

## **Mercier, Betty**

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**From:** Chapman, Heather  
**Sent:** Thursday, November 15, 2012 10:16 AM  
**To:** Mercier, Betty  
**Cc:** Katolyk, Orest; Oke, Ron  
**Subject:** AWAC request for Animal Service 2011 Performance Statistics

Hello Betty, Orest and I have considered the request and submit the following:

We recognize that AWAC was forwarded a copy of the performance statics for a previous year. This was only provided after the document had been received by Council, making it public record. At this time the requested statistics have not been made public record; and staff are not in the midst of a report to the Public Safety Committee/Council that would include the statistics.

In addition the performance statistics is a compilation of data that Civic Administration uses to monitor performance. The typical duties of AWAC have been included below and advising on the performance of the service provider is not included.

Typical duties of the Advisory Committee would include:

- advising on issues and concerns faced by animals within the City of London;
- advising on opportunities that have been identified within the community to improve animal welfare;
- advising, consulting and reporting findings and recommendations on matters from within the City of London and other jurisdictions that directly relate to the mandate of the Advisory Committee;
- reviewing and making recommendations to the Public Safety Committee on solutions to improve animal welfare in the City of London;
- supporting, encouraging and being a resource to the Municipal Council and the Civic Administration; and
- serving as a forum for the exchange of information on initiatives and issues involving the various organizations that deal with animals in the City of London, the pet owners that have responsibilities for these animals,
- Londoners that must harmonize their daily activities with urban wildlife and London businesses that may have a role to play in fostering increased animal welfare activities.

Further, as we are in the midst of the review of RFP proposals for the next Animal Services contract, and we do recognize that there are some direct personal relationships between AWAC members and one or more of the proposed bidders we do not want to put anyone in the position of a potential conflict that may have impact on the RFP process.

Thank you,

*Heather Chapman*

Manager, Municipal Law Enforcement Services  
Community By-laws and Animal Care & Control  
**Development and Compliance Services**  
**Licensing and Municipal Law Enforcement Division**  
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**Animal Welfare Advisory Committee** – prepared by Vicki Van Linden  
December 6, 2012

**Background and Motion:**

In response to letter dated November 15, 2012,  
sent by Heather Chapman,  
Manager, Municipal Law Enforcement Services,  
Community By-laws and Animal Care and Control,  
City of London.

**RE: AWAC's request of a copy of the performance statistics for 2011.**

The letter from Ms. Chapman states that these statistics have not yet been provided to City Council, even though it is now December of 2012, and states that: "staff are not in the midst of a report to the Public Safety Committee/Council that would include the statistics."

This letter further comments regarding the typical duties of AWAC saying that: "...advising on the performance of the service provider is not included."

As well, the letter ends with: "Further, as we are in the midst of the review of RFP proposals for the next Animal Services contract, and we do recognize that there are some direct personal relationships between AWAC members and one of more of the proposed bidders we do not want to put anyone in the position of a potential conflict that may have impact on the RFP process."

**Response:**

We believe that understanding and commenting on the Animal Services contract; including specific performance statistics of numbers of animals killed, numbers of animals re-united with owners/guardians, and numbers of animals transferred out to rescue groups is wholly within our mandate.

Our committee and its mandate were established by council years ago, and our activity and practice has always included the animals that interact with LACC. The exact kill-rate at LACC is one of the most important issues to do with the treatment and welfare of animals in our city. Consequently, our committee has asked several times whether the Annual Report and Performance Statistics for 2011 have been received. Yet, the performance statistics for 2011 have not been provided to Council, the public, or us and it is now almost 2013.

The Animal Welfare Advisory Committee grew out of the Animal Services Task Force, which was created in response to a petition with more than 4,000 signatures that expressed concern with the way that companion animals were served by the private contractor that operates LACC.

A very large Public Participation Meeting was held where great displeasure was expressed specifically about the performance of the contractor, low rates of reunification of lost pets with their families, and

high kill rates. This initial Public Participation Meeting, several years ago, had the sole purpose of expressing the great degree of community concern at the way animal services are provided by the current contractor. Concern for the performance of the city-contracted provider has historically, and from the very inception of the preceding Task Force, been of primary concern to the work of AWAC.

The statistics for 2010 were provided and made public, so the idea that these statistics should not be available to us is a new development and a change in our historical dealings with city staff.

The final paragraph of the letter seems to suggest that any member of AWAC who has a personal relationship with a person involved with the bids presented to the city could be in: "...the position of a potential conflict that may have impact on the RFP process."

This seems to suggest that the entire topic of the kill rates and other matters of performance at LACC are no longer to be discussed at AWAC without placing at risk the submissions presented by some community members. This would in effect muzzle most public discussion for the next two years as most members of the animal-helping community have at least some degree of personal relationships with each other.

It is essential to note that the work of AWAC is completely separate from the RFP process engaged in by some community members and any suggestion otherwise is very concerning. Just as Council members declare conflict of interest in certain matters, so too the few members of AWAC who do have direct involvement with the RFP process, will declare pecuniary interest. There is no reason for the entire membership of AWAC to be assumed to be involved in the RFP process.

- AWAC has requested and been provided these performance statistics in the past, long before the present RFP process was instigated.
- AWAC's request for these statistics has to do with transparency and accountability, and has nothing to do with any part of the RFP process.

**Recommendations:**

We ask that the 2011 Annual Report and Performance Statistics be presented to City Council in the same format as the 2010 report, as soon as possible.

We ask that this then be referred to AWAC for its consideration and review.

We further ask that the statistics include the numbers of animals killed, and the numbers of animals transferred out to rescue groups; and that the statistics not be presented merely in percentages.

We also wish to express to our Mayor and members of our City Council our concern with the content of this letter dated November 15, 2012.

## **Amendment Requests to Dog Licensing and Control By-law (PH-4) and Cat Licensing By-law (PH-3)**

The Animal Welfare Advisory Committee for the City of London recommends By-Law amendments to the following By-laws regarding the keeping of dogs and cats in the City:

### **Dogs**

#### **Current By-Law**

Section 3.1 of the Dog Licensing and Control By-law (PH-4)(consolidated August 30, 2011) states:

No person shall keep or permit to be kept more than three dogs within or about any dwelling unit in the City of London, regardless of whether that person is the owner of the dogs.

#### **AWAC's Recommendation**

The Animal Welfare Advisory Committee ((AWAC) recommends that foster homes housing dogs under the direction of known and recognized animal rescue groups be added to the Exemptions list (Part 2), such that:

The By-law shall not apply to individuals providing foster homes that are housing dogs – which includes providing food, shelter, training and veterinary care – under the direction of known and recognized animal rescue groups within our community.

### **Cats**

#### **Current By-Law**

Domestic cats are considered Class 4 animals under the Animal Control By-Law:

Section 10.1 of the Animal Control By-Law (PH-3) (consolidated July 16, 2007) states:

No person shall keep more than 2 Class 4 animals in any one dwelling unit or on any premises.

#### **AWAC's Recommendation**

AWAC recommends that foster homes housing cats under the direction of known and recognized animal rescue groups be added to the Exemptions list (Part 2), such that:

The By-law shall not apply to individuals providing foster homes that are housing cats – which includes providing food, shelter, and veterinary care – under the direction of known and recognized rescue groups within our community.

### **Explanation of Terms**

A **rescued** or **rescue** animal is an animal that has been lost, abandoned, surrendered, never-'owned,' or removed from a stressful situation. Exempt **Foster homes** would be chosen, approved and monitored by people within a particular **Rescue Group** and must follow a strict set of guidelines. Rescue animals (or "rescues") may be stray, homeless or given up by a home for many reasons, including divorce, death of an owner, abuse, a drastic family move, change in household members, change in household health (i.e., a family member developing an allergy to the animal), or change in environment, accidental escape or deliberate abandonment. "Rescues" are often placed in a **foster** home where appropriate care, training and rehabilitation (if necessary) are provided, with the ultimate goal of enabling them to be adopted into a permanent home.

### **Rationale for Proposed Amendments to the PH-4 and PH-3 By-laws.**

While AWAC recognizes the intent of the By-law (to prevent hoarding, excessive noise, odour problems, dogs running at large etc.) we see an opportunity to amend it to work more favourably towards people who rescue and foster dogs and cats to achieve the broader goal of improving animal welfare within our City.

Rescue Groups and individuals who provide foster homes to dogs and cats perform a vital community service in supplying food, shelter, training and veterinary care to needy dogs and cats under their care, often at their own expense and, thus, saving the municipality substantial costs. In many cases, people who foster are able and willing to accommodate more than three dogs and/or more than two cats per household member without over-extending their resources or their ability to provide appropriate care for and control over the dogs and cats under their care.

The current By-law restrictions on the number of dogs and cats per household dwelling also restricts the number of foster homes available to rescue dogs and cats, many of whom are in desperate need of a temporary home. This means one less option available to a needy dog or cat. Some foster homes will take in more dogs and/or cats than the current By-law permits, albeit on a temporary basis, but live in constant fear of being discovered and prosecuted. As a result, they may be reluctant to take the dog for walks or feel compelled to "hide" the dog or cat. Many express the view that the existing By-law makes them feel like criminals when they are, in fact, performing an important community service on their own time and cost. The last recourse for many dogs and cats, unable to find foster or permanent homes, is to go to Animal Control where they will be destroyed if not adopted or reunited with their owner within four days. This is costly to the municipality.

AWAC agrees that amending the by-laws to enable Rescue Groups and their foster homes to carry out their work within the confines of the law will achieve many benefits to the rescue dogs and cats, while also achieving cost savings for the municipality.

By allowing people who provide foster homes for dogs and cats, and who work under the guidance and supervision of recognized animal rescue groups to house greater numbers of dogs and cats, the City of London can:

- Reduce the number of dogs and cats that enter shelters each year.

- Enhance these animals' chances for permanent adoption since such foster homes provide a superior environment for the socialization and training of these animals.
- Help alleviate over-crowding in city shelters, thereby reducing illness rates and stress levels in these animals and the need for city-provided veterinary care.
- Ensure all dogs and cats spayed and neutered before being permanently placed, and so do not contribute to the pet overpopulation problem in our City.
- Reduce costs to the City by reducing the number of stray dogs and cats that are destroyed yearly at the City-funded animal care and control facility.

In addition, AWAC points out all possible issues relating to keeping dogs and cats – including noise, odour, dogs running at large, cruelty and public health and safety – are covered under existing By-laws. If a household has the space, finances and ability to care for more dogs and/or cats than the current By-Law permits, then such a home should be able to provide care to the number of dogs and cats that the supervising rescue group deems to be appropriate.

To this end, AWAC recommends that the Public Safety Committee put forth to City Council our recommendation for an amendment to By-law PH-4, Section 3.1 and By-Law PH-3, Section 10.1 as stated above.

Hello,

Dear representatives of the Trees and forests advisory and Animal welfare advisory committees;  
I would like to report damage to more than two dozen trees in the area shown in the map below.  
It is a matter of time for these trees to fall on the trail where people walk. We have wrapped chicken wire on some of the trees, but we cannot keep up with the beavers. They are becoming too much of a nuisance.

Please look after this issue before we lose more trees around this beautiful trail.

Regards,  
**Neritan Alizoti**



**Wildlife Subcommittee Report for December 6, 2012**  
**Animal Welfare Advisory Committee**

**AWAC's recommendation to Council requesting consultation with the Environment, Parks, Planning Department and AWAC when issues to do with city wildlife arise was passed at Community and Protective Services this past Monday.**

**We would like to request herein the Environmental Impact Study being prepared for Tributary C in Riverbend as we understand there are heritage system issues affecting wildlife. We have secured some information regarding infrastructure plans for the upcoming year that may affect wildlife. We are planning to continue working on an urban wildlife policy for the City.**

**The following letter was sent to Council after Council agreed to relocate the beavers to Aspen:**

November 10, 2012

Dear Members of Council,

Firstly, we'd like to thank you, the Chief Engineer and his Staff, and experts in the community for finding and securing Aspen Valley Wildlife Sanctuary as the proper interim location for the beavers at the Stanton Drain. As I understand it now, four beavers have been safely trapped and relocated. It is possible that still more beavers need to be moved from this location. We also want to thank the Sanctuary's General Manager, Howard Smith, for his generosity in accommodating the beavers where they can survive as well as utilizing his skill in moving the beaver to Aspen.



While the beavers are safe, many other animals and plants will not survive the construction of the Stormwater Management System. Many of these creatures are in the species-at-risk category. It has been confirmed that the Stanton Drain is an important ecological habitat. No amount of 'mitigation' will replace its benefits. The Animal Welfare Advisory Committee is very disappointed that this wetland is being destroyed. Longterm benefits include reduction of soil erosion, filtering out of toxins and solid material, stimulation of tree growth, clean air, and recreational opportunities for our citizens, to name a few. These will be lost.

Citizens attending Rethink London sessions have pointed out the importance of keeping natural areas intact as we develop remaining land in the City. They emphasize that the city needs to grow up rather than out and that wetlands, woodlands, significant heritage systems, and greenspace need to be preserved. Again, new developments with 'green infrastructures' such as stormwater ponds cannot replace the benefits to plants, animals, and people, provided by natural ecosystems.

We urge the City to continue working with us to develop an effective and humane policy and practice regarding urban wildlife issues. Incorporating an ecological approach, abiding by the spirit of the City's Official Plan as well as the City's Environmental Management Guidelines is essential to this task.

Sincerely,

Sara Rans, Chairperson, Animal Welfare Advisory Committee

cc. John Braam

**The following letter was sent to John Braam after Council agreed to send the beavers to Aspen:**

November 22, 2012

John Braam, P.Eng.

Managing Director Environmental and Engineering Services and City Engineer

Dear John,

As you can imagine, the Animal Welfare Advisory Committee was pleased that Council accepted your recommendation to send the beavers to Aspen Valley Wildlife Sanctuary. We have since learned that five rather than the expected two beavers have gone to Aspen. Hopefully, this tells the City that the right people need to be involved **before** any relocation plan is started.

The Committee is concerned that a number of items in your Report to the Planning Committee and Council indicate our research has been ignored. Your department continues to state that the beaver have caused the flooding of Stanton Drain and present a serious health risk to the water there. This is not correct.

Firstly, most of the flooding in the area is caused by a long ago attempt to straighten the waterway with cement. Flow devices can easily stop any consequential damming by beavers. Since potential harm can be prevented, flooding and health risks have nothing to do with needing to remove

the beavers. The City is removing the beaver and the surrounding ecosystem only because the City has decided to construct a SWM on it.

Secondly, with respect to pollution (health risk), the real culprit stems from the agricultural fields and urban runoff. There are means to address these manmade pollutants (cross-reference EEPAC). There is no evidence that pollution is caused by the beavers. To the contrary, beaver activity filters out toxins in water systems.

The Committee is also concerned that the Reports say that the City “does its best to minimize habitat and wildlife disruption and provide an overall net benefit to the environment and ecological conditions of the water resources systems as part of construction projects”. Our research confirms that no engineering mitigation measures can provide an overall net benefit to the environment. It is time to adjust current practices to take into account the positive role that wetlands, and other natural systems, play in regulating climate, preventing drought, and controlling disease outbreak. Climate change accounts for 20-30 percent of all species lost. We understand that adjusting current practices means that more SWMs would have to be built on land which owners would prefer to use for residential, commercial, or industrial purposes, but there is a larger imperative here.

We want you to understand that the real solution to urban-wildlife issues is not relocation. There are ways to resolve these conflicts. For example, relocating beavers that are felling trees near a SWM can be avoided simply by properly wrapping the trees with the appropriate material. Sometimes these situations may be a bit more complex, but the City Ecologist, AWAC, and experts in the community are available to assist in resolving these matters. The City’s Environment Parks Planning Department and UTRCA are already employing these measures in various locations.

Looking forward to hearing from you on these matters,

Sincerely,

Sara Rans, Chairperson, AWAC Wildlife Subcommittee