



Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From: Sarah Jones

Position: Supervisor By-law and Animal Services

Title / Subject: Updates and Amendments to the Animal Control Bylaw

Date of Report: November 27, 2024

Date of Meeting: December 16, 2024

Report No: 2024-PS-019

1.0 Origin/Background

The purpose of this report is to propose amendments to the Township of Brock Animal Control By-Law 2446-2012-PP in respect of grammatical and format updates, enhancements, as well as the introduction of new regulatory provisions.

2.0 Analysis

Staff have conducted a comprehensive review of the Animal Control By-law taking into consideration prior Council directives, including previous resident requests. The comprehensive review also included consideration of other municipal animal control by-laws, *Dog Owner's Liability Act* (DOLA) considerations and general best practices. The recommended amendments can be summarized as follows:

- Grammatical and format updates to the existing by-law
- Introduction of a new Lifetime Dog Licence
- A new section regarding Dangerous or Potentially Dangerous Dogs
- Enhancement to Care of Animals

By-law No. 3304-2024, attached as Appendix "1", is a draft by-law of the recommended amendments to Animal Control By-Law 2446-2012-PP.

Grammatical and format updates:

The proposed grammatical and format updates to the existing by-law can be generalized in cleaning up definitions and terminology, enhancement of enforcement and issuance of orders, administration and increases to penalty provisions.

Lifetime Dog Licenses:

Council had received correspondence from a resident requesting the introduction of a lifetime dog licence fee as opposed to obtaining a dog licence each year. Staff have reviewed other municipalities that have such a licensing fee and determined that it would be beneficial to Brock. A lifetime dog license is a one-time registration fee that covers the dog's entire lifespan, eliminating the need for annual renewals. Offering the option of a lifetime dog license is important because it reduces administrative burdens both for pet owners and the Township.

Staff recommend that the option of a lifetime dog license be implemented for 2025 and that the lifetime dog licence fee be \$150 for spayed and neutered dogs and \$200 for dogs that are not spayed or neutered.

Dangerous Dogs or Potentially Dangerous Dogs:

The current bylaw does provide the ability to issue charges for interference or a bite from a dog and/or the ability to issue a muzzle or restraint order. However, the provisions provided in the bylaw are not up to date, are inconsistent with other municipalities and/or DOLA, as it does not address or define dangerous dogs or potentially dangerous dogs, set out conditions or relatable fines.

The primary purpose of the amendment to the by-law and the inclusion of “dangerous or potentially dangerous dogs” is to protect residents and their pets from harm. Dangerous and potentially dangerous provisions, place clear responsibilities on dog owners to ensure that their pets do not pose a risk to the public.

Once a dog is designated as dangerous, orders can be issued to regulate the dog’s behavior and ensure public safety. These orders may include requirements such as, but not limited to:

- Mandatory muzzling in public spaces.
- Secure containment of the dog within the owner’s property.
- Mandatory signage indicating the presence of a dangerous dog.
- Prohibition of the dog in off-leash areas.
- Sterilization of the dog to prevent aggressive breeding.

These orders are designed to limit the dog’s potential to harm others while allowing the dog owner to retain custody under strict conditions.

Prior to issuing a dangerous dog order, staff will ensure that they review resources such as, Dr. Dunbar’s Dog Bite Scale (Attached as Appendix “2”) and DOLA as well as considering a broad range of factors including, but not limited to:

- a dog's past and present temperament and behaviour
- seriousness of the injuries caused by the biting or attack
- unusual contributing circumstances tending to justify the dog's action
- the probability that a similar act will be repeated
- the dog's physical potential for inflicting harm
- precautions taken by the owner to prevent similar attacks in the future and

- any other circumstance that the court considers relevant

For dogs that do not meet the threshold for being classified as “Dangerous” but have shown signs of aggression, “Potentially Dangerous Dog” orders are a proactive enforcement tool. These orders provide early intervention and may include, but not limited to:

- Mandatory behavioral training or assessment.
- Leashing and muzzle requirements in public spaces.
- Restrictions on where the dog can be taken.
- Increased supervision by the owner.

These orders help prevent dogs with mild or moderate aggression from becoming a public safety risk, encouraging early correction of problematic behavior through training or containment before it escalates to serious aggression.

Care of Animals:

Within the existing by-law, specifically Clause IV – Care of Animals, staff are recommending two enhancements. The first provides restrictions related to tethering, use of choke chains or prong collars, and extreme weather, when tethering an animal outside. The second provides regulations for the feeding of wildlife.

Prolonged or improper tethering can cause significant physical and psychological harm to animals. Tethered animals are often at risk of developing behavioral problems such as aggression, anxiety, and frustration due to lack of social interaction, exercise, and stimulation. Furthermore, being tied out for extended periods may result in injury, dehydration, malnutrition, or exposure to extreme weather conditions, particularly if the animal is left unsupervised.

The feeding of wildlife, while often well-intentioned, can lead to significant issues concerning animal welfare. Unregulated feeding of wildlife often results in behavioral changes, increased dependency on humans, and an increase in dangerous or unwanted wildlife interactions with people. While bird feeders designed for songbirds are generally considered safe and beneficial to bird populations, feeding other wildlife, such as raccoons, deer, foxes, coyotes, and other species, may pose challenges. Staff propose enhancements to the by-law that prohibits the feeding of wildlife, except for bird feeders specifically intended for songbirds.

3.0 Related Policies / Procedures/ Sources

Municipal

By-law No. 2446-2012-PP – Animal Control By-Law

Township of Brock By-Law No. 2402-2012-PP – Exotic Animal By-Law

City of Greater Sudbury Animal Care and Control Bylaw 2017-22

City of Toronto Report and Open Data portal

City of Toronto Response to EC6.9 - Incident and Operational Review of Serious Dog Attacks

Ombudsman Toronto Report – How Toronto Animal Services Handled a Dangerous Dog

Investigation and Appeal December 16, 2019

Toronto Dangerous Dog Review Tribunal – Policies Procedures and Reports
 Toronto Municipal Code Chapter 349, Animals 349-1 March 22, 2024, Chapter 349 Animals Corporation of the Town of Newmarket Animal Control By-Law 2020-30
 The Corporation of The Municipality of Central Elgin By-Law 465 – Dangerous Dogs By-Law
 New Tecumseth By-Law 2002-045 – Dangerous Dog By-Law
 The Corporation of The Town of Georgina By-Law Number 2008-0138 – Dangerous Dog By-Law

Provincial

Dog Owners' Liability Act, R.S.O. 1990, c. D.16 (DOLA)
 Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41
 Wildlife and Nature – Ontario.ca
 Wildlife Management – Ontario.ca
 Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13

4.0 Financial / Budget Assessment

Regarding the proposed changes to the Animal Control By-law outlined in this report, Schedule “F” of the 2025 Fees By-law will require amendments to reflect the new initiatives. In addition, staff propose the fees for dog tags and replacements tags be changed to a flat fee, and not increase by CPI annually, as it provides more convenience to external vendors and residents. Staff will monitor dog tag licensing fees and any increases over a longer period.

Table 1 Proposed Changes to the 2025 Fees and Charges By-law:

| ITEM | Fee's By-Law 2025 | Proposed Changes / Additions |
|--|--|------------------------------|
| Dog Tag – Spayed or Castrated | \$26.70 | \$27.00 |
| Dog Tag – Any Other Dog | \$31.84 | \$32.00 |
| Replacement Dog Tag | \$2.05 | \$2.00 |
| Lifetime Dog Tag – Spayed or Castrated | TBD at time of adoption of 2025 Fee's By-Law | \$150 |
| Lifetime Dog Tag – Any Other Dog | TBD at time of adoption of 2025 Fee's By-Law | \$200 |
| Dangerous Dog Tag | TBD at time of adoption of 2025 Fee's By-Law | \$75 |

5.0 Asset Management

There is no direct impact on asset management.

5.1 Climate Change Impacts

There is no direct impact on climate change.

5.0 Communications

In addition to this report being on a public agenda, a communication strategy and public education campaign will be issued, updating the community on the changes to the By-Law.

6.0 Conclusion

The proposed amendments to the Animal Control By-Law aim to achieve several key objectives.

- General Housekeeping and Modernization: Updates improve the clarity and relevance of the bylaw.
- Increased Enforcement Options: New tools will be available to the Animal Services Department, allowing for better enforcement.
- Owner responsibility: The amendments emphasize the responsibility of pet owners, and improvements to animal welfare.
- Consistency with Provincial Regulations: The bylaw will be aligned with existing provincial rules to ensure compliance across the board.

7.0 Recommendation

Be It Resolved That Report No. 2024-PS-019, “Animal Control By-law Amendments”, be received; and

That Council approve the recommended changes to the Animal Control By-law as outlined in Report No. 2024-PS-019, and;

That Council directs staff to present By-Law No. 3304-2024 being a by-law to amend Animal Control Bylaw 2446-2012-PP, at the Council meeting held on December 16, 2024; and

That Council directs staff to apply to the Ministry of Attorney General, Ontario Court of Justice, to increase the Animal Control Bylaw set fines, attached as Appendix “3” to Report No. 2024-PS-019, and;

That Council directs staff to amend Schedule “F” of the 2025 Fees & Charges By-law No. 3285-2024, to take effect as of January 1, 2025.