

Good afternoon [REDACTED]

In 2005, the Ontario provincial government introduced legislation placing controls on pit bull-type dogs by amending the Dog Owners' Liability Act and adding regulations under that Act. The impetus behind the legislation appeared to have been a number of attacks by alleged pit bull-type dogs in the Toronto area. In enacting the "pit bull" controls, the Province of Ontario identified municipal animal control agencies, private animal control agencies under contract with a municipality, police and humane society inspectors as being able to enforce the legislation. No support was provided to any of those groups in order to enforce the legislation. As with all other legislation and regulations however, agencies have enforcement discretion which considers factors including but not limited to evidence, history and extenuating circumstances.

As you can imagine, there are a number of issues associated with breed specific legislation of this type, including but not limited to breed identification, especially where mixed breeds are involved. Singling out particular breeds is both over-inclusive and under-inclusive; that is, many well-behaved dogs among the controlled breeds are included and many poorly behaved dogs from other breeds are excluded. After 11 years of the existence of this legislation, statistics indicate that the number of bites/attacks in Ontario has not decreased and that other breeds have been responsible for more bites overall than pit bull-type dogs prior to the legislation's existence. As well, the legislation has resulted in the unnecessary euthanasia of over 1,000 dogs and puppies, many of which had no history of violence against people or other animals. Ultimately, the onus of control should be placed on the owner of the dog – it is the owner who has care and custody of the dog, regardless of breed, and who has the ability to prevent a bite or attack incident.

If we were to pursue pit bull type dogs in a proactive manner, the residents of the City of Ottawa would bear the costs of dog seizures; sheltering of the dog while the owner was provided an opportunity to provide proof of breed; hiring of expert witnesses, often veterinarians, to attest to the dog's breed and the dog's age; euthanasia; and, additional By-law Officers, prosecutors and Court time. Case law from other jurisdictions confirms the difficulties municipalities have experienced when attempting to confirm that a dog meets the definition of a "pit bull" as prescribed by the Act and prosecuting under it.


Ottawa has in place a number of by-law provisions that require dog owners to identify, control by leash and otherwise, and clean-up after their pets. By-law & Regulatory Services has had success in enforcing these provisions and holding dog owners accountable for their pets. In terms of bites/attacks specifically, the City receives an average of 450 reports annually. Of those, about 20% warrant charges being laid, and about 2% involve alleged pit bull-type dogs. There are likely about 100,000 dogs in the City of Ottawa. This leads us to believe that problematic dogs are a very small minority and the City deals with them to the best of its ability. Under the current provisions of the by-law, any dog that bites or shows aggressive behavior in an "attack" will be issued a Muzzle Order. This Order requires that the dog be muzzled at all times when outside the owner's house, must be on a leash and under the care and control of a person no less than 16 years of age. In short, By-law & Regulatory Services' approach generally is to address problematic dogs using the appropriate mechanism.

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