



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2015-075

A by-law to provide for the licensing and regulation of various businesses in the Town of Oakville

**WHEREAS** pursuant to the provisions of Part IV of the *Municipal Act*, 2001, S.O. 2001, c. 25 (“*Municipal Act*”) the Council of the Corporation of the Town of Oakville (“Council”) may provide for a system of licences with respect to businesses;

**WHEREAS** pursuant to Section 11 of the *Municipal Act*, Council is exercising its authority with respect to business licensing in the interest of health and safety, well-being of persons, consumer protection and nuisance control;

**WHEREAS** Section 436 of the *Municipal Act* authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a licence;

**WHEREAS** Sections 390 to 400 of the *Municipal Act* authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by it or on behalf of it; and

**WHEREAS** pursuant to Section 151(1)(g) of the *Municipal Act*, Council considers it desirable to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with this By-law;

THEREFORE COUNCIL ENACTS AS FOLLOWS:

### 1) DEFINITIONS

Definitions are set out in section 2 of Schedule 1 to this By-law.

### 2) PROHIBITIONS

- (1) For every business set out in Schedule 1 of this By-law, no person shall:
- (a) carry on a business, permit a person to carry on a business, or hold themselves out as being licensed to carry on a business:
    - i. without a licence to do so issued under this By-law;
    - ii. at a location other than for which a licence is issued under this By-law;

- iii. under any other name than the one endorsed on their licence issued under this By-law; and
  - iv. except in accordance with the regulations set out in this By-law, including any applicable Schedule and Appendices, all of which form part of this By-law.
- (b) transfer or assign a licence issued under this By-law;
  - (c) obtain a licence by providing mistaken, false or incorrect information; and
  - (d) enjoy a vested right in the continuance of a licence and upon the issue, renewal, transfer, cancellation or suspension thereof, the licence shall be the property of the Corporation of the Town of Oakville.

### **3) LICENSING REQUIREMENTS**

- (1) A completed application for a licence or for renewal of a licence shall be submitted to the Licensing Commissioner, shall be accompanied by the requirements prescribed in Schedule 1, and set out in any other Schedule to this By-law, including those contained in the application or renewal form, and any other information that the Licensing Commissioner may from time to time request.
- (2) The Licensing Commissioner may, for renewal applications, on a case by case basis review, waive any documentary requirements not related to public safety or consumer protection.
- (3) Every person licensed under this By-law shall at all times:
  - (a) post the licence in a conspicuous place at the fixed place of business where a Licensee carries on business;
  - (b) carry the licence with them when engaged in the business for which the licence is issued where the Licensee travels from place to place to perform their business;
  - (c) produce the licence for inspection and otherwise permit any Officer, or other person(s) authorized to enforce this By-law to enter the licensed premises/vehicle and make such inspection as may be deemed necessary in order to ascertain whether or not the provisions of the By-law are being complied with;
  - (d) comply with the regulations contained in any applicable Schedule/Appendices; and
  - (e) notify the Licensing Commissioner immediately of any change in any of the particulars required to be filed with the Licensing Section.

### **4) ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL**

- 1) The Licensing Commissioner shall:
  - (a) receive and process all applications for licences and for renewal of licences to be issued under this By-law;

- (b) issue licences and renew licences, either conditionally or unconditionally, to any person who meets the requirements of this By-law except where:
    - i. the conduct of an applicant affords reasonable grounds for belief that the applicant has not carried on, or will not carry on the business in accordance with the law or with integrity and honesty;
    - ii. there are reasonable grounds for belief that the carrying on of the business may be adverse to the public interest;
    - iii. the applicant's premises or place of business are the object of an order made pursuant to the Property Standards By-law, *Building Code Act*, 1992, S.O. 1992, c. 23 ("*Building Code Act*"), *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, ("*Fire Protection and Prevention Act*"), or by the Medical Officer of Health, or where the place of business is not in compliance with the Zoning By-law; or
    - iv. the applicant is indebted to the Town in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing, including an administrative penalty.
  - (c) with respect to subsection (1)(b)(ii), include in the Licensing Commissioner's consideration, any record of offence that is less than three (3) years and relevant to the nature of the business, or any record of offence that directly affects the applicant's or licensee's ability to competently and responsibly carry on the business, or any particular record of offence for any time period that may be specified in any Schedule; and
  - (d) generally perform all the administrative functions conferred upon them by this By-law.
- 2) Licences issued pursuant to this By-law are conditional on compliance by the Licensee with all municipal by-laws, including, but not limited to, the applicable Town Zoning By-law and Property Standards By-law, and compliance with all Provincial and Federal legislation.

## **5) TERM OF LICENCE**

A licence issued under the provisions of this By-law shall expire on the designated date, unless it is renewed or revoked in accordance with the provisions of this By-law.

## **6) REVOCATION AND SUSPENSION**

- 1) The Licensing Commissioner shall provide notice of intention to revoke or suspend a licence and shall advise the Licensee of their right to appeal where:
  - (a) the Licensee would be disentitled to a licence or a renewal of a licence for the reasons set out in this By-law; or
  - (b) the licence was issued in error.

- 2) Notwithstanding (1) the Licensing Commissioner, if satisfied that the continuation of the licence poses an immediate danger to the health or safety of any person, property or animal, may, for the time and such conditions as are considered appropriate and without a hearing, suspend a licence for not more than 14 days, and, prior to suspending the licence, shall provide the Licensee with the reasons for the suspension, either orally or in writing, with an opportunity to respond to them.

## **7) APPEAL**

- 1) Where the Licensing Commissioner has denied an applicant a licence or a request for renewal, or suspended or revoked a licence, the Licensing Commissioner shall inform the applicant or Licensee by way of written notice setting out the grounds for the decision with reasonable particulars, and advise of the right to appeal such decision to the Appeals Committee.
- 2) Persons or applicants may appeal to the Appeals Committee in relation to matters noted in subsection (1). Appeals will not be permitted for any matters that have already been heard or are pending before the Hearings Officer. A request for an appeal shall be made in writing to the Licensing Commissioner setting out the reasons for the appeal within 7 days after service of the written notice.
- 3) Where no request for an appeal is received in accordance with subsection (2), the decision of the Licensing Commissioner shall be deemed to be affirmed.
- 4) Where a request for an appeal is received, a hearing of the Appeals Committee shall be convened and the applicant or Licensee shall be provided reasonable written notice thereof.
- 5) After such opportunity to be heard is afforded the applicant or Licensee, the Appeals Committee may make a decision in respect of which the hearing was held or the opportunity for hearing afforded. The Appeals Committee's decision is final and not subject to review. The Appeals Committee may refuse to issue or renew a licence, revoke, suspend, or impose any conditions upon a licence. The Appeals Committee may consider any matter pertaining to the licensing requirements in Section 3 or the grounds for refusal in Section 4, or any other matter that relates to the general welfare, health or safety of the public.
- 6) Where the Appeals Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 shall apply.

## **8) ORDER**

- 1) Where the Licensing Commissioner has reasonable grounds to believe that a contravention of this By-law has occurred, the Licensing Commission may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:
  - a) compliance within a specified timeframe;
  - b) any work that is required to be done, and in default of such work being done, the work may be done at the Licensee's expense and the Town may recover the expense by in the same manner as municipal taxes; or
  - c) the activity be discontinued.
- 2) Any Person who contravenes an order under section 8(1) of this By-law is guilty of an offence.
- 3) An order under section 8(1) of this By-law may require work to be done even though the facts which constitute the contravention of this By-law were present before this By-law came into force.

## **9) ADMINISTRATIVE PENALTIES**

- 1) Each person who contravenes any provision of this By-law, including any provision of the Schedules, shall, upon issuance of a penalty notice be liable to pay to the Town an administrative penalty in the amount of \$300 or as revised in the rates and fee schedule approved by Council as part of the annual budget approval process.
- 2) An Officer who finds or has any reasonable cause to believe that a person has contravened any provision of this By-law, including any provision of its Schedules, may issue a penalty notice addressed to the person.
- 3) The penalty notice shall be given to the person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
  - (a) date of the penalty notice;
  - (b) the penalty notice number;
  - (c) particulars of the contravention;
  - (d) the amount of the administrative penalty;
  - (e) information respecting the process by which the person may exercise the person's right to request a review of the administrative penalty; and
  - (f) a statement advising that an administrative penalty will, unless cancelled or reduced pursuant to the review process, constitute a debt of the person to the Town.
- 4) No Officer may accept payment of an administrative penalty.

- 5) Any person who is served a penalty notice may request a review by a Screening Officer within 15 days after the penalty notice date.
- 6) Any person may request that the Screening Officer extend the time to request a review within 45 days after the penalty notice date, failing which, the administrative penalty shall be deemed to be affirmed.
- 7) The Screening Officer may extend the time to request a review of the administrative penalty when the person requesting the extension demonstrates extenuating circumstances that warrant the extension of time.
- 8) On a review of the administrative penalty, the Screening Officer may affirm the administrative penalty, or may cancel, reduce or extend the time for payment of the administrative penalty, including any additional administrative fees, on the following grounds:
  - (a) where the person establishes, on a balance of probabilities that the person did not commit the act as described in the penalty notice; or
  - (b) the cancellation, reduction or extension of the time for payment of the administrative penalty, including any administrative fees, is necessary to reduce hardship.
- 9) Every person who has a review by the Screening Officer shall receive a Screening Decision and may request a review of the Screening Decision by a Hearing Officer within 15 days after the Screening Decision was issued.
- 10) Where the person fails to appear at the time and place scheduled for a review of the Screening Officer:
  - (a) the person shall be deemed to have abandoned the review;
  - (b) the administrative penalty shall be deemed to be affirmed;
  - (c) the administrative penalty shall not be subject to review; and
  - (d) the person shall pay the applicable fee.
- 11) Any person who has received a Screening Decision may request a review of the Screening Decision by a Hearing Officer within 15 days after the Screening Decision was issued.
- 12) Any person may request that the Hearing Officer extend the time to request a review within 45 days after the Screening Decision was issued, at which time the Screening Decision shall be deemed to be affirmed.
- 13) The Hearing Officer may extend the time to request a review of the Screening Decision when the person requesting the extension demonstrates extenuating circumstances that warrant the extension of time.
- 14) The person shall be issued or served notice of the date, time and place of the review by the Hearing Officer.

- 15) On a review of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or may cancel, reduce or extend the time for payment of the administrative penalty, including any administrative fees, on the following grounds:
- (a) where the person establishes, on a balance of probabilities that the person did not commit the act as described in the penalty notice; or
  - (b) the cancellation, reduction or extension of the time for payment of the administrative penalty, including additional administrative fees, is necessary to reduce hardship.
- 16) Where a person fails to request a review of the Screening Decision or extension of time before the Hearing Officer in accordance with this By-law:
- (a) the Person shall be deemed to have waived the right to a hearing;
  - (b) the Screening Decision and the administrative penalty shall be deemed to be affirmed; and
  - (c) the Screening Decision and the administrative penalty shall not be subject to any further review.
- 17) Where a person fails to appear at the time and place scheduled for a review by the Hearing Officer:
- (a) the person shall be deemed to have abandoned the hearing;
  - (b) the Screening Decision and administrative penalty shall be deemed to be affirmed;
  - (c) the Screening Decision and administrative penalty and associated fees shall not be the subject of any further review; and
  - (d) the person shall pay to the Town a fee in the amount of \$100 or as revised in the rates and fee schedule approved by Council as part of the annual budget approval process.
- 18) Where an administrative penalty and any applicable administrative fees are not paid within 15 days after the date that it becomes due and payable, each person to whom the penalty notice was issued or served shall pay to the Town a fee in the amount of \$50 or as revised in the rates and fee schedule approved by Council as part of the annual budget approval process.
- 19) A Hearing Officer shall not make any decision respecting a review of the Screening Decision unless the Hearing Officer has given the person and the Town an opportunity to be heard.
- 20) The decision of a Hearing Officer is final.
- 21) The Screening Officer and the Hearing Officer have no jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

## **10) NOTICES**

- 1) Any penalty notice or any other notice pursuant to this By-law may be given in writing in any of the following ways and is effective:
  - (a) on the date on which a copy is delivered to the person to whom it is addressed;
  - (b) on the fifth day after a copy is sent by mail to the person's last known address;
  - (c) upon the conclusion of the transmission of a copy by facsimile transmission to the person's last known facsimile transmission number; or
  - (d) upon the sending of a copy by e-mail transmission to the person's last known e-mail address.
- 2) For the purpose of subsection (1), the person's last known address, last known facsimile transmission number and last known e-mail address shall be deemed to include those provided pursuant to Schedule 1 of this By-law.

## **11) INSPECTION**

- 1) The Licensing Commissioner, the Chief of Police, the Medical Officer of Health, the Fire Chief or an Officer may at any reasonable time inspect:
  - (a) any premises/vehicles or place where a business which is subject to this By-law is carried on or where there are reasonable or probable grounds to believe a business is being carried on; or
  - (b) any goods, equipment, books, records or documents used or to be used by the applicant or Licensee under this By-law.
- 2) It shall be an offence to obstruct or permit the obstruction of such inspection.

## **12) DELEGATION**

Pursuant to Section 23.2 of the *Municipal Act*, Council hereby delegates to the Appeals Committee the power to make the final decision in respect of which a hearing was held, and it is the opinion of Council that this delegated power is of a minor nature. This delegation may be revoked by Council at any time.

## **13) OFFENCES**

- 1) Every person who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- 2) Where a corporation is convicted of an offence under this By-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.

- 3) Pursuant to Section 447 of the *Municipal Act*, where an owner is convicted of knowingly carrying on or engaging in a business in respect of any premises or any part of any premises without a licence required by this By-law, or a person is convicted of any other contravention of this By-law and the court determines that the owner or occupant of the premises or part of the premises in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or of any pattern of similar conduct, the court may order that the premises or part of the premises be closed to any use for a period not exceeding two years.

## **14) COLLECTION OF UNPAID FINES**

Pursuant to Section 441 of the *Municipal Act*, if any part of a fine for a contravention of a business licensing By-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, including any extension of time for payment ordered under that Section, the Licensing Commissioner may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act* and may be added to the person's tax roll and collected in the same manner as property taxes.

## **15) TRANSITION**

- 1) Notwithstanding the repeal of By-law 2008-093, licences issued under that By-law, shall be deemed to be licences issued under this By-law.
- 2) Licensing fees impacted by revised renewal dates shall be adjusted to eliminate overpayment.

## **16) REPEAL**

- 1) The following by-laws, as may have been amended, are repealed on the day this By-law comes into force and effect: 2008-093, 2008-181, and 2005-026.
- 2) Any reference to a by-law number repealed by this By-law in any document shall be deemed to be a reference to this By-law.
- 3) References in this By-law to any legislation or by-law means as may be amended or replaced from time to time, and include any regulations thereunder.

## **17) SEVERABILITY**

In the event any provisions of this By-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

**18) TITLE**

This By-law may be known as the “Licensing By-law.”

**19) EFFECTIVE DATE**

This By-law comes into force and effect on the day it is passed by Town Council.

PASSED this 16<sup>th</sup> day of November, 2015.

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Rob Burton

Mayor

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Vicki Tytaneck

Town Clerk

## **SCHEDULE 26: PET SHOP/KENNEL**

1. No Licensee shall:
  - (1) obtain a licence for a pet shop or kennel having been convicted under the Criminal Code for animal abuse;
  - (2) confine incompatible genus or species of animals in the same cages;
  - (3) sell or offer for sale any animal before its normal weaning age (8 weeks for cats and dogs);
  - (4) sell or offer for sale chicks, ducklings or other live animals as a bonus to a sale or part of a sale of any other goods, products, or services;
  - (5) keep for sale, sell, or offer for sale:
    - (a) any primate;
    - (b) any North American animal, excluding fish, that is wild by nature, unless it has been legally bred and raised in captivity;
    - (c) any exotic animal, that has not been legally imported into Canada; or
    - (d) any wildlife species that is listed at risk in the *Species at Risk Act*, S.C. 2002, c.29, or any animal listed as rare, endangered or threatened by the Convention on International Trade in Endangered Species (CITES).
  - (6) sell or offer for sale any animal that is known to be sick or diseased; or
  - (7) sell or offer for sale any animal that exhibits any signs of the following as verified by a veterinarian:
    - (a) infectious disease;
    - (b) nutritional deficiencies;
    - (c) severe parasitism sufficient to influence the general health of the animal; or
    - (d) fractures or congenital deformities affecting the general health of the animal.

### **REGULATIONS – PET SHOPS**

2. Every owner of a pet shop shall comply with and ensure compliance with the following requirements in the operation of a pet shop:
  - (1) the pet shop shall be maintained at all times in a sanitary, well-ventilated, clean condition;
  - (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) all cages, tanks, containers or other enclosures in which animals are housed on the premises shall be located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular species so housed and shall be provided with the safeguards to prevent extreme environmental changes and to prevent undue, direct, physical contact with such animals by the general public;
  - (4) where the quarters used for the housing of any animal form part of or are physically attached to a building used for human habitation or to which the public have access, such quarters shall have a concrete or other impermeable floor with a drain opening hooked to a sanitary system, and such floor shall be thoroughly cleaned and washed with water at least once each day, or more often than once if necessary to keep the said floor clean;

- (5) 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 all other cages or containers, have a floor of either solid or wire mesh construction where the wire mesh is covered with a thick plastic cover for ease of cleaning and is comfortable for the animals, 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.
- (6) water, in an amount sufficient for the well-being of each animal kept in the pet shop, shall be provided daily;
- (7) animals shall be fed periodically each day in accordance with the particular food requirements for each type or species of animal kept in the said pet shop;
- (8) light in the premises shall be appropriate for the species kept there: and.
- (9) only obtain a dog and or cat for the purpose of selling or offering for sale from the following:
  - (a) municipal animal shelter;
  - (b) registered humane society; or
  - (c) Animal Rescue Group.

## **REGULATIONS – KENNELS**

- 3. No kennel shall be constructed or used except in accordance with the following regulations:
  - (1) The construction of any kennel shall conform to the requirements of the Ontario Building Code;
  - (2) No kennel shall be used unless the following standards are met:
    - (a) DOGS
      - i. Dogs shall be housed in individual enclosures unless the pet owner expresses a specific wish for their pets to be housed in an open setting;
      - ii. Each enclosure shall be well ventilated and large enough to permit any dog enclosed therein to move freely and, in particular, shall be maintained at a minimum of 15 degrees Celsius;
      - iii. Floors of the individual enclosure shall be of dense concrete or similar material and shall be adequately sloped to drains;
      - iv. Walls of the individual enclosure shall be non-porous, watertight and easily cleaned; and
      - v. Outside exercise facilities shall be provided which shall be fenced in such a manner as to keep the dogs securely enclosed and to mitigate noise. Each dog shall be provided access to such facilities at least twice in every 24-hour period. Dogs must be supervised by sufficient personnel at all times to mitigate noise. The outdoor exercise facility shall be cleared of all waste between use by each animal. No dog shall be placed in such facility during extreme weather conditions.

(b) CATS

- i. Cats shall be housed in individual enclosures except in the case of kittens less than 3 months of age with or without the mother cat unless the pet owner expresses a specific wish for their pets to be housed together;
- ii. Each enclosure for an adult cat shall be well ventilated and not be less than 0.67 metres x 0.67 metres x 0.67 metres and, in the case of a cat with a litter, not less than 0.75 metres x 0.75 metres x 0.75 metres high;
- iii. Inside temperature shall be maintained at a minimum of 15 degrees Celsius; and
- iv. Cages or enclosures shall be constructed of a non-porous, watertight material with a smooth finish that can be easily cleaned.

## **PET SHOP AND KENNEL PERSONNEL**

4. Every pet shop or kennel owner shall:
- (1) permit only persons to operate or manage a pet shop or kennel who are skilled and conscientious in animal care, and who have knowledge of the characteristics, care and handling of the species entrusted to their care;
  - (2) permit only persons to attend to the care, feeding and cleaning of animals in the pet shop or kennel, who have been adequately trained, commensurate with their responsibilities, by the pet shop or kennel owner, and who demonstrate that they are able to discharge their responsibilities in a positive, caring manner;
  - (3) maintain a training manual approved by the Executive Director of the Oakville and District Humane Society;
  - (4) provide for a sufficient number of employees to provide for the care of animals and maintenance of facilities during normal business hours, on weekends and holidays; and
  - (5) keep posted in a conspicuous place for employees, instructions issued to all personnel for the cleaning, care and feeding of animals.

## **HOUSING AND FACILITIES**

5. Every pet shop owner shall:
- (1) keep all animals in a constant and comfortable environment to ensure their health and well-being;
  - (2) at all times provide litter pans containing clean litter for kittens and cats;
  - (3) keep birds in cages having removable metal or impermeable bottoms of adequate size;
  - (4) permit no more than 20 dogs to be housed in the Pet Shop without the prior filing and maintenance of a care program approved by a veterinarian, with the municipality;
  - (5) permit no more than 15 budgerigars or canaries or 20 finches to be housed in a single cage with minimum dimensions of 60 cm. (24") x 35cm. (14") x 40cm. (16");

- (6) not increase bird density, or the number of birds housed in cages of other dimensions, unless each cage is of sufficient size and dimensions to enable each bird confined therein an amount of perch to allow it to fully extend its wings in every direction, while all birds are perched;
- (7) locate all animals in the pet shop in such a way as to provide for their maximum comfort, and to satisfy their known and established needs, protection from extreme environmental changes, and prevention of undue direct or disturbing physical contact with the general public;
- (8) make available within the pet shop, an exercise area and separate suitable area that permits segregation of animals which require special observation or attention;
- (9) clean and wash the floors of cage bottoms thoroughly, at least once each day, or more often as may be necessary to comply with sections 5(1) and 3(2);
- (10) clean and sanitize runs and exercise areas by periodic removal of soiled materials, application of suitable disinfectants and replacement with clean surface materials;
- (11) provide for an ongoing effective program for the control of vermin infestation; and
- (12) provide a rapid communication system in case of an emergency, with names and telephone numbers of contact persons prominently posted readily accessible to security and fire personnel.

## **VETERINARY CARE**

6. Every pet shop owner shall establish and maintain programs of disease prevention and control including:
  - (1) appointing and retaining the services of a consulting veterinarian with the name and telephone number posted in a conspicuous place easily accessible to all personnel;
  - (2) prompt examination and treatment or humane euthanasia of any animals suspected of being sick or injured, by a veterinarian or other qualified person under the supervision of a veterinarian;
  - (3) segregation of any apparently sick or injured animal to a separate area; and
  - (4) proper and lawful disposal of deceased animals forthwith.

## **7. RECORDS**

- (1) The pet shop owner shall keep a legible register of all animal sales and purchases in good condition for a period of 12 months after each transaction, and the register shall be made immediately available for inspection by the Officer upon verbal request.
- (2) The animal register shall contain the following information entered at the time the animals come into the possession of the pet shop owner:
  - (a) name and address of supplier or other person from whom the animals were purchased or otherwise obtained;
  - (b) date of purchase or other acquisition;
  - (c) in the case of dogs and cats, description of each individual animal;
  - (d) medical record if animal has been isolated; and

- (e) with animals other than dogs and cats, a description of each shipment.
- (3) The pet shop owner shall provide to each person who purchases an animal from the pet shop with a receipt containing the following information:
  - (a) name and address of the vendor and purchaser;
  - (b) date of sale;
  - (c) description of the animal, including sex, age, colour or placing of markings, if any; and
  - (d) description of breed or cross-breed when the animal is a dog or cat.
- (4) When the animal purchased is a dog or cat, the purchaser shall also be given:
  - (a) a valid certificate of health and vaccination from a veterinarian since the arrival of the cat or dog at the store; and
  - (b) an application for a municipal licence and a copy of all related animal by-laws.
- 8. No licence shall be required for the following operations:
  - (1) an animal shelter operated by or on behalf of a public authority;
  - (2) a veterinary hospital or clinic;
  - (3) any facility in which animals are placed for care pursuant to the *Pounds Act*, R.S.O. 1990, c. P.17, or
  - (4) any training facility operated by Dog Guides Canada.