Animal Justice
CANADA LEGISLATIVE FUND

April 27, 2022

Winnipeg City Council
510 Main Street
Winnipeg, MB R3B 1B9

Via email

Dear Mayor and Councillors,

Re: Responsible Pet Ownership By-law Phase 2 Review

Please accept the enclosed comments regarding the Report of the Standing Committee on Protection, Community Services, and Parks (the "**Standing Committee**") with regard to "Further Proposed Responsible Pet Ownership Bylaw Amendments". These comments are submitted on behalf of Animal Justice – Canada's leading national animal law organization. Animal Justice gives animals a voice in courtrooms across the country and works with all levels of government to strengthen legal protections for animals. We are a national organization headquartered in Toronto with a staff lawyer in Winnipeg.

The recommendations contained in this section of the Standing Committee's report address recommendations made by Animal Services through the second phase of its review of Winnipeg's Responsible Pet Ownership Bylaw ("**RPO Bylaw**"). For the reasons set out below, we urge this Committee to:

a) Concur with the Standing Committee's recommendations 1 and 2, which would eliminate Winnipeg's outdated pit bull ban and replace it with strong, breed-neutral tools to promote responsible dog guardianship.
b) Reject the Standing Committee's recommendations 3, which would direct the Winnipeg Public Service to report ack in 365 days regarding a proposed chicken-keeping pilot project in Winnipeg.
c) Reject the Standing Committee's recommendation to delete recommendation 5 contained in the report by Animal Services. Recommendation 5 sought a one year extension for Animal Services to report back with recommendations to improve regulation of exotic animal ownership. Deleting this recommendation, as three members of the Standing Committee have recommended, would have the effect of unreasonably and prematurely stopping the ongoing review of the RPO Bylaw provisions related to exotic animals despite this very Standing Committee having directed that review to take place less than one year ago. Nothing has changed in the past year to suggest that the review is unwarranted. Indeed, the Winnipeg Humane Society, Animal Services, local veterinarians and other experts have been clear that there are serious problems with the current Bylaw. Animal

Services should be permitted to make informed recommendations to the Standing Committee on this topic.

A) Stopping the ongoing review on the keeping of exotic animals is premature, unreasonable, and dangerous

i) The Standing Committee should not reverse course mid-way through the review

Over the nearly 10 years since the RPO Bylaw came into force, local animal shelters, veterinarians, Bylaw enforcement officials and others have identified key areas in which the law should be strengthened. This includes the need to improve the Bylaw's provisions dealing with both the types of exotic animals that can be kept in Winnipeggers' homes, as well as its lack of restrictions on the number of such animals that can be kept.[1]

The impacts of Winnipeg's failure to adequately regulate exotic animal ownership are generally kept out of public view. Even when they're kept by the dozens, hundreds, or even thousands, rats, lizards, snakes and other small animals are generally kept in cages or tanks indoors on private property. As veterinarian Dr. Jonas Watson put it in his testimony before the Executive Policy Committee, it is all too easy to neglect these animals to death without anyone, including law enforcement authorities, noticing. The Winnipeg Humane Society did provide photographs to the Executive Policy Committee showing some of the horrific situations its enforcement officers have encountered, including thousands of rats in a home being bred to serve as feeder animals, tiny drawers full of lizards and snakes, rows of filthy cages in Winnipeggers' basements, and unhealthy and neglected exotic birds. These photographs are enclosed.

On May 10, 2020, the Standing Committee directed the public service to review and report back on a review of the RPO Bylaw that was to include a review of:

1. Current use of animal traps within the City of Winnipeg;
2. Public education on "wild-proofing" and co-existence techniques to minimize conflicts with urban wildlife;
3. Promoting responsible dog guardianship with breed-neutral enforcement tools and requirements;
4. Strengthening spay and neuter requirements as well as oversight of cat and dog breeders; and
5. Strengthening the RPO Bylaw as it pertains to exotic animal ownership, including to mitigate the impacts of pet hoarding and to prevent "illegal disreputable trade of exotic animals."

[1] See, e.g. https://www.winnipegfreepress.com/local/pet-peeves-574392442.html.

Animal Services released its proposed ideas for the RPO Bylaw review in August 21. With respect to the keeping of exotic animals, the proposals highlighted the following issues:

- Exotic animals are either taken from the wild or born in captivity;
- Exotic animals experience a different quality of life in captivity versus in the wild;
- There are currently no limits like dog and cats, which can lead to hoarding; and
- Stray exotic animals require law enforcement resources.

While there are differing perspectives when it comes to how to address these four issues, the fact remains that these issues are as pressing and true today as they were when the review began. Nothing has changed that would make this part of the review any less pressing or necessary. Those who sell or keep exotic animals in Winnipeg have consistently expressed the view that the current system is working well. From the perspective of selling and keeping exotic animals, and even collecting them, this is true – the current system places few restrictions on these practices and is undoubtedly working well for the exotic pet industry.

However, those who are concerned about the impacts of exotic animals on our local environment;[2] who have to deal first hand with the repercussions of the flaws in the current Bylaw when it comes to both the types of animals that can be kept in Winnipeg and the lack of restrictions on the number of exotic animals that an individual can keep;[3] or who are concerned about the impacts of the exotic pet trade on ecosystems and wildlife worldwide,[4] have been clear that the current Bylaw is weak and outdated. These concerns were the basis for the Standing Committee's decision to initiate this review and they remain relevant today.

Reviewing the RPO Bylaw's provisions on exotic animals is also consistent with the sensibilities of Winnipeggers, an increasing percentage of whom are concerned about the ownership of exotic animals. Polling conducted by Nanos Research shows that 67% of Winnipeg residents are opposed to capturing, breeding, and trading wild animals for the exotic pet industry.[5] Residents support the adoption of many of the criteria being suggested by Animal Services – for instance, 78% are opposed to the keeping of exotic animals whose environmental conditions cannot be replicated in captivity, 74% are opposed to keeping wide-ranging animals who travel long distances in the wild, and 75% are opposed to keeping exotic animals that are potentially dangerous to humans.

On December 7, 2021 the Standing Committee voted to recommend that Animal Services be granted an extension of time for providing recommendations on the issues of exotic

[2] See, e.g. correspondence from Canadian Wildlife Federation to the Committees below.
[3] See, e.g. Animal Services public consultation materials referenced below as well as presentations to the Executive Policy Committee from the Winnipeg Humane Society and local veterinarian Dr. Jonas Watson.
[4] See, e.g. correspondence and presentation to the Executive Policy Committee from World Animal Protection.
[5] The results of this polling are enclosed.

animal ownership and responsible dog guardianship. This recommendation was moved by Councillor Nason and passed with the unanimous support of the Standing Committee members.

The first phase of recommendations were presented to the Standing Committee on January 14, 2022. The next day, Animal Services launched an online questionnaire about the second phase of the RPO Bylaw review. The Standing Committee also recommended that the public service review and report back within 120 days on the issue of urban chicken keeping as part of phase two of the review and Council concurred in this recommendation on January 27, 2022. This issue was not on the table during the August-September public consultation process took place.

When the agency's report and recommendations on phase two of the review were released on April 5, 2022, they did not contain recommendations on the issue of exotic animals. The agency instead requested a further one year extension "to allow for more research to be conducted." The agency did not suggest that there was no longer a need for that aspect of the review.

Nonetheless, at the Standing Committee's April 11, 2022 meeting, Councillor Eadie moved that the recommendation to have Animal Service report back on exotic animal ownership in one year be deleted and Councillors Chambers and Nason voted in support of this motion. Animal Services was not asked to present to the Standing Committee and was given no opportunity to weigh in on this proposal to scrap its ongoing work focused on exotic animal ownership. Councillor Rollins noted her opposition to the motion to delete recommendation 5 and emphasized the need for the public service's work on this aspect of the review to continue.

With due respect, this move by the majority of the Standing Committee to put an abrupt and premature end to the review of the RPO Bylaw as it pertains to exotic animals is short-sighted, dangerous, and completely unjustified. Council directed the public service to undertake this review because of concerns with the Bylaw that have serious implications for animals, public health and safety, and our environment.

Council does not have to agree with the recommendations that are ultimately put forward by Animal Services, but it should not disregard the months of work that have already gone into the review and prevent that agency from proceeding with the review as requested. Animal Services should not be barred from providing information that would allow Council to make an informed decision about whether or not amendments are necessary.

ii) The RPO Bylaw is Failing Exotic Animals

Approximately 1.4 million exotic animals are kept as pets in Canada, with approximately 82, 102 of these animals kept in Manitoba and Saskatchewan.[6] Thousands of species of animals are legally traded live around the world, many as part of the exotic pet trade. A significant percentage die in cramped conditions in transport without access to food, water, and fresh air, while those who survive will generally spend their lives in people's homes or private zoos. Up to 75% of pet snakes, lizards, and tortoises die within their first year in a home.[7]

As our understanding of animals' behaviours and biological, psychological, and social needs evolves, it is increasingly clear that many species of animals are not well-suited to life in captivity.[8] Animals whose basic biological, social, and psychological needs cannot be adequately met in captivity should simply not be allowed to be kept in people's homes.

Exotic pet traders often market exotic species as "easy to keep", though research suggests that traders and people who keep exotic animals are often uninformed about their biology and natural behaviours.[9] The global trade of wildlife causes immense suffering to animals around the world, including many here in Winnipeg.

While many exotic animals who escape confinement or are released into the wild will die, others can also wreak havoc on local ecosystems. For instance, red-eared slider turtles are commonly kept as pets. They can grow to be 33cm long and can live for more than 25 years in captivity, leading many to be released into the local environment when their human guardians are no longer willing to care for them. They can establish themselves in the wild and adversely affect native turtle populations.[10] Exotic animals can also present serious disease risks to native wildlife species. For these reasons, the Canadian Wildlife Federation has written to City officials to express the organization's support for improving the regulation of exotic animal ownership in Winnipeg.

Global demand for exotic pets is a major driver of the global wildlife trade, and the exotic pet trade is a key threat to many species' survival. Over five million animals listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("**CITES**") were imported into Canada directly from the wild between 2007 and 2017.[11]

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[6] World Animal Protection, "Risky Business: the unregulated exotic pet trade in Canada" (2019) at p.6 ["**Risky Business**"].
[7] https://www.worldanimalprotection.ca/our-work/animals-wild/wildlife-not-pets
[8] See, e.g. David J. Mellor, "Updating Animal Welfare Thinking: Moving beyond the "Five Freedoms" towards a "A Life Worth Living", Animals 2016, 6(3), 21, online: https://www.mdpi.com/2076-2615/6/3/21; Rachel A. Grant et al, "ExNOTic: Should We Be Keeping Exotic Pets?", Animals 2017, 7(6), 47, online: https://www.mdpi.com/2076-2615/7/6/47.
[9] See, e.g. Clifford Warwick et al., "Exotic pet suitability: Understanding some problems and using a labeling system to aid animal welfare, environment, and consumer protection" Journal of Veterinary Beh., Vol 26 (2018) pp17-26, online: https://www.sciencedirect.com/science/article/pii/S1558787818300364.
[10] See, e.g. https://stonewallvetclinic.com/news/invasive-species-awareness-day?accessible=0.
[11] Risky Business at p17.

Many exotic animals sold as pets in Winnipeg are captive-bred, but it is important to note that many exotic animals are bred in intensive conditions that risk their psychological and physical wellbeing. Even when born in captivity, exotic animals are wild and not domesticated animals. Furthermore, captive breeding serves to sustain demand for exotic pets, fueling the continued market demand that results in animals being taken from the wild.

Finally, approximately 25% of the global exotic pet trade is illegal, and animals marketed as captive-bred may actually be wild-caught.[12] Regardless of how exotic pets are sourced, many are not well-suited to life in captivity given their complex biological and social needs. Wild animals belong in the wild.

Winnipeg's current "negative list" sets out the types of animals that cannot be kept in the city, allowing all others to be kept by default regardless of their unique characteristics. The current negative list includes a significant number of mammals species but it does not include approximately 10,000 species of reptiles – including nearly 4,000 snakes, 7,000+ lizards, and 360 turtle species – 8,000 species of amphibians, and 9,000+ species of birds, including most of the world's 390+ parrot species.

Unlike dogs and cats, there are no limits on how many exotic animals individuals can keep in their homes in Winnipeg.

In addition to looking at restrictions on numbers, Animal Services was tasked with the job of determining whether the existing negative list should be strengthened or whether Winnipeg should consider adopting a positive list instead, whereby the RPO Bylaw would list the types of exotic animals allowed in the city. Positive lists are simpler, less expensive to enforce, and more effective than negative lists. Because they are more concise and easier to understand, they promote an efficient and effective, evidence-based regulatory regime. Additionally, rather than placing the onus on the City to address problems retroactively, a positive list puts the onus on the pet industry or others who wish to keep particular kinds of animals to prove, in advance, that they satisfy the listing criteria, including that the keeping, breeding, and sale of a given type of animal is safe and does not have an unacceptable, negative impact on the public, animals, or the environment. This can in turn reduce nuisance complaints as well as enforcement costs incurred by animal protection law enforcement authorities. Because of these benefits, an increasing number of jurisdictions in Canada and around the world are adopting positive list approaches.

Inadequate regulation of the exotic pet trade comes with an enormous cost to animals as well as to local animal shelters – which rely on charitable contributions and public funding to do their important work. Local shelters receive large numbers of exotic animals, including ball pythons, African grey parrots, lovebirds, sugar gliders, and turtles. Despite many guardians' best intentions, these animals are difficult and expensive to look after, and some have extremely long life expectancies. For these very reasons, shelters

[12] Warwick et al, "Exotic pet suitability: Understanding some problems and using a labeling system to aid animal welfare, environment and consumer protection" (2018, Journal of Veterinary Behavior, Vol 26).

often have difficulty finding suitable placements for exotic animals and are left caring for the animals for lengthy periods of time and may even need to euthanize many of them.[13] Again, allowing the exotic pet trade to run rampant offloads many very real costs onto the charitable and volunteer sector.

B) Urban chicken-keeping poses serious risks to animal welfare and public health

Animal Justice urges Council to reject the recommendation to consider an urban chicken keeping pilot program in Winnipeg next year. As explained below, the proposed urban chicken pilot project would pose serious risks to animal welfare and public health and consume significant public resources that could otherwise be used to protect other animals in the city.

a) Animal welfare concerns

Lack of standards and oversight

An overarching problem with the recommendations put forward by Animal Services is their lack of detail, including on key issues such as coop design standards and the type of training that project participants would need to undergo. Furthermore, though we had understood that Animal Services intended to inspect each coop (and follow up as necessary to bring non-complaint coops up to standard), we are alarmed that this requirement is not included in the recommendations provided to the Standing Committee. Instead, those recommendations stated only that participants would need to "agree to unannounced inspections." At the very least, much more detail will be required when the City considers this proposal next year and there should be a clear requirement that Animal Services will inspect all coops to ensure compliance with whatever standards are ultimately development.

Exposure to predators and other wildlife

Winnipeg is home to a variety of wildlife including foxes, coyotes, raccoons, skunks, birds of prey, rabbits, mice, and rats. It is also home to many domesticated cats and dogs. Many of these animals prey on chickens, particularly if they are not kept in predator-proof structures. The presence of chickens alone may not necessarily attract animals, but the sounds they make, their diet, and the waste they produce can.[14]

The recommendations put forward to the Standing Committee by Animal Services contained no details about coop standards or predator-proofing, making it difficult to assess how these risks would be mitigated. Even if the city mandates that coops be regularly cleaned and meet specific size and security requirements, these measures

[13] Risky Business at p10.
[14] See: https://extension.usu.edu/news_sections/agriculture_and_natural_resources/rodent-chicken

alone, particularly without consistent and routine oversight and enforcement, cannot prevent potential conflict with undesired animals in or around backyard coops.

Numerous factors, such as natural deterioration of coops leading to predator access, inconsistent or inadequate cleaning, or simple happenstance of a predator being in the area prior to cleaning an enclosure or when food was recently served, all may lead to a conflict with chickens and/or other animals. For example, predators attracted by chickens may also kill, injure or cause stress to companion animals like cats and dogs who are let outside. Human/wildlife conflict may also occur while attempting to shoo predators away, possibly leading to an avoidable injury to the human or the wild animal.

In Ajax, plans for a potential backyard-chicken allowance were recently put to a halt on account of, among other things, a staff report concluding that the program could "exacerbate existing issues of great concern to residents, such as vermin and pests, especially rats." Backyard chicken-keeping has been tied to an increase in the number of rodents in the past.[15] The Ajax report also predicted "an increase in wildlife concerns arising from the attraction of skunks, racoons, and predatory wildlife such as foxes and coyotes."[16]

Abandonment or killing of chickens

Due to numerous factors, chickens kept in urban settings are frequently abandoned, euthanized, sent to slaughter, or rehomed to animal shelters, sanctuaries, or farms. While people may be well intentioned when they decide to set up a backyard chicken coop, they often find themselves unwilling or unable to care for these animals, who can live to be more than 12 years old, but whose egg laying capacity often declines relatively early on in life. Other challenges, such as the cost of food, the cost of building and maintaining adequate coops, a lack of available or affordable veterinary care, restrictive space requirements, an inability to provide the labour required, noise, mess, challenges arising from winter weather and other extreme weather conditions, or attracting unwanted pests all may prompt an owner to decide that they no longer want to keep their flock. This has led to hens being abandoned at increasing rates,[17] and could prospectively lead to owners opting to have their flock slaughtered or euthanized.

Abandoned chickens are often taken in by shelters, sanctuaries, and rescue groups who work tirelessly to care for them, clean up after them, and nurse them back to health despite being psychically and financially overburdened as it is.[18]

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[15] See e.g.: https://www.cbc.ca/news/canada/nova-scotia/suburban-rural-halifax-residents-now-allowed-to-keep-hens-1.6201099

[16] See: https://www.thestar.com/local-ajax/news/2022/01/31/no-harm-no-fowl-plans-halted-for-potential-backyard-chickens-in-ajax.html

[17] See: https://ottawa.ctvnews.ca/calls-to-ottawa-bylaw-for-loose-chickens-more-than-double-from-pre-pandemic-levels-1.5637656

[18] See: https://globalnews.ca/news/5244523/montreal-spca-abandoned-chickens/. See also the written comments of the Montreal SPCA provided to the Executive Policy Committee (enclosed).

Lack of available veterinary care

Veterinarians in urban centres generally do not specialize in treating chickens, who are typically not found in cities. The lack of veterinary expertise in cities is a huge problem when it comes to backyard chicken keeping. Just like other companion animals, chickens need specialized regular care and an urgent care option in the event of an emergency. If backyard hens are allowed in Winnipeg, the stark reality is that there simply are not enough vets to ensure proper care and to prevent and treat injuries and disease. The recommendation for those participating in the program to obtain a "letter of support" from a veterinarian will not adequately address this problem.

Killing of male chicks or roosters

Unlike their female counterparts, male chickens cannot lay eggs and are thus considered a byproduct of the egg industry. Millions of male chicks are killed each year in Canadian hatcheries, typically by being ground up alive.[19] By allowing hens to be kept in the City of Winnipeg (to the exclusion of roosters), Winnipeggers would be further contributing to this cruel cycle of killing male chicks and exploiting hens as egg-layers. In the event that one of these unwanted male chicks slips through the cracks and ends up being kept by someone who believes them to be a hen in the city (something documented on numerous occasions in jurisdictions including Ontario and Montreal), the rooster may be subject to seizure, slaughter, or abandonment, or may require rehoming at an already overburdened rescue facility.

Winter weather

Winnipeg is known for its extreme winter weather. Even in warmer climates (e.g. Toronto) individuals have noted that an inability to properly protect backyard chickens from extreme cold has been a reason for their decision to rehome their flock. Animal Services will need to inspect and oversee all coops to ensure there is adequate space and heat to keep chickens comfortable even during extended periods of freezing temperatures such as those experienced in the region in recent months.

b) Further overburdening shelter and rescue groups

When chickens are surrendered, abandoned, or seized by authorities, it often falls to animal rescue groups and sanctuaries to care for them. This added burden comes with significant costs for these organizations, which are typically volunteer-run charities and nonprofits that receive little to no government funding. Rescues must devote time and resources to caring for these animals. Chicken rescue organizations are already

[19] See: https://canadahatchery.mercyforanimals.org/

overwhelmed and overburdened,[20] and permitting further urban chicken-keeping further exacerbates this challenging situation.

In Ontario, sanctuary owners have reported receiving regular calls from Torontonians looking to rehome unwanted, injured, or unwell chickens (some of whom are admittedly likely being kept illegally). Sanctuary owners have also reported that many of chickens have also been found abandoned by owners (or, alternatively, "at large" after having escaped their enclosures) and in various states and conditions, including many in poor health or suffering from injuries. Responding to inquiries from individuals seeking a home for their unwanted chickens and to incidents of abandoned or escaped chickens places a significant emotional and financial burden on farmed sanctuary owners.

Any move to allow the keeping of chickens in Winnipeg will inevitably lead to more animals being surrendered to shelters and sanctuaries, and an even greater burden on these facilities. This is why a number of rescue groups and sanctuaries located across Manitoba and Canada wrote to the Committees below to oppose this project.

We recommend at the very least that the City engage in targeted consultation with local rescue groups and sanctuaries to get a sense of their capacity to take in unwanted chickens and to hear their perspective on this proposal before allowing such a project to proceed.

c) Health and disease risk

Chickens are susceptible to diseases that can cause serious illness and even death both to wild and kept birds. The viruses and bacteria that chickens can carry can also infect people. According to the Centers for Disease Control and Prevention ("**CDC**"), backyard chickens may carry bird flu (avian influenza), E. coli, and Salmonella bacteria, among several other diseases.[21] These diseases are typically spread through the droppings of infected chickens, contaminated food, or the environment that they're kept in – and animals often show no signs of infection. In 2020, the CDC reported salmonella outbreaks linked to backyard birds in all 50 US states, resulting in the hospitalization of 333 people (with 24% of ill people being children under five).[22] As of November 2021, 237 individuals had been hospitalized across 48 U.S. states in 2021.

Even more recently, in Canada, cases of avian influenza have been reported rapidly spreading through Newfoundlanders' and Ontarians' backyard coops and to wild animals.[23] In Nova Scotia, 12,000 turkeys were recently killed at a commercial facility as a result of the spread of the disease, notably following cases discovered in backyard

[20] See: https://globalnews.ca/news/5244523/montreal-spca-abandoned-chickens/
[21] See: https://www.cdc.gov/healthypets/pets/farm-animals/backyard-poultry.html
[22] See: https://www.cdc.gov/salmonella/backyardpoultry-05-20/index.html
[23] See: https://www.cbc.ca/news/canada/newfoundland-labrador/avian-flu-spread-newfoundland-1.6310954

coops and in wild geese.[24] Avian flu (the deadly and highly infections H5N1 strain) has been found in Ontario, Quebec, Saskatchewan, and Minnesota, and many other U.S. states in recent months. Not surprisingly, it has been found in Manitoba as well. Allowing that virus to continue to spread poses serious risks to wild and farmed birds and introduces the risk of mutations that could result in a new zoonotic disease capable of infecting humans. For these reasons, Canadian infectious disease specialist Dr. Jan Hajek wrote to the Committees to oppose the project (see enclosed).

Despite these risks, there are no details in the recommendations made by Animal Services regarding how disease spread would be prevented. While requiring certain measures to reduce disease transmission risks – such as coop cleanliness requirements, prompt disposal of dead animals, and timely waste management – would be beneficial, we note that these measures alone cannot prevent the inevitable spread of disease between wild animals, backyard hens, and even humans. This is especially true given the limited physical and financial capacity of City officials to consistently inspect and enforce the requirements of sanitary backyard hen ownership at all sites. The simple fact remains that increasing the number of backyard coops in Winnipeg[25] would increase the risk of disease transmission.

d) The program is not a pragmatic way of addressing food insecurity and food sovereignty

Despite the above-noted animal welfare concerns, proponents of backyard hen-keeping often suggest that this practice has significant merit in that it can be used as a tool to combat food insecurity for low-income families. Although in certain rare cases this practice may help address food insecurity, the unfortunate reality is that setting up and maintaining a coop is too expensive of an alternative for most individuals who struggle with food security.

According to data from Toronto, since the introduction of an urban chicken program in that city, the average cost of setting up a compliant chicken coop is $1,022.95. This figure is prohibitive for most, if not all, low-income households who struggle with food insecurity. This issue is compounded by prospective additional costs such as feeding the hens a proper diet and providing regular and emergency veterinary check-ups for the hens. In many cases, individuals would have to travel outside of the city for specialty care for these animals at an increased cost to them. Moreover, many people do not have adequate outdoor space to raise hens. Low-income households are often renters in smaller spaces, like apartment buildings, and would not be allowed to engage in hen-keeping as a result of space requirements.

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[24] See: https://www.cbc.ca/news/canada/nova-scotia/avian-influenza-bird-flu-nova-scotia-commercial-turkey-barn-1.6339576

[25] We are aware of the practical reality that some chickens are already kept in the city despite the RPO Bylaw prohibition.

Many consumers are concerned about the treatment of farmed animals and do not want to purchase products that come from factory farms where animals are kept tightly confined and subjected to a range of harmful practices. Animal Justice appreciates these concerns. Nonetheless, the above-noted welfare problems, in addition to the various financial, space, and enforcement requirements that come part and parcel with hen-keeping make this practice an untenable alternative in the City of Winnipeg. These added barriers and costs make hen-keeping a less attractive option for the City to promote when compared to a practice like encouraging community or household gardening. Individuals with smaller spaces and lower income can actively engage in these practices at a significantly lower cost and with a substantially lower time commitment.

e) Conclusion and recommendations

In light of the above-noted concerns, Animal Justice urges Council to reject the recommendation to establish an urban chicken-keeping pilot project in Winnipeg. If Council concurs with the proposal to have staff report back next year on the proposed pilot project, we recommend at the very least that it require further detail at that time regarding standards pertaining to housing, space, sanitary standards, educational requirements for participants, and disease risks mitigation prior to approving any such program. There are a number of serious and fundamentally important questions that warrant due consideration before such a project is approved regarding the amount of public resources required to oversee the program and the burden it will place on local animal shelters and sanctuaries. There were few public consultation opportunities regarding the urban chicken keeping proposal so it does not appear that information about animal welfare and public health risks posed by the project have been adequately considered at this time.[26]

We also recommend that the City closely examine the financial implications of such a program, in light of the oversight that will be needed on the part of Animal Services, in addition to staff training on chicken keeping both in terms of welfare and disease risks, as well as the need for the city to respond to inevitable noise, animal welfare, and "pest" complaints that will be made by neighbours and other residents. While a pilot project may seem like a small undertaking, it will be challenging to eliminate the project and rehome all birds in the event that it is not a success.

C) Removing Winnipeg's Ban on Pit Bull Type Dogs

Animal Justice supports the Standing Committee's proposal to eliminate the ban on pit bulls and pit bull-type dogs. Although the rationale behind the ban is to improve public

[26] The multiple choice survey posted in January included only 2-3 extremely high level questions about chicken-keeping and no background information. We appreciated the opportunity to attend the public meeting on this topic in February but are concerned that there was a relatively narrow group invited, mostly representing jurisdictions supportive of urban chicken-keeping.

safety, the truth is that breed bans are unscientific, ineffective, and extremely dangerous for dogs – putting them at risk of being killed or removed from the province simply because of how they look. Breed bans target animals based on appearance, regardless of their history of behaviour, and ignore the fact that any dog can become aggressive if they are raised or cared for improperly, regardless of their genetic background.

Because breed bans fail to address irresponsible dog guardianship, they generally do not reduce the amount or severity of dog bites. For instance, dog bites actually increased in Toronto after 10 years of its pit bull breed ban.[27] A survey of 36 municipalities by the Toronto Humane Society found that breed bans made no difference when it comes to the number of dog bites that occur.[28]

Animal Justice urges Winnipeg to approve the recommendation made by Animal Services to eliminate the city's ban on pit bulls and pit bull type dogs and instead improve public safety through a community-based approach that includes licensing for pets, spay and neuter programs, public education campaigns promoting responsible dog guardianship and educating children on safe interactions with dogs, and tools to address dangerous dogs and irresponsible guardians. The City should consider an approach similar to Calgary, which has been extremely successful at reducing the number and severity of dog bites and thus truly protecting dogs and public safety.

D) Protecting Companion Animals from Neglect and Mistreatment

As noted above, the most effective way to regulate dog guardianship to ensure community safety is to address the problem of irresponsible guardianship. Creating the proposed system of categories for animals kept by irresponsible guardians would allow City officials to proactively address risks to community safety, as well as animal health and well-being. That said, Animal Justice is concerned about the proposal to remove appeal options for dogs designated "Dangerous" or "Exceptionally Dangerous". Animal Justice requests that the City ensure that the RPO Bylaw provides procedural fairness for dogs subject to these categories and enable independent experts to assess animals to ensure their interests are protected to the extent possible.

E) Conclusion

Animal Justice commends the City and Animal Services on its thorough and progressive proposals to protect the health and well-being of companion animals and wildlife, though we urge Winnipeg not to move forward on its proposed urban chicken program or to abandon its efforts to improve regulation of exotic animal ownership. Animal Justice would be pleased to provide further information or to assist staff in any way as they continue this important work.

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[27] https://globalnews.ca/news/2527882/torontos-pit-bulls-are-almost-gone-so-why-are-there-more-dog-bites-than-ever/

[28] https://www.torontohumanesociety.com/wp-content/uploads/2021/08/Breed-Specific-Legislation-BSL.pdf

Yours truly,



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