



Cetaceans in Vancouver Parks By-law Amendment

Regular Board Meeting
Monday, May 15, 2017



To report back on the recommended by-law amendments to address cetaceans in Vancouver Parks as directed by the Board.

- Motion titled “Cetaceans at the Vancouver Aquarium” referred to staff on January 23, 2017.
- Staff report back at Special Board meeting March 8 included 4 options to address cetaceans at the Aquarium.
- 44 speakers were heard over 2 nights, including presentations from the Vancouver Aquarium.

- On March 9, 2017 the Board introduced and unanimously carried the following motion:

THAT the Vancouver Board of Parks and Recreation direct staff to bring forward for enactment by the Board an amendment to the Parks Control By-law to prohibit the importation and display of live cetaceans in Vancouver parks and report back not later than May 15, 2017.

- In-camera meeting held on March 27, 2017 to canvas the board regarding intentions for existing cetaceans and obtain legal advice.

Parks Control By-laws set the conditions under which cetaceans are kept :

9. (e) No person shall bring into any park or keep or otherwise maintain in any park any aquatic mammal of the Cetacean order including, but not limited to, baleen whales, narwhals, dolphins, porpoises, killer whales and beluga whales, which has been captured or otherwise taken from its natural wild habitat, except that this prohibition shall not apply to:
- i) captive cetaceans caught from the wild prior to September 16, 1996, and cetaceans born into captivity at any time;
 - ii) cetaceans which are already being kept or maintained in a park as of September 16, 1996;
 - iii) a member of an endangered Cetacean species, provided that approval for bringing it into a park has first been obtained from the Park Board; and
 - iv) an animal that has been injured or is otherwise in distress, and in need of assistance to survive or rehabilitation, whether or not the intention is to release it back into its natural wild habitat.

Proposed By-law Amendments:

1. The definition for “*cetacean*” to be moved to the main definitions section.
2. That “*no person shall bring a cetacean into a park*”.
3. That “*no person shall keep a cetacean in a park*”, except for “*cetaceans already in a park*” as of the date of enactment.
4. That “*no person shall produce or present in a park a show, performance, or other form of entertainment, which includes one or more cetaceans*”.

- A. THAT the Vancouver Park Board approve the repeal and replacement of the sections of the Parks Control by-law regarding the importation and display of live cetaceans in Vancouver parks as set out in Appendix A of this report;
- B. THAT the Director of Legal Services be instructed to immediately bring forward a by-law for enactment by the Board generally in accordance with Appendix A.