



# Staff Report to Council

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**DATE:** Tuesday, February 20, 2024

**DEPARTMENT:** Bylaw and Enforcement

**SUBJECT:** Animal Control Contract Amendment

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## **EXECUTIVE SUMMARY:**

Langford's Animal Control Services provider (the CRD) is requesting an amendment be made to the current Animal Control Services Agreement which will transfer costs for certain civil enforcement remedies over to Langford when outside legal counsel is utilized. The financial impact on the City is expected to be minimal based upon historical trends. The CRD will continue to use their in-house legal counsel except where outside counsel is absolutely necessary including court applications.

## **BACKGROUND:**

Since Langford's incorporation in 1992, the Capital Regional District has reliably provided animal control services to our residents on a contractual basis. Throughout this period, Council has recognized the arrangement as being more cost effective than an in-house solution, given the obligations of maintaining infrastructure (kennel), equipment and specially trained staff. The current June 25, 2021, contract provides for one-year renewals with fixed costs indicated for each period. The last of these renewals expires June 30, 2026. A comparison was made in early 2021 between the CRD and the only other provider for this service within the region, and projected costs demonstrated that the CRD provides a better value to the residents of Langford.

## **COMMENTARY:**

The CRD is asking for an amendment to the Animal Control Contract to have Langford cover the costs of future Court prosecutions or other civil remedies when authorized in writing, or by way of a resolution of Council. The amendment includes that the CRD will use best efforts to avoid or minimize such legal costs where possible, and to use trained staff (including in-house legal counsel) when reasonable to do so.

Without the proposed amendment, CRD enforcement costs are included in the contract amount. The CRD believes, and staff agree, that the current contract costs are sufficient to cover regular enforcement but do not include a sufficient contingency to cover legal costs in the event of a dangerous dog action. Rather than including such a contingency in the contract costs in future

renewals, staff are recommending that this cost be separated out and be paid only on an as needed basis. While this change will put potential financial risk on the City, staff believe it is minimal based on historical information. The CRD have advised that 2010 was the last year funds were needed to backstop legal action on Langford's behalf under the Animal Control Bylaw and this agreement. At that time legal fees amounted to \$1,200.

In concert with this request for the amendment, the CRD is also requesting that Langford update our existing Animal Control Bylaw to align with legislative changes and thereby further reduce the potential need for elevated levels of legal action and associated costs in the future. Staff are presently reviewing the Animal Control Bylaw to address this.

**FINANCIAL IMPLICATIONS:**

Based on historical data, it appears that Langford's financial exposure is limited. By advancing steps to review and update the Animal Control Bylaw in 2024, it is anticipated such exposure will be better controlled.

**LEGAL IMPLICATIONS:**

No significant legal implications are anticipated currently.

**STRATEGIC PLAN INITIATIVES:**

Langford's support of the Animal Control Bylaw, including the education aspects and its enforcement, confirms a better quality of life for residents and our visitors by ensuring responsible pet ownership and the neighbourhood safety which extends from that.

**OPTIONS:**

**Option 1**

THAT Council approve the CON21-0036 Animal Control Services Agreement contract amendment as attached to this report and authorize the Mayor and Chief Administrative Officer, or Corporate Officer, to execute the agreement.

AND

Direct staff to bring forward amendments the current Animal Control Bylaw for consideration by Council.

**OR Option 2**

THAT Council not approve the CON21-0036 Animal Control Services Agreement contract amendment as

attached to this report.

**SUBMITTED BY: Lorne Fletcher, Manager, Community Safety & Municipal Enforcement**

**Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development

**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities

**Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works

**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Marie Watmough, Deputy Director of Corporate Services

**Concurrence:** Braden Hutchins, Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachment: CON21-0036 Animal Control Services Agreement Contract Amendment