
**THE CORPORATION OF THE
TOWNSHIP OF WEST LINCOLN
SPECIAL COUNCIL AGENDA**

Appeal Hearing with Respect to a Notice to Muzzle

Under By-Law Number 2011-44, Being a By-Law to Provide for the Licensing, Control and Regulation of Dogs

MEETING # TEN HELD: Monday, July 20, 2015 – Township Administration Building, 318 Canborough Street, Smithville, Ontario, Ontario - 6:00 p.m.

Appeal Committee/Members of Council:	Mayor Douglas Joyner – Chair Councillor Terry Bell Councillor Dave Bylsma Councillor Joann Chechalk Councillor Alex Micallef Councillor Mike Rehner Councillor Jason Trombetta
Administration:	Chris Carter, Chief Administrative Officer Carolyn Langley, Clerk
Applicants:	Brian & Patricia Huizinga
Owners of Victim Dogs/Witness:	Eric & Diana Woodham
Welland & District SPCA:	Ryan Hurman, Animal Control Officer/Investigator Amanda Ellis, Enforcement Manager/OSPCA Inspector

ORDER OF BUSINESS:

- 1. Chair, Douglas Joyner**
- 2. Declaration of Conflict of Interest**
- 3. Purpose of Meeting and Decision of the Appeal Committee**
- 4. Confirmation of Notice of Hearing with Respect to a Notice to Muzzle**
- 5. Information relating to the Incident that is the subject of this Hearing Details:**
 - Date of incident: May 16, 2015.
 - Appellant of Muzzle Order: Brian and Patricia Huizinga (Applicants)
 - Welland & District SPCA Investigator: Ryan Hurman
 - Owners of victim dogs/Witness: Diana & Eric Woodham.

**6. Evidence relating to the Incident that is the subject of this Hearing
Documentation:**

- (a) Notice of Hearing dated July 10, 2015
- (b) Copy of Letter dated May 22, 2015 from Brian and Patty Huizinga requesting a Hearing with Respect to a Declaration of a Vicious dog - Notice to Muzzle
- (c) Copy of Ontario Society for the Prevention of Cruelty to Animals – Occurrence Report -Investigation # 9938 issued by Welland & District SPCA – Ryan Huurman, Investigator – dated “Date Received: May 16, 2015”. (1 page)
- (d) Copy of Welland & District Humane Society - By-law Intake Form – Dated May 16, 2015 – Time: 14:41 (1 page)
- (e) Copy of Welland & District Society for the Prevention of Cruelty to Animals – Notice to Muzzle – Dated May 16, 2015 (1 page)
- (f) Copy of Email dated May 16, 2015 from Eric Woodham to Ryan Huurman, Animal Control Officer, Welland & District SPCA regarding Dog Attack (2 pages)
- (g) Copy of Statement of Eric Woodham regarding dog attack on his two dogs, Tia and Holly (1 page)
- (h) Copy of pictures of Mr. & Mrs. Woodham’s two dogs after the dog attack (3 pages)
- (i) Copy of extracts from Township of West Lincoln By-law Number 2011-44 (which provides for the Licensing, Control and Regulation of Dogs), relating to this issue (3 pages)

NOTE: Some personal information has been redacted from the information provided above.

7. Statement & Evidence of Animal Control Officer with Respect to Service of Notice to Muzzle

- (a) Ryan Huurman, Animal Control Officer

8. Opportunity to Question - Statement & Evidence of Animal Control Officer

- (a) Applicant/Appellant
- (b) Members of Council

9. Statement by Witness - Owner(s) of victim dogs

- (a) Eric and/or Diana Woodham

10. Opportunity to Question - Witness (Owner(s) of the victim Dogs)

- (a) Applicant/Appellant
- (b) Members of Council
- (c) Animal Control Officer

11. Statement & Evidence of other Witnesses (IF ANY) with respect to the Animal Control Officer's Case

- (a) Witness (if any)

12. Opportunity to Question - Statement & Evidence of Witnesses (IF ANY) with respect to the Animal Control Officer's Case

- (a) Applicant/Appellant
- (b) Members of Council
- (c) Animal Control Officer

13. Statement & Evidence of Applicant/Appellant

- (a) Applicant/Appellant – Brian and/or Patricia Huizinga (or their agent)

14. Opportunity to Question - Applicant/Appellant

- (a) Animal Control Officer
- (b) Members of Council

15. Statement & Evidence of Witness in support of Applicant's/Appellant's Case

If there are any witnesses in support of the Applicant's/Appellant's case, the Chair will ask them to come forward to the table and provide their statement.

- (a) Witness (if any)

16. Opportunity to Question - Witnesses in support of Applicant's/Appellant's Case

- (a) Animal Control Officer
- (b) Members of Council
- (c) Applicant/Appellant

17. Public Input regarding the Appeal

- (a) Members of the Public who wish to provide their input?

18. Opportunity to Question - Member of the Public who provided input regarding the Appeal

- (a) Animal Control Officer
- (b) Members of Council
- (c) Applicant/Appellant

19. Presentation of Summary Arguments

- (a) Ryan Huurman, Animal Control Officer
- (b) Applicant/Appellant – Brian and/or Patricia Huizinga

20. Rendering of a Decision by the Appeal Committee

CONFIDENTIAL MATTERS:

NOTE: Closed session item(s) relate to, but may not be limited to, the following allowable exception(s):

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Resolution (into closed – if required)

Councillor Dave Bylsma

Resolution (rise from closed – if required)

Councillor Joann Chechalk

- (a) Clerk

Re: Motion to deal with Appeal of Muzzle Order/Dangerous Dog Declaration submitted by Brian and/or Patricia Huizinga

Resolution

Councillor Mike Rehner

21. Adjournment of Hearing

The Chair declared the Hearing adjourned at the hour of _____p.m.