

Animal Services Appeal Committee Minutes
October 9, 2019 – 3:00 PM
Committee Room One
Whitby Town Hall

Present: C. Blissett, Chair
J. Herzog-Evans, Member
K. Langille, Member
W. Nunn, Member
S. O'Dwyer, Member

Also Present: J. Bartlett, Animal Services Officer
S. Gibb, Animal Services Officer
S. Ure, Senior Municipal Law Enforcement Officer
A. Gratton, Staff Liaison, Manager of Enforcement Services
H. Oerlemans, Council & Committee Coordinator (Recording Secretary)

Regrets: None noted

1. Call to Order

1.1 The meeting was called to order at 3:10 p.m.

2. Disclosures of Interest

2.1 There were no disclosures of interest.

3. Appeal Hearing

3.1 Appeal of Order to Restrain a Dog
1 Fallingbrook Street, Whitby ON
Appeal # ASA 19-03

A. Gratton, Manager of Enforcement Services, introduced the Committee and outlined the authority of the Animal Services Appeal Committee. He explained that the Committee has the authority to confirm, modify or rescind Orders to Restrain.

S. Gibb, Animal Services Officer, appeared before the Committee and provided an overview of the circumstances that led him to issue the Order. S. Gibb advised that a teenager had skateboarded past a large black dog and was attacked which resulted in a bite on the boy's side

abdomen. S. Gibb advised that neither witnesses nor the dog owner were present at the time the incident was reported which led to an investigation to locate the dog and the dog's owner.

S. Gibb advised that the investigation included the boy's guardian identifying the dog and owner while canvassing the neighbourhood. A Google search by an Animal Services Officer was used to confirm the residence of the appellant.

T. Ostan, the appellant, appeared before the Committee and provided a history of dog's temperament and walking practices. T. Ostan advised that he had owned large dog breeds for over 30 years and that the dog had received obedience training, was well socialized for large crowds and had no history of aggression. T. Ostan further advised that he walked the dog only in the evenings during weekdays and did not witness an attack or altercation at any time while walking the dog.

A question and answer period ensued between T. Ostan and the Committee regarding details of the incident including:

- the amount of time that had passed between the incident and the dog being identified by the victim;
- the time of day that the incident occurred; and,
- the age and health of the dog and the impact of muzzling on the quality of life of the dog.

The Committee excused the appellant, J. Bartlett, S. Gibb, A. Gratton and S. Ure from the room at 3:53 p.m. and reviewed the matter. The appellant, J. Bartlett, S. Gibb, A. Gratton and S. Ure returned to the meeting at 4:00 p.m.

Recommendation:

Moved By W. Nunn

That the Order to Restrain the dog residing at 1 Fallingbrook Street be rescinded.

Carried

3.2 Appeal of Order to Restrain a Dog
121 Brownridge Place, Whitby ON
Appeal # ASA 19-04

A. Gratton, Manager of Enforcement Services, introduced the Committee and outlined the authority of the Animal Services Appeal

Committee. He explained that the Committee has the authority to confirm, modify or rescind Orders to Restrain.

S. Gibb, Animal Services Officer, appeared before the Committee and provided an overview of the circumstances that let him to issue the Order. S. Gibb advised that the dog had allegedly caused injury to another dog, which resulted in approximately \$800 in veterinarian bills.

Mr. Singh and Mr. Kumaraverl, the appellants, appeared before the Committee to request that their dog not be required to wear a muzzle. Mr. Kumaraverl advised that on the day of the incident his dog ran out the front door while a guest was entering the house. He advised that this was when the altercation occurred. Mr. Kumaraverl further advised that there had been no prior incidents and that the dog was always walked on a leash.

The Committee excused the appellants, S. Gibb, A. Gratton and S. Ure from the room at 4:14 p.m. and reviewed the matter. The appellants, S. Gibb, A. Gratton and S. Ure returned to the meeting at 4:18 p.m.

Recommendation:

Moved By S. O'Dwyer

That the Order to Restrain the dog residing at 121 Brownridge Place be modified to remove the condition of the Order regarding the muzzle requirement.

Carried

3.3 Appeal of Orders to Restrain Dogs
14 Berkshire Drive, Whitby ON
Appeal # ASA 19-05

A. Gratton, Manager of Enforcement Services, introduced the Committee and outlined the authority of the Animal Services Appeal Committee. He explained that the Committee has the authority to confirm, modify or rescind Orders to Restrain.

J. Bartlett, Animal Services Officer, appeared before the Committee and provided an overview of the circumstances that led him to issue the Orders. J. Bartlett advised that a neighbour's cat had been killed by the dogs while resting on its owner's front yard.

Ms. Missaghian and Ms. Skupek, the appellants, appeared before the Committee to request that the female dog, Reina, not be required to

wear a muzzle. Ms. Missaghian acknowledged that the male dog, Norton, was involved in the altercation.

The Committee excused the appellants, J. Bartlett, A. Gratton and S. Ure from the room at 4:33 p.m. and reviewed the matter. The appellants, J. Bartlett, A. Gratton and S. Ure returned to the meeting at 4:38 p.m.

Recommendation:

Moved By K. Langille

That the Orders to Restrain the dogs residing at 14 Berkshire Drive be confirmed.

4. Adjournment

4.1 Motion to Adjourn

Recommendation:

Moved By J. Herzog-Evans

That the meeting adjourn.

Carried

The meeting adjourned at 4:47 p.m.

Secretary, Animal Services Appeal
Committee