



**Minutes**  
**Appeal Hearing for Appeal to Muzzle Order**  
**Municipality of West Grey**  
**Tuesday, February 16, 2021, 4 p.m.**  
**electronically**

Members present: Chair Stephen Townsend, Member Beth Hamilton, Member Doug Hutchinson, Member Tom Hutchinson, Member Christine Robinson, Member Geoffrey Shea

Regrets: Member Rebecca Hergert

Staff members present: Secretary Genevieve Scharback, CAO/Deputy Clerk Laura Johnston, Recreation Supervisor Kodey Hewlett, Animal Control Officer Cheryl Roberts, Director of Development/CBO Karl Schipprack, Legislative Coordinator Lindsey Glazier

Others present: Mr. Adam Chalmers, Joan Weston, Canine Behavior Consultant, Fangs But No Fangs

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**1. Appeal Hearing For Appeal to Muzzle Order 01-2020**

**1.1 Call to order - Appeal Committee Hearing**

Secretary Scharback called the appeal committee hearing to order at 4:07 p.m.

**1.2 Election of Chair**

Secretary Scharback called nominations from the floor for a first, second and third and final time. Member Christine Robinson; however, declined the nomination. Member Stephen Townsend was nominated and confirmed that he is willing serve as chair. There were no other nominations.

**Resolution: 01-2021**

**Moved:** Member C. Robinson

**Seconded:** Member B. Hamilton

That Appeal Committee Member Stephen Townsend is hereby appointed to the position of Committee Chair for the purpose of presiding over this hearing.

**Disposition: Carried**

### **1.3 Purpose of Appeal Hearing**

Chair Townsend introduced the members of the committee and identified municipal staff attending the meeting. He stated that the Appeal Hearing is being held in accordance with the West Grey Dog Control Bylaw No. 87-2009 for the purpose of hearing an appeal to Muzzle Order 01-2021. He reviewed the order of business, noting that the appellant shall be allowed fifteen (15) minutes to speak directly to the Muzzle Order and shall be allowed five (5) minutes for a closing statement.

### **1.4 Muzzle Order 01-2020**

Clerk Scharback read the appeal to muzzle order 01-2020.

### **1.5 Municipality**

CBO Schipprack reviewed the process for a muzzle order to be issued and introduced Canine Control Officer Cheryl Roberts.

#### **1.5.1 Animal Control Officer Statement of Facts**

Animal Control Officer Roberts provided a statement of fact with respect to her response to the reported dog bite.

#### **1.5.2 Photographs of Injured Dog**

CBO Schipprack and Animal Control Officer Roberts reviewed the photos of the injured dog Jimmy.

#### **1.5.3 Statement of Dog Owner, Alicia Bere**

Animal Control Officer Roberts read Ms. Bere's statement, noting that Ms. Bere was very upset and worried for her dog.

#### **1.5.4 Veterinary Report**

Animal Control Officer Roberts reviewed the veterinary report for the committee.

#### **1.5.5. West Grey Dog Control Bylaw No. 87-2009**

CBO Schipprack and Animal Control Officer Roberts reviewed the relevant sections of the animal control bylaw. They reviewed the decision to move forward with a muzzle order.

## **1.6 Appellant**

### **1.6.1 Appellant Statement - Appeal to Muzzle Order**

Dog Owner Mr. Adam Chalmers reviewed his statement and reason for appealing the muzzle order. He advised that his dog Berkley has never bitten a dog before this incident. He did not contest the facts set out by Animal Control Officer Roberts and confirmed that his dog cross the road and bite Alicia Bere's dog Jimmy.

### **1.6.2. Supporting documents**

Mr. Chalmers provided a number of supporting documents including a canine behavioural assessment and a number of reference letters from a number of area residents.

Joan Weston, Canine Behavioural Consultant reviewed her assessment of Mr. Chalmers dog Berkley.

### **1.6.3. *Additional Supporting Documents – Timeline, Letters of Support.***

## **1.7 Closing Summary Statements**

### **1.7.1 Municipality - CBO K. Schipprack**

CBO Schipprack provided a closing summary statement. He recommended that the committee uphold the muzzle order.

### **1.7.2 Appellant - A. Chalmers**

Mr. Chalmers requested the that appeal committee remove the muzzle order. He assured the committee that he would follow the recommendations set out by Joan Watson of Fangs But No Fangs, including, that the dog be fastened until the car is in garage, ensuring anyone walking the dog is over the age of 18-years-old and that the dog be leashed whenever off its property. He advised that a fence for the backyard has already been installed.

## **1.8 Decision**

Chair Townsend reviewed the provisions in the bylaw regarding a decision on the appeal and advised the committee of the options available. The committee may uphold the muzzle order, exempt the owner in whole from the requirements of the order; or except the owner in part from the requirements of the order, with or without further conditions.

**Resolution: 02-2021****Moved:** Member D. Hutchinson**Seconded:** Member B. Hamilton

That the Appeal Committee concurs with the statement of facts as presented by the Animal Control Officer and attached hereto; and

That muzzle order 01-2020 is hereby upheld by the committee.

**Disposition: Carried****1.9 Adjournment****Resolution: 03-2021****Moved:** Member C. Robinson**Seconded:** Member G. Shea

That the West Grey Appeal Committee hereby closes this Appeal Hearing at 5:13 p.m.

**Disposition: Carried**

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Chair Stephen Townsend

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Secretary Genevieve Scharback