



**GEORGINA**

**THE CORPORATION OF THE  
TOWN OF GEORGINA  
Appeals Committee (Aggressive/Dangerous Dogs) Agenda**

Monday, November 25, 2024

7:00 PM

**Pages**

**1. CALL TO ORDER**

The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands and we join them in these responsibilities.

**2. APPOINTMENT OF CHAIR**

**3. DECLARATION OF PECUNIARY INTEREST**

**4. EXPLANATION OF MEETING PROCEDURE**

**5. INTRODUCTION OF ADDENDUM ITEM(S)**

**6. APPROVAL OF AGENDA**

**7. REQUESTS FOR DEFERRAL OR WITHDRAWAL**

**8. AGGRESSIVE/DANGEROUS DOG APPEALS**

3

8.1 Aggressive/Dangerous Dog Appeal 23-3489

11

Owner - Andrew McCarthy, located at 57 Blue Jay Boulevard, Pefferlaw.

Requesting appeal for Dangerous Dog Order issued for "Lincoln".

**9. ADOPTION OF MINUTES**

9.1 Minutes of the meeting held on October 24, 2024.

25

9.2 Minutes of the meeting held on October 28, 2024.

28

**10. OTHER BUSINESS**

**11. NEXT MEETING**

November 28, 2024 at 7:00pm

**12. MOTION TO ADJOURN**

THE CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK

**BY-LAW NUMBER 2008-0138 (REG-1)**

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BEING A BY-LAW TO PROVIDE FOR THE CONTROL OF  
AGGRESSIVE/DANGEROUS DOGS IN THE TOWN OF GEORGINA

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WHEREAS Clause 6 of Section 11(2) of the Municipal Act 2001, as amended, authorizes a lower tier municipality to pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS Clause 8 of Section 11(2) of the Municipal Act 2001, as amended, authorizes a lower tier municipality to pass by-laws respecting the protection of persons and property;

AND WHEREAS Clause 9 of Section 11(3) of the Municipal Act 2001, as amended, authorizes a lower tier municipality to pass by-laws respecting animals.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF  
THE TOWN OF GEORGINA ENACTS AS FOLLOWS:

1.0 **DEFINITIONS:**

In this by-law,

- 1.1 "aggressive dog" means a dog that individually or in the accompaniment of another dog(s) chases or approaches a person or domestic animal in such a manner that the person or domestic animal owner has reasonable grounds to believe that they or their domestic animal is in imminent danger, including but not limited to, hostile behaviour or incident such as growling or snarling at a person or domestic animal.
- 1.2 "Aggressive/Dangerous Dog Declaration" means a signed declaration in the form attached hereto as Schedule "A", attested to and completed in its entirety by a witness who actually saw aggressive or dangerous dog behaviour or incident.
- 1.3 "Aggressive/Dangerous Dog Order" means an order in the form attached hereto as Schedule "B", designating the dog as aggressive or dangerous and requiring the dog to be muzzled and restrained in accordance with this by-law.
- 1.4 "Animal Control Supervisor" means a person appointed as such by the Town or their designate.
- 1.5 "Appeal Committee" means a committee comprised of three (3) persons appointed by Town Council.
- 1.6 "at large" means being found, while not under control by the dog owner, any place other than the premises of the dog owner.
- 1.7 "Chief Municipal Law Enforcement Officer" means a person appointed as such by the Town or their designate.
- 1.8 "dangerous dog" means a dog that, either individually or in the accompaniment of another dog(s):
  - (a) has, in the absence of any mitigating factor, attacked, bitten, or caused injury to a person; or
  - (b) has, in the absence of any mitigating factor, injured a domestic animal; or

- (c) having previously been designated as an "aggressive dog", is kept or permitted to be kept in violation of the requirements as set in Section 3.1 of this by-law.
- 1.9 "dog owner" means a person who owns, possesses, harbours or has permanent or temporary possession of a dog, and where the owner is a minor, the person responsible for the custody of the minor.
- 1.10 "domestic animal" means a horse, dog or any other animal that is kept under human control or by habit or training lives in association with human beings and in compliance with the by-law regulating and prohibiting the keeping of animals other than dogs.
- 1.11 "microchip implant" means an electronic device implanted under the skin of a dog whereby the animal can be identified by local authorities.
- 1.12 "mitigating factor" means a circumstance that excuses dangerous behaviour of a dog and, without limiting the generality of the foregoing, may include:
  - (a) aggressive behaviour while acting in defence of an attack by a person or domestic animal; or
  - (b) aggressive behaviour while acting in defence of its young or reacting to a person or domestic animal trespassing on the property of its owner; or
  - (c) aggressive behaviour resulting from being teased, provoked or tormented.
- 1.13 "muzzle" means a humane fastening or covering device of adequate strength and design, suitable to the breed of dog, that fits over the mouth of a dog, that can not be removed by the dog, so as to prevent the dog from biting or attacking a person or domestic animal.
- 1.14 "police work dog" means a dog trained for and actually engaged in law enforcement for the police or other person duly appointed as a peace officer.
- 1.15 "property owner" means the person(s) currently listed as such on the assessment roll of the town.
- 1.16 "Town" means the Corporation of the Town of Georgina.
- 1.17 "Town Clerk" means a person appointed as such or their designate.
- 1.18 "trespassing" means the uninvited, unwelcome or unauthorized entering onto another person's property without permission of the owner or without lawful authority.

2.0 **GENERAL PROVISIONS:**

2.1 **Aggressive or Dangerous Dog Designation**

- (a) Upon receipt of an Aggressive/Dangerous Dog Declaration, the Chief Municipal Law Enforcement Officer, being satisfied that grounds exist, shall designate the dog in question as an aggressive or dangerous dog.

- (b) If feasible, within 5 days of receipt of the aforementioned declaration, the Chief Municipal Law Enforcement Officer shall cause personal service and/or the registered mailing of the Aggressive/Dangerous Dog Order to the dog owner. A copy of the Order shall also be forwarded to the property owner, if applicable.
- (c) Where a dog has been designated as aggressive or dangerous the dog owner may request a hearing before the Appeal Committee as required by Section 105 of the Municipal Act 2001, as amended. The hearing request must be in writing and received by the Chief Municipal Law Enforcement Officer within 30 days of issuance of the Aggressive/Dangerous Dog Order.
- (d) Upon receipt of the appeal request and payment of the required appeal hearing fee, the Chief Municipal Law Enforcement Officer shall convene a meeting of the Appeal Committee and shall give the dog owner, the property owner, if applicable, and witness(s) to the aggressive or dangerous dog incident 7 days written notice by personal service and/or registered mail of the date, time and location of the appeal.
- (e) Notwithstanding that a dog owner has requested an appeal before the Appeal Committee, Sections 3.1 (a), (b), (c), and (d)(i) of the Aggressive/Dangerous Dog By-law remain in effect until the Appeal Committee has rendered its decision or the expiration of 30 days from the issuance date of the Order.
- (f) The Appeal Committee shall be governed by the Statutory Powers Procedure Act as amended.
- (g) The applicant and any other interested person may appear at the appeal hearing to present evidence relating to the dog in question.
- (h) If the dog owner fails to attend at the proper time and place, the Appeal Committee may proceed with the appeal hearing in his or her absence and the applicant shall not be entitled to any further notice of the proceeding.
- (i) The Appeal Committee shall deliberate the merits of the evidence presented and shall render a decision at the appeal hearing or shall reserve the decision to be presented later, not more than 10 days from the date of the appeal hearing.
- (j) The Appeal Committee may confirm the Aggressive/Dangerous Dog Order or exempt the dog owner from any or all restrictions of the Order.
- (k) The decision of the Appeal Committee is final and binding.

- (l) A written decision of the Appeal Committee shall be prepared as soon as practical following the conclusion of the appeal hearing and a copy shall be sent by regular mail to the dog owner, the property owner, if applicable, and to the Aggressive/Dangerous Dog Declaration witness(s) at their last known address, and also to York Regional Police, York Region Health Services, the Animal Control Supervisor, the Chief Municipal Law Enforcement Officer, Town Council members, Appeal Committee members and the Town Clerk.

### 3.0 GENERAL PROHIBITIONS

#### 3.1 Designated Aggressive Dog Restrictions

Every owner of an aggressive dog shall:

- (a) License the dog annually with the Town in accordance with the by-law providing for the licensing of dogs.
- (b) Not allow the dog to be at large.
- (c) Restrain the dog when off the property as follows:
  - (i) fitted with a muzzle as defined; and
  - (ii) fitted with a leash, not more than 1.83 metres (6') in length, properly secured to a collar or harness, all of which are strong enough to prevent the dog from breaking away, and
  - (iii) controlled by a person not less than 16 years of age.
- (d) Restrain the dog when on the property as follows:
  - (i) inside the dog owner's dwelling; or
  - (ii) within a yard that is entirely enclosed by a fence not less than 1.83 metres (6') high equipped with a lockable self closing, self latching gate that can not be opened from the outside by a child less than 10 years of age and constructed so as to prevent the dog from escaping.
- (e) Infix the dog with a microchip implant.
- (f) Sterilize the dog before the age of 6 months or within 30 days of the dog being designated as aggressive. The dog owner shall provide proof of sterilization immediately upon request of the Chief Municipal Law Enforcement Officer.
- (g) Display "Beware of Dog(s)" warning signs, in a conspicuous place, at all entrances to the property indicating the presence of an aggressive dog.
- (h) Comply with the terms of the Aggressive/Dangerous Dog Order as amended.

#### 3.2 Designated Dangerous Dog Restrictions

Every owner of a dangerous dog shall:

- (a) Comply with all restrictions as noted in Section 3.1 of this by-law.

- (b) In addition to the yard fencing requirements noted in Section 3.1(d)(ii), keep the Dangerous Dog fitted with a muzzle, as defined, at all times when not secured within the dog owner's dwelling.
- (c) Produce proof of liability insurance coverage in the amount of not less than \$25,000, to the Chief Municipal Law Enforcement Officer, for any injuries to a person or domestic animal caused by the Dangerous Dog.
- (d) Surrender the Dangerous Dog to the Town animal shelter for humane euthanasia when the dog owner is unable or unwilling to meet the requirements of this by-law.

4.0 EXEMPTIONS:

4.1 This by-law shall not apply to a police work dog.

5.0 ENFORCEMENT:

5.1 The provisions of this by-law shall be enforced by a Municipal Law Enforcement Officer.

5.2 In accordance with Section 436 of the Municipal Act 2001, as amended, a Municipal Law Enforcement Officer may enter property to determine if the terms of this by-law are being met.

6.0 PENALTIES:

6.1 Every person who contravenes any of the provisions of this by-law, upon conviction, is guilty of an offence and is liable to a fine pursuant to the Provincial Offences Act, as amended.

7.0 REPEALS:

7.1 By-law 2007-0102 (REG-1) is hereby repealed.

READ a first, second and third time and passed on this 15<sup>th</sup> day of December, 2008.

  
Robert Grossi, Mayor

  
Roland Chenier, Town Clerk

**AGGRESSIVE/DANGEROUS DOG DECLARATION**

**Dog Owner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Description of Dog**

Name of dog: \_\_\_\_\_ Dog tag no. \_\_\_\_\_

Breed of dog: \_\_\_\_\_

Dog colour/description: \_\_\_\_\_

\_\_\_\_\_

Rabies tag no. \_\_\_\_\_ Microchip implant no. \_\_\_\_\_

**Incident Details**

Address: \_\_\_\_\_

Location on property: \_\_\_\_\_

-or-

Location on street: \_\_\_\_\_

Details of incident: \_\_\_\_\_

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Date of incident: \_\_\_\_\_ Time of incident: \_\_\_\_\_ am / pm

Name of witness: \_\_\_\_\_ Phone: \_\_\_\_\_

print name of actual witness to the incident

Address of witness: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Chief Municipal Law Enforcement Officer or Designate



**AGGRESSIVE/DANGEROUS DOG ORDER**

To:

Address:

Description of dog

Name:

Breed:

Colour/Description:

Dog tag no.

Rabies tag no.

Microchip implant no.

The corporation of the Town of Georgina is in receipt of a Declaration duly executed by the Chief Municipal Law Enforcement Officer pursuant to Section 2.1 (a) of By-law No. 2008-0138 (REG-1), stating that the dog described above, on the day of \_\_\_\_\_, 20\_\_\_\_, did

In accordance with Section 2.1 of By-law No. 2008-0138 (REG-1) the dog described above is hereby declared as Aggressive Dangerous

As such, in accordance with Section 3.1 of By-law No. 2008-0138 (REG-1), you are hereby ordered to:

- (a) License the dog annually with the Town in accordance with the by-law providing for the licensing of dogs.
- (b) Not allow the dog to be at large.
- (c) Restrain the dog when off the property as follows:
  - (i) fitted with a muzzle as defined, and
  - (ii) fitted with a leash, not more than 1.83 metres (6') in length, properly secured to a collar or harness, all of which are strong enough to prevent the dog from breaking away, and
  - (iii) controlled by a person not less than 16 years of age.
- (d) Restrain the dog when on the property as follows:
  - (i) inside the dog owner's dwelling; or
  - (ii) within a yard that is entirely enclosed by a fence not less than 1.83 metres (6') high equipped with a lockable self closing, self latching gate that can not be opened from the outside by a child less than 10 years of age and constructed so as to prevent the dog from escaping.
- (e) Infix the dog with a microchip implant.
- (f) Sterilize the dog before the age of 6 months or within 30 days of being designated as aggressive. The dog owner shall provide proof of sterilization immediately upon request of the Chief Municipal Law Enforcement Officer.
- (g) Display "Beware of Dog" warning signs, in a conspicuous place, at all entrances to the property indicating the presence of an aggressive dog.
- (h) Comply with the terms of the Aggressive/Dangerous Dog Order as amended.

**Furthermore, if your dog has been declared Dangerous, in accordance with Section 3.2 of By-law 2008-0138 (REG-1), you are also hereby ordered to:**

- (a) Comply with all restrictions as noted in Section 3.1 of By-law No. 2008-0138 (REG-1).
- (b) In addition to the yard fencing requirements noted in Section 3.1(d)(ii), keep the Dangerous Dog filled with a muzzle, as defined, when not secured within the dog owner's dwelling.
- (c) Produce proof of liability insurance in the amount of not less than \$25,000, to the Chief Municipal Law Enforcement Officer, for any injuries to a person or domestic animal caused by the Dangerous Dog.
- (d) Surrender the Dangerous Dog to the Town animal shelter for humane euthanasia when the owner is unable or unwilling to meet the requirements of this by-law.

**Request for a hearing before the Appeal Committee**

In accordance with Section 2.1(c) of By-law No. 2008-0138 (REG-1), you may request a hearing before the Appeal Committee by submitting a written request, but such request must be received by the Town within 30 days of the date of this order. A cheque or money order in the amount of \$100.00 made payable to the "Town of Georgina" must accompany the appeal request. The appeal request must be addressed to the Town of Georgina, attention to the Chief Municipal Law Enforcement Officer, 26557 Civic Centre Road, Keswick, ON, L4P 3G1.

**Take notice that, notwithstanding that a dog owner has requested an appeal before the Appeal Committee, Sections 3.1 (a), (b), (c), and (d)(i) of the Aggressive/Dangerous Dog By-law remain in effect until the Appeal Committee has rendered its decision or the expiration of 30 days from the issuance date of this Order.**

**This Order is duly served in accordance with Section 2.1(b) of By-law No. 2008-0138 (REG-1) on this     day of     , 20 .**

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Chief Municipal Law Enforcement Officer or Designate

# Appeal “23-3489”

## Lincoln

**AGGRESSIVE/DANGEROUS DOG DECLARATION**

*Office Use Only*

**Dog Owner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Description of Dog**

Name of Dog: \_\_\_\_\_

Dog Tag no.: \_\_\_\_\_

Breed of Dog: \_\_\_\_\_

Microchip no: \_\_\_\_\_

Dog Colour/description: \_\_\_\_\_

Rabies Tag no: \_\_\_\_\_

**Incident Details**

Address: 57 Blue Jays Blvd, Pefferlaw, ON

Location on Property **/OR** Location on Street: On the street of Blue Jays Blvd, Pefferlaw ON

Date of Incident: August 4<sup>th</sup>, 2023

Time of Incident: 1pm

Details of Incident: \_I was walking with my sister on the above date and time southbound on Blue Jay Blvd with my sister, Julian Greer-Ouellette and my golden retriever, Hank, who was leashed. We were walking along the east side of the road (there are no sidewalks), when a German Shepherd dog ran out from the property at 57 Blue Jay Blvd and attacked my dog by biting him on the face and neck. I was able to separate the dogs and quickly walked away from the house, where I yelled for the dog's owner to come outside and get their dog. The dog was not on a leash and was later standing in the middle of the road as we walked away. After yelling for the owner to come out, a female from across the street came outside and told me that no one was home at that address and that the dog is just left outside.

Later in the day, I observed a cut on the right side of my dog's face where he was bit by the German Shepherd. As I did not know who the dog belonged to, I made a post on the community Facebook group, in an effort to locate the dog's owner and to see if anyone had had a similar experience. The post was inundated with other residents stating that they have had the same experience and that they no longer even walk on Blue Jay Blvd as they fear this dog, now known as "Lincoln" and owned by a Mr. McCarthy.

I have not made any contact with the owner of the dog at this time.

A similar incident occurred two weeks prior, where the same dog charged out at myself and my dog, where Lincoln growled and was aggressive with my dog, but he did not bite him on that occasion.

Name of Witness: \_Danielle Ouellette\_

Phone no: \_\_\_\_\_

Address of Witness: \_\_\_\_\_84 Cronsberry Rd, Pefferlaw

\_\_\_\_\_  
Danielle Ouellette  
Signature of witness

\_\_\_\_\_  
Commissioner for Taking Affidavits

## AGGRESSIVE/DANGEROUS DOG DECLARATION

*Office Use Only*

### Dog Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_

### Description of Dog

Name of Dog: \_\_\_\_\_ Dog Tag no.: \_\_\_\_\_

Breed of Dog: \_\_\_\_\_ Microchip no: \_\_\_\_\_

Dog Colour/description: \_\_\_\_\_ Rabies Tag no: \_\_\_\_\_

\_\_\_\_\_

### Incident Details

Address: 57 Blue Jays Blvd, Pefferlaw, ON

Location on Property **/OR** Location on Street: On the street of Blue Jays Blvd, Pefferlaw ON

Date of Incident: August 4<sup>th</sup>, 2023

Time of Incident: 1pm

Details of Incident: Around noon I was walking on the road of Blue Jays Blvd and a German Shepherd that was on the lawn of the house at 57 Blue Jays Blvd started aggressively barking at me. This dog came right to the edge of its property and was not leashed, which created a lot of stress and anxiety as I felt like it was going to attack me. Later in the day at 1pm, I went for a walk with my sister and her golden retriever that was on a leash. As we were walking in the road on Blue Jays Blvd, the same German shepherd appeared out of nowhere and lunged out onto the street to attack my sister's dog. The German shepherd aggressively bit my sister's golden retriever and wouldn't stop attacking him till the golden retriever barked. We were scared and shocked that this aggressive dog was not on a leash or fenced in. A neighbour came out to say that the dog's owner was not home and there is an invisible fence. There is no reason an aggressive dog should ever be left alone outside without any precautions of a leash, fence, etc. What if that was a young child that he attacked? We were lucky that our golden retriever wasn't badly injured. After we walked away, the German shepherd continued to roam freely in the middle of the street. Once we were a few houses down, another neighbour came out saying that he has always had issues with that dog (named Lincoln) and that it's never leashed or contained. He also said multiple neighbours have had similar problems and people won't even walk down Blue Jays Blvd because of it. Something needs to be done to ensure the safety of others and their pets. It's not safe or fair to the neighbourhood to live in constant fear of being attacked by such an aggressive animal. It's also not fair to the dog itself, who should be properly taken care of and leashed or contained within a fence that is working. Please feel free to reach out if you have any questions.

Name of Witness: Julian Greer-Ouellette

Phone no: [REDACTED]

Address of Witness: 15 Glenview Avenue, Pefferlaw ON L0E 1N0

\_\_\_\_\_  
J. Greer-Ouellette  
Signature of witness

\_\_\_\_\_  
Commissioner for Taking Affidavits

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**From:** Kip Gardiner [REDACTED]  
**Sent:** August 10, 2023 2:32 PM  
**To:** Coleman, Bethany [REDACTED]  
**Subject:** Dog Attack At 57 Blue Jay August 4th

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Details of Incident,

I was cutting my grass on Aug 4th around 1:00 pm. I recall two women and a dog walking towards me on the street (Blue Jay Blvd). I stopped the lawn mower as they were about 10 feet away and didn't want a rock or stick to be fired out. They waved and continued on and I continued with my lawn. A couple of minutes later I noticed something happening down the street. I looked up to see the two women and their dog as well as Lincoln all on the street. Lincoln was unleashed and turning away from the women and walking back towards 57 Blue Jay and I did not see Lincoln's owners. At the time it seemed harmless enough as Lincoln often charges out at people on the street. I have had to pick up my 20 lb Bichon/Shih Tzu numerous times to the point where I now just pick him up whenever I walk past Lincoln and 57 Blue Jay.

A few hours later I read a Facebook post from one of the women (Dani) involved detailing that she had been attacked by Lincoln and I decided to reach out and provide this letter and the video of it from my cameras in an effort to make it stop. The Facebook post surprised me at the number of people commenting that they have had similar experiences walking by 57 Blue Jay.

Please advise should you require any further information.

Regards,  
Kip Gardiner  
68 Blue Jay Blvd  
Pefferlaw, ON  
L0E 1N0  
[REDACTED]

Witness Statement

Witness			
Last name <i>McCarthy</i>	First Name <i>Andrew</i>		
Street address <i>57 Blue Jay</i>		Unit number	
City/Town	Postal code	Province	E-mail
Telephone number		[REDACTED]	
Driver Identification Number		Signature <i>[Signature]</i>	
Incident details			
Location			
Date of incident		Time of incident	

I, *Andrew McCarthy*, submit the following statement as a true and accurate account of what I personally witnessed regarding the incident.

Statement
<p><i>I was not at home the day in question.</i></p> <p><i>I do want to say that my dog comes + goes with me 95% of the time, every where!</i></p> <p><i>People ask to pet him all the time + comment how well behaved he is.</i></p> <p><i>I take him to work everyday I can, weather permitting. In the last 5 years on many different sites with different people + pets at each. There has never been a problem with anybody or any other pets, including the neighbors that wander over with their pets to check out the project progress. He has met hundreds of dogs without incident.</i></p> <p><i>While at home, he has an electric fence that keeps him in the yard when we are away.</i></p> <p><i>I have never seen him leave the property, even when dogs are walked by. Most neighbors call him by name, some come to give him treats.</i></p> <p><i>I've even had the Amazon driver take a pic and tell me how good he is. He is Far From Dangerous</i></p>

Signature: *[Signature]* Date: *Aug 8/23*



## **AGGRESSIVE/DANGEROUS DOG ORDER**

**To:** Andrew McCarthy

**Address:** 57 Blue Jay Boulevard, Pefferlaw

**Description of dog**

**Name:** Lincoln

**Breed:** German Shepherd

**Colour/Description:** Golden/Black, Sterilized, Male

**Dog tag no.** C0TJE7TY

**Rabies tag:** N/A

**Microchip implant:** N/A

The Corporation of the Town of Georgina is in receipt of a Declaration duly executed by the Manager of Municipal Law Enforcement/C.M.L.E.O. pursuant to Section 2.1 (a) of By-law No. 2008-0138 (REG-1), stating that the dog described above, on the 4th day of August, 2023, did demonstrate dangerous behavior. Namely, while running at large, did bite another dog in the face and neck.

In accordance with Section 2.1 of By-law No. 2008-0138 (REG-1) the dog described above is hereby declared as **Dangerous**.

As such, in accordance with Section 3.1 of By-law No. 2008-0138 (REG-1), you are hereby ordered to:

- (a) License the dog annually with the Town in accordance with the by-law providing for the licensing of dogs.
- (b) Not allow the dog to be at large.
- (c) Restrain the dog when off the property as follows:
  - (i) fitted with a muzzle as defined, and
  - (ii) fitted with a leash, not more than 1.83 metres (6') in length, properly secured to a collar or harness, all of which are strong enough to prevent the dog from breaking away, and
  - (iii) controlled by a person not less than 16 years of age.
- (d) Restrain the dog when on the property as follows:
  - (i) inside the dog owner's dwelling; or
  - (ii) within a yard that is entirely enclosed by a fence not less than 1.83 metres (6') high equipped with a lockable self closing, self latching gate that can not be opened from the outside by a child less than 10 years of age and constructed so as to prevent the dog from escaping.
- (e) Infix the dog with a microchip implant.
- (f) Sterilize the dog before the age of 6 months or within 30 days of being designated as aggressive. The dog owner shall provide proof of sterilization immediately upon request of the Manager of Municipal Law Enforcement/C.M.L.E.,O.
- (g) Display "Beware of Dog" warning signs, in a conspicuous place, at all entrances to the property indicating the presence of an aggressive dog.
- (h) Comply with the terms of the Aggressive/Dangerous Dog Order as amended.



Furthermore, if your dog has been declared Dangerous, in accordance with Section 3.2 of By-law 2008-0138 (REG-1), you are also hereby ordered to:

- (a) Comply with all restrictions as noted in Section 3.1 of By-law No. 2008-0138 (REG-1).
- (b) In addition to the yard fencing requirements noted in Section 3.1(d)(ii), keep the Dangerous Dog fitted with a muzzle, as defined, when not secured within the dog owner's dwelling.
- (c) Produce proof of liability insurance in the amount of not less than \$25,000, to the Manager of Municipal Law Enforcement/C.M.L.E.O., for any injuries to a person or domestic animal caused by the Dangerous Dog.
- (d) Surrender the Dangerous Dog to the Town animal shelter for humane euthanasia when the dog owner is unable or unwilling to meet the requirements of this by-law.

**Request for a hearing before the Appeal Committee**

In accordance with Section 2.1(c) of By-law No. 2008-0138 (REG-1), you may request a hearing before the Appeal Committee by submitting a written request, but such request must be received by the Town within 30 days of the date of this order. A cheque or money order in the amount of \$100.00 made payable to the "Town of Georgina" must accompany the appeal request. The appeal request must be addressed to the Town of Georgina, attention to the Manager of Municipal Law Enforcement/C.M.L.E.O., 26557 Civic Centre Road, Keswick, ON, L4P 3G1.

**Take notice that**, notwithstanding that a dog owner has requested a hearing before the Appeal Committee, Sections 3.1 (a), (b), (c), and (d)(i) of the Aggressive/Dangerous Dog By-law remain in effect until the Appeal Committee has rendered its decision or the expiration of 30 days from the issuance date of this Order.

**Take further notice that**, the Manager Municipal Law Enforcement/C.M.L.E.O. must be notified within forty-eight (48) hours of any change to the residency of the aggressive/dangerous dog.

**This Order is duly served in accordance with Section 2.1(b) of By-law No. 2008-0138 (REG-1) on this 21 day of August, 2023.**



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Manager of Municipal Law Enforcement/C.M.L.E.O.

Sent 8/23

To whom it may concern,

I (Andrew McCarthy) would like  
to appeal the aggressive dog  
order on my dog.

Address:

57 Blue Jay Blvd  
Pettanaw ON  
L0E 1N0

Dog:

London  
(same address)

▼ Lincoln (35003766)

HomeSafe Code	C0TJE7TY
Status	Active
Name	Lincoln
External Identifier	
Date of Birth	Mar 24, 2005
Animal Type	Dog
Breed	German Shepherd Dog
Colour	Golden/black
Microchip Number	Yes
Gender	Male, Sterilized
Veterinarian	
Rabies vaccine expiration date	Sep 14, 2020
Other Information	

[More Details](#)

## Licences

Status	Start	Exp.	Fee
Dog - Altered - 1 Year	Active	Sep 5, 2024	Sep 6, 2025



Aug 5/3

*[Handwritten signature]*



Aug 5/28

*[Handwritten signature]*



Witness Statement

<b>Witness</b>			
Last name <b>TRAUTMANN</b>		First Name <b>LORRIE</b>	
Street address <b>58 BLUE JAY Blvd.</b>			Unit number
City/Town <b>PEPPERLAW</b>	Postal code <b>L6E 1N0</b>	Province <b>ONT.</b>	
Telephone number		[REDACTED]	
Driver Identification Number		Signature <i>L. Trautmann</i>	
<b>Incident details</b>			
Location			
Date of incident		Time of incident	

I, \_\_\_\_\_, submit the following statement as a true and accurate account of what I personally witnessed regarding the incident.

<b>Statement</b>
<p>I HAVE LIVED HERE FOR 12 YEARS. AS LONG AS ANDREW HAS HAD LINCOLN I'VE NEVER SEEN LINCOLN ATTACK A PERSON OR ANY ANIMAL. (DOG, CAT, ANYTHING). THERE IS ANOTHER GERMAN SHEPPARD IN THIS AREA THAT ALWAYS IS AT THE PARK. THIS DOG IS NOT ON A LEASH EVER. HE/SHE IS ALWAYS RUNNING AROUND THE PARK. THERE ARE DELIVERY PEOPLE AND THE MAIL LADY THAT GO TO ANDREW'S HOUSE. I HAVE SEEN HOW THEY ALL ARE PETTING LINCOLN BEFORE THEY LEAVE THE PROPERTY. HE WAS NOT BARKING OR BITING THE DELIVERY PEOPLE OR THE MAIL LADY THERE ARE 2 PEOPLE IN THE NEIGHBORHOOD THAT WALK AROUND AND THEY BOTH BRING LINCOLN TREATS. I HAVE ALSO WITNESSED LINCOLN PLAY WITH 2 DOGS ON THEIR PROPERTY WITH PEOPLE AROUND. HE'S A FRIENDLY DOG WHO LOVES TO PLAY.</p> <p>I LIVE ACROSS THE STREET FROM ANDREW.</p>

Signature: *L. Trautmann* Date: **Aug. 14/23.**

**Witness Statement**

Witness					
Last name <b>HARPER</b>		First Name <b>TRACEY</b>			
Street address <b>59 BLUEJAY BLVD.</b>				Unit number	
City/Town <b>PEPPERLAW</b>		Postal code <b>LOEINO</b>	Province <b>ONT</b>	E-mail	
Telephone number			Cell number		
Driver Identification Number			Signature <i>Harper</i>		
Incident details					
Location					
Date of incident			Time of incident		

I, \_\_\_\_\_, submit the following statement as a true and accurate account of what I personally witnessed regarding the incident.

Statement
<p>I have lived in the area for almost 2 years now and always had a fear for German Shepherds in particular as I was bit at the age of 7 yrs old. Lincoln is the most gentle loving dog and has me not fearing the breed anymore. He is very well behaved and my 6 yr old granddaughter will often go over and give Lincoln treats. I also often see the mail lady stop give him treats and also Amazon trucks come and leave parcels. Lincoln lays on the grass and doesn't even move!!</p> <p>This past weekend I was at a gathering Andrew and his dog were <del>also</del> there. also there. there were approx 8 dogs there. Lincoln was playing with all the dogs. There were parents/kids there also. This dog is far from dangerous.</p>

Signature: *Harper* Date: August 8<sup>th</sup> 2023.





THE CORPORATION OF THE  
TOWN OF GEORGINA

GEORGINA

Appeals Committee (Aggressive/Dangerous Dogs) Minutes

Date: Thursday, October 24, 2024  
Time: 7:00 PM

Members of

Committee Present: Charlene Biggerstaff  
Lee Dale  
Dan Fellini

Staff Present:

Lisa Hnatiw  
Mike Hutchinson

**1. CALL TO ORDER**

The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands and we join them in these responsibilities.

**2. APPOINTMENT OF CHAIR**

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

Councillor Dale be appointed as Chair for tonight's meeting

**Carried**

**3. DECLARATION OF PECUNIARY INTEREST**

None.

**4. EXPLANATION OF MEETING PROCEDURE**

Councillor Dale provided an explanation of the meeting procedures and proper speaker etiquette.

**5. INTRODUCTION OF ADDENDUM ITEM(S)**

No addendum items.

**6. APPROVAL OF AGENDA**

Moved By: Councillor Biggerstaff

Seconded By: Councillor Fellini

**Carried**

**7. REQUESTS FOR DEFERRAL OR WITHDRAWAL**

None.

**8. AGGRESSIVE/DANGEROUS DOG APPEALS**

1. Aggressive/Dangerous Dog Appeal 23-2813

Owner - Mike & Juli Boehmker, located at 116 Church Street, Keswick.

Requesting appeal for Dangerous Dog Order issued for "Charlie".

Julie Boehmker provided a detailed account of her perspective regarding the incident that occurred on June 15, 2024. She elaborated on subsequent events involving the declarant in the days following the incident and requested the removal of the Dangerous Dog Order for her dog, Charlie.

Councillor Biggerstaff requested clarification on the date of the incident and sought further details surrounding it.

Councillor Fellini inquired whether the dog was on a leash during the incident. Julie states that the dog had escaped from the house.

Councillor Dale asked Julie Boehmker to clarify the assessment made regarding any wounds on the victim dog.

The declarant was not present at the appeal meeting.

Councillor Dale asked Mike Hutchinson regarding the timeline of when Municipal Law Enforcement staff attended to the declarant and the dog. Mr. Hutchinson informed the committee that the dog bite incident was not reported to Animal Services until July 2, 2023, and provided insights from the investigating officer's notes regarding the incident.

Councillor Biggerstaff asked Julie Boehmker if she would like any sections amended should the order remain in effect. Julie expressed that the entire order seemed inappropriate. She highlighted the financial burden of modifying their fence height to 6 feet, as most of their current fence is between 4 to 5 feet tall. She also requested the removal of the requirement for "Beware of Dog" signs from the order.

There were no members of the public present for the appeal meeting.  
Councillor Dale shared his perspective on the incident.  
Councillor Biggerstaff also expressed her opinion regarding the matter.  
The committee engaged in discussion to arrive at a decision.

**Decision:**

Moved by: Councillor Biggerstaff

Seconded by: Councillor Fellini

The order for the Aggressive/Dangerous dog appeal #23-2813 be upheld with the follow amendments. The designation be changed from "Dangerous" to "Aggressive". Section 3.1 (g) regarding the "Beware of Dog" warning sign be waived, and allow the owners to keep the fence around their yard at its existing height.

**9. ADOPTION OF MINUTES**

1. Minutes of the meeting held on September 16, 2024.
2. Minutes of the meeting held on September 25, 2024.
3. Minutes of the meeting held on September 26, 2024.

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

That the minutes of the meeting held on September 16, 25, and 26, 2024 be adopted as presented.

**Carried**

**10. OTHER BUSINESS**

None.

**11. NEXT MEETING**

Next meeting will be held on October 28th, 2024 at 7:00pm

**12. MOTION TO ADJOURN**

Moved By: Councillor Fellini

Seconded By: Councillor Biggerstaff

The meeting adjourn at 7:48 p.m.

**Carried.**



THE CORPORATION OF THE  
TOWN OF GEORGINA

GEORGINA

Appeals Committee (Aggressive/Dangerous Dogs) Minutes

Date: Monday, October 28, 2024  
Time: 7:00 PM

Members of

Committee Present: Charlene Biggerstaff  
Dave Neeson  
Lee Dale

Staff Present:

Lisa Hnatiw  
Mike Hutchinson

**1. CALL TO ORDER**

The Town of Georgina recognizes and acknowledges that we are on lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples, and on behalf of the Mayor and Council, we would like to thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.

We also recognize the unique relationship the Chippewas have with the lands and waters of this territory. They are the water protectors and environmental stewards of these lands and we join them in these responsibilities.

**2. APPOINTMENT OF CHAIR**

Moved By: Councillor Dale

Seconded By: Councillor Biggerstaff

Councillor Neeson be appointed as Chair for tonight's meeting.

**Carried**

**3. DECLARATION OF PECUNIARY INTEREST**

None.

**4. EXPLANATION OF MEETING PROCEDURE**

Councillor Neeson provided an explanation of the meeting procedures and proper speaker etiquette.

**5. INTRODUCTION OF ADDENDUM ITEM(S)**

No addendum items.

**6. APPROVAL OF AGENDA**

Moved By: Councillor Biggerstaff

Seconded By: Councillor Dale

**Carried**

**7. REQUESTS FOR DEFERRAL OR WITHDRAWAL**

None.

**8. AGGRESSIVE/DANGEROUS DOG APPEALS**

1. Aggressive/Dangerous Dog Appeal 24-0208

Owner Armando Di Martino, located at 3 Millennium Way, Keswick.

Requesting appeal for Dangerous Dog Order issued for "Coco".

Armando Di Martino provided a detailed account of the recent incident involving his dog, Coco. Mr. Di Martino noted that Coco has had ongoing issues with the neighbors' dogs. He reported that Coco has undergone training since the incident and successfully interacted with twelve other dogs during these sessions. Mr. Di Martino expressed his sincere apologies for the occurrence.

Councillor Biggerstaff acknowledged receipt of a letter from Working K9 and commented on Mr. Di Martino's statements.

Susan Eaton, the declarant, outlined several instances in which Coco had been found loose and had approached her residence.

There were no members of the public present for the appeal meeting.

Councillor Biggerstaff asks Municipal Law Enforcement staff if the Animal Services has visited Mr. Di Martino's home to see if he is following the Order. Municipal Law Enforcement Manager, Mike Hutchinson states what the owner has to comply with on the Order before the appeal is heard. Mr. Hutchinson states that Animal Services has not reported any issues with Mr. Di Martino's compliance.

Mr. Di Martino apologizes for the incident that happened. Mr. Di Martino gives details of an incident that happened a couple years ago.

The committee engaged in a thorough discussion to reach a decision. Councillor Biggerstaff asked Mr. Di Martino whether he currently has a fence installed. Mr. Di Martino indicated that he does not have a fence at this time but plans to have one constructed in the near future

**Decision:**

Moved by: Councillor Dale

Seconded by: Councillor Biggerstaff

**Carried.**

The order for Aggressive/Dangerous dog appeal #24-0208 be upheld in its entirety with an extension of 45 days for the owner to comply with the order.

2. Aggressive/Dangerous Dog Appeal 24-1430

Owner - Andrew Skibinsky, located at 143 Cook's Bay Drive, Keswick.

Requesting appeal for Dangerous Dog Order issued for "Winston".

Neither the appellant or the declarant are present for tonight's meeting.

The committee engaged in discussion to arrive at a decision.

**Decision:**

Moved by: Councillor Dale

Seconded by: Councillor Biggerstaff

**Carried.**

The order for the Aggressive/Dangerous dog appeal #24-1430 be upheld in its entirety.

**9. ADOPTION OF MINUTES**

None.

**10. OTHER BUSINESS**

None.

**11. NEXT MEETING**

November 25, 2024 at 7:00pm

Next meeting will be held on November 25th, 2024 at 7:00pm.

**12. MOTION TO ADJOURN**

Moved By: Councillor Dale

Seconded By: Councillor Biggerstaff

The meeting adjourn at 7:35 p.m.

**Carried.**