

# BYLAW NO. 424-19

## PART 6 – AGGRESSIVE DOG DESIGNATION

30. The Chief Administrative Officer may declare a Dog to be an Aggressive Dog if the Chief Administrative Officer has reasonable grounds to believe, either through personal observation or on the basis of facts determined after an investigation of a complaint, that the Dog:
- a. has a known propensity, tendency, or disposition to threaten, attack, chase or bite other Animals or humans;
  - b. has inflicted a Severe Injury upon another Animal or human;
  - c. has been the subject of an order or direction of a Justice or Judge, pursuant to the Dangerous Dogs Act; or
  - d. is a continuing threat of serious harm to any human or other Animal.

The CAO may also have regard to Dr. Ian Dunbar’s Dog Bite Scale as attached in *Schedule “E”* to this Bylaw, in making this determination.

31. In addition to the criteria enumerated above, the Chief Administrative Officer may take into consideration the following circumstances when designating an Aggressive Dog:
- a. any aggravating factors, and
  - b. in consultation with or on the advice of a veterinarian or other animal health professional.
32. Where the Chief Administrative Officer determines that a Dog is an Aggressive Dog, the Chief Administrative Officer shall:
- a. serve the Owner with a written notice that the Dog has been declared to be an Aggressive Dog;
  - b. direct the Owner to keep the Aggressive Dog in accordance with the provisions of Part 9 of this Bylaw, and provide the Owner with a time limit for compliance;
  - c. inform the Owner that, if the Aggressive Dog is not kept in accordance with Part 9, the Owner may be fined, or subject to enforcement action pursuant to this Bylaw; and
  - d. display at each entrance to the Owner’s property and on the locked pen or structure in which the Aggressive Dog is confined, clear and visible signs, as specified in the Schedule “B” of this Bylaw.
33. The Owner of a Dog declared an Aggressive Dog may, within fourteen (14) days of receiving written notice of the declaration, request in writing and upon payment of the fee as set out in Schedule A to this Bylaw that the declaration be reviewed by Council. Council is not obligated to conduct an oral hearing of the review and may instead conduct the review based on written material provided by the Chief Administrative Officer and the Owner.
34. Upon a request to review pursuant to section 32, Council may:
- a. uphold the declaration of the Dog as an Aggressive Dog;
  - b. reverse the decision of the Chief Administrative Officer and deem that the Dog is not an Aggressive Dog; or
  - c. may uphold the declaration of the Dog as an Aggressive Dog and vary the conditions of harbouring the Dog within the Town.
35. The decision of Council shall be provided to the Owner in writing within fourteen (14) days of Council conducting the review and may be served personally or by registered mail on the Owner, at the address for the Owner’s property.