



THE CORPORATION OF  
HALDIMAND COUNTY

## SPECIAL COUNCIL AGENDA

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**DATE:** August 31, 2015

**TIME:** 4:00 P.M.

**PLACE:** Haldimand County Central Administration Building, Council Chambers

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**Page**

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. DISCLOSURES OF PECUNIARY INTEREST**

**D. NEW BUSINESS**

1. To conduct a hearing with respect to Appeal of Notice to Muzzle

**(a) Notice of Hearing and Supporting Documentation**

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| 1  | 1) Welland and District Humane Society Incident # 10006, Dangerous Dog Appeal Brief |
| 12 | 2) Letter of Appeal dated June 11, 2015 from Appellants, Phil and Renata LeRoux     |
| 13 | 3) Notice of Hearing dated August 19, 2015  |
| 14 | 4) Haldimand County Animal Control By-law 1396/13                                   |

**(b) Hearing Procedure**

- 1) Overview of hearing procedure – Randy Charlton, Manager, Building & By-law Enforcement
- 2) Randy Charlton – Presenter of Facts
- 3) Statement and Evidence of Animal Control Officer, John Hoadley with Respect to Service of the Muzzle Order
- 4) Questions from Staff, the Appellant and Council
- 5) Presentation from the Witness, Robert Bennett
- 6) Questions from Staff, the Appellant and Council
- 7) Presentation from the Appellant, Phil LeRoux
- 8) Questions from Staff and Council
- 9) Summation by the Appellant
- 10) Recommendation – Randy Charlton

**(c) Council Deliberation**

The *Appeal Committee* shall have regard to the following matters where relevant, as may be raised at a hearing:

- 1) This by-law, the Dog Owner's Liability Act and any other applicable law;
- 2) the *dog's* past and/or present temperament and behaviour;
- 3) the seriousness of the injuries caused by the bite(s) or attack;
- 4) unusual contributing circumstances or *mitigating factor(s)* tending to justify the *dog's* action;
- 5) the likelihood that a similar attack will be repeated;
- 6) the *dog's* physical potential for inflicting harm;
- 7) precautions taken by the *owner* to preclude similar attacks in the future;
- 8) the seriousness of convictions under this by-law; and
- 9) the steps taken by the *owner* to comply with the by-law and avoid further violations.

**(d) Decision**

Upon conclusion of the Hearing, having considered all of the matters in the Haldimand County Animal Control By-law Section 114, Council shall make a decision:

- 1) that the dog has bitten or attacked a person or animal or has not bitten or attacked a person or domestic animal
- 2) to order the dog to be muzzled
- 3) to modify the muzzle order in some manner
- 4) to quash the order to muzzle
- 5) to impose conditions in addition to any license or muzzle order (available under section 124 of By-law 1369/13).

**E. CLOSED SESSION (IF NECESSARY)**

**F. CONFIRMING BY-LAW**

- 40            1. A by-law to confirm the proceedings of Council of The Corporation of Haldimand County

**G. ADJOURNMENT**