

Animal Services Appeal Committee Minutes
October 20, 2021 – 3:00 PM
Virtual Meeting

Present: C. Blissett, Member
E. Holt, Member
K. Langille, Member
J. McCalla, Chair

Also Present: K. Novia, Supervisor, By-law and Animal Services
B. Hollinger, Animal Services Officer
H. Ellis, Council & Committee Coordinator (Recording Secretary)

Regrets: None noted

1. Call to Order

- 1.1 K. Novia, Supervisor of By-law and Animal Services, addressed the appellants and introduced the Committee. Ms. Novia outlined the authority of the Animal Services Appeal Committee and explained that the Committee has the ability to confirm Orders to Restrain, modify or rescind them.

2. Appointment of Chair

- 2.1 The Committee was advised that the appointment for the Chair of the Animal Services Appeal Committee for the remainder of the January 1, 2021 to December 31, 2021 term would take place at this time.

Heather Ellis called for nominations for the position of Chair of the Animal Services Appeal Committee.

Evan Holt nominated Jenelle McCalla for the position of Chair.

Jenelle McCalla accepted the nomination.

There were no further nominations and the nominations were closed.

Recommendation:

Moved By E. Holt

That Jenelle McCalla be appointed Chair of the Animal Services Appeal Committee for a term ending December 31, 2021.

Carried

3. Disclosures of Interest

3.1 There were no disclosures of interest.

4. Appeal Hearing

4.1 Appeal of Order to Restrain a Dog
55 Downey Drive
Appeal # ASA 21-03

B. Hollinger, Animal Services Officer, provided an overview of what led to the issuance of the Order to Restrain for 55 Downey Drive on August 31, 2021. Ms. Hollinger stated that the incident occurred at the front door of the appellant's property. Ms. Hollinger advised that a muzzle order was not included on the Order as she believed this was a one-time incident based on the interactions between the appellant's wife and a neighbour. Ms. Hollinger stated that there had been previous complaints that the dog was running at large in the neighbourhood. Ms. Hollinger recommended that the Committee confirm the order.

A question and answer period ensued between the Committee and Ms. Hollinger regarding:

- why there was no muzzling order issued with the Order; and,
- whether complaints that the appellant's dog was running at large on multiple occasions had been confirmed.

N. Cowley, the appellant, appeared before the Committee. Mr. Cowley provided an overview of the behavioural history of the dog. Mr. Cowley stated that the dog had never displayed any aggressive behaviour, and that there were no previous incidents involving his dog while visiting dog parks. Mr. Cowley further stated that the dog no longer had access to the front porch to avoid the dog from running at large. Mr. Cowley requested that the Order be rescinded.

A question and answer period ensued between the Committee and Mr. Cowley regarding:

- what component of the Order the appellant would like rescinded; and,
- whether the appellant had attended behavioural classes with his dog.

M. Howe, witness for the appellant, appeared before the Committee. Ms. Howe advised that she was employed by the appellant as his dog walker and has walked the dog in many different environments. Ms. Howe stated that she had never witnessed aggressive behaviour from the dog and does not feel the dog should be banned from off-leash dog parks.

The Committee requested final statements from the Animal Services Officer and the appellant which included:

- clarifying the two metre leash requirement;
- a request to confirm the Order by the Animal Services Officer; and,
- a request by the appellant to modify the Order to allow the dog to visit off-leash dog parks.

The Committee excused the appellant, M. Howe, K. Novia, and B. Hollinger from the virtual meeting at 3:31 p.m. and reviewed the matter. The appellant, M. Howe, K. Novia, and B. Hollinger returned to the virtual meeting at 3:37 p.m.

Recommendation:

Moved By K. Langille

That the Order to Restrain a Dog for 55 Downey Drive be confirmed.

Carried

4.2 Appeal of Order to Restrain a Dog
14 Hialeah Crescent
Appeal # ASA 21-04

B. Hollinger, Animal Services Officer, provided an overview of what led to the issuance of the Order to Restrain for 14 Hialeah Crescent on September 28, 2021. Ms. Hollinger stated that the complainant was bit by the appellant's dog while visiting the appellant's home. Ms. Hollinger recommended that the Committee confirm the order.

A brief question and answer period ensued between the Committee and Ms. Hollinger regarding why the muzzling order was recommended.

D. Mclellan, the appellant, appeared before the Committee and provided an overview of the dog's history. Mr. Mclellan advised that although he did not witness the event, the complainant, who entered onto the backyard of the property, was not known to the appellant. Mr. Mclellan

stated that this was the first incident with the dog. Mr. Mclellan requested that the Order be rescinded.

The Committee requested final statements from the Animal Services Officer and the appellant which included:

- a request to confirm the Order by the Animal Services Officer; and,
- a request by the appellant to modify the Order to remove the muzzling order.

The Committee excused the appellant, K. Novia, and B. Hollinger from the virtual meeting at 3:47 p.m. and reviewed the matter. The appellant, K. Novia, and B. Hollinger returned to the virtual meeting at 3:50 p.m.

Recommendation:

Moved By E. Holt

That the Order to Restrain a Dog for 14 Hialeah Crescent be modified to remove the order to muzzle the dog.

Carried

5. Adjournment

5.1 Motion to Adjourn

Recommendation:

Moved By Carleen Blissett

That the meeting adjourn.

Carried

The meeting adjourned at 3:51 p.m.