

Restricted Dog Enforcement Procedure – Upon Conviction

#13145

Description:

This policy and procedure describes enforcement steps to be taken upon a dog being deemed Restricted by way of conviction under the Animal Licensing and Control Bylaw.

Rationale:

Dogs that have a demonstrated history of attacking other animal or people, either with or without injury, represent a public safety risk. For this reason it is important that the sections of the Animal Licensing and Control Bylaw 13145 which regulate Restricted Dogs are enforced in a timely and consistent manner.

Policy and Procedure:

1. Dogs convicted of one attack causing injury or two attacks not causing injury, as detailed in Section 2(o)(iii) and (iv) of the Animal Licensing and Control Bylaw, are deemed to be Restricted Dogs.
2. If a conviction is by way of the voluntary payment of a Violation Ticket, notification will be provided to the Animal Control Unit by the Provincial Law Courts, advising of the conviction.
3. Upon receipt of this information, the Animal Control Administrative Assistant will check the ticket number to get a POSSE job number. This information will then be given to the Field Supervisor responsible, via email, for investigation.
4. If a conviction has been registered at the conclusion of a trial, the Investigating Officer will ensure that conviction information is forwarded to the Supervisor responsible, via email, for investigation.
5. Information to be forwarded to the Supervisor responsible will include:
 - Dog owner name and residential address
 - Dog name, breed and gender
 - All related POSSE job numbers including Licence account number and Dog Attack jobs
 - Any other related information that the Officer feels may be relevant to assist in the investigation.
6. With this information, the Supervisor will:
 - Ensure that the “Restricted Dog Notification Letter” is mailed out within 7 days of notification of the conviction
 - Create a POSSE investigation job and ensure that an inspection to ensure compliance with the Restricted Dog regulations is initiated within 4 weeks of the letter being mailed.
 - Will work with the dog owner to achieve compliance or ensure that the appropriate enforcement action is taken with respect to continued non-compliance.

7. Once compliance has been achieved the file will be concluded.
8. The Field Supervisor will be responsible to investigate any subsequent complaints of non-compliance in accordance with established investigation policies and procedures.
9. If Compliance is not achieved progressive enforcement action will be initiated.
10. Progressive enforcement action may include the issuance of penalty fines for offences followed by the issuance of a mandatory court appearance summons for subsequent offences. Continuing offences may also be dealt with by way of other enforcement mechanisms which could include Dangerous Dog Act orders, court compliance orders or Municipal Government Act orders.

Trouble Shooting Notes:

1. Aggravating or mitigating circumstances may require departure from established policy and procedure.