

Windsor Licensing Commission
Meeting held September 25, 2019

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. in Room 204, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Fabio Costante
Councillor Gary Kaschak

Regrets received from:

Jayne Lesperance
Harpreet Virk

Also present are the following resource personnel:

Gary Cian, Deputy Licence Commissioner & Senior Manager of Policy, Gaming, Licensing & By-law Enforcement
Craig Robertson, Supervisor of Licensing
Ken Passa, Supervisor Environmental Quality
Bill Tetler, Manager of By-law Enforcement
Janna Tetler, Senior Licensing Issuer
Matt Babechuk, Licensing Clerk
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock a.m. and the Commission considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

2. Minutes

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the minutes of the Windsor Licensing Commission of its meeting held June 26, 2019 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Requests for Deferrals, Referrals or Withdrawals

C. Robertson advises Administration has requested the withdrawal of Item 7 (a) Serbian Centre Ltd, 6770 Tecumseh Road East - Hospitality Food/Liquor Service Licence as the applicant has complied with the outstanding deficiencies identified by the Public Works Department.

Moved by Councillor Kaschak, seconded by Councillor Costante,
That the matter 7 (a) relating to a Hospitality Food/Liquor Service licence to Serbian Centre Ltd. located at 6770 Tecumseh Road East, Windsor Ontario **BE WITHDRAWN** as the deficiencies identified by the Public Works Department have been corrected.

Carried.

5. Communications

None.

6. Licence Transfers

(a) Transfer of Taxicab Plate #208

The Transferor and the Transferee are not present to speak to this matter.

Moved by Councillor Kaschak, seconded by Councillor Costante,
That the transfer of Taxicab Plate #208 from Mr. Khuram Shahzad to Mr. Ibrahim Nabhan Ishaibi **BE APPROVED** with the following conditions:

- i. Mr. Ishaibi be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007, including a valid safety standards certificate.
- ii. Mr. Ishaibi must submit a Plate Holder application and pay the applicable fee.
- iii. Mr. Ishaibi shall provide verification that full compensation has been made to Mr. Shahzad in consideration of the transfer of taxicab plate #208.
- iv. Mr. Ishaibi shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

7. Applications/Hearings

(a) Serbian Centre Ltd. – Hospitality Food/Liquor Service

This matter has been withdrawn as the deficiencies have been corrected.

(b) Precision Care & Auto Wash Ltd. – Automobile Service Station – Car Wash

Anthony Pipolo, representative on behalf of Ben Scurto is present to speak to this matter.

C. Robertson states Administration suggests an amendment to the recommendation outlined in the report to grant an extension of one week to allow for Pollution Control to visit the site to ensure the deficiencies have been corrected. He adds any future non-compliance will result in immediate suspension until the next meeting of the Windsor Licensing Commission.

Anthony Pipolo advises Hurricane Hydrovac attended the site this morning and the issues have been resolved. He ensures compliance will be maintained and regular cleaning of the interceptor will be undertaken.

Moved by Councillor Costante, seconded by Councillor Kaschak,
WLC5/2019 That an extension of time of seven (7) days **BE GRANTED** to Mr. Ben Scurto, Precision Care & Auto Wash Ltd. located at 1451 Lauzon Road – Automobile Service Station – Car Wash to allow for sufficient time for Pollution Control to inspect and ensure all deficiencies have been corrected, and if the matter is *not resolved*, administration will refuse to issue an Automobile Service Station – Car Wash licence, and further, if compliance has been achieved, that administration will issue the licence with the following condition:

Future pollution control occurrences of non-compliance will result in an automatic suspension of the licence until the next Windsor Licensing Commission meeting.

Carried.

8. Reports & Administrative Matters

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the report of the Supervisor of Licensing dated September 6, 2019 entitled
"Expired Application(s) for Business Licence" **BE RECEIVED.**
Carried.

9. In Camera

No In Camera session is held.

10. Date of Next Meeting

The next meeting will be held on Wednesday, October 23, 2019 at 9:30 a.m. in
Room 204, 350 City Hall Square West.

11. Adjournment

There being no further business, the meeting is adjourned at 9:48 o'clock a.m.

CHAIR

SECRETARY

**THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY CLERK
LICENSING DIVISION**

**MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

Livelihood: Report #	Report Date: January 3, 2020
Author's Name: Craig Robertson, Supervisor of Licensing	Date to Commission: January 22, 2020
Author's Phone: 519 255-6100, Ext. 6869	Classification #:
Author's E-mail: croberson@citywindsor.ca	

To: Windsor Licensing Commission

Subject: Expired Application(s) for Business Licence

1. RECOMMENDATION: City Wide: Ward(s): _____

To the Commission for information.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

Various business licence application(s) are submitted to the Licensing Division annually for either the renewal of a licence or for a new business.

Section 3.20 of Business Licensing By-law 395-2004 states:

"3.20 Licence – application deemed expired

Any business licence application that has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within 60 days from the date of the filing of the application, because of the applicant's inability to comply with the requirements to become licensed, shall be deemed to have expired unless the application is referred to the Windsor Licensing Commission under section 3.28 of this by-law."

And Section 11 of Part III – General Provisions of the Public Vehicle Licensing By-Law 137-2007 states:

"Any application which has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within sixty (60) days from the date of filing the application, shall be deemed to have expired because of the applicant's inability to comply with the requirements to become licenced, unless the application is referred to the

Licensing Commission for determination.

3. DISCUSSION:

An application(s) for a business licence was submitted by the following:

<u>APPLICANT</u>	<u>LOCATION</u>	<u>LICENCE CATEGORY</u>	<u>DATE OF APPLICATION</u>
Nicholas Warkentin o/a Creekview Heating, Cooling & Refrigeration	1321 Road 3 W, Kingsville, ON N9Y 2E5	Heating Master	July 26, 2019
Thanos Zikantas o/a Sofos Honeyballz	6082 Tecumseh Road East, Windsor, ON N8T 1E3	Hospitality Food Service	June 19, 2019
CEC Entertainment Canada ULC o/a Chuck E Cheese's	4450 Walker Road, Windsor, ON N8W 3T5	Hospitality Food/Liquor Service	February 21, 2019
1998376 Ontario Inc. o/a Whisky Six	892 Wyandotte Street East, Windsor, ON N9A 3J6	Entertainment Lounge	July 8, 2019
Gourmet 2 Go Fusion Cuisine Inc.	6082 Tecumseh Road East, Windsor, ON 8T 1E3	Hospitality Food Service	February 28, 2019
Aces Powersports & Auto Sales Inc.	6010 North Service Road East, Windsor, ON N8T 3P3	Automobile Service Station, Repairs	April 17, 2019
1989605 Ontario Corp. o/a Ahua!	3100 Jefferson Boulevard, Windsor, ON N8T 3E8	Hospitality Food Service	February 27, 2019
Lusso Nightclub Limited	63 Pitt Street East, Windsor, ON N9A 2V3	Entertainment Lounge	June 27, 2019
2364507 Ontario Ltd. o/a Menchie's	3196 Dougall Avenue, #8A, Windsor, ON N9E 1S6	Hospitality Food Servie	February 21, 2019

The above mentioned applications have been pending for more than 60 days, and the applicant has not complied with the requirements of Business Licensing By-law 395-2004 and/or Public Vehicle Licensing By-Law 137-2007.

A letter has been sent to the above applicant(s) advising that their application has expired and is no longer valid.

4. RISK ANALYSIS:

N/A

5. FINANCIAL MATTERS:

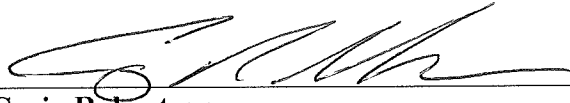
N/A

6. CONSULTATIONS:

N/A

7. CONCLUSION:

The application(s) listed above shall be deemed to have expired.



Craig Robertson
Supervisor of Licensing & Deputy Licence
Commissioner

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:
Name:
Phone #: 519 Ext.

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX

THE CORPORATION OF THE CITY OF WINDSOR
Office of the City Clerk - Policy, Gaming, Licensing and By-law Enforcement



MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 18201	Report Date: December 19, 2019
Author's Name: Craig Robertson, Supervisor of Licensing & Katherine Donaldson, Corporate Policy Coordinator	Date to Windsor Licensing Commission: January 22, 2020
Author's Phone: 519 255-6100 ext. 6869	Classification #: Committee Direction
Author's E-mail: crobertson@citywindsor.ca	

To: Windsor Licensing Commission

Subject: Regulation of Licensed City of Windsor Pet Shops

1. RECOMMENDATION: City Wide: Ward(s): _____

1. THAT the Windsor Licensing Commission **RECEIVE** the report *Regulation of Licensed City of Windsor Pet Shops* dated December 19, 2019 AND;
2. THAT the Windsor Licensing Commission provide **DIRECTION** to Administration regarding the options outlined in the report.

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

On May 6, 2019, Councillor Kusmierczyk asked the following question of Administration:

CQ 8-2019 'That Administration report back on what other municipalities have done to update the Pet Shops section of the Animal Control By-law; including banning the sale of pets for profit, and provide recommendations going forward.'

The current Pet Shop Schedule of the City's Business Licensing by-law, *attached as appendix A*, includes a number of provisions to ensure the safety, wellbeing and security of all animals sold in Windsor. This includes provisions restricting the sale of certain types of animals in the City,

including any animals which are non-native to Windsor's climate. The Keeping of Animals by-law similarly prohibits ownership on any exotic species. In regards to dogs and cats specifically, the Pet Shop Schedule of the by-law currently requires each pet shop owner to keep a register of each animal purchased which must include; where the animal was purchased from, when they were purchased and a detailed description of the animal. Owners are also required to report any questionable sales tactics or animals which appear to be in despair to the police immediately. All licence inspections and complaint driven inspections of the shops are conducted by the Windsor Essex County Humane Society along with the City's By-law Enforcement Division. It has been a number of years since any major concerns regarding the well-being or care of animals has been identified in licensed pet shops.

3. DISCUSSION:

A review of pet shop bylaws from a number of municipalities show a trend towards the banning of dogs and cats for profit and a move towards adoption based models. The municipal survey shows that Windsor, Hamilton, Thunder Bay and Calgary have similar licensing regimes in that pet shops are licenced businesses and there are no restrictions on the sale of animals in the shops in general. In each of these municipalities, there is a prohibition on selling/keeping/harboursing certain animals (wild/exotic/non-indigenous to Canada etc.) both in private homes and retail locations.

In London, Toronto and Brampton, pet shops are licensed and dogs and cats sold in shops must be obtained from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is a prohibition on selling/keeping/harboursing certain animals similar to Windsor (wild/exotic/non-indigenous to Canada etc.).

Waterloo and Kitchener are similar in that they also license pet shops but any animals for sale in a shop must be obtained from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is, of course, also a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

Mississauga licences pet shops and if a pet shop sells more than ten (10) cats or dogs annually, they must obtain the remaining cats and dogs to be sold from municipal animal shelters, registered humane societies, registered shelters or rescue groups. There is a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

In Montreal, a permit to sell animals is issued by the Province of Quebec (Agriculture Ministry). Earlier this year, the City of Montreal amended their animal control by-law and as of July 1, 2019, pet shops are no longer able to sell dogs, cats or rabbits unless they are obtained by registered shelters such as the SPCA. Pet shop owners responded by filing a lawsuit against the City of Montreal. At a recent hearing, a judge ruled against the pet shop owners after requesting to suspend the new by-law until the lawsuit is completed. The matter still remains before Quebec Superior Court.

Sudbury, Winnipeg, Regina and Halifax do not licence pet shops. They do all share a prohibition on selling/keeping/harboursing certain animals similar to Windsor.

As discussed above, there are various limits on what types of animals can be sold in Windsor. Nearly all comparator municipalities have also banned non-indigenous animals for sale and

Windsor is no exception. In Windsor, they are also required to keep a detailed log of where all dogs and cats for sale came from. Each pet shop must also have a written agreement with a veterinarian and allow the Windsor Essex County Humane Society as well as the City's By-law Enforcement staff to inspect their premises at any time.

Unannounced onsite inspections were conducted at all of the City of Windsor's licensed pet shops. No concerns were identified by enforcement personnel with respect to the well being of the animals or contraventions of the by-law. City staff surveyed the operations of each shop and obtained the following information:

	<i>Types of Animals Sold</i>	<i>Animals Obtained From</i>	<i>Adoption Programs</i>	<i>Concerns/By-Law Violations</i>
Corbret's Tropical Fish & Pet Supplies Ltd.	dogs, cats (have not sold a dog or cat in over a year), rabbits, fish, guinea pigs, birds, mice, hamsters	Personal pets dropped off (owner no longer wishes to have), Fish & Bird Emporium in Toronto	Have participated in adoption practices	None
Pet Smart Legacy Park Drive	fish, birds, hamsters, gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Smart Dougall Avenue	fish, birds, hamsters, gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Smart Tecumseh Road East	fish, birds, hamsters, gerbils, guinea pigs, rats	Fish & Bird Emporium in Toronto	Cats are adopted out in conjunction with the Windsor-Essex County Humane Society. No dogs sold or adopted	None
Pet Valu Tecumseh Road East	Betta Fish	Fish & Bird Emporium in Toronto	Support Greyhound of America	None
Pet Valu Howard Avenue	None	TLC Animal Aid	Cats are adopted out in conjunction with TLC Animal Aid. No dogs sold or adopted	None

Staff from the Policy, Gaming, Licensing and By-law Enforcement division also met with concerned members of the public and the Windsor Essex County Humane Society in order to

gather general opinion regarding the sale of dogs and cats in pet shops. The consensus of the groups indicated a desire to move toward a by-law change, to both better the climate for animal welfare in Windsor and keep in line with trends set by other municipalities.

With this information in mind, Administration is bringing forward two plausible options to consider, in line with both other municipalities' precedent and Windsor's needs.

Option A – Dogs and Cats Offered by Adoption Only

The growing trend across municipalities is to allow pet shops to offer dogs and cats only as part of adoption programs and not allow any sales for profit. There are a number of registered rescue organizations in Windsor that already operate a number of fundraisers and adoption drives with existing stores. These organizations have been shown to be more than willing to provide animals for these types of partnerships. Amendments to *Schedule P1 to Business Licensing By-law No. 395-2004* would be required. The changes would be relatively easy to integrate and, due to the lack of dog and cat sales for profit in stores currently operating, would not impact any existing retailers.

Option B – Status Quo

The Pet Shop Schedule of the Business Licensing by-law is quite thorough in its requirements for the keeping and care of any animals for sale. Regulations include the need to house animals in humane containers which are kept clean and are large enough for them to move around in, to provide adequate food and water for care, to provide areas for exercise and have a veterinarian on call to provide care when necessary. As discussed above, pet shops are required to keep detailed registers of the purchase of cats and dogs, and overall, the current by-law provides strong protections to animals for sale in pet shops. In Windsor there is a single store that advertises dogs and cats for profit, though as shown in the store-specific survey results above, they have not sold cats or dogs at all in the past year.

It should be noted that no matter what option is chosen, these actions have no impact on the private breeder market. Private breeders operate in an unregulated marketplace and, as such, would continue their operations. Changing the bylaw may push buyers who are concerned with 'pure bred' status to this unregulated marketplace and increase those sales. However, as noted, no stores are currently selling dogs or cats for profit, therefore the amount that private sales may increase as a direct result would likely be negligible.

4. RISK ANALYSIS:

As this trend is becoming more prevalent in comparator municipalities, Windsor may run the risk of falling behind in the 'Animal Welfare' area of governance. Previously, Windsor has been a pioneer in this area so public perception could suffer.

The potential for a higher number of private, unregulated sales to occur is noted, but as described above, is not likely to increase a great deal as the potential change would not impact current retailers.

5. FINANCIAL MATTERS:

No financial impacts.

6. CONSULTATIONS:

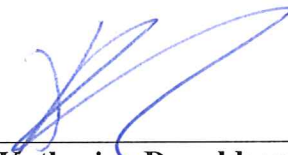
Licensing
By-law Enforcement
Windsor Essex County Humane Society
Community Stakeholders

7. CONCLUSION:

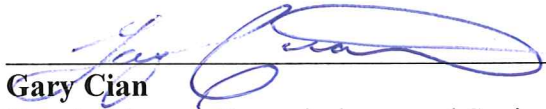
The City of Windsor has been a leader in a number initiatives concerning animal welfare. The current Pet Shop Schedule of the Business Licensing by-law provides for a number of protections in regards to the selling of animals for profit, so much so it has acted as a model for a number of other municipalities. Trends are now shifting to encourage adoption-based models for the provision of pets in pet shops instead of using traditional suppliers. There are no pet shops currently selling dogs or cats in Windsor and as such a change to the by-law would not impact any present retailers.



Craig Robertson
Supervisor of Licensing



Katherine Donaldson
Corporate Policy Coordinator



Gary Cian
Deputy Licence Commissioner and Senior
Manager of Policy, Gaming, Licensing &
By-law Enforcement



Valerie Critchley
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services

APPENDICES:

Appendix A – Schedule P1 to Business Licensing By-law No. 395-2004

DEPARTMENTS/OTHERS CONSULTED:

Name:
Phone #: 519 **ext.**

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
Hilary Payne, Payne Municipal Consulting	2640 Tournament Ct. Windsor, ON N9G 2P8	soldbyhilary@gmail.com	519-969-2792	
Melanie Coulter, Windsor - Essex County Humane Society	1375 Provincial Rd. Windsor, ON N8W 5V8	melanie@windsorhumane.org	519-966-5751	
Mike Drouillard, Corbret's Tropical Fish And Pet Supplies	3165 Walker Rd. Windsor, ON N8W 3R6		519-972-4777	
Christine Martin Bevilacqua, Pet Valu	300 Tecumseh Rd. E. Windsor, ON N8X 5E8		519-254-8129	
Christine Martin Bevilacqua, Pet Valu	3155 Howard Ave. Windsor, ON N8X 4Y8		519-966-7834	
Chris Patrick, PetSmart #923	4001 Legacy Park Dr. Windsor, ON N8W 5S6		519-250-9229	
Kimberly Britz, PetSmart #2017	3164 Dougall Ave. Windsor, ON N9E 1S6		519-967-8600	
Nicole Viger, PetSmart #3187	7654 Tecumseh Rd. E. Windsor, ON N8T 1E9		226-221-9527	

SCHEDULE P1 TO BY-LAW NO. 395-2004**PET SHOPS**

1. Every application for a keeper's licence shall be submitted by Licence Commissioner to the Windsor/Essex County Humane Society for an inspection, and any report received by the Licence Commissioner in response thereto shall be considered in the determination of whether or not the licence should be issued or refused in accordance with this schedule.
2. The Licence Commissioner may require, at any time, an applicant or licensee to file a letter from the Inspector of the Windsor/Essex County Humane Society containing a report of an inspection carried out by him stating whether or not every Pet Shop used or intended to be used for the sale of animals or birds is adequate with respect to construction, size, number of animals that occupy or are intended to occupy the pet shop, drainage, sanitation and cleanliness and that the pet shop is sprayed with chemicals or equipped with other devices to repel and control fleas, flies and rodents and that the pet shop is deodorized by suitable deodorant.
3. Every keeper shall comply with and ensure compliance with the following requirements in the operation of the pet shop kept by him or her:
 - (1) Every licensee who operates a licensed pet shop shall keep his or her licence prominently displayed in the interior of such pet shop at all times during the currency of the licence.
 - (2) The pet shop shall be maintained at all times in a sanitary, well ventilated, clean condition, and free from offensive odours.
 - (3) Every animal and bird shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type or species of animal or bird housed therein.
 - (4) Where the quarters used for the housing of any animal or bird 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 constructed as a plumbing fixture, 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 or bird shall:
 - (a) Be of adequate size to permit any such animal or bird 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 be constructed in such a way that it is not injurious to the animal.
- (6) Water shall be provided daily to every animal or bird in sufficient quantity to maintain at all times a potable supply available to such bird or animal.
 - (7) Animals and birds shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or bird kept in the said pet shop.
 - (8) Light in the premises shall be sufficient to permit observation of all birds and animals kept there.
 - (9) Each cage containing birds shall be of sufficient size and dimensions to enable all birds to have sufficient perch space to permit full extension of their wings in every direction.
 - (10) All cages, tanks, containers or other enclosures in which animals or birds 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 safeguards to prevent extreme environmental changes and to prevent undue direct physical contact with such birds or animals by the general public.
 - (11) No more than 20 budgerigars or canaries or 25 finches, nor any combination of more than 25 such birds, shall be contained in a single cage with dimensions smaller than 76.2 centimetres (30 inches) by 40.6 centimetres (16 inches) by 78.7 centimetres(30 inches).
 - (12) No more than 15 budgerigars or canaries or 20 finches nor any combination of more than 20 such birds shall be contained in a single cage with dimensions smaller than 61 centimetres (24 inches) by 35.6 centimetres (14 inches) by 61 centimetres (24 inches).
 - (13) Appropriate steps will be taken for the protection of the animals or birds in case of fire.
 - (14) A suitable exercise area for animals shall be provided and shall be kept in a safe and sanitary condition. **(Added by By-law # 51-2008, March 31, 2008)**

4. The keeper shall ensure that all persons responsible for the care, feeding or cleaning of birds or animals are adequately instructed and supervised in the handling and care of all such birds and animals.
5. No keeper shall:
 - (1) Keep his or her stock of animals or birds in crowded quarters or cages.
 - (2) Sell any diseased animal or bird. The following shall deem an animal unfit for sale or release:
 - (a) Obvious signs of infectious diseases such as distemper, hepatitis, leptospirosis, rabies, or other similar diseases.
 - (b) Obvious signs of nutritional deficiencies, including rickets or emaciation.
 - (c) Obvious signs of severe parasitism severe enough to be influencing the general health of the animal.
 - (d) Obvious fractures or congenital abnormalities affecting the general health of the animal.
 - (3) Display any animal or bird in a shop or display window except at the rear of such window out of draughts and rays of the sun.
 - (4) Sell or keep for sale any wild animal or bird or reptile.
6. Every keeper shall ensure that any animal or bird indicating signs of sickness or disease is examined and appropriately treated within 24 hours of the onset of illness by a veterinarian or other qualified person experienced in the care and treatment of the species concerned and that such animal or bird is kept in a quarantine area, separate from all other birds and animals until such illness has been cured.
7. No keeper shall sell, permit to be sold, offer for sale or give away any mammal before it has reached the normal weaning age, based on known requirements of that particular species.
8. Incompatible animals of different species shall not be confined or displayed in the same cage.
9. Whenever a keeper sells or otherwise disposes of a dog or cat, he or she shall give to the purchaser a receipt showing the name and address of the vendor and the purchaser, the date of the sale, the sale price, and the breed or cross-breed, sex, age and description, including colour and placing of markings, if any, of the dog or cat, and an up-to-date certificate of health from a veterinarian with respect to such dog or cat.
10. Register concerning dogs to be kept as follows:
 - (1) Every keeper shall keep a register in which shall be entered in the English language, written in ink, in a plain, legible hand, a record of each dog and cat purchased or

otherwise obtained. Each entry shall be made at the time each dog or cat comes into such keeper's possession, and shall include, in addition to the date of a purchase, a full description of the dog or cat, together with the name, address and description of the person from whom it was purchased or otherwise obtained. The keeper shall retain the register in respect of each such transaction for the period of 12 months thereafter. **(Amended by By-law #51-2008, March 31, 2008)**

- (2) Every keeper shall ensure that the aforesaid register is not mutilated or destroyed and shall keep it open to inspection by the Licence Commissioner, at all times during business hours and shall make it available to be removed at any time for inspection or for use in the courts, if necessary. The keeper shall not be responsible for neglecting to make the necessary entries in the said register while it is removed from his or her premises for this reason.
11. Every keeper shall make every reasonable effort to obtain the name, address and description of anyone offering him or her any dog or cat which he or she has cause or reason to suspect has been stolen or otherwise unlawfully obtained, and he or she shall report the facts promptly to the nearest police station. **(Amended by By-law #51-2008, March 31, 2008)**
12. The Medical Officer of Health or his or her designate, the Licence Commissioner and any other person authorized by the Commissioner or his or her designate may inspect any shop or place where animals or birds for use as pets are sold or kept for sale.
 - (1) Prior to the issuance or renewal of any licence under this Schedule, the Licence Commissioner or his or her designate shall inspect the shop or place where animals or birds for use as pets are sold or kept for sale and shall complete an Inspection Form, in the form and manner specified by the Licence Commissioner, which shall part form of the licence application or licence renewal application. **(Added by By-law #51-2008, March 31, 2008)**
13. A keeper shall ensure that whenever he or she is absent from the pet shop or from the part of the premises used for the keeping or housing of animals or birds, during the business hours of such shop, there is an attendant in charge of and responsible for the care and safe keeping of his or her pet stock.
14. No keeper shall:
 - (1) Sell or permit the sale of any dyed chick or other dyed live poultry;
 - (2) Sell or permit the sale of any chick, duckling or other live poultry in quantities fewer than 12 per sale; or
 - (3) Sell, give away or otherwise dispose of any chick, duckling or other live poultry as a bonus to a sale of, or as part of a sale of, any other goods, products or services.
15. Every Pet Shop in which exotic animals are kept shall provide a sign, clearly visible to the general public, stating that such exotic animals are for display purposes only and are not for sale. The said sign shall be affixed to the cage or enclosure in which the exotic animal is kept, or if such is not practical, the sign shall be within the immediate proximity of the said cage or enclosure.

16. No keeper shall sell a prohibited dog as defined in the Dog Control By-law.
17. Every licensee of a Pet Shop must enter into a written agreement with at least one Veterinarian to facilitate emergency veterinary treatment and humane euthanasia of any animals kept for sale or display by the Pet Shop, and any such agreement must be made available to the Licence Commissioner, or his or her designate, upon request. **(Added by By-law #51-2008, March 31, 2008)**
18. Where the Windsor Essex County Humane Society places an order on the premises of a Pet Shop or makes a finding of an animal in distress at a Pet Shop and provides such information to the Licence Commissioner, the Licence Commissioner shall provide a report of such information to the Licensing Commission and shall recommend the suspension or revocation of the Pet Shop Licence, in accordance with the procedures set out in Section 3 of By-law 395-2004. **(Added by By-law #51-2008, March 31, 2008)**