



City of
Peterborough

To: **Members of the General Committee**

From: **Richard Freymond**
Commissioner of Corporate and Legislative Services

Meeting Date: **May 13, 2019**

Subject: **Report CLSOCS19-003**
Enforcement and Revenue Report of the Peterborough Humane Society

Purpose

A report to provide enforcement statistics of the Peterborough Humane Society and the revenue received for the licencing and impounding of animals.

Recommendation

That Council approve the recommendation outlined in Report CLSOCS19-003 dated May 13, 2019, of the Commissioner of Corporate and Legislative Services, as follows:

That Report CLSOCS19-003, to provide enforcement statistics, be received for information.

Budget and Financial Implications

There are no budget or financial implications to receiving this report.

Background

In considering Report OCS17-005 Comprehensive Animal By-law dated September 1, 2017, staff were requested to provide a further report on ways to enforce the animal by-law in general including the availability of set fines.

This report responds to that request.

Animal By-laws 16-079 and 17-096

On June 27, 2016, Council passed Consolidated Animal By-law 16-079 which required cats to be licenced in the City and prohibited cats from being at large or off leash if the cat was off the owner's property. By-law 16-079 added new fees including impoundment fees, cat licencing fees, a PayPal fee and increased kennel fees. The dog licencing fees in the By-law were not changed and are the same fees that have been in place since 2011.

On September 11, 2017 Council repealed By-law 16-079 and enacted a new By-law, 17-096. The new By-law, among other things, lowered the cat licencing fee for seniors, removed the Restricted Animal Schedule and prohibited chickens except in agricultural zones in the City.

Agreement with the City

The Peterborough Humane Society ("PHS") maintains and operates an animal shelter and pound through an Agreement with the City.

The PHS enforces the City's Animal By-Law 17-096, Chapter 691 of the City of Peterborough Municipal Code in relation to noise caused by animals, and provincial statutes which include the **Ontario Society for the Prevention of Cruelty to Animals Act** and the **Dog Owners' Liability Act** ("DOLA"). In 2018, the PHS employed two full time Animal Control Officers and one part time officer. The PHS staff are available seven days a week and respond to complaints. The main goal of the PHS is to educate the public and to help individuals be responsible owners of animals.

Set Fines

On September 26, 2017, Justice Simon Armstrong approved the set fine order for the City's By-law which gave PHS the authority to issue fines for charges including, animal at large, fail to obtain licence for cat and keep more than three dogs. The fines that were approved are similar to other municipalities and range from \$100 to \$300. (Appendix A)

Muzzle Orders

The PHS has the authority to issue muzzle orders if an Animal Control Officer has reason to believe that a dog is a biting dog. A biting dog is defined in the By-law as a dog that, in the absence of a mitigating factor, has attacked or bitten or caused physical injury to a person or animal, or is, in the opinion of an Animal Control Officer, likely to

attack, bite or cause physical injury to a person or animal or, is a dog that has been declared vicious or a biting dog in another municipality in the province of Ontario.

In 2018, three muzzle orders were issued.

2018 Report

The PHS has provided a report for all of 2018 broken down by quarter that shows:

- the number of animals impounded;
- the number and nature of complaints received;
- the number of licences issued; and
- the total gross revenue received from impound fees, animal licencing fees and the fees collected from the surrender of animals by their owner.

The report shows that a total of 157 dogs were impounded by the PHS in 2018. In the same time period, a total of 428 cats were impounded. There were 38 other animals impounded as well including 19 animals considered wildlife, 5 rabbits, and 14 exotic animals. Some of the animals noted as wildlife include bats, pigeons, raccoons, squirrels and turtles. (Appendix B)

A. Complaints

In 2018, there were 744 complaints received by PHS staff. There were 185 complaints made to report dogs at large, and 165 complaints to report cats at large. Noise from animals was the top complaint for PHS with a total of 195 complaints made. There were 69 “poop and scoop” complaints. The PHS also received 79 complaints of dogs biting or attacking, and 51 complaints were received to report Prohibited Animals in the City. Prohibited Animals include ducks, geese, chickens, pigeons, poisonous or venomous animals among other animals described in Schedule A of By-law 17-096.

PHS issued a total of 32 by-law charges in 2018. The charges include dog at large, noise, permitting a dog to bite or attack, fail to obtain license for dog and for keeping more than three dogs.

In 709 instances where complaints were received, the PHS chose to give warnings about the City’s Animal By-law as opposed to laying a charge.

B. Animal Licences - 2018

The PHS issued a total of 4,288 dog licences and 1,111 cat licences in 2018. Cats were included in the licencing requirement after By-law 16-096 was passed in 2016, but the PHS did not start issuing licences for cats until January, 2017.

C. Gross Revenue Received

The PHS reports that in 2018 it received \$100,170 for dog licencing fees and \$31,299 for cat licencing fees. Animal impound fees totalled \$11,069. PHS collected \$11,134

from individuals who surrendered their animals. There were no destruction and disposal fees in 2018. Total revenue collected in 2018 was \$153,672.

PHS also collects 50% of all revenue from fines paid for the enforcement of the By-law. In 2018 its share was \$535.

Submitted by,

Richard Freymond
Commissioner of Corporate and Legislative Services

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Attachments:

Appendix A – Set Fine Order
Appendix B – 2018 PHS Statistical Report

Appendix A

The Corporation of the City of Peterborough

Part I Provincial Offences Act

By-law Number 17-096, – a by-law to regulate the keeping of animals

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Keep, harbour, or possess a prohibited animal	Article 2.2	\$100.00
2	Fail to maintain property	Article 4.1	\$100.00
3	Keep a farm animal - not in an agricultural zone	Article 4.2	\$200.00
4	Improper length of tether	Article 4.3(i)	\$200.00
5	Fail to provide unrestricted movement while tethered	Article 4.3(ii)	\$200.00
6	Keep animal tethered longer than 10 consecutive hours	Article 4.3(iii)	\$200.00
7	Fail to provide access to shelter and water while tethered	Article 4.3(iv)	\$200.00
8	Fail to protect animal from injury while tethered	Article 4.3(v)	\$200.00
9	Permit animal to be at large	Article 5.1	\$100.00
10	Operate a kennel without a license	Article 7.3	\$200.00
11	Fail to attach tag to dog	Article 7.6	\$100.00
12	Fail to attach tag to cat	Article 7.6	\$100.00
13	Place tag on dog other than dog for which it was obtained	Article 7.7	\$100.00
14	Place tag on cat other than cat for which it was obtained	Article 7.7	\$100.00
15	Fail to obtain license for dog	Article 8.1	\$100.00
16	Fail to spay or neuter dog	Article 8.2	\$100.00
17	Keep more than 3 dogs	Article 8.3	\$200.00
18	Permit dog to be at large	Article 8.4	\$100.00
19	Permit dog to be within prohibited area in Del Crary Park	Article 8.6(i)	\$100.00
20	Permit dog to be within prohibited area in King Edward Park	Article 8.6(ii)	\$100.00
21	Fail to remove dog excrement on land within the City	Article 8.7	\$100.00
22	Fail to remove dog excrement from premises	Article 8.8	\$100.00
23	Permit dog to bite or attack	Article 9.1	\$300.00
24	Fail to comply with Animal Control Order	Article 9.13(i)	\$300.00
25	Fail to obtain license for cat	Article 10.1	\$100.00
26	Keep more than 3 cats	Article 10.3	\$200.00
27	Fail to spay or neuter cats	Article 10.4	\$100.00

28	Permit cat to be at large	Article 10.5	\$100.00
29	Fail to remove cat excrement on land within the City	Article 10.7	\$100.00
30	Fail to remove cat excrement from premises	Article 10.8	\$100.00
31	Obstruct an Animal Control Officer	Article 15.1	\$300.00

NOTE:

The penalty provisions for the offences indicated above are Article 13 of By-law 17-096, a certified copy of which has been filed, and Section 61 of the **Provincial Offences Act**, R.S.O. 1990, c.P.33.

Appendix B

Peterborough Humane Society Annual Report - 2018

As per Section 3.5(c) of the Agreement between The Corporation of the City of Peterborough and the Peterborough Humane Society, please find below the annual report for review and reference.

Reporting Timelines

Quarter	Time Period
1st	Jan-Mar
2nd	Apr-June
3rd	July-Sept
4th	Oct- Dec

Impounded Animals by Animal Control

Impounded by Animal Control	Q1	Q2	Q3	Q4	TOTAL
Stray Dogs	15	16	31	22	84
Stray Cats	5	25	32	20	82
Injured Dogs	1	2	2	0	5
Injured Cats	2	5	2	2	11
Chickens	0	1	0	0	1
Snakes	0	0	0	0	0
Exotics	0	1	1	3	5
Wildlife	0	11	0	1	12
TOTAL	23	61	68	48	200

Impounded Animals by Public Drop Off

Impounded by Public	Q1	Q2	Q3	Q4	TOTAL
Stray Dogs	7	16	20	22	65
Stray Cats	29	88	83	90	290
Injured Dogs	0	2	1	0	3
Injured Cats	12	9	16	8	45
Rabbits	2	3	0	0	5
Chickens	0	0	0	0	0
Snakes	0	0	0	0	0
Exotics	0	3	3	3	9
Wildlife	0	6	0	1	7
TOTAL	50	127	123	124	424

By- Law Complaints

Type of Complaints	Q1	Q2	Q3	Q4	TOTAL
Dog at Large	28	68	56	33	185
Cat at Large	13	61	63	28	165
Animal Noise	25	69	53	48	195
Poop and Scoop	10	38	15	6	69
Dog bites/ Attack	6	19	22	32	79
Prohibited animals	1	20	21	9	51
TOTAL	83	275	230	156	744

By-Law Outcomes

Bylaw Outcomes	Q1	Q2	Q3	Q4	TOTAL
PON	1	6	4	9	20
Part 3- Bylaw	0	8	4	0	12
Muzzle orders	1	0	0	2	3
Warnings / Education	81	261	222	145	709
TOTAL	83	275	230	156	744

Total Licences Sold

Licences	Q1	Q2	Q3	Q4	TOTAL
Dog Licences	2,893	277	104	1,014	4,288
Cat Licences	947	164	106	399	1,111
TOTAL	3,840	441	210	1,413	5,904

Gross Revenue Received – Licences & Impound

Revenue	Q1	Q2	Q3	Q4	TOTAL
Dog Licences fees	\$65,913	\$8,157	\$4,540	\$21,560	\$100,170
Cat Licences fees	\$18,006	\$3,268	\$2,590	\$7,435	\$31,299
Animal Impound fees / Return to Owner	\$2,150	\$3,029	\$3,175	\$2,715	\$11,069
Owner Surrender	\$1,935	\$2,317	\$3,222	\$3,660	\$11,134
TOTAL	\$88,004	\$16,771	\$13,527	\$35,370	\$153,672