

The Corporation of the
Town of New Tecumseth

By-law

Number 2021-046

"Business Licensing and Regulation By-law – Amendment No. 7 By-law"

A by-law to amend By-law No. 2008-119 being the Business and Regulation
By-law for the Town of New Tecumseth

Whereas the Council of The Corporation of the Town of New Tecumseth enacted Business and Regulation By-law 2008-119 on the 14th day of July, 2008 to licence and regulate various businesses;

And Whereas the Council of The Corporation of the Town of New Tecumseth deems it necessary to amend Business Licensing and Regulation By-law 2008-119 to include licensing and regulating provisions for Pet Stores;

Now Therefore the Council of The Corporation of the Town of New Tecumseth does hereby enact as follows:

1. That Business Licensing and Regulation By-law 2008-119, as amended, be amended as follows:
 - a) That Schedule A-4 attached hereto be inserted after Schedule A-3.
 - b) That Schedule #1 be amended to include the following after Tow Truck
Fees: Pet Stores \$150.00
 - c) That Schedule #2 be amended to include the following after Tow
TruckLicensing:

Pet Store Licensing – January 1 to December 31
2. That the following section shall come into force and effect on September 30, 2021:

Section 6
 - a) only permit a cat, dog and/or rabbit within the Pet Store for the purpose of adoption, where facilitated through adoption and where the cat, dog and/or rabbit has been obtained from one (1) of the following sources:
 - Municipal Animal Shelters;
 - Humane Societies or OSPCA'S
 - a Reputable Animal Rescue Group
3. That this by-law shall be cited as the "Business Licensing and Regulation By-law – Amendment No. 7 By-law".

- 4. That this by-law shall come into force and take effect on the date of final passing thereof.

Read a first, second and third time and finally passed this 12th day of April, 2021.



Mayor



Clerk

**Schedule A-4
To
By-law 2008-119**

Pet Stores

Animal Health and Safety – to ensure that animals are provided clean sanitary environments and proper veterinary care where required. Public Health & Consumer protection – that sick animals are not being sold to people or spreading diseases into the community.

1. DEFINITIONS

"Animal" means any member of the Animal kingdom other than a human;

"Applicant" means a Person applying for a Business Licence to carry on a Business, activity, or undertaking pursuant to this By-law;

"Attendant" means any Person other than a licensed Owner or Operator who provides Services designed to appeal to the needs of a particular Business;

"Bird" means a warm-blooded egg-laying vertebrate distinguished by the possession of feathers, wings, and a beak and (typically) by being able to fly;

"Manager" means the Town of New Tecumseth Supervisory, Municipal Law Enforcement Services or their designate;

"Municipal Law Enforcement Officer" means an individual appointed by the Town as a Municipal Law Enforcement Officer or any other individual designated by the Town to enforce this By-law;

"Municipality" or **"Town"** means The Corporation of the Town of New Tecumseth;

"Operator" or "Owner" means any Person that operates or owns a Business as identified in this By-law;

"Prohibited Animal" means an Animals identified as a "Prohibited Animals" as listed in the Town's Wildlife and Prohibited Animals By-law Schedule 'A', as amended;

"Person" includes a natural Person, corporation, partnership or party, and the Personal or other legal representatives or a Person to whom the context can apply according to law;

"Pet Store" means a Premises in which the primary purpose of Animals or Birds for use as pets, or goods and merchandise associated with such Animals or Birds, are offered or kept for Retail sale or rental to the public;

Reputable Animal Rescue Groups non-profit organizations that provide the provenance of animals, essential vet care including vaccinations, rabies and spay or neuter and complete medical records to the adopter.

"Veterinarian" means a Person qualified and authorized to practice veterinary medicine.

2. LICENCES

2.1 Licence Requirements for Pet Store Owners

No person shall own or operate a Pet Store that offers or keeps for retail sale, adoption or rental to the public an Animal without a Licence to do so issued by the Town of New Tecumseth.

2.2 Specific Regulations

Every Person who owns or operates a Pet Store shall comply with the following requirements:

1. Every Pet Store shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours.
2. Every Animal shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of Animal housed therein.
3. Every cage or other container used for the keeping or housing of any Animal shall:
 - (a) be of adequate size to permit any such Animal to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only Birds, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or containers, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any Animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such Animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such Animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated; and
 - (e) be located and enclosed in a manner as to prevent undue physical contact with the public.
4. Fresh water shall be provided daily to every Animal in sufficient quantity to maintain at all times a potable supply available to such Animal.
5. Animals shall be fed periodically each day in accordance with the particular food requirements of each type or species of Animal kept within the Pet Store.
6. Every Applicant licensed or required to be licensed with the Town under this By-law shall:

- a. only permit a cat, dog and/or rabbit within the Pet Store for the purpose of adoption, where facilitated through adoption and where the cat, dog and/or rabbit has been obtained from one (1) of the following sources:
 - (i) Municipal Animal Shelters;
 - (ii) Humane Societies or OSPCA'S
 - (iii) a Reputable Animal Rescue Group;
 - b. provide to every adopter of a cat, dog and/or rabbit or a health assessment from a licensed Veterinarian to verify the Animal has received up to date veterinary care;
 - c. provide all enclosed cats, dogs and/or rabbits reasonable exercise;
 - d. not keep or sell any sick, injured, or diseased Animals unless under the direction of a veterinarian;
 - e. not display any Animal in an exterior display window;
 - f. not permit to be sold, offer for sale, or give away any Animal before it has reached the normal weaning age, based on known requirements of that particular species; and
 - g. give the adopter on any adoption all available information pertaining to the disposition of any cat, dog and/or rabbit a receipt showing the name and address of the animal organization and the adopter, the date of adoption, the adoption price, the breed or crossbreed, sex, age, and description.
7. Every Pet Store shall maintain a registry of each cat, dog and/or rabbit brought in for adoption or otherwise obtained. Each entry shall be made at the time each cat, dog and/or rabbit or comes into the possession of any Owner, employee, or Person associated with the Pet Store and shall include:
- a. the date of adoption;
 - b. a full description of the cat, dog and/or rabbit
 - c. the name, address, and contact information of the Person or organization from whom the cat, dog and or rabbit was obtained; and
- the Pet Store shall retain the register in respect of each transaction for the period of twelve (12) months there-after and be made available to the Manager upon request.
8. Every Pet Store shall ensure that an Attendant in charge of and responsible for the care and safe keeping of Animals within the Pet Store remains on site at all times during the Business hours of operation.
9. Prohibited Animals, as identified within the Town's Wildlife & Prohibited Animal By-law shall not be placed in any Pet Store.
10. Every Person licensed under this By-law shall make every reasonable effort to obtain the name, address and description of

anyone offering to sell or give to the licensee any Animal which the licensee has cause or reason to suspect has been stolen or otherwise unlawfully obtained and the licensee shall report the facts promptly to the nearest Police Division of the Nottawasaga OPP Police Services.

11. Where the Licensing Officer or Municipal Law Enforcement Officer determines that an Animal appears to require medical attention, they may require the licensee or the animal organization that owns the Animal to take the Animal to a qualified Veterinarian forthwith.