THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 09-025 AND RESPECTFULLY RECOMMENDS:

1. Harmonized Animal Control By-law (PED09303) (City Wide) (Item 3.1)

(a) That Report PED09303 and the draft by-law in the form attached as Appendix “A” to Report PED09303, be received.

(b) That, in order to provide for reasonable public consultation, staff be directed:

   (i) To accept written submissions concerning the draft by-law referred to in Recommendation (a), above, for a period of time not to exceed thirty calendar days subsequent to the consideration and receipt of Report PED09303 by Economic Development and Planning Committee and City Council.

   (ii) To publicize through advertisements in the Spectator, the Brabant publications and on the City’s web site, the availability of Report PED09303 and draft by-law as well as the opportunity to make written submissions respecting the subject draft by-law.
(c) That staff be directed to prepare, for the Economic Development and Planning Committee’s consideration, no later than March 2010, a supplemental report to Report PED09303 attaching and summarizing all the comments/issues raised by the public, as well as a draft by-law, as such might be revised in response to the public consultation and issues raised.

FOR THE INFORMATION OF COUNCIL:

On a Motion, the Special Meeting of the Economic Development and Planning Committee convened at 1:20 p.m.

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised that there were no changes to the agenda:

On a Motion, the agenda for the November 17, 2009 meeting of the Economic Development & Planning Committee respecting the Harmonized Animal Control By-law was approved as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) Harmonized Animal Control By-law (PED09303) (City Wide) (Item 3.1)

Chair Pearson advised that this is a Public Meeting, to hear input into the proposed new regulations for Harmonized Animal Control. She noted that the Meeting had been advertised in the newspapers, and on the City web-site, and that persons who wished to address the Committee on this issue had been asked to register with the Clerk.

The Chair advised that after an overview of the report from staff, the meeting would hear from the registered speakers, and then further persons wishing to speak to the item.

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Following that, the comments and written communications received will be sent back to staff, together with direction to advertise for additional public comments, and with direction that the information be considered further, and that staff return to us in the New Year with a final Recommendation.

The Chair also advised the Committee of the letters received and distributed.

On a Motion, the written submissions received from the following persons, were received:

Jennifer Lister, on behalf of A.R.C. (Animal Rescue Co-operative)
Ed and Marg Moriarty
Liz White, Animal Alliance of Canada
Ron Hastie
Ewa Rakowski
Betty Steinbock
Brenda Ferguson
Rebecca Thornborrow
Will G. Evans

Marty Hazell introduced the subject.

Paul Buckle was present to assist Committee and gave an overview of the staff report, with the aid of a power point presentation. The presentation included, but was not limited to, the following:

- 8 by-laws in amalgamated City regulating keeping of animals - inconsistent prohibitions/restrictions
- from an administrative/enforcement point of view it is desirable to harmonize by-laws
- 2007 Consultant’s report recommended establishing an Animal Control Stakeholder Advisory Committee to:
  - address Animal Control policy issues
- contribute to development of harmonized Animal Control By-law and facilitate public consultation

- resources not approved during the '09 budget process; public consultation through ED&P in response to a staff initiated by-law

- HBSPCA, the Animal Rescue Cooperative and Coyote Watch Canada consulted; concur, in principle, with draft By-law

- released to public Nov 4th; City web site Nov 5th

- discuss today; prior to submitting final draft by-law, staff proposes to seek, through ads in the Spectator, Brabant publications and on the City’s web site, written submissions from the public for 30 days

- draft by-law seeks to resolve/mitigate inconsistencies and set out reasonable/enforceable regulations

- Feeding Wildlife Prohibited to prevent “habitualization” and attracting nuisance animals, with specific exceptions

- Number of Animal Limits Revised

- Dog Licences Revised:
  - Dangerous Dogs now designated/“regulated”:
  - Vicious Dogs now “prohibited”:

- Female Dogs in heat to be confined

- Sale of Proscribed Animals Prohibited: (includes private individuals & pet stores)

- Non-venomous reptiles: (unable to cause injury) no longer prohibited (e.g. bearded dragons & iguanas)

- Livestock: not to be at large; not to be owned/harboured except on zoned farm lands (Note: Vietnamese Pot Bellied Pigs licensed before by-law to be grandfathered)

- Cats no longer prohibited from being at large:
  - owned cats prohibited from trespassing - owners subject to charge
  - feral/stray cats only removed at property owner’s expense (amendment to User Fees By-law required)
  - injured cats removed at no cost.
Matters Not Addressed But Under Consideration for 2010

- on-line adoptions and/or an off-site volunteer run adoption centre
- reduced pound fee/owner sign over rates for cats
- mandatory micro-chipping for cats recovered by owners
- city subsidy for Trap-Neuter-Release programs and low cost spay/neuter programs with local vets, SPCA & rescue groups
- development of a volunteer run wildlife & feral/stray cat public education program

Mr. Buckle emphasised that the intent today is to hear from the public, to gather information and to invite further public comments to be submitted. He noted that the draft by-law is not the final product, and that the main intent is to bring about a standard way of dealing with the matter across the entire City. He noted the issue of cat licensing had previously been dealt with by Council, and there were no changes in this area are in the by-law.

Copies of the power point presentation were distributed to the Committee members. A copy has also been retained in the Office of the City Clerk for the public record.

Chair Pearson asked the Speakers who had registered with the Clerk to come to the podium in order, and to remember to sign their name, address and their phone number, in the book provided, prior to speaking.

Jennifer Lister, on behalf of A.R.C. (Animal Rescue Co-operative) addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- a copy of her letter had been distributed to Committee
- need identifies for cats – micro-chips, collar, tag, tattoo
- concern regarding proposed limitations on number of pets per household
- concern respecting feeding ban on feral cats, please reconsider, this is cruel
- proposed that City and cat rescue organizations should work together, a united approach needed
- all concerned groups should work with city, in long run this approach will result in fewer cats being euthanized, fewer homeless and abandoned cats
- seven different models to address problem of stray cats, not all use municipal money, solution to Hamilton problem could be a mix of these models
- if all animal rescue organizations work together, would be better result and approach to problem, advocated combined approach

Louise Sherwood Paterson, associated with ARC addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- speaker formerly worked at Ontario SPCA
- understands costs involved in cat rescue, but suggested public education needed, and should be included, suggested brochures about responsible pet ownership
- offered to work with City to come up with a solution to the problems

Tricia Boal was not present to address Committee.

Brian Hinkley addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- provided a one-page handout to the Clerk, for the public record
- addressed page 13 of the draft by-law, respecting the leash-free arrangements for Warren Park, Dundas
- proposed Warren Park become leash-free for dogs year-round
- reason that leash-free originally for winter months only was that park had recreation programming in summer months. Now there is no such programming. These reasons no longer exist.
- Solid, broad support for this change, asked all who supported this change to stand up. Mr. Hinkley said that 32 people were here to support his proposed leash-free all year proposal for Warren Park.

Councillor Ferguson asked the speaker if he had talked to the Ward Councillor about this proposal, and if not, to please do so. Mr. Hinkley responded that he had not, but that he would now do so.

Marg Strecker addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- volunteer with SPCA and ARC, with an emphasis on cats
- serious crisis exists relating to cats, not enough are being spayed/neutered
- works with and advocates for trap/neuter/release programs
- most of cats which are now outside and un-owned are friendly, have been previously owned
- society thinks cats are disposable

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- cats should be treated as domesticated animals, incorrect to call them urban wildlife
- cruel for by-law to forbid their feeding
- excited by idea that City and cat rescue organizations can work together on the problem
- 200 cats have been neutered by our program, need money from City for trap/neuter/release program, but this will save money currently spent on euthanizing cats, in the long run
- recommend that all owned cats also need to be neutered/spayed
- questioned by-law limitation on number of pets, suggested it is a matter of care of cats, not straight numbers
- main issue is un-spayed/un-neutered cats
- City Animal Control staff work hard, they need Council support to change the bad parts of their job re euthanizing animals
- Supports trap/neuter/release program.

On questions from Councillor Whitehead and Councillor McHattie, Ms. Strecker explained that while her suggestions would cost money, it is all a question of responsibility. If taxpayers pay for trap/neuter/release program, in the long run, fewer euthanizations will result, saving money.

- most programs are in US, but she can do research on financial paybacks
- expected that within 5 years, City would see a return
- money now being spent piecemeal
- need co-ordination, will see better program and better return
- if you licence cats, then they all recognized as important, not just a throw-away item

Liz White, Animal Alliance of Canada addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- a copy of her handout had been distributed
- experienced in this area, worked for 25 years
- other municipalities are leading way in animal control – Calgary, Brampton and Clarington all have excellent programs, time for Hamilton to move forward and catch up
- wants a guarantee in by-law that no animals ever sold for research
- wants current 72 hour redemption period extended
- review retrofitting City Animal Control building to hold animals longer than 72 hours, to facilitate adoption
- put in place more aggressive adoption policies
- need review of best practices
- suggest City and local groups should work together, proposed a Round Table of interested/affected groups, offered to assist
- talk to City of London about feral cat program, they have funding from PetSmart

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- change by-law terminology from “Animal Control” to “Animal Services”, create a City friendly to pets and people
- proposed number of animals per household difficult issue, suggested a maximum of 6 pets per household across City
- increase current holding tie for animals from 72 hours now specified
- recognize that feral cats live in colonies, need for trap/neuter/release/feed programs
- various programs cost money, could be done by licensing, pursuing outside funding eg. PetSmart, in long run, reduced euthanasia rates will save money.

Terry Anne Hutchison was unable to attend, but her daughter, Heather Hind, addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- City needs vision/compassion for cat welfare
- Advocates keeping cats indoors
- Need for low cost spay/neuter program, need for public awareness and education
- Need registration of cats
- Volunteers assisting City are key to problem
- Suggested contacting Bill Bruce, City of Calgary, for information on their program
- Recognized hard working animal control shelter staff.

Paul Glendenning addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- need for wording changes and strengthening of by-law
- universities, colleges should not have blanket exemptions
- public exhibits of animals need rules, need prohibition of roadside zoos, outdated concept, need prohibition on local rodeos
- agreed with prohibition on feeding wildlife, but should be no ban on feeding feral cats
- need regulations to control farmers' handling of dead stock
- need for public education of problems, public does not presently understand issues.

Elizabeth O'Brien DVM, DABVP (feline practice) addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- speaker is one of just four Board Certified cat vets in Canada, has four vet practices, related solely to cats, in Hamilton
- travels across North America, similar problems to those of Hamilton exist in other urban areas
- involved with pilot project with Hamilton, SPCA, spayed/neutered/released 200 plus cats, people volunteer time to help, good program
- once this kind of program in place, over time, over-population reduces, and numbers euthanized also goes down, TNR is humane and effective
- delighted Hamilton talking about working with other groups, suggested contacting Dr. Randy Sterling, Hamilton Vet Academy
- need for responsible pet ownership
- has talked to Bill Bruce in Calgary – where 58% of stray cats are returned to owners, it is only 3% in Hamilton
- thinks Hamilton should be part of TNR program, should re-look at Calgary model.

Mary Lamb, Animal Adoptions of Flamborough addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- provided a copy of her submission to the Clerk for the public record
- her organization in existence 20 years, no kill policy, registered charity, rescue, foster and adoption organization
- 300 pets are re-homes every year
- concerned about proposed licensing and maximum number requirements in by-law, wants to ensure that her organization and all their foster homes recognized by City
- wants assurances that no animals from Hamilton system go to research, need to prevent puppy mills
- questioned need for one policy across rural and urban areas
- wants to help City in formulating new policies and new by-law

Arleen Reinsborough, Animal Adoptions of Flamborough addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- provided copy of her handout to Clerk for the public record
- concern about name of City animal services agency being used in Flamborough, potential for confusion with her organization
- concern about present City animal services provision in Flamborough, how it operates and requested answers to specific questions in her handout

Chair Pearson directed the Clerk to give copies of the handouts from Animal Adoptions of Flamborough to animal control staff, for their response.
Helen Douglas, Animal Welfare addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- her organization in its 60 year, provided a pamphlet to Committee members
- deals with strays on the streets, not feral cats, although some exceptions
- we keep cats, board them, costs $7,000 some months, until they get a home, only euthanize when vet tells us to, do not have an owned facility
- in favour of TNR, people need to spay/neuter own pets
- concern about the proposed maximum number of pets in by-law, said these limitations will not stop hoarders
- when their cats are adopted out, new owners required to promise to keep them indoors
- quoted from Gandhi, said a measure of society is how it treats its weakest people, she considers this applies to cats as well.

Andre Inglis addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- event co-ordinator for Compassion for Animals
- concerns about by-law – un-owned cats are not wild animals or urban wildlife, cruel and inhumane to forbid people to feed stray cats
- need spay/neuter programs, need public education.

Chrissa O'Brien, Animal Adoptions of Flamborough was not present to address Committee. Arleen Reinsborough advised Committee that Ms O'Brien would be submitting a letter respecting the process.

Ann Travers addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- operates a small catch/release program, 9 cats have been through the program, they have been housed and fed
- City and volunteers all need to work together on serious feral cat problem, to find a solution that works.

James Strecker addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- concern that by-law states feral cats classified as urban wildlife and should not be fed, this is cruel, inhumane
- essential to have compassion for living species, both human and others, a basic requirement for society
- concern about maximum number of pets stated in by-law, these numbers do not prevent hoarders, many people look after more cats than the numbers stated, requested there be no maximum numbers
- one of his own cats came from a hoarder
- by-law should both show and recognize compassion, urged City to work harder and develop a better, compassionate by-law.

Paul Kennedy, The Reptile Store, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- by-law, as written, would not have allowed him to go into his business
- concerned that no-one consulted him on by-law
- need public education, love and respect for animals, by-law should promote public education
- raises money for Steel City Safari, employs children in summer, all encourages knowledge and respect for animals
- reptile keepers keep their reptiles safe
- should not be a question of the size of an animal
- sells more captive-bred animals now.

Chair Pearson asked if there was anyone else in attendance who wished to address the Committee.

Sandy Crossgrove, from Stinson neighbourhood, addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- many stray and feral cats in her area
- many people feed them, please don’t classify feral cats an “urban wildlife” and prohibit their feeding
- not logical to spay/neuter then starve cats to death
- all kinds of birds, animals are not really native
- need a comprehensive program to spay/neuter cats, then feed, to get and keep them healthy
- please develop a policy that is comprehensive and not just about “animal control”.

Jaymz Kay, 1460 Tyandaga Park Drive, Burlington, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- works at Big Al’s Pet Store
- concerned that size restrictions in by-law, page 41, are too small to allow real snakes to be sold, this is outdated
- 75% of the store’s animals are captive bred
- wants to be a part of round-table with City, to develop a better by-law for everyone.

Chris White, the Urban Zoo, 622 Upper James Street, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- is a bird person, concerned by-law says you cannot own an “exotic pet”, but his own parrot is one, exotics should not be banned
- don’t ban feeding of feral cats
- City consultation very narrow, likes new City of Toronto by-law, offered to assist City on round-table to develop better by-law.

Cheryl Lawson, 112 Burlington Street East, addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- numbers of cats allowed in homes should be based on level of care received
- how could she get rid of any of her cats, if new by-law comes in
- she rescues cats, looks after them, working on getting them neutered/spayed
- no problem with registering her home, the City could come and inspect
- cats are living things, they need us, cats are not urban wildlife, that is not a good regulation.

The Chair thanked all the presenters for their input today.

On a Motion, the presentations were received.

Committee approved the staff recommendation.

Chair Pearson and members of the Committee recognized and thanked the efforts of all staff for their work on the report and by-law.

Chair Pearson confirmed that the comments received here today, together with additional comments received over the next month, would all be reviewed by staff, and that staff would then come back with a further report and a revised by-law, for presentation, no later than March 2010.
(d) GENERAL INFORMATION (Item 11)

None

(e) PRIVATE AND CONFIDENTIAL (Item 12)

None

(f) ADJOURNMENT (Item 13)

The meeting adjourned at 3:40 pm.

Respectfully submitted

Maria Pearson, Chair
Economic Development & Planning Committee

Alexandra Rawlings
Co-ordinator
November 17, 2009