
*For the Sixth Meeting of the Hearing Committee
to be held on **Wednesday, January 20, 2010**
in Committee Room C-12, Tom Davies Square at **4:00 p.m.***

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

HEARINGS

1. Report dated November 4, 2009 from the General Manager of Growth & Development regarding Vicious Dog 1 - 3
(RECOMMENDATION PREPARED)

ADJOURNMENT (RECOMMENDATION PREPARED)

HEARING COMMITTEE MEMBERS

Councillor Jacques Barbeau, Chair
Councillor Evelyn Dutrisac, Vice-Chair
Councillor Claude Berthiaume
Councillor André Rivest
Councillor Russ Thompson

DISTRIBUTION

Mayor and Members of Council
Doug Nadorozny
Senior Management Team
Eric Labelle
Brian Gutjahr
Brian Bigger
Angie Haché

Angie Haché
City Clerk

Franca Bortolussi
Council Secretary

Request for Recommendation Hearing Committee



Type of Decision									
Meeting Date	January 20, 2010				Report Date	November 4, 2009			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input type="checkbox"/>	High	<input checked="" type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Appeal of Vicious Dog Notice

Policy Implications + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified

There is no financial impact resulting from this report

Background attached

Recommendation

THAT the Hearing Committee uphold the decision of the Registrar

Recommendation attached

Recommended by the Department Head

Bill Lautenbach
 Bill Lautenbach
 General Manager of Growth & Development

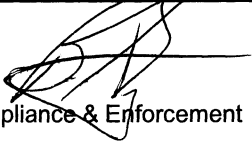
Recommended by the C.A.O.

Doug Nadorozny
 Doug Nadorozny
 Chief Administrative Officer

Date: November 4, 2009

Report Authored By

Bryan Gutjahr
Manager of Compliance & Enforcement



Division Review

Bryan Gutjahr
Manager of Compliance & Enforcement



BACKGROUND

The Animal Control By-Law 2002-285 for the City of Greater Sudbury was passed by Council to regulate the muzzling, leashing and the running at large of dogs and other animals. This by-law also designates the Manager of By-Law Enforcement as the Registrar who is authorized to administer and enforce the by-law.

Contained within the by-law is Part VIII which addresses vicious dogs. The provisions of Part VIII, in particular Section 21 (1) states that:

“No owner of a dog shall permit his or her dog to attack without provocation or to bite a person or domestic animal.

AND FURTHER; Section 21 (2)

“Where the Registrar is informed upon written complaint, and is satisfied that a dog has attacked without provocation or bitten a person or domestic animal, and has further been provided with satisfactory evidence as to the name and address of the owner of the dog, the Registrar shall serve notice on the owner of the dog that the dog is deemed to be a vicious dog and requiring the owner to comply with any or all of the requirements set out in Subsections 21 (4) and 21 (5)

On October 6, 2009, the Registrar did receive written complaints from individuals who had been attacked or bitten by a German Shephard dog by the name of Titan and owned by Boris and Paula Naneff who reside at 16 Donnelly Drive, Garson, Ontario.

After reviewing the written complaints and speaking to one of the complainants, the Registrar was satisfied that this particular dog (Titan) had in fact attacked and bitten, without provocation, persons in the area of Donnelly Drive in Garson.

As such, on October 7, 2009, the Registrar sent a vicious dog notice to the owners of this particular dog. The vicious dog notice contained the requirements as set out in Section 21 (4) and 21 (5) of the by-law with regard to the muzzling of the vicious dog.

By-Law 2002-285 also contained provisions that allows for an appeal of the decision of the Registrar. The owners of the dog have decided to exercise their right of appeal.

