fanged venomous snakes, even if de-venomized, 	Information not available.	Information not available.

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>including, but not limited to:</p> <ul style="list-style-type: none"> ○ all Viperidae (e.g. viper, pit viper), ○ all Elapidae (e.g. cobra, mamba, krait, coral snake), ○ all Atractaspididae (e.g. African burrowing asp), ○ all Hydrophiidae (e.g. sea snake), and ○ all Laticaudidae (e.g. sea krait); <ul style="list-style-type: none"> • all venomous, mid- or rear-fanged, Duvernoy-glanded members of the family Colubridae, even if de venomized; • any member or hybrid offspring of the family Boidae, including, but not limited to, the common or green anaconda and yellow anaconda, except members of the family Boidae reaching an adult length of no greater than two metres (6.56 feet); • any member of the family Pythonidae, including, but not limited to, the African rock python, the Indian or Burmese python, the Amethystine or scrub python, except members of the family Pythonidae reaching an adult length of no greater than two metres (6.56 feet); • any member of the family Varanidae, including, but not 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>limited to,</p> <ul style="list-style-type: none"> ○ the white throated monitor, ○ the water monitor, ○ the Komodo monitor or dragon, ○ the Bornean earless monitor, ○ the Nile monitor, the crocodile monitor, except members of the family Varanidae reaching an adult length of no greater than one (1) metre; • any member of the family Iguanidae, including the green or common iguana; • any member of the family Teiidae, including, but not limited to, the golden, common or black and white tegu; • all members of the family Chelydridae, including snapping turtle and alligator snapping turtle; • all members of the order Crocodylia, including, but not limited to, alligator, caiman and crocodile; • all other snakes of a species or subspecies that can reach an adult length greater than three metres (9.84 feet), whether the particular snake exceeds that length or not; and 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> all other lizards of a species or subspecies that can reach an adult greater than two metres (6.56 feet), whether the particular lizard exceeds that length or not. all venomous spiders, including, but not limited to, tarantula, black widow and solifugid, scorpion, except the following species of tarantula: Chilean Rose (<i>Grammostola rosea</i>), Mexican Red-Knee (<i>Brachypelma smithi</i>) and Pink-Toed (<i>Avicularia</i>); and all venomous arthropods, including, but not limited to, centipede. All other venomous or poisonous animals. All protected or endangered animals, whether native or non-native, whose possession or sale is prohibited in Manitoba because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation, rule or agreement. 		
Edmonton	Yes	<p>By-law prohibits poisonous snakes only. Silent about lizards and arachnids.</p> <p>Alberta's Wildlife Act states that a person must not be in possession of a 'controlled animal' unless they are authorized by permit to do so. Regulations under the</p>	Receive maximum 10 snake-related complaints per year. In most cases, they accidentally discover snakes in the context of a house fire or some other investigation. Strays tend not to be a significant issue.	Provincial Department of Fish and Wildlife conducts their own investigations of prohibited exotic animals, and the City will refer complaints to them.

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many Snake-related complaints annually? What type of complaints?	Comments Re Experience Enforcing the Snake-Related By-Law
		<p>Wildlife Act identify the following species of reptiles as 'prohibited species':</p> <p>SNAPPING TURTLES</p> <ul style="list-style-type: none"> • Snapping Turtle • Alligator Snapping Turtle <p>BEADED LIZARDS</p> <ul style="list-style-type: none"> • Gila Monster • Mexican Beaded Lizard <p>LIZARDS</p> <ul style="list-style-type: none"> • Viviparous Lizard <p>MONITORS</p> <ul style="list-style-type: none"> • Bengal Monitor • Perentie Monitor • Komodo Dragon • Nile Monitor • Crocodile (Salvadori's) Monitor • Water Monitor • Lace Monitor <p>LARGE SNAKES</p> <ul style="list-style-type: none"> • Anacondas <p>PYTHONS</p> <ul style="list-style-type: none"> • Amethystine Python • Burmese/Indian Rock Python • Oenpelli Python • Reticulated Python • African Rock Python <p>TYPICAL SNAKES</p> <ul style="list-style-type: none"> • Ground Vipers • Two headed Snakes 		

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Harlequin Snakes • Natal Black Snake • Snake Eaters • Rear fanged Snakes • Blackhead (Burrowing) Snakes • Cat eyed Snakes • Tree Snakes • Mussuranas • Black striped Snakes • African Tree Snakes • Boomslangs • False Coral Snakes • Malagasy Snakes • Bark Snakes • Night Snakes • Vine Snakes • Madagascar Leaf nosed Snakes • Cat eyed Snakes • Montpellier and Moila Snakes • Neotropical Vine Snakes • Mock Viper • Skaapstenkers • Checkerbelly • Old World Catsnakes • Twig (Bird) Snakes • Eastern Racer • Sharp-tailed Snake • Smooth Snakes • Pere David's Rat Snake • Steppe Rat Snake • Hodgson's Rat Snake • Black (Western) Rat Snake • Red backed (Chinese Garter) Snake • Russian (Amur) Rat Snake • Fox Snake • Eastern Hognose Snakes 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Southern Hognose Snake • Parrot Snakes • Eastern Milk Snake • Pale Milk Snake • Smooth Green Snake • Royal and Diadem Snakes • Tropical Rat (Chicken) Snakes • Keel bellied Water Snakes • Dog faced Water Snakes • Rainbow Water Snakes • Tentacled Water Snake • Crab eating Water Snakes • Masked Water Snakes • Richardson's Mangrove Snake • Wolf Snakes • Water Snakes • Ringnecked Snakes • Rat Snakes • South American Water Snakes • Keelbacks and Water Snakes • Dice Snake • Bamboo Snakes • Fanged Water Snakes • Butler's Garter Snake • Eastern Ribbon Snakes • Odd toothed Snakes • Hispanolian Snakes <p>ALL COBRAS AND ALLIES</p> <ul style="list-style-type: none"> • Death Adders • Shield nosed Snakes • Collared Adders • Australian Copperheads • Water Cobras • Kraits • Australian Crowned Snakes 		

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> • Oriental Coral Snakes • Small eyed Snakes • Australian Whip Snakes • Mambas • Mud Adders • Crowned Snakes • Bardick's Snakes • Little Brown Snakes • Venomous Garter Snakes • Australian Naped Snakes • Rinkhal • Australian Swamp Snakes • Broad headed Tree Snakes • Slender Coral Snakes • Solomon's Small eyed Snake • Long glanded (Malaysian) • Western Coral Snakes • Coral Snakes • Australian Black naped and Black striped Snakes • Mainland Tiger Snake • Fiji Cobra • King Cobra • Taipan • Fierce Snakes • Burrowing Cobras • Hediger's Coral Snakes • Australian Black Snakes • Tree Cobras • Australian Brown Snakes • Snouted Snakes • Solomon's Coral Snake • Australian Coral Snakes • Little Snakes • Venomous Island Snakes • Rough scaled Snakes 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> Australian and New Guinea Whip Snakes Bandy bandies Desert Cobras <p>ALL SEA SNAKES</p> <ul style="list-style-type: none"> Spiny headed Sea Snake Indo Pacific Sea Snakes Sea Snakes Egg eating and Turtlehead Sea Snakes Beaked Sea Snakes North West Mangrove Sea Snake Darwin's Sea Snake Jerdon's Sea Snake Bighead Sea Snake Arafura Smooth Sea Snake Pelagic Sea Snake Anomalous Sea Snake Sea Kraits <p>ALL VIPERS AND ADDERS</p> <ul style="list-style-type: none"> Fea's Viper Vipers/Adders Bush Vipers African Adders Desert Horned Vipers Russell's Viper Saw scaled Vipers McMahon's Desert Viper False Horned Vipers True Vipers Night Adders <p>ALL PIT VIPERS</p> <ul style="list-style-type: none"> Copperheads/Moccasins/Cantils/ 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>Cottonmouths</p> <ul style="list-style-type: none"> American Lanceheads Malayan Pit Viper Rattlesnakes Sharp nosed (Hundred pace) Viper Mamushi and Central Asian Vipers Hump nosed Vipers Bushmasters Pygmy Rattlesnakes Asian Lance headed (Bamboo) Vipers Wagler's Vipers 		
Calgary	Yes	<p>By-law is silent about snakes, lizards and arachnids.</p> <p>Alberta provincial legislation restricts several species of exotic pets. See information for Edmonton above for further detail.</p>	Information not available	Information not available
Vancouver	Yes	<p>By-law prohibits reptiles and snakes classified as venomous, whether or not they have venom glands, and owners from keeping any more than six snakes.</p> <p>The British Columbia <i>Controlled Alien Species Regulation</i> prohibits the possession of the following species of snakes in the absence of a permit:</p> <ul style="list-style-type: none"> Atractaspididae [mole vipers, stiletto snakes and burrowing asps]; all species of the family Crotalidae [pit 	Receive maximum five snake-related complaints per year. Complaints typically regard strays.	Not a significant change since the provincial regulation came into force.

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Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<p>vipers] except <i>Crotalus oreganus</i> [western rattlesnake];</p> <ul style="list-style-type: none"> • all species of the family Elapidae [death adders, cobras, kraits and mambas]; • all species of the family Helodermatidae [gila monsters and bearded lizards]; • all species of the family Hydrophiidae [sea snakes and kraits]; • all species of the family Viperidae [vipers]. • Reptiles of the following species of the family Boidae: <ul style="list-style-type: none"> ◦ all species of the genus <i>Eunectes</i> [anacondas]; ◦ <i>Epicrates angulifer</i> [Cuban boa]. • Reptiles of the following species of the family Colubridae [venomous snakes]: <ul style="list-style-type: none"> ◦ all species of the genus <i>Boiga</i> [cat and mangrove snakes]; ◦ all species of the genus <i>Dispholidus</i> [boomslang snakes]; ◦ all species of the genus <i>Elapomorphus</i> [diadem and lizard-eating snakes]; ◦ all species of the genus <i>Hydrodynastes</i> [false water cobras]; ◦ all species of the genus <i>Leptophis</i> [parrot snakes]; ◦ all species of the genus <i>Phalotris</i> [Argentinean black-headed snakes]; 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

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City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> ○ all species of the genus <i>Philodryas</i> [green racers]; ○ all species of the genus <i>Ptychophis</i> [fanged water snakes]; ○ all species of the genus <i>Rhabdophis</i> [keelback snakes]; ○ all species of the genus <i>Tachymenis</i> [Boulenger's and Chilean slender snakes]; ○ all species of the genus [twig snakes]; ○ all species of the genus <i>Xenodon</i> [false fer-de-lance]. • Reptiles of the following species of the family <i>Pythonidae</i>: <ul style="list-style-type: none"> ○ <i>Morelia amethystina</i> [amethystine python]; ○ <i>Morelia boeleni</i> [Boelen's python]; ○ <i>Morelia castolepis</i> [Seram scrub python]; ○ <i>Morelia kinghorni</i> [Australian scrub python]; ○ <i>Morelia oenpelliensis</i> [Oenpelli python]; ○ <i>Python molurus</i> [Indian and Burmese python]; ○ <i>Python natalensis</i> [South African rock python]; ○ <i>Python reticulatus</i> [reticulated python]; ○ <i>Python sebae</i> [African rock python]. • Reptiles of the following species of the family <i>Varanidae</i>: <ul style="list-style-type: none"> ○ <i>Varanus bengalensis</i> [Bengal monitor and clouded monitor]; 		

Regulatory Approaches of Other Canadian Municipalities With Respect to Exotic Pets

City/Town	Exotic Pets Allowed?	Restrictions on Exotic Pets	How many snake-related complaints annually? What type of complaints?	Comments Re. Experience Enforcing the Snake-Related By-Law
		<ul style="list-style-type: none"> o Varanus giganteus [perentie]; o Varanus komodoensis [komodo dragon]; o Varanus niloticus [Nile monitor and water leguaan]; o Varanus salvadorii [Salvadori's monitor and crocodile monitor]; o Varanus salvator [Asiatic water monitor and water monitor]; o Varanus varius [lace goanna]. 		



NEWS

Ministry of Community Safety and Correctional Services

Ministers Release Statement on Exotic Animals

August 13, 2013 9:35 a.m.

Today, Madeleine Meilleur, Minister of Community Safety and Correctional Services, Linda Jeffrey, Minister of Municipal Affairs and Housing, and David Oraziotti, Minister of Natural Resources, released the following statement:

"The recent events in New Brunswick have touched many Ontario families who need to know that the rules are in place to help avoid such tragedies in our own province.

Currently, the responsibility for dealing with exotic animals falls to individual municipalities, which each have their own approach to bylaws and enforcement.

As a result, the Ontario government will review the rules in place dealing with the possession and ownership of exotic animals in the province. Our three ministries will create a working group to examine the current structure and whether any changes need to be made. The government will also seek input from key stakeholders, including municipalities, and report back this fall with options for moving forward.

The safety and well-being of all Ontarians is of greatest importance."

Maria Lamanl Minister's Office
416-325-2240
Andrew Morrison Communications Branch
416-325-0432

Available Online
Disponible en Français

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APPENDIX 8

City of Mississauga Recommended List of Prohibited Exotic Pets

The following animals are prohibited:

- Reptiles purely or partially of the following species:
 - Anacondas;
 - Cuban Boa;
 - Amethystine and Scrub Pythons;
 - Boelen's python;
 - Oenpelli python;
 - Indian and Burmese Python;
 - African Rock Python;
 - Southern African Rock Python
 - Komodo Dragon
 - Reticulated Python;
 - Perentie;
 - Nile Monitor;
 - Crocodile Monitor;
 - Water Monitors; and,
 - Lace Monitor.
- All venomous, even if de venomized, poisonous and species with the potential to become poisonous vertebrates and invertebrates.
- All snakes purely or partially of a species, which reaches an adult length of 3.0 metres (9.84 feet) or greater on average.
- All lizards purely or partially of a species, which reaches an adult length of 2 metres (6.56 feet) or greater on average.

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APPENDIX 9

From: Angie Melo
Sent: November 18, 2013 10:44 AM
To: Angie Melo
Subject: FW: City of Mississauga Exotic Pet By-law

Importance: High

From: John Bell
Sent: 2013/11/13 3:32 PM
To: Mickey Frost; Andrea Macdonald
Subject: Fwd: City of Mississauga Exotic Pet By-law

Hi,

This is the comments from Dr. Catherine Filejski.

John Bell, RVT, MLEO

Begin forwarded message:

From: "Filejski, Dr. Catherine (MOHLTC)" <Catherine.Filejski@ontario.ca>
Date: November 13, 2013 at 3:26:13 PM EST
To: John Bell <John.Bell@mississauga.ca>
Subject: RE: City of Mississauga Exotic Pet By-law

Hi John –

As discussed, the list of proposed additions to the Mississauga by-law is, in my opinion, quite extensive and thorough with respect to prohibiting the keeping of dangerous animals.

Please let me know if I can be of further assistance –

Catherine

Dr. Catherine Filejski
Public Health Veterinarian
Infectious Diseases Policy & Programs Section
Public Health Policy & Programs Branch
Ontario Ministry of Health and Long-Term Care
393 University Ave., 21st Floor
Toronto, ON M7A 2S1

Tel: (416) 212-0424

Fax: (416) 327-7438

E-mail: catherine.filejski@ontario.ca

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From: John Bell [mailto:John.Bell@mississauga.ca]
Sent: November 8, 2013 4:12 PM
To: Filejski, Dr. Catherine (MOHLTC)
Subject: City of Mississauga Exotic Pet By-law

Hi Dr. Filejski,

The City of Mississauga is currently reviewing by-laws for the prohibition of exotic animals that have the potential to be dangerous to people. I was hoping you would be able to have a look at the proposed list and provide us with comments as to whether or not we have captured potentially dangerous exotic animals.

I can be contacted at the information below.

Thank you,

John Bell RVT, MLEO
City of Mississauga Animal Services
Transportation and Works
Enforcement
735 Central Parkway W.
Mississauga, Ontario
L5C 4H4
(905)896-5864 ext. 2
(905)928-3474 cell
john.bell@mississauga.ca

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CANADIAN HERPERS WORKING TOGETHER

October 25, 2013

Re: Mississauga By Law Animal Services Proposal Appendix 4

Good Morning John and Andrea,

Thank you for including CanHerp in your research in the possible changes in your Mississauga Prohibited Species List related to Reptiles, Amphibs etc;

The version Appendix 4 CanHerp agrees and supports with the species specific list and the length perimeters you are proposing to put in place. It is very specific and to the point, cut and dry. CanHerp does not support the definition of the prohibition of venomous and poisonous in regards to its wording.

- *All venomous, even if de-venomized, poisonous, and species with the potential to become poisonous vertebrates and invertebrates. Excluding vertebrates and invertebrates with toxins of bacterial origin.*

Its present vague wording will have a significant impact on the pet trade in Mississauga and affect a portion of the exotic reptile's pets being kept by responsible pet owners in the City of Mississauga.

I look forward to working with you in achieving this proposal for the residents and responsible pet owners of the city of Mississauga.

Grant Crossman
Acting Executive
Director
CanHerp
Grant@Canherp.com
905 302 5321



Appendix 4

The following animals are prohibited:

- Reptiles purely or partially of the following species:
 - Anacondas;
 - Cuban Boa;
 - Amethystine and Scrub Pythons;
 - Boelen's python;
 - Oenpelli python;
 - Indian and Burmese Python;
 - African Rock Python;
 - Southern African Rock Python
 - Reticulated Python;
 - Perentie;
 - Nile Monitor;
 - Crocodile Monitor;
 - Water Monitors; and,
 - Lace Monitor.
- *All venomous, even if de-venomized, poisonous, and species with the potential to become poisonous vertebrates and invertebrates. Excluding vertebrates and invertebrates with toxins of bacterial origin.*
- All snakes purely or partially of a species, which reaches an adult length of 3.0 metres (9.84 feet) or greater on average.
- All lizards purely or partially of a species, which reaches an adult length of 2 metres (6.56 feet) or greater on average.





December 4th 2013 Mississauga ByLaw Submission

The following animals CanHerp suggests as a species specific prohibited list:

- Reptiles purely or partially of the following species:
 - *Anaconda Green; Snake*
 - *Amethystine and Scrub Pythons; Snake*
 - *Indian and Burmese Python; Snake*
 - *African Rock Pythons; Snake*
 - *Reticulated Python; Snake*
 - *Nile Monitor; Lizard*
 - *Crocodile Monitor; Lizard*
 - *Water Monitors; Lizard*
 - *Buthidae; Scorpions*
 - *Chilopoda; Centipedes*
 - *Ctenidae; Tarantulas Spider*
 - *Latrodectus; Spiders (Black Widows)*
 - *Scarlidae; Spiders*
 - *Viperidae; Venomous Snakes (True Vipers, Feas Viper Night Adders etc)*
 - *Elapidae; Venomous Snakes (Cobras, Mambas, Kraits etc)*
 - *Boomslang Snakes; Venomous Snakes*
 - *Twig Snakes; Venomous Snakes*
 - *Helodermatidae; Venomous Lizards (Gillas, Beaded)*
 - *Crocodylians*



Recommended List of Prohibited Exotic Pets

All squamata purely or partially of the following species:

- the genus *Eunectes* [Anacondas]
- *Morelia amethystina* [Amethystine and Scrub pythons]
- *Python molurus* [Indian python, Indian rock python, Burmese python]
- *Python sebae* [African rock python]
- *Python reticulatus* [Reticulated python]
- *Varanus niloticus* [Nile monitor]
- *Varanus salvadorii* [Crocodile monitor]
- *Varanus salvator* [Water monitor]
- *Varanus varius* [Lace monitor]
- *Varanus giganteus* [Perentie]
- *Varanus komodoensis* [Komodo dragon]
- the family Viperidae [True vipers, Fea's viper, Night adders, Rattlesnakes etc.]
- the family Elapidae [Cobras, Mambas, Kraits, Coral snakes etc.]
- the subfamily Hydrophiinae [Sea snakes, Coral reef snakes etc.]
- the genus *Dispholidus* [Boomslang snakes]
- the genus *Thelotornis* [Twig snakes]
- the genus *Rhabdophis* [Keelbacks]
- the genus *Atractaspis* [Burrowing vipers, Mole vipers]
- *Philodryas viridissimus* [South American Green racer]
- the family Helodermatidae [Gila monster, Beaded lizards]

All species purely or partially of the order Crocodylia [Alligators, Crocodiles, Caymans, Gavials etc.]

All arachnids purely or partially of the following species:

- the family Buthidae [Fat tailed scorpions, Bark scorpions etc.]
- the family Ctenidae [Wandering spiders]
- the genus *Latrodectus* [Black widow spiders]
- the family Sicariidae [Brown recluse spider, Assassin spider, etc.]
- the family Hexathelidae [Australian Funnel web spiders]

All species purely or partially of the class Chilopoda [Centipedes]

Fair Lawn man, 25, in critical condition after bite from pet cobra : page 1 -

Fair Lawn man, 25, in critical condition after bite from pet cobra - NorthJersey.com

NorthJersey.com

The Record

<<p>As Fair Lawn resident Eric Bortz fought to recover from a potentially fatal cobra bite Tuesday, state officials turned their attention to the path he used to bring the reptile and two other venomous snakes into New Jersey, where he planned to keep them as pets in spite of strict regulations.



Linda DiPiano of the New Jersey Division of Fish and Wildlife permits unit and Lt. Frank Panico of the division remove the three snakes from the home.

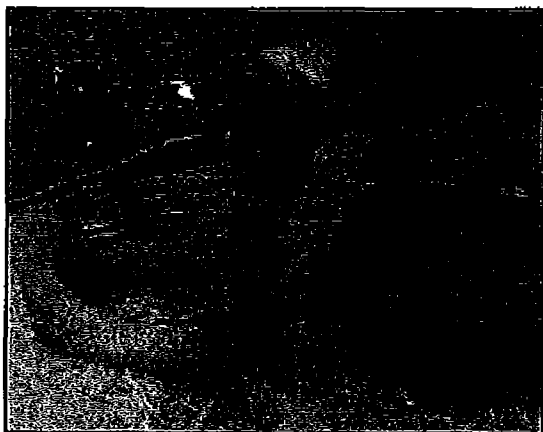
AMY NEWMAN/STAFF PHOTOGRAPHER
Linda DiPiano of the New Jersey Division of Fish and Wildlife permits unit and Lt. Frank Panico of the division remove the three snakes from the home.

"We'll be looking into various issues, including the illegal possession" and how the snakes got to New Jersey, said Department of Environmental Protection spokesman Larry Hajna.

The animals, an albino monocled cobra, a copperhead and a timber rattlesnake, had been in the 25-year-old's River Road home a matter of

days when the cobra, the deadliest of the three, struck at him on Monday.

The bite sent Bortz into respiratory distress within hours, despite repeated assurances from a Pennsylvania dealer that the snakes had undergone a procedure rendering them harmless, police said.



The albino Monocled Cobra that bit a 25-year-old Fair Lawn man after being removed from the home and taken to the borough pound. The man is in critical

COURTESY OF RICH DUBARTON

The albino Monocled Cobra that bit a 25-year-old Fair Lawn man after being removed from the home and taken to the borough pound. The man is in critical condition at the Jacobi Medical Center in the Bronx, N.Y.

Hajna said officers with the DEP's law enforcement division had reached out to their counterparts in Pennsylvania as part of the investigation. Environmental protection officials from that state could not be reached for comment Thursday.

Exotic animal rules

*condition at the Jacobi Medical Center in the Bronx,
N.Y.*

*Sections of New Jersey's regulations governing
the sale and possession of exotic animals:*

- "Potentially dangerous species" are defined as any exotic mammal, bird, reptile or amphibian or nongame species which, in the opinion of the Division of Wildlife, "is capable of inflicting serious or fatal injuries," among other things.
- Among the animals identified specifically in the law are cobras and pit vipers, which include rattlesnakes and copperheads.
- Permits for potentially dangerous species are issued only after a clear showing that the permit holder has extensive experience in maintaining the species desired or related species; demonstrates a working knowledge and expertise in handling and caring for each of the species desired; provides housing facilities constructed to prevent public access to the animal and to prevent escape; does not keep animal as a pet; submits a written statement of the purpose and intent of keeping the species; supplies a written description of the housing and caging facilities for the species, and submits to an inspection of the completed facilities.
- The law also severely limits sale or possession any species on the New Jersey Endangered Species List. Timber rattlesnakes are on this list. In practice, the Division of Wildlife essentially prohibits sale or possession of such wildlife.

Source: New Jersey Administrative Code 7:25-4.8(a)

Monocled cobra

Length: Adults are about 4 feet long.

Venom: A three-part venom that is a mix of agents. One is a neurotoxin that acts on nerve cells, causing muscle paralysis that impairs breathing, among other functions. Another attacks cell membranes and causes cardiac problems. The third is necrotic, which kills tissue.

Range: Western India, China, Southeast Asia, the Malaysian peninsula, Bangladesh, Bhutan and Nepal.

Habitat: Watery places, such as paddies, swamps and mangroves, but they also are found in populated areas.

Copperheads and timber rattlesnakes are native to the Northeast, but it is illegal to possess them in New Jersey. Pennsylvania requires permits to hunt or possess both species of snakes and prohibits selling timber rattlesnakes, according to the state Department of Conservation and Natural Resources website.

Although Pennsylvania state officials do not regulate the possession of non-native venomous snakes, New Jersey's regulations are clear.

"There's no way a cobra would be legal in New Jersey," said Hajna.

Bortz, an employee of Park Ridge Animal Hospital and a 2008 animal science and conservation graduate of Delaware Valley College in Doylestown, Pa., keeps several exotic pets in the first-floor apartment he shares with his wife, according to his biography on the animal hospital website.

"Eric's pets include a tarantula named Mrs. Peebles, two Emperor scorpions named Baron and Bathory, a California king snake named Till, a Colombian red-tailed boa constrictor named Sepp, and his cute and cuddly rabbit named Theodora," the website says.

Bortz added the snakes to the collection during the weekend, thinking the glands in their heads that contained their venom had been removed, said Fair Lawn Sgt. Rich Schultz.

The dealer repeated that claim when Bortz called him shortly after he was bitten at 6:30 p.m., Schultz said.

It was not until about 9:30 that Bortz's wife called 911 to report that her husband was having seizures and had been bitten by a snake, Schultz said.

By the time police arrived at the scene, Bortz was gray and barely breathing, Fair Lawn animal control officer Rich DuBarton said.

Tags: In Case You Missed It

More from NorthJersey.com - Fair Lawn - Top Stories:

North Jersey accounting firms put to test by tax season rush

Family of late Oakland man questions why police, Borgata Casino staff were unable to find him

Foul play not suspected in death of 33-year-old found in Passaic River

Road Warrior: Route 4 rates low on the pothole fix list

A "Legendary" day - The Radburn in Fair Lawn branch of Columbia Bank hosted a book signing for "Legendary Locals" on Feb. 20

Hearings set to review Fair Lawn Master Plan



North Jersey Media Group Inc.

John Bell

From: Bob Johnson <bjohnson@torontozoo.ca>
Sent: 2014/02/27 11:03 AM
To: John Bell
Cc: Kevin Kerr
Subject: Re: City of Mississauga Animal Services By-law Review

List of reptiles looks fine and well reasoned.

>>> John Bell <John.Bell@mississauga.ca> 2014-02-27 10:53 AM >>>

Hi,

This is the list that has been revised in working with yourselves and all other stakeholders.

Would you be able to look at this list and comment as to whether you believe it is comprehensive?

We only ask because after discussions with stakeholders in Mississauga this list was developed and we would like to ensure its complete.

John Bell RVT, MLEO
City of Mississauga Animal Services
 Transportation and Works
 Enforcement
 735 Central Parkway W.
 Mississauga, Ontario
 L5C 4H4
 (905)896-5864 ext. 2
 (905)928-3474
john.bell@mississauga.ca

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1aaaa

John Bell

From: Kevin Kerr <kkerr@torontozoo.ca>
Sent: 2014/02/27 11:12 AM
To: John Bell; Bob Johnson
Cc: Andrea Macdonald
Subject: Re: City of Mississauga Animal Services By-law Review

I agree, this looks reasonable.

Cheers,
Kevin

--

Kevin C. R. Kerr, Ph.D.
Curator of Birds & Invertebrates
Toronto Zoo
361A Old Finch Avenue
Toronto, ON M1B 5K7
P: 416-392-5972
F: 416-392-4979

>>> John Bell <John.Bell@mississauga.ca> 2014-02-27 10:53 AM >>>
Hi,

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John Bell RVT, MLEQ
City of Mississauga Animal Services
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February 27 2014

Good Morning Andrea and John

c/o City of Mississauga Animal Control,

Thank you for the opportunity in working with you as you develop your report for submission to the council.

The list copied below that was presented to CanHerp in your email yesterday as *Appendix " "* *Recommended List of Prohibited Exotic Species* is in our professional opinion's sufficient and well done. The list supports the policing efforts at the municipal level, it responds to the concerns of general public safety as well it supports responsible reptile pet owners.

Congratulations on your report and CanHerp looks forward to working with the City of Mississauga's Animal Services.

Sincerely,


Grant Crossman

(905) 302-5321

www.CanHerp.com

Grant@CanHerp.com



1cccc



City of Mississauga Animal Services

APPENDIX " "

Recommended List of Prohibited Exotic Pets

All squamata purely or partially of the following species:

- the genus *Eunectes* [Anacondas]
- *Morelia amethystina* [Amethystine and Scrub pythons]
- *Python molurus* [Indian python, Indian rock python, Burmese python]
- *Python sebae* [African rock python]
- *Python reticulatus* [Reticulated python]
- *Varanus niloticus* [Nile monitor]
- *Varanus salvadorii* [Crocodile monitor]
- *Varanus salvator* [Water monitor]
- *Varanus varius* [Lace monitor]
- *Varanus giganteus* [Perentie]
- *Varanus komodoensis* [Komodo dragon]
- the family Viperidae [True vipers, Fea's viper, Night adders, Rattlesnakes etc.]
- the family Elapidae [Cobras, Mambas, Kraits, Coral snakes etc.]
- the subfamily Hydrophiinae [Sea snakes, Coral reef snakes etc.]
- the genus *Dispholidus* [Boomslang snakes]
- the genus *Thelotornis* [Twig snakes]
- the genus *Rhabdophis* [Keelbacks]
- the genus *Atractaspis* [Burrowing vipers, Mole vipers]
- *Philodryas viridissimus* [South American Green racer]
- the family Helodermatidae [Gila monster, Beaded lizards]

All species purely or partially of the order Crocodylia [Alligators, Crocodiles, Caymans, Gavials etc.]

All arachnids purely or partially of the following species:

- the family Buthidae [Fat tailed scorpions, Bark scorpions etc.]
- the family Ctenidae [Wandering spiders]
- the genus *Latrodectus* [Black widow spiders]
- the family Sicariidae [Brown recluse spider, Assassin spider, etc.]
- the family Hexathelidae [Australian Funnel web spiders]

All species purely or partially of the class Chilopoda [Centipedes]





Corporate Report

Clerk's Files

Originator's
Files

2.

DATE: April 30, 2014

TO: Chair and Members of General Committee
Meeting Date: May 28, 2014

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Licensing of Children's Entertainers**

- RECOMMENDATION:**
1. That the City of Mississauga not license Children's Entertainers as outlined in the Corporate Report from the Commissioner of Transportation and Works dated April 30, 2014, entitled "Licensing of Children's Entertainers".
 2. That staff, through the use of existing communication channels, provide information and tips for parents and caregivers regarding children's entertainers and encouraging safe play for children.
 3. That a copy of this report be forwarded to the federal government, the provincial government, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario to encourage discussion and greater policy work towards the safety and protection of children.

**REPORT
HIGHLIGHTS:**

- In response to the deputation, a request for establishing business licences for children's entertainers was presented to Council on September 28, 2011.
- City staff conducted research on children's entertainers and consulted with neighbouring municipalities such as the City of

Brampton, Town of Caledon and City of Toronto.

- The scope and definition of children's entertainers, difficulties in municipal enforcement and unintended consequences for the industry have all been identified by the City as challenges surrounding licensing children's entertainers.
- Two options have been presented as an alternative to licensing of children's entertainers.

BACKGROUND:

On September 21, 2011 General Committee (GC) received a deputation by Ms. Linda Beaudoin. Ms. Beaudoin requested the City of Mississauga consider the licensing of children's entertainers (GC-0579-2011) (Appendix 1).

Ms. Beaudoin's request would require children's entertainers to apply for a business licence in order to perform their jobs within the City of Mississauga. Applicants would be required to undergo and pass a police check.

Enforcement staff were directed by Council to examine the potential to license children's entertainers and to review current City hiring practices and policies.

PRESENT STATUS:

Currently, the City of Mississauga does not have a by-law or a licensing requirement in place for children's entertainers.

COMMENTS:

A licence would require children's entertainers within the City of Mississauga to undergo a mandatory police check and to pass the screening before they can perform in front of children. The *Municipal Act, S.O. 2001, c. 25* provides authority for municipalities to regulate and license businesses.

Despite the benefits to licensing children's entertainers, City staff have identified barriers to municipal enforcement that would make it difficult for a licence to achieve its intended purpose. Some of the barriers include: the difficulty in defining children's entertainers; the challenge of coordination with multiple municipal police services to obtain police reports; and, the challenge of municipal enforcement,

especially the regulation of children's entertainers performing in private residences.

Definition of Children's Entertainers

The scope and definition of children's entertainers is extensive and problematic to define. Children's entertainers may include: clowns, jugglers and buskers, musicians, face painters, magicians, acrobats, holiday characters such as Santa Claus, mascots, exhibitors (e.g. travelling reptile exhibitions), amusement park employees or any other form of entertainment that works directly with children.

The attempt to categorize and define any particular children's entertainers might create a list that is neither comprehensive nor exhaustive and will most likely exclude other forms of entertainers. Notwithstanding, there are organizations including professional entertainment organizations (e.g. inflatable/bouncy castles), carnival and circus employees (e.g. Cirque du Soleil), business establishments (e.g. McDonald's and Chuck E. Cheese's) and sports teams (e.g. Mississauga Power) that provide entertainment to children and are not typically categorized as children's entertainers.

Police Information Check (PIC) and Vulnerable Sector Check (VSC)

A Police Information Check (PIC) conducts a background search on the applicant for criminal convictions but does not include a search for pardoned sex offences. As such, a more effective screening tool for children's entertainers would be the Vulnerable Sector Check (VSC), which would provide information on the applicant's previous convictions, pardoned sex offences, Canadian Police Information Centre notes and local police records. Additional details on the VSC are provided in (Appendix 2).

A VSC is typically used for screening employees and volunteers for organizations and groups that work with vulnerable sectors. Examples of these organizations include the Children's Aid Society, Boy Scouts, Girl Guides and children's sports teams.

Every police service in Ontario has different protocols and procedures

for initiating a VSC. Peel Regional Police requires applicants to request a VSC in the municipality where the applicant resides.

More importantly, the VSC can only be requested by organizations that prove they work with vulnerable groups and are hiring employees or obtaining volunteers for those purposes. An agreement is developed with local police services to collect confidential police record information on potential hires or volunteers. A licensing program would require the City of Mississauga to negotiate agreements with police services around the Greater Toronto Area and the greater Province of Ontario to secure VSC searches for applicants.

The City of Mississauga currently does not have agreements and the related authority in place to conduct VSC checks with police services.

Christopher's Law

In response to the abduction and murder of 11-year-old Christopher Stephenson by a convicted sex offender on June 18, 1988, it was recommended by the Solicitor General of Canada, in conjunction with the Ontario Ministry of the Solicitor General, to establish a database for convicted, dangerous and high-risk sexual offenders.

In 2001, the Government of Ontario created the Ontario Sex Offender Registry (OSOR) to track sex offenders and ensure that the police in each local jurisdiction would monitor and know the whereabouts of where the past offender is residing.

Christopher's Law ensures that law enforcement agencies are able to react and respond quickly to child abduction cases with the OSOR by providing police with important and timely information. This database allows police to ensure that pardoned sex offenders do not work in any way with children.

Peel Regional Police Comments

The Special Victims Unit within Peel Regional Police conducted a search of past records and informed City staff that there have not been any reported cases of sexual exploitation or cases where children's entertainers harmed children.

Further, staff were informed that the Peel Regional Police Offender Management Unit ensures that individuals that are registered with the OSOR do not work in positions where their jobs have direct contact with children.

Challenges in Enforcing Children's Entertainer Licences

1. Safety of Children: Issuing licences to children's entertainers does not guarantee the safety of children; the requirement of a licence ensures that due diligence is conducted via a VSC but an individual may not have been previously convicted as a sexual offender nor have they harmed any child.
2. Private Functions: Enforcement staff would not be able to know the time and date of many events that feature children's entertainment. Furthermore, many of these events take place in private residences for which Enforcement requires permission from owners to enter and inspect.
3. Practical Considerations: When a licence is issued to a children's entertainer, it will show a photograph of the licensee and personal information. Yet, many children's entertainers may have face paint or costumes that do not look identical to the individual in the photograph. This creates significant challenges to municipal enforcement.

Current City Practices on Retaining Children's Entertainers

From time to time, City divisions may retain entertainers for events and/or programs. Risk is mitigated as these events:

- are hosted in public spaces;
- are supervised by City staff when they are part of a City program; and,
- involve legal agreements, which include declarations of background screening.

The location of events, the direct supervision of programs and the development of contractual agreements, create severe constraints on the ability of vulnerable populations to be isolated by any individual.

Municipal Jurisdictional Scan

- City of Brampton: In February 2013 Brampton Council considered a report regarding the licensing of children's entertainers and resolved to establish a licensing system. In March 2013 Council directed staff to seek input from stakeholders and the public regarding a proposed licensing system. A community forum and discussion was held on May 22, 2013. A final report was delivered to Brampton Council on August 7, 2013 and recommended against the licensing of children's entertainers. The report recommended against licensing children's entertainers due to difficulties with implementing an enforcement system and concern that a licensing program would provide a false sense of security to parents. Council reversed their earlier decision of establishing a business licence for children's entertainers and instead passed the motion to pursue a public education campaign and to forward the matter to senior levels of government for consideration.
- Town of Caledon: Staff reported on the issue on September 24, 2013 and recommended against licensing children's entertainers due to the challenges of enforcing transient jobs and performances that occur on private property.
- City of Toronto: Council received a report from staff on September 26, 2011. At the time, they decided not to implement a children's entertainers licensing program based on insufficient evidence that children's entertainers pose a risk to children. Other explanations include the difficulties in defining children's entertainers and the lack of authority to conduct a VSC search.
- Region of Peel: The Regional Chair sent a letter on September 8, 2011 to the Premier of Ontario to demonstrate support for licensing any persons who work with vulnerable citizens, such

as children and seniors. The Minister of Community Safety and Correctional Services responded to the letter by stating that there are established program regulations requesting criminal record and VSC for individuals seeking employment with the government. Copies of both letters are attached as Appendix 3.

Mississauga City staff have also listed many of the same issues that were identified by the City of Brampton, Town of Caledon and City of Toronto for not licensing children's entertainers.

The Premier of Ontario responded to a petition that advocated for the province to license children's entertainers and require mandatory police checks by stating that it was up to parents to ensure that their children are safe around children's entertainers (Canadian Press, May 25, 2011 as cited on the CTV website) (Appendix 4).

Unintended Harm

A licensing scheme may generate unintended harm for parents and residents by creating a false sense of security. It is important to note that potential offenders may not have a criminal record.

A further scan conducted by City staff across Canada suggests that children's entertainers either individually or as a group, generally are not a risk to children; nor, is there evidence to suggest that they have used their position to lure and abuse children. Furthermore, a licence would perpetuate a damaging stereotype that entertainers pose a danger and threat to children and the public.

For the reasons outlined in this report, staff recommend against the licensing of children's entertainers. Staff recommend two alternative options in lieu of licensing that the City of Mississauga may pursue to ensure a safe city:

1. Information Outreach

Proactive measures such as parents and residents conducting the proper due diligence and ensuring no children's entertainer is left unsupervised, ensures the best chance of protecting children from

29

harm. Information outreach by the City of Mississauga, using existing communication channels, can remind children and parents to be aware of a child's surroundings and to encourage safe play.

2. Engage Higher Levels of Government to Influence Policy

Changes to the *Criminal Code of Canada* R.S.C. 1985 c. C-46 and policy at the provincial and federal level to regulate the entire children's entertainer industry may have better intended outcomes than an uncoordinated municipal licensing network.

Staff recommend that a copy of this report be forwarded to the federal government, the provincial government, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario, to encourage discussion and greater policy work towards the safety and protection of children.

FINANCIAL IMPACT: There is no financial impact.

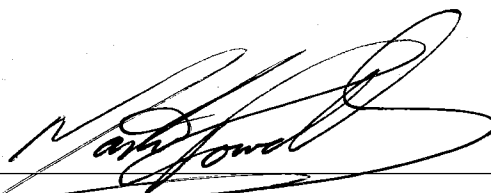
CONCLUSION: Enforcement staff conducted a thorough review of the issue of children's entertainers and concluded that the creation of a licensing program would not allow the City to achieve its primary intended objective of protecting children from harm. Moreover, numerous challenges impede effective enforcement by the municipality and thus override the net benefit of licensing.

Alternative approaches such as creating a public awareness campaign and advocating to the provincial and federal government for support to amend current policing and child protection policies may be more suitable to meeting the objectives of protecting children from harm.

ATTACHMENTS:

- Appendix 1: Recommendation GC-0579-2011
- Appendix 2: Vulnerable Sector Screening Details
- Appendix 3: Correspondence from Emil Kolb, Regional Chair and Chief Executive Officer, The Regional Municipality of Peel; and, The Honourable Madeleine Meilleur, Minister of Community Safety and Correctional Services

Appendix 4: Canadian Press, May 25, 2011 as cited on CTV website

A handwritten signature in black ink, appearing to read 'Martin Powell', is written over a horizontal line.

~~Martin Powell, P. Eng.~~

Commissioner of Transportation and Works

*Prepared By: Douglas Meehan, Manager, Compliance and
Licensing Enforcement*

Recommendation GC-0579-2011

GC-0579-2011

That the deputation by Linda Beaudoin, Advocate for Children's Rights and Victims of Child Abuse be received and that the correspondence from Kyle Seebach, Member of Parliament, Brampton west, be referred to Business Licensing staff for a report back to Council.



Peel Regional Police

File a Report Online

A Safer Community Together

Vulnerable Sector Search (VS) – Employment

[Submit Query](#)

MUST BE A RESIDENT OF MISSISSAUGA OR BRAMPTON

This search is intended for persons employed in a position of trust with vulnerable individuals (example: Youth and Senior Services, Teachers, Adoption, Foster Parent, Nursing, PSW).

- The applicant must be a resident of Mississauga or Brampton. Proof of address must be produced. Residents of Caledon must contact Caledon OPP.
- Forms are available in the lobby of Peel Regional Police Headquarters. Please complete both sides of the form.
- In most cases, these searches can be completed while you wait on a first come, first served basis. Please note that during peak periods, Form A - Vulnerable Sector Searches, may take anywhere from 2-4 weeks to complete and will be mailed to your home address upon completion.
- The applicant must attend in person.
- The applicant must produce two pieces of valid government issued identification, one with a photo (expired identification will not be accepted).
- Extra originals are provided @ \$5.00 each, ONLY available at the time of the original record search request. Please fill out as many copies as you need (i.e. if you require 2 originals, please fill out 2 forms).

This search may include:

- Outstanding entries, such as charges and warrants, Judicial Orders, Peace Bonds
- Probation and Prohibition Orders
- Criminal Convictions (summary and indictable) from CPIC and/or local databases
- Absolute and/or Conditional Discharges
- Family Court Restraining Orders

2K

- Criminal charges resulting in dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder as listed on local indices
- Police contacts including, but not limited to, theft, weapons, sex offences, or violent, harmful and threatening behaviour
- Police contacts, including but not limited to, theft, weapons, sex offences, or violent, harmful or threatening behaviour which may or may not have involved a mental health incident where no charges are laid.
- Any pardoned sex offences that have been identified as a result of a vulnerable sector verification search and authorized for release by the Minister of Public Safety and Emergency Preparedness.

Your request will be processed in order of receipt. Completion dates are subject to the complexity and volume of individual requests and the availability of resources to process those requests. Please check with our staff when submitting your request for an approximate return date.

Co-Ordinator: Deborah Sharp	(905) 453-3311 ext. 4343
Reception Desk:	(905) 453-3311 ext. 4391 or email
Location:	7750 Hurontario Street, Brampton, Ontario L6V 3W6
Hours of Operation:	Monday through Friday 8:00 a.m. to 6:00 p.m. Saturday 9:30 a.m. to 4:30 p.m.

Please ensure you arrive one hour before closing to allow sufficient time for record completion and payment.

**** R.T.I.D. FINGERPRINTS FOR POLICE VULNERABLE SECTOR CHECKS (VS) ****

Applicants who share the date of birth and gender of a pardoned sex offender will be required to submit fingerprints. The applicant's date of birth will be run when submitting their VS request, and an appointment will be booked for a future date for electronic fingerprinting. Once fingerprints are submitted, the results will be processed and mailed to the applicant within 7-10 business days.

Click to view the fee schedule and history for fingerprinting.

HS-B1-2



Office of the Chair

September 29, 2011

Resolution No. 2011-766

The Honourable Dalton McGuinty
Premier of Ontario
Room 281 Main Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier McGuinty:

Subject: Licensing of Adult Children's Entertainers with Criminal Background Checks

At its meeting on September 8, 2011, Regional Council received a delegation from Linda Beaudoin, Advocate for Children's Rights and Victims of Child Abuse, "survivorsspeakout.com", who shared compelling observations and research of convicted sex offenders who work as children entertainers, such as clowns and Santa Clauses, and to seek support to require licensing of adult children's entertainers with criminal background checks.

Subsequently, Peel Regional Council approved the following resolution at its meeting:

"That the Regional Chair send a letter to the Province of Ontario, on behalf of Regional Council, indicating the support of Regional Council for the licensing of any persons who work with vulnerable citizens, such as children and seniors."

On behalf of Regional Council, I request that you give consideration to the above resolution. I look forward to your reply. Please quote the Region of Peel's reference number in your reply.

Sincerely,

Emil Kolb
Regional Chair and Chief Executive Officer

EK:tr

c: Janet Menard, Commissioner of Human Services

2m

HS-BI-1

**Ministry of Community Safety
and Correctional Services**
**Ministère de la Sécurité communautaire
et des Services correctionnels**

Office of the Minister

Bureau du ministre

25 Grosvenor Street
18th Floor
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25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Tél. : 416-325-0408
Téléco. : 416-325-6067



MC-2011-2929

NOV 17 2011

Mr. Emil Kolb
Regional Chair and Chief Executive Officer
Regional Municipality of Peel
10 Peel Centre Drive
Brampton ON L6T 4B9

Dear Mr. Kolb:

Thank you for your letter of September 29, 2011, forwarded by Premier Dalton McGuinty, about the Regional Municipality of Peel's resolution supporting the licensing of children's entertainers. I apologize for the delay in responding.

The Government of Ontario takes the issue of children's safety very seriously. Criminal record checks are an important safeguard to ensure employees and volunteers having contact with vulnerable members of society do not have criminal records. Several programs regulated by the government, such as within the education, health, and children and youth sectors, include the requirement for a criminal record or vulnerable sector check. We would encourage companies or individuals to request criminal record and vulnerable sector checks when hiring entertainers for children.

Again, thank you for sharing the Regional Council's resolution.

Sincerely,

Madeleine Meilleur
Minister

c: The Honourable Dalton McGuinty
Premier

The Honourable John Gerretsen
Attorney General

The Honourable Eric Hoskins
Minister of Children and Youth Services

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Committee
CAO <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Council
Corporate Services	
Public Works	
Employee and Business Services <i>Dec 8/11 R.C.</i>	
Health Services	<input type="checkbox"/> File
Human Services <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Peel Living	

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED ☒



McGuinty rejects plea for clown licences

The Canadian Press

Updated: Wed. May. 25 2011 3:02 PM ET

Background checks and licences for children's entertainers aren't in the cards anytime soon in Ontario.

Premier Dalton McGuinty says it's up to parents to make sure their kids are safe around entertainers such as clowns.

His comments are in response to calls from a Brampton, Ont., woman who is urging legislation be brought in for such performers.

Linda Beaudoin says anyone working as a children's entertainer should have a criminal-background check and a licence.

She has been pushing for the legislation for more than a decade after she began working as a clown herself and realized nobody checked her background.

The Ottawa-born woman says she was abused as a child. She said she left home at 15 before taking on a variety of jobs, including exotic dancing.

Children's entertainers -- clowns, magicians, Santas and other characters -- can go into family homes and have access to kids, while parents often know very little about them, says Beaudoin.

But McGuinty, who has been accused by government critics as having a "father knows best" outlook, said he had no plans to licence the performers.

"It's not something that we're looking at at the present time but I would encourage parents to use their good judgment when it comes to these kinds of things," McGuinty said.



Corporate Report

Clerk's Files

Originator's
Files

3.

DATE: May 13, 2014

TO: Chair and Members of General Committee
Meeting Date: May 28, 2014

General Committee

MAY 28 2014

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: By-laws to Establish a System of Administrative Penalties
Respecting Licensing for the City of Mississauga

- RECOMMENDATION:**
1. That a by-law to establish a system of administrative penalties respecting licensing in the City of Mississauga (Appendix 1) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 13, 2014 and entitled "By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga".
 2. That a by-law to amend the Animal Care and Control By-law 98-04, as amended, (Appendix 2) be enacted as outlined in the report from the Commissioner of Transportation and Works, dated May 13, 2014 and entitled "By-laws to Establish a System of Administrative Penalties Respecting Licensing for the City of Mississauga".

REPORT**HIGHLIGHTS:**

- A by-law establishing an administrative penalties system (APS) respecting licensing must be enacted by the City of Mississauga before it may exercise its authority to require persons to pay an administrative penalty for failing to comply with any part of the City of Mississauga's system of licences.
- Licensing includes three enforcement areas: Animal Services (pet licensing), Mobile Licensing Enforcement (licensing related to public vehicles and mobile units) and Compliance and Licensing Enforcement (business licensing). These areas will be phased into the City's APS one at a time beginning with Animal Services in December of 2014.
- The Animal Care and Control By-law 98-04, as amended, will require an amendment to include enforcement of its provisions under the *Municipal Act, 2001* through an APS.

BACKGROUND:

Sections 102.1, 151(1)(g) and 151(5) of the *Municipal Act, 2001*, authorize municipalities to implement an APS for non-compliance with any by-laws respecting licensing and parking.

At the meeting of July 3, 2013 Council approved a recommendation to proceed with the implementation of an APS for the enforcement of licensing and parking by-laws in the City of Mississauga (GC- 0411-2013).

On December 11, 2013 a by-law to establish a system of administrative penalties respecting the stopping, standing or parking of vehicles in the City of Mississauga (referred to as the Administrative Penalty By-law 0282-2013) was enacted.

The Administrative Penalty By-law 0282-2013 comes into force and effect on June 1, 2014 and is the start date for the City's parking APS.

COMMENTS:

With an APS for parking matters now implemented, staff are proceeding with the next phase of APS implementation for licensing matters. Licensing comprises three areas of enforcement: Animal

Services (pet licensing), Mobile Licensing Enforcement (licensing related to public vehicles and mobile units) and Compliance and Licensing Enforcement (business licensing). These areas will be phased into the City's APS one at a time starting with Animal Services in December 2014. Mobile Licensing Enforcement and Compliance and Licensing Enforcement will follow in 2015.

Ontario Regulation 333/07, under the *Municipal Act, 2001* (APS Regulation) requires a municipality exercising its power to implement an APS under the *Municipal Act, 2001* to pass a by-law to establish an APS. While the APS Regulation pertains specifically to parking matters it also guides municipalities with respect to the implementation of an APS for licensing matters.

Attached to this report as Appendix 1 is the recommended by-law to establish an APS respecting licensing in the City of Mississauga (referred to as the Licensing APS By-law). The recommended by-law contains the following provisions as required under the APS regulation:

- A penalty notice setting out the by-law contravention and the amount of the administrative penalty that shall be served upon the person who has contravened the by-law.
- No officer may accept payment of an administrative penalty.
- A person who is given a penalty notice may request that the administrative penalty be reviewed by a screening officer who may cancel, affirm or vary the penalty.
- A person who receives notice of the decision of the screening officer may request the decision be reviewed by a hearing officer who may cancel, affirm or vary the decision of the screening officer.
- A person may receive an extension of time to request a review by a screening or hearing officer if the person can demonstrate the existence of extenuating circumstances that warrant an extension.
- The screening or hearing officer may reduce the amount of the administrative penalty or extend the time to pay the administrative penalty if the person can demonstrate the extension is necessary to relieve economic hardship.

The APS Regulation requires that the municipality designate the by-laws or the parts of such by-laws to which the APS will apply.

Schedule "B" to the Licensing APS By-law designates the parts of the Animal Care and Control By-law 98-04, as amended, to which the APS will apply and sets out the amount of the administrative penalty.

Additional schedules will be added to the Licensing APS By-law in 2015 to address Mobile Licensing Enforcement (licensing related to public vehicles and mobile units) and Compliance and Licensing Enforcement (business licensing) matters.

The APS regulation authorizes a municipality to charge administrative late payment fees when an administrative penalty is not paid within the allotted time frame. In addition, the APS regulation allows a municipality to charge a fee in respect of the failure of a person to appear at the time and place scheduled for a hearing and any other fee in respect of the administration of the APS. The recommended Licensing APS fees, which are similar to the Parking APS fees, are as follows and are found in Schedule "A" to the Licensing APS By-law:

Late Payment Fee	\$25
NSF Fee	\$40
Screening Non-Appearance Fee	\$50
Hearing Non-Appearance Fee	\$100

The City of Mississauga's Animal Care and Control By-law 98-04, as amended, currently references enforcement of its provisions in accordance with the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33. This by-law must be amended to include enforcement through the *Municipal Act, 2001*, and the City's Licensing APS By-law.

Attached is the recommended by-law to amend the Animal Care and Control By-law 98-04, as amended, (Appendix 2).

FINANCIAL IMPACT: There is no financial impact.

CONCLUSION:

The implementation of an APS for licensing matters requires the enactment of a by-law to establish the system's procedures and to designate the by-laws or the parts of such by-laws to which the APS applies. The Animal Care and Control By-law 98-04, as amended, must be revised to include reference to this new system of enforcement. It is recommended that the by-laws attached to this report be enacted substantially as set out and attached to this report.

ATTACHMENTS:

Appendix 1: A by-law to Establish a System of Administrative Penalties respecting Licensing in the City of Mississauga

Appendix 2: A by-law to amend the Animal Care and Control By-law 98-04, as amended.



Martin Powell, P.Eng.

Commissioner of Transportation and Works

Prepared By: Carla Mariuz, Project Manager, APS

A By-law to establish a System of Administrative
Penalties respecting licensing in the City of
Mississauga

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") authorize The Corporation of the City of Mississauga to pass by-laws necessary or desirable for municipal purposes;

AND WHEREAS section 151(1)(g) of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of business licences established by the municipality;

AND WHEREAS section 151(5) of the *Municipal Act, 2001* provides that subsections 151(1)-(4) apply with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS section 391 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees or charges for costs payable by it for services or activities, and services or activities provided or done by or on behalf of the municipality;

AND WHEREAS the City of Mississauga will designate the City's licensing by-laws, or portions of those by-laws, to be applicable to the administrative penalty system established through this By-law;

AND WHEREAS the City of Mississauga considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the administrative penalty system;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

PART I - SHORT TITLE

1. This By-law may be referred to as the "Licensing Administrative Penalty By-law".

PART II - DEFINITIONS

2. For the purposes of this By-law:

"Administrative Fee" means any fee specified in this by-law and listed in Schedule "A";

"Administrative Penalty" means a monetary penalty as set out in Schedule "B" to this By-law for a contravention of a Designated By-law;

"By-law" means this by-law and any schedule to this by-law as they may be amended from time to time;

"City" means The Corporation of the City of Mississauga;

"Clerk" means the Clerk for the City, or his or her delegate;

"Contravenor" means a person who fails to comply with a Designated By-law;

"Council" means the elected Council of the City;

"Day" means calendar day;

"Designated By-law" means a by-law or provision of a by-law that is designated under this or any other by-law, as a by-law or provision of a by-law to which this By-law applies and is listed in Schedule "B" attached to this By-law;

"Hearing Decision" means a notice that contains the decision of a Hearing Officer;

"Hearing Non-appearance Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to appear at the time and place scheduled for a review before a Hearing Officer and listed in Schedule "A";

"Hearing Officer" means a person from time to time appointed by Council pursuant to the Screening and Hearing Officer By-law;

"Holiday" means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any day the offices for the City are officially closed for business;

"Late Payment Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this By-law and listed in Schedule "A";

"NSF Fee" means an Administrative Fee from time to time established by Council in respect of a demand for payment received by the City from a Person for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn; and listed in Schedule "A";

"Officer" means each of:

- (a) a Municipal Law Enforcement Officer or other person appointed by or under the authority of a City by-law to enforce a Designated By-law, and
- (b) a police officer employed by Peel Regional Police, the Ontario Provincial Police or the Royal Canadian Mounted Police.

"Penalty Notice" means a notice given to a Person pursuant to section 5 of this By-law;

"Penalty Notice Date" means the date of the contravention specified on the Penalty Notice pursuant to subsection 6(a);

"Penalty Notice Number" means the number specified on the Penalty Notice pursuant to subsection 6(c);

"Person" refers to the contravenor of the Designated By-law and includes a corporation, partnership or limited partnership;

"Request for Screening" means the form which may be filed by a Person under section 11 of this By-law;

"Request for Hearing" means the form which may be filed by a Person under section 19 of this By-law;

"Screening Decision" means a notice which contains the decision of a Screening Officer;

"Screening Non-appearance Fee" means an Administrative Fee from time to time established by Council in respect of a Person's failure to appear at the time and place scheduled for a review by a Screening Officer and listed in Schedule "A"; and

"Screening Officer" means a person from time to time appointed by Council pursuant to the Screening and Hearing Officer By-law.

PART III - DESIGNATED BY-LAWS

3. City by-laws, or portions of City by-laws, that are listed in Schedule "B" to this By-law shall be Designated By-laws and the provisions of this By-law shall apply to any contravention of a Designated By-law. The schedule shall set out the short form wording to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.

PART IV - PENALTY NOTICE

4. Every Person who contravenes a Designated By-law shall, upon issuance of a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in Schedule "B" to this By-law.
5. An Officer who has reason to believe that a Person has contravened any provision in a Designated By-law may issue a Penalty Notice addressed to the Person.
6. A Penalty Notice shall be served on the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
 - (a) the Penalty Notice Date;
 - (b) the name of the contravenor;
 - (c) a number that is unique to the Penalty Notice;
 - (d) the contravention wording listed from a Designated By-law which describes the particulars of the contravention;
 - (e) the amount of the Administrative Penalty;
 - (f) such information as the Clerk determines is appropriate respecting the process by which the Person may exercise the Person's right to request a review of the Administrative Penalty;
 - (g) a statement advising that an Administrative Penalty, including any Administrative Fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the Person to the City; and
 - (h) the name of the Officer.
7. (1) Service of any document or notice, including a Penalty Notice, respecting this By-law may be given in any of the following ways and is effective:
 - (a) when a copy is delivered to the Person to whom it is addressed;
 - (b) on the fifth day after a copy is sent by registered mail or by regular letter mail to the Person's last known address;
 - (c) upon the conclusion of the transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number; or

- (d) upon the sending a copy by e-mail transmission to the Person's last known e-mail address.
 - (2) For the purposes of subsections 7(1)(a), (b), (c) and (d), a Person's last known address, facsimile number and e-mail address may include an address, facsimile number and e-mail provided by the Person to the City as may be required by a form, practice or policy developed under this By-law.
8. No Officer may accept payment of an Administrative Penalty.

PART V - REVIEW BY A SCREENING OFFICER

9. A Person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within 15 days after the Penalty Notice Date.
10. If the Person served with the Penalty Notice has not requested a review within the time limit set out in section 9, the Person may request that the Screening Officer extend the time to request a review within 45 days after the Penalty Notice Date. The Person's right to request an extension of time expires if it has not been exercised within 45 days after the Penalty Notice Date at which time:
- (a) the Person shall be deemed to have waived the right to request a review;
 - (b) the Administrative Penalty shall be deemed to be affirmed on the 16th day after the Penalty Notice Date; and
 - (c) the Administrative Penalty shall not be subject to any further review, including review by any Court.
11. A Person's right to request a review or to request an extension of time to request a review are exercised by:
- (a) electronically submitting a Request for Screening form available at the City's web page as set out in the Penalty Notice and scheduling the time and place for the review; or
 - (b) attending in person at the location listed in the Penalty Notice to complete a Request for Screening form and scheduling the time and place for review.
12. A review or a request for an extension of time to request a review shall only be scheduled by the City if the Person has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 9 and 10.
13. Where the Person fails to attend at the time and place scheduled for a review:
- (a) the Person shall be deemed to have abandoned the request for a review of the Administrative Penalty;
 - (b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be affirmed on the 16th day after the Penalty Notice Date and is not subject to any further review, including by any Court; and
 - (c) the Person shall pay to the City a Screening Non-appearance Fee.
- 14.(1) For the purposes of section 10, the Screening Officer may only extend the time to request a review of an Administrative Penalty where the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.
- (2) Where an extension of time is not granted by the Screening Officer the Administrative Penalty is deemed to be affirmed.

15. On a review of the Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, or the Screening Officer may cancel, vary, or extend the time for payment of the Administrative Penalty, including any Administrative Fee, on the following grounds:
 - (a) where the Person establishes on a balance of probabilities, that the Person did not contravene the designated by-law as described in the Penalty Notice; or
 - (b) where the Person establishes on a balance of probabilities that the reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee, is necessary to relieve any undue hardship.
16. After a review has been held, the Screening Officer shall deliver a Screening Decision to the Person.

PART VI - REVIEW BY A HEARING OFFICER

17. A Person who receives a Screening Decision may request a review of the Screening Decision by a Hearing Officer and shall do so within 15 days after the Screening Decision has been delivered to the Person.
18. If a Person has not requested a review within the time limit set out in section 17, a Person may request that the Hearing Officer extend the time to request a review within 30 days of the Screening Decision being delivered to the Person. A Person's right to request an extension of time expires if it has not been exercised within 30 days after the Screening Decision has been delivered at which time:
 - (a) the Person shall be deemed to have waived the right to request a hearing;
 - (b) the Screening Decision and the Administrative Penalty, if applicable as modified in the Screening Decision, shall be deemed to be affirmed; and
 - (c) the Screening Decision and the Administrative Penalty shall not be subject to any further review, including review by any Court.
19. A Person's right to request a review of a Screening Decision or to request an extension of time to request the review are exercised by attending in person or by representative at the Ontario Court of Justice, Provincial Offences Court located at 950 Burnhamthorpe Rd. W, Mississauga and filing a completed Request for Hearing form.
20. A review or a request for an extension of time to request a review shall only be scheduled by the City if the Person has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 17 or 18.
21. Where a Person fails to attend at the time and place scheduled for a review by the Hearing Officer:
 - (a) the Person shall be deemed to have abandoned the request for a review of the Screening Decision;
 - (b) the Screening Decision and the Administrative Penalty, if applicable as modified in the Screening Decision, shall be deemed to be final and are not subject to any further review, including by any Court;
 - (c) the Administrative Penalty, if applicable as modified in the Screening Decision, is deemed to be affirmed on the date the Screening Decision was delivered to the Person; and
 - (d) the Person shall pay to the City a Hearing Non-Appearance Fee.
22. (1) For the purposes of section 18, the Hearing Officer may only extend the time to

request a review of a Screening Decision where the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.

- (2) Where an extension of time is not granted by the Hearing Officer the Screening Decision and Administrative Penalty, if applicable as modified in the Screening Decision, are deemed to be affirmed.
23. A Hearing Officer shall not make any decision respecting a review of a Screening Decision unless the Hearing Officer has given the Person and the City an opportunity to be heard at the time and place scheduled for the hearing of the review.
24. On a review of a Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel, vary or extend the time for payment of the Administrative Penalty, including any Administrative Fee, on the following grounds:
 - (a) where the Person establishes a balance of probabilities, that the Person did not contravene the Designated By-law as described in the Penalty Notice; or
 - (b) where the Person establishes on a balance of probabilities, that the reduction or extension of time for payment of the Administrative Penalty including any Administrative Fee, is necessary to relieve any undue hardship.
25. All hearings conducted by the Hearing Officer shall be in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
26. After a hearing is complete, the Hearing Officer shall issue to the Person a Hearing Decision.
27. Any decision by a Hearing Officer is final.
28. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

PART VII - ADMINISTRATION OF THE BY-LAW

29. The Clerk shall administer the By-law and establish any practices, policies and procedures necessary to implement the By-law and may amend such practices, policies and procedures from time to time as the Clerk deems necessary.
30. The Clerk shall prescribe all forms and notices, including the Penalty Notice, necessary to implement the By-law and may amend such forms and notices from time to time as the Clerk deems necessary.

PART IX - GENERAL PROVISIONS

31. An Administrative Penalty, including any Administrative Fees, that is affirmed or reduced or in respect of which the time for payment has been extended is due and payable and constitutes a debt to the City owed by the Person to whom the Penalty Notice was given.
32. Where an Administrative Penalty is not paid within 15 days after it becomes due and payable, the Person to whom the Penalty Notice was issued shall pay to the City a Late Payment Fee.
33. Where a Person provides a demand for payment to the City for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, the Person shall pay to the City a NSF Fee.
34. Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any Administrative Fee is also cancelled.

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35. Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
36. Any schedule attached to this By-law forms part of this By-law.

PART X - VALIDITY

37. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

ENACTED and PASSED this _____ day of _____, 2014.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2014		

MAYOR

CLERK

Draft

SCHEDULE "A"

CITY OF MISSISSAUGA LICENSING ADMINISTRATIVE PENALTY
BY-LAW ADMINISTRATIVE FEES

ITEM	FEE
Hearing Non-appearance Fee	\$100.00
Late Payment Fee	\$25.00
NSF Fee	\$40.00
Screening Non-appearance Fee	\$50.00

Note:

The fees and charges as listed in this Schedule "A" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

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SCHEDULE "B"

CITY OF MISSISSAUGA LICENSING ADMINISTRATIVE PENALTY BY-LAW
DESIGNATED BY-LAW PROVISIONSANIMAL CARE AND CONTROL BY-LAW 98-04, AS AMENDED

1. For the purposes of section 3 of this By-law, Column 1 in the following table lists the provisions in the Animal Care and Control By-law 98-04, as amended that are hereby designated.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

ITEM	COLUMN 1 Designated Provisions	COLUMN 2 Short Form Wording	COLUMN 3 Administrative Penalty
1	3(1)	Fail to obtain a licence for the dog or cat	\$100.00
2	3(2)(a)	Fail to affix a City of Mississauga licence tag to the collar of the dog or cat at all times	\$100.00
3	7	Provide any false information in obtaining or renewing a dog or cat licence	\$100.00

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A by-law to amend By-law 98-04,
as amended, being the Animal Care and Control By-law.

WHEREAS sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, authorize a municipality to pass By-laws necessary or desirable for municipal purposes,

AND WHEREAS section 151(5) of the *Municipal Act, 2001* provides that subsections 151(1)-(4) apply with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS Council of The Corporation of the City of Mississauga desires to make certain amendments to By-law 98-04, as amended, being the Animal Care and Control By-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. That By-law 98-04, as amended, is hereby amended by adding the following terms and definitions in alphabetical order:

"Administrative Fees" means any fees specified in the Licensing Administrative Penalty By-law;

"Administrative Penalty" means a monetary penalty as set out in the City's Licensing Administrative Penalty By-law for a contravention of a Designated By-law;

"Designated By-law" means a by-law or provision of a by-law that is designated under the Licensing Administrative Penalty By-law or any other by-law, as a by-law or provision of a by-law to which the Licensing Administrative Penalty By-law applies;

"Licensing Administrative Penalty By-law" means the City of Mississauga By-law to establish a System of Administrative Penalties respecting licensing in the City of Mississauga; and

"Penalty Notice" means a notice given to a Person pursuant to the City's Licensing Administrative Penalty By-law for a contravention of a Designated By-law.

2. That subsection 41(2) of By-law 98-04, as amended, is hereby deleted and replaced by the following subsection:
 - 2) The payment of any fees and charges as required under this By-law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction, or of any administrative penalty imposed by an appointed Screening or Hearing Officer under the Licensing Administrative Penalty By-law for a contravention committed under this or any other By-laws.

- 30
3. That section 43 of By-law 98-04, as amended, is hereby deleted and replaced by the following section:

- 43 1) Every person who contravenes any provisions of this By-law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P-33, and the *Municipal Act, 2001*, as each may be amended from time to time.
- 2) Every person who contravenes the designated provisions of this By-law as set out in the City's Licensing Administrative Penalty By-law shall, when given a Penalty Notice, be liable to pay to the City an Administrative Penalty in the amount specified in the City's Licensing Administrative Penalty By-law, and shall be liable to pay to the City Administrative Fees pursuant to the City's Licensing Administrative Penalty By-law, and shall follow the procedures for payment or review/appeal as outlined in the City's Licensing Administrative Penalty By-law.

ENACTED AND PASSED this day of , 2014.

MAYOR

CLERK

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
Date	2014		

TOWING INDUSTRY ADVISORY COMMITTEE

May 6, 2014

REPORT 3 - 2014

General Committee
MAY 28 2014

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Towing Industry Advisory Committee presents its third report for 2014 and recommends:

TIAC-0007-2014

That the report from the Commissioner of Transportation and Works, dated April 24, 2014 and entitled "By-law to Prohibit Solicitation at an Accident Scene for all Non-Tow Truck Related Persons" be deferred to a June Towing Industry Advisory Committee meeting.

(TIAC-0007-2014)

TIAC-0008-2014

That the report from the Commissioner of Transportation and Works, dated April 24, 2014, and entitled "Amendments to the Tow Truck Licensing By-law 521-04, as amended, for the Training of Tow Truck Drivers" be deferred to a future Towing Industry Advisory Committee meeting.

(TIAC-0008-2014)

TIAC-0009-2014

1. That the report from the Commissioner, Transportation and Works, dated April 28, 2014, and entitled "Recommendation to Request Permission from the Attorney General's Office to Increase Set Fines Related to the Towing Industry" be received for information.
2. That staff incorporate comments received from the Towing Industry Advisory Committee and prepare a report to be considered by General Committee on the recommended increases to set fines related to the tow truck industry.

(TIAC-0009-2014)

TIAC-0010-2014

That the action list of the Towing Industry Advisory Committee meeting held on May, 6 2014 provided to the Committee to update on the status of initiatives raised at prior meetings be received.

(TIAC-0010-2014)

REPORT 3-2014

General Committee

MAY 28 2014

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Environmental Advisory Committee presents its third report for 2014 and recommends:

EAC-0012-2014

That the PowerPoint Presentation entitled *Chloride Concentrations Observed Last Winter* by Mr. Amanjot Singh, Water Quality Engineer, Credit Valley Conservation Authority, to the Environmental Advisory Committee on May 6, 2014, be received.

(EAC-0012-2014)

EAC-0013-2014

That the PowerPoint Presentation to the Environmental Advisory Committee on May 6, 2014 entitled *Stormwater Charge Implementation Project* by Mr. Jeremy Blair, Storm Drainage Programming Engineer, Transportation and Works Department, be received.

(EAC-0013-2014)

EAC-0014-2014

That the PowerPoint Presentation to the Environmental Advisory Committee on May 6, 2014 with respect to the 2014 Future Directions Master Plan Update for Parks and Forestry by Mr. Eric Lucic, Team Leader – Parks Assets, Parks and Forestry Division, be received.

(EAC-0014-2014)

EAC-0015-2014

That the Memorandum dated April 22, 2014 from Andrea J. McLeod, Environmental Specialist, entitled *Let Your Green Show Awareness Campaign – Phase 3*, be received.

(EAC-0015-2014)

EAC-0016-2014

That the Memorandum dated April 28, 2014 from Andrea J. McLeod, Environmental Specialist, entitled *Update on Environmental Community Appreciation Evening*, be received.

(EAC-0016-2014)

EAC-0017-2014

That the chart from Brenda Osborne, Director, Environment Division with respect to pending and upcoming agenda items dated May 6, 2014, be received.

(EAC-0017-2014)

EAC-0018-2014

That the Resolution No. 116/13 dated December 13, 2013, from the Credit Valley Conservation Authority, with respect to Growing the Greenbelt in Mississauga, referred to the Environmental Division by Council on April 2, 2014, be received for information.

(EAC-0018-2014)