

Dear CPSC Members:

RE: City of London staff report Zoos & Mobile Zoos scheduled for consideration at the December 18, 2018 Council meeting.

On behalf of the City of London Animal Welfare Advisory Committee (AWAC) I am requesting that this report be referred back to staff with the direction that they conduct a more comprehensive, balanced and fair consultation and analysis, including an examination of the merits of the Bylaw changes originally recommended by AWAC, cost savings to the City and the other items outlined in the AWAC submission to the CPSC.

We would also like to say that we are disturbed that the staff report Zoos & Mobile Zoos did not fully or accurately present the many concerns and issues regarding private zoos and mobile animal programs that AWAC had both submitted to and discussed with City Staff prior to this report being produced.

It should be noted that the AWAC recommendations, if implemented, would reduce or eliminate most zoo and mobile zoo problems, such as the elevated costs of a licensing program, increased costs of enforcement and addressing complaints, increased dangers to human health and public safety and poor animal welfare

As well, the current staff report recommendation is of concern as it would allow for many more private zoos and live mobile animal programs to set up in the City of London and to operate without adequate municipal or provincial oversight.

The staff report tries to address the lack of capacity of the City to provide oversight of zoos and mobile zoos by referencing the Ontario OSPCA Act as being responsible for animal welfare and suggesting that they could play a part in providing oversight and delivering enforcement. The OSPCA is understaffed, unable to enforce in all areas of the province and is decreasing their enforcement functions across the province. The OSPCA just recently announced a reduction in its enforcement function with regard to the Dog Owner's Liability Act, livestock cruelty complaints, and other issues. This reduction in the scope of the OSPCA ability to monitor and respond to the oversight and enforcement needs of our community is already reflected in their open communication with AWAC regarding pets left in hot cars, and dogs who are left in extreme weather conditions. The reality is that the OSPCA does not have the financial means, nor staff resources, to provide oversight for all existing mobile live animal programs in the province, let alone dozens or hundreds of additional programs should Reptilia (and others) set up in the city, which makes the claim that OSPCA will deliver enforcement non-sensical.

Currently, the City is already unable to address the distressing conditions at some of the London pet stores who are taking reptiles out into private homes for birthday parties and other events with no oversight whatsoever. The AWAC has grave concerns that the problem of deficient or no oversight will greatly increase with the many more additional and potentially hundreds of private zoo and mobile zoo programs in London should Reptilia set up in the City.

The staff report makes reference to CAZA (Canada's Accredited Zoos and Aquariums). CAZA is not a regulatory body, nor does it provide independent unbiased and objective oversight. CAZA has only a few staff members and does not have the capacity to regularly and consistently monitor the many mobile live animal programs conducted by their members, like Reptilia, in Ontario and elsewhere. They also do not offer their services for free.

The staff report states incorrectly that "the welfare of animals does not constitute a municipal purpose" and provides insufficient analysis. This unsubstantiated claim is used by staff to dismiss all of the animal welfare concerns that would result should regulation be initiated. The fact that animal welfare is a municipal purpose is expressed in the OSPCA Act itself, which states, "In the event of a conflict between a provision of this Act or of a regulation made under this Act and of a municipal by-law pertaining to the welfare of or the prevention of cruelty to animals, the provision that affords the greater protection to animals shall prevail. 2008, c. 16, s. 18." (OSPCA Act). Many municipalities have laws addressing animal welfare issues and the idea that animal welfare is not a valid municipal purpose ceased in the early 2000s when the Ontario Municipal Act was revised.

In addition, we are very concerned that the staff report gives precedence to planning issues, while sloughing aside animal control (including animal welfare and protection) and human health and safety concerns were given short shrift. The AWAC recommended that an accurate, up-to-date, analysis of an Ontario municipality's authority under the Municipal Act to create by-laws for the municipal purpose of

protecting or regulating animal welfare within its jurisdiction be provided by City staff prior to any final decisions made.

Many zoos and most mobile zoos, including Reptilia, use close proximity to or allow contact with animals as a facet of their activities. This comes with a variety of serious health concerns, particularly regarding zoonoses, the transmission of diseases from animals to humans. It has long been known that exotic animals harbor a range of potentially pathogenic organisms that pose significant risks to human health. These recognized risks are often downplayed or dismissed by mobile live animal program operators. Some erroneously make the claim that simple quarantine of an animal will mitigate this risk, but it does not. Many exotic animals, including all reptiles harbor and shed pathogens that are natural to their physiology, in other words, regardless of and in spite of any quarantine. Such pathogens are well documented to be hazardous to those who are young, elderly, immunocompromised, pregnant women, developmentally handicapped people and others. Allowing mobile live animal programs may pose a serious risk to human health and safety.

We also feel the lack of sufficient time to review and respond to the report was insulting and unfair. The AWAC received the staff report on relatively short notice with no time to properly analyze and respond to it prior to it being considered at the CPSC meeting. The AWAC would have liked the time to provide a detailed response before any decisions were made.

Citizen advisory groups are comprised of dedicated residents with a great deal of expertise, experience and who conduct comprehensive research into the issues they deal with. It has always been AWAC's priority to provide up-to-date, evidence-based information that can inform the City's deliberations. Our efforts were sloughed aside and received little consideration.

The City of London is considered one of Canada's most compassionate cities. This reputation has been bolstered by the elimination of cruel wild animal entertainment acts, the closure of Lickety Split Zoo (a private roadside zoo) and the removal and relocation of animals from the aging Storybook Gardens amusement park. Adopting the staff recommendation without revision would be a massive step backwards for the City and would have a detrimental effect on its reputation.

In view of the above and on behalf of the AWAC I am requesting that the staff report Zoos & Mobile Zoos be referred back to staff with directions to conduct a more thorough balanced consultation and analysis as outlined by the AWAC in our submission to the CPSC. I have attached that communication to this letter.

Thank you for your consideration of the above concerns and request by AWAC regarding the staff report before you today,

Regards,

The Animal Welfare Advisory Committee to the City of London
Chair
Wendy Brown