



HEARING COMMITTEE AGENDA

Hearing Committee Meeting
Monday, June 29, 2015
Committee Room C-11, Tom Davies Square

COUNCILLOR MARK SIGNORETTI, CHAIR

Fern Cormier, Vice-Chair

4:30 p.m. COMMITTEE ROOM C-11

Council and Committee Meetings are accessible. For more information regarding accessibility, please call 3-1-1 or email clerks@greatersudbury.ca.

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

PUBLIC HEARINGS

1. Report dated June 17, 2015 from the Executive Director, Administrative Services/City Clerk regarding Vicious Dog Appeal, ACR #669022 - Daniel Woodliffe.
(RECOMMENDATION PREPARED) **3 - 17**

2. Report dated June 17, 2015 from the Executive Director, Administrative Services/City Clerk regarding Vicious Dog Appeal, ACR #66381A & #66381B - Dennis Richer & Jennifer Lapointe.
(RECOMMENDATION PREPARED) **18 - 31**

3. Report dated June 17, 2015 from the Executive Director, Administrative Services/City Clerk regarding Order to Remedy Appeal, ACR #641305 - Sandra Cartledge.
(RECOMMENDATION PREPARED) **32 - 45**

ADJOURNMENT

TANYA THOMPSON, DEPUTY CITY CLERK

LISA LOCKEN, COMMITTEE ASSISTANT

Request for Decision

Vicious Dog Appeal, ACR #669022 - Daniel Woodliffe

Presented To:	Hearing Committee
Presented:	Monday, Jun 29, 2015
Report Date	Wednesday, Jun 17, 2015
Type:	Public Hearings
File Number:	ACR #669022

Recommendation

THAT the City of Greater Sudbury upholds the Vicious Dog Notice #669022, issued to Daniel Woodliffe.

Background

The City of Greater Sudbury By-law 2002-285, as amended, became effective on January 1, 2003 and regulates the keeping of animals and the registration of dogs and cats. Part VIII of the By-law entitled "Vicious Dogs"; section 21 of the By-law, contains provisions for the issuance of a Vicious Dog Notice to owners of dogs that have attacked a person or domestic animal without provocation.

The effect of the notice is to ensure the owner of a dog deemed vicious by receipt of the notice, muzzle and leash the dog when not inside the owner's dwelling at all times.

The By-law is specific about how the process is carried out and the contents of the notice. Several provisions in the by-law for the issuance of the notice are mandatory requirements of the Registrar and of the recipient of the Notice.

This section also provides for an appeal of the notice by the owner of the dog requesting a hearing of the matter by Council or Committee of Council. The Committee may uphold the notice and its contents, exempt the owner from the muzzling or leashing requirements or from both, or may modify the conditions for muzzling or leashing.

By-law Procedure Vicious Dog Notice - #669022

Subsection 2(1) of By-law 2002-285 designates the Manager of Compliance and Enforcement Services for the City of Greater Sudbury as the Registrar pursuant to the By-law, and By-law Officers in Compliance and Enforcement have been appointed by the Registrar to perform the task of issuing Vicious Dog Notices pursuant to the By-law.

Signed By

Report Prepared By

Stephen Holt
By-law Enforcement Officer
Digitally Signed Jun 17, 15

Division Review

Brendan Adair
Manager of Security, By-Law and Court Services
Digitally Signed Jun 17, 15

Recommended by the Department

Caroline Hallsworth
Executive Director, Administrative Services/City Clerk
Digitally Signed Jun 17, 15

Recommended by the C.A.O.

Bob Johnston
Interim Chief Administrative Officer
Digitally Signed Jun 17, 15

Subsection 21(2) of the By-law states "Where the Registrar is informed upon written complaint, and is satisfied that the dog has attacked without provocation or bitten a person or domestic animal, and had further been provided with satisfactory evidence as to the name and address of the owner of the dog the Registrar shall serve notice on the owner of the dog that the dog is deemed to be a vicious dog and requiring the owner to comply with any or all of the requirements set out in Subsections 21(4) and 21(5)."

A written complaint was received requesting that two dogs named Ben and Sampson, be deemed vicious, based on an incident on March 19, 2015 where the complainant's dog was attacked. A copy of the Victim Statement is attached to this report.

Information in the letter describes an incident that while walking her dog on a leash at Delki Dozzi Park in the City of Greater Sudbury the complainant and her dog were approached by two dogs who were not on leashes. The two dogs were later identified by an Animal Control investigation as "Ben" (a brindle boxer with registration number D4301/2015) AND "Sampson" (a black shepherd with registration number D4302-2015) both owned by Daniel Woodliffe. The registrations for both dogs are attached to this report. Sampson ran at the complainant's dog and bit him on the muzzle.

Sampson would not release and shook the complainant's dog violently, tearing the skin. When Sampson finally released the dog, Ben then bit the complainant's dog on the muzzle and also shook violently, causing more tearing. The dogs eventually released and returned to their owner who put each dog on a leash. The complainant then immediately went to the veterinary where her dog spent three (3) hours in surgery repairing the wounds.

Greater Sudbury Animal Control (GSAC) investigated this incident and it was recorded in the report by the Animal Control Officer that the owner, Mr. Daniel Woodliffe was co-operative when receiving Provincial Offence Notices for "Permit Dog to Attack", "Permit Dog to run at large", "Fail to take reasonable precautions from preventing a dog from attacking" and "Fail to Register Dog" on March 24, 2015. The dog owner confirmed the incident, and provided the explanation that the leash broke, yet both dogs were able to be leashed after the attack.

A Vicious Dog Notice, #669022, dated March 26, 2015 was prepared and hand delivered to the registered owner of the dogs. The notice contains the requirements of Subsections 21(4) and 21(5) of the by-law; ensuring the dogs are muzzled and leashed when not inside the owner's dwelling unit, notifying the owner of his requirement to provide a change of address, the owner's right to appeal the notices and the effective date of the notice, pursuant to subsections 21(6), 21(7) and 21(8) of the by-law. The Vicious Dog Notice is attached to this report.

Appeal Notice

A letter of Appeal of the Vicious Dog Notice was sent by the owners dated March 30, 2015. A copy of the appeal letter is attached to this report. The hearing was scheduled, and a notice was sent to the owners of the dogs advising of the date and time of the hearing.

Conclusion

The Registrar is confident that the Vicious Dog Notice issued to Mr. Daniel Woodliffe satisfies the requirements of By-law 2002-285, Part VIII, Section 21, a By-law to regulate the keeping of animals and the registration of dogs and cats. The purpose of the notice is to mitigate the recurrence of similar incidents and provide an assurance of safety for the area residents and the general public. The Registrar recommends that the Vicious Dog Notice be upheld by the Committee.

VICIOUS DOG NOTICE 669022
Pursuant to City of Greater Sudbury Animal Control By-law 2002-285

HAND DELIVERED

March 26, 2015

To: Daniel WOODLIFFE

[REDACTED]
[REDACTED]
[REDACTED]

The City of Greater Sudbury is in receipt of a written complaint that your dogs Ben (Brindle Boxer) registration number D4301/2015 and Sampson (Black Shepherd) registration number D4302/2015 has attacked another dog without provocation on March 19, 2015.

As a representative of the Registrar pursuant to the Animal Control By-Law #2002-285, I deem your dogs to be vicious. Therefore, you are hereby required to immediately comply with the requirements as set out in Sections 21 (4) and 21 (5) of the by-law which states:

- 4) "Every owner of a vicious dog shall at all times when the vicious dog is not in the owner's dwelling unit but otherwise within the boundaries of the owner's premises, ensure that
 - a) the vicious dog is muzzled so as to prevent it from biting a person or domestic animal; and
 - b) the vicious dog is securely leashed on a leash which does not allow it to go beyond the property line of the owner's lands."
- 5) "Every owner of a vicious dog shall at all times when the vicious dog is not within the boundaries of the owner's premises;
 - a) keep the vicious dog under the effective control of an adult person on a leash held by the person; and

Page 1 of 3

- b) keep the vicious dog muzzled.

AND FURTHER

- (6) Every owner of a vicious dog shall notify the Registrar within two working days of any change in ownership or residence of the vicious dog and provide the Registrar with the new address and telephone number of the owner.
- (7) Where the owner of a vicious dog is informed that his or her dog has been deemed to be a vicious dog, the owner may, within 14 days of such notice, request in writing a hearing by Council or committee established for that purpose and Council may exempt the owner from the muzzling or leashing requirement, or both such requirements or may modify the conditions for muzzling or leashing.
- (8) The notification that a dog is a vicious dog is effective from the date it is served, even if a hearing before Council is requested by the owner of the dog affected.

Failure to comply with this notice will result in charges pursuant to the by-law and Provincial Offences Act, which upon conviction may result in a fine to a maximum of \$5,000.

Dated this March 26, 2015

Stephen Holt By-Law Enforcement Officer
For: Darlene Barker, Registrar
Manager of Compliance and Enforcement
City of Greater Sudbury

C: Greater Sudbury Animal Control

This is a request to Bylaw Enforcement with the Registrar of the City of Greater Sudbury to have the two dogs belonging to Daniel Woodliffe deemed vicious and leashing and muzzling order be issued immediately.

REFERENCE: ANIMAL CONTROL CASE 6746D

In the afternoon of Thursday March 19th, 2015 at approximately 4:30 pm, I arrived home from work to perform a daily ritual of walking my dog around the 1 km bike path at Delki Dozzi Park grounds. Since this is a leashed park, my dog is always walked on a leash but allowed some freedom to run within the 30 feet of lead that I use and always restricted to 6 feet of leash upon passing other walkers, bikers or other dogs. As we were walking our way along the higher elevation of the bike path, I noticed a man walking on the lower part of the path with 2 large dogs running freely off their leashes. This is a daily occurrence where I see people always unlatching their dogs to run freely in this leashed park. I've notified Animal Control on numerous occasions of the sizeable abuse of the rules at this particular park. I placed a phone call to Animal Control advising them of the situation at 4:36 pm asking if their patrol officer was in the area to dispatch him to this park.

Anyway, as we continue to meander our way along the path with my dog stopping at every 2 steps to sniff something out on the ground, I looked up and the man and his dogs were fast approaching. I was still on the higher elevation of the winding bike path with a clear view down the path. I was trying to hurry my dog's attention so as to keep moving as to keep the gap between us and the roaming dogs. At the point where the man was close enough but still a loop away on the trail, I yelled out to him to put his dogs on a leash. At that moment, his black shepherd caught sight of my dog on the path and his dog darted up the embankment and rocks to get to my dog. I brought my dog in close to my lap and tried to keep this dog at bay but he approached us too quickly and then grabbed my dog by the face with his muzzle. His dog was shaking my dog and tossing him around like a rag doll. Then I heard my dog's skin tear on his face and a yelp of pain I will never forget. When the flesh tore my dog was freed from the clutch of this vicious animal. No sooner did the other man's dog – a large brindle boxer pounce on my wounded dog and begin to shake him violently. Now the other dog was taking his turn biting my dog on his wounded head. My dog was wearing a coat as the weather remained cool and this appears to have acted as some protection against the other dogs from biting on his back and vital organs.

During the scuffle of dogs, I was yelling hysterically at this man to get his unruly dogs on a leash. I tried to get to my dog to protect him but everything happened so fast. Finally, after what seemed like an eternity, the black shepherd dog went to the man and he put the leash on him. The brindle boxer remained at large for a time before he could catch him. As the man was about to put his leash on the boxer dog, he let go of the black shepherd's leash and the dog started to bee line it back to me and my dog for yet another attack. Thankfully he managed to grab the leash before the dog came at us again. Now with both dogs on a leash he began to walk away with them. At this point, another call was placed to Animal Control at 4:39 pm advising them of the vicious dog attack that had ensued at the park. I was yelling at the man that I wanted his name but he just continued to walk away with not a care of what had just happened to my dog. I examined my dog quickly and assessed that he needed medical treatment so I walked my dog back slowly to my vehicle – a blood trace following us and immediately contacted my vet and brought him there for medical treatment where he underwent a 3 hour emergency surgery to repair a major laceration to his face.

From: Rainbow District Animal Shelter <rdshelter@gmail.com>
To: Stephen Holt <Stephen.Holt@greatersudbury.ca>
Date: 3/26/2015 8:19 AM
Subject: Re: Dog Attack - Delki Dozi

Ben - Boxer - Brindle, 5 yrs, D4301/2015
Sampson - Shepherd, Black, 6 yrs D4302/2015

Owners phone # is:
[REDACTED]

He was not sure of his apartment number... he claims this is only temporary - he is not the renter of the dwelling...

I probably will not get to the report till next week.

On 25/03/2015 2:53 PM, Stephen Holt wrote:

> Hello Richard, I require some information please...

>

> His correct name and address including apt # please,

>

> The names of the two dogs

>

> Copies of your report when you get a chance..

>

> Thanks

>

> Steve

>

>

>

> Stephen Holt

> CGS By Law Enforcement

> 705 674-4455 ext 4322

>

>

>>>> Rainbow District Animal Shelter <rdshelter@gmail.com> 3/25/2015 9:48 AM >>>

> Dear Troy,

>

> Regarding the dog attack at Delki Dozi I can tell you that the media
> story that ran on MCTV on Monday compelled the owner of the dogs to come
> forward. [REDACTED]

> [REDACTED] We also instructed the complainant to request a Vicious dog
> notice be issued and it is my understanding that this process is also
> underway with Officer Holt investigating.

>

> The owner claims that his leash broke...

>

> There was a follow up report aired last night on MCTV. While the
> original report is no longer on the MCTV site for viewing the follow up
> report is:

>

> <http://northernontario.ctvnews.ca/video?clipId=577092>

>

> This is apparently the most popular clip on their site and as a result

> of the interest the story has generated [REDACTED] has requested
> another interview with me today, which will take place at the Azilda Dog
> Park to go over leash laws, park regulations ect., this report should
> air tonight and should highlight what owners need to be doing and the
> consequences for non compliance.
>
> Delki Dozi continues to be a problem park and while our Officers have
> had some success with keeping dogs off the sports fields we seem to have
> moved the problem to the track which is an expansive space that is
> difficult to patrol.
>
> We have conducted several patrols issuing numerous notices and charged
> at least one other dog owner already this year who was reported as a
> frequent offender. We will redouble our efforts in this particular park.
>
> If I may suggest that the City look at establishing an Off Leash Dog
> Park somewhere in the southwest of the City that would attract people
> that frequent Bell, Delki Dozi and that use the outdoor rinks and sports
> fields in this area as their dog runs. The establishment of the Minnow
> Lake Park has reduced the number of complaints regarding other parks in
> the New Sudbury and Minnow Lake areas including Moonlight Beach which
> had been a frequent problem in the past. We feel a similar park
> established somewhere in the southwest would attract dog owners and
> reduce the the use of these parks by dog owners.

> Sincerely,
> Richard L. Paquette
> Rainbow District Animal Control and Shelter Services

> On 24/03/2015 9:20 AM, Rainbow District Animal Shelter wrote:

>> Thank you [REDACTED]

>>
>> I spoke with Daniel this morning, I will be meeting him at Delki Dozi
>> at 11 am. Daniel is currently residing at [REDACTED]. We have prepared
>> charges for:

>>
>> Fail to to take reasonable precautions from preventing a dog from
>> attacking a domestic animal - Dog Owners Liability Act - First
>> appearance April 20th
>> Permit dog to run at large - First appearance May 1st
>> Permit dog to attack - First appearance May 1st
>> Fail to register dog - First appearance May 1st

>>
>> All 4 will be by way of Information and Summons pursuant to Part III
>> of the Provincial Offenses Act, [REDACTED]

>> [REDACTED]

>> [REDACTED]

>> I will need all your vet bills and we need to establish your losses as
>> far as entry/handling fees for the upcoming show.
>>
>> Did you plan on breeding the dog?
>>
>> Is there some way to establish what the lost value of the dog for
>> showing/breeding purposes? What was the purchase price for the dog -
>> do you have a receipt?

>>
>> Sincerely,
>> Richard

>>
>>
>>
>> On 24/03/2015 8:55 AM, [REDACTED] wrote:
>>> Hi Richard,

>>>
>>> FYI
>>>
>>> *From:* Gilles Lefebvre [mailto:Gilles.Lefebvre@greatersudbury.ca]
>>> *Sent:* March 24, 2015 8:46 AM
>>> *To:* [REDACTED]
>>> *Cc:* Stephen Holt
>>> *Subject:* Re: Request to deem vicious dogs

>>>
>>> Hi [REDACTED]
>>>
>>> Your case number is 669022 and will be investigated by Municipal Law
>>> Enforcement Officer Stephen Holt. He can be reached at 311 ext. 4322.

>>>
>>>
>>>
>>> Gilles P. Lefebvre MLEO(C), C.P.S.O.
>>>
>>> Municipal Law Enforcement/Property Standards Officer,
>>>
>>> Growth & Development Services,
>>>
>>> City of Greater Sudbury
>>>
>>> (705) 674-4455 ext. 4257

>>>
>>>>>> [REDACTED]
>>> 8:36 AM >>>

>>>
>>> Please refer to attached documents and acknowledge receipt.

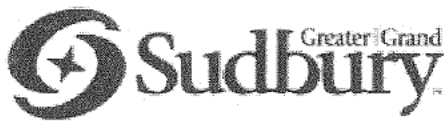
>>>
>>> Thanking you in advance,

>>>
>>> [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

>>>
>>>
>>>





DOG Tag Registration #2015 D-4301

Date Tag Purchased Tue, March 24, 2015
Cost \$40.00
Receipt No

Expires, as per By-Law 2002-285, on
Dec 31, 2015
Death of Animal
Transfer of Ownership

Owner's Information

Last Name WOODLIFFE
First Name DANIEL
Street Address
Unit/Appt #
City
Postal Code
Home Phone Number
Work Phone Number
Cell Phone Number

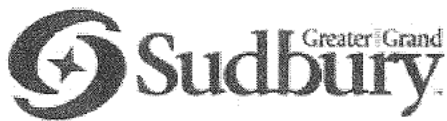
Animal's Information

Name BEN
Breed BOXER
Description BRINDLE
Gender MALE
Date of Birth Friday, April 16, 2010
Date Acquired Thursday, January 1, 2015
Veterinarian Other

Agent /CSC Information

Name Rainbow District Animal Shelter
Location 411 St. Agnes Street West Sudbury, Ontario
Phone 705-673-3647

Owner's Signature: _____



DOG Tag Registration #2015 D-4302

Date Tag Purchased Tue, March 24, 2015
Cost \$40.00
Receipt No

Expires, as per By-Law 2002-285, on
Dec 31, 2015
Death of Animal
Transfer of Ownership

Owner's Information

Last Name WOODLIFFE
First Name DANIEL
Street Address
Unit/Appt #
City
Postal Code
Home Phone Number
Work Phone Number
Cell Phone Number



Animal's Information

Name SAMPSON
Breed GERMAN SHEPHERD
Description BLACK
Gender MALE
Date of Birth Wednesday, April 16, 2008
Date Acquired Thursday, January 1, 2015
Veterinarian Other

Agent /CSC Information

Name Rainbow District Animal Shelter
Location 411 St. Agnes Street West Sudbury, Ontario
Phone 705-673-3647

Owner's Signature: _____

RECEIVED

MAR 30 2015

CLERK'S

Daniel Woodliffe



Subject: Appeal to Vicious Dog Notice
(669022)

Reason for Appeal:

I have been to every pet product store in the city, and haven't been able to acquire a muzzle suitable enough in size to fit either my boxer or shepherd and therefore cannot be fully compliant to the procedures set forth in the notice. I have ordered and placed a deposit on a pair of cage muzzles and am waiting 2-3 weeks for their arrival. In the short-term I am borrowing a muzzle from my friend for use on my shepherd but only as a temporary solution. But would like to have the ordered appealed/exempt.

Danny W





Request for Decision

Vicious Dog Appeal, ACR #66381A & #66381B - Dennis Richer & Jennifer Lapointe

Presented To:	Hearing Committee
Presented:	Monday, Jun 29, 2015
Report Date	Wednesday, Jun 17, 2015
Type:	Public Hearings
File Number:	ACR #663381A & #663381B

Recommendation

THAT the City of Greater Sudbury upholds the Vicious Dog Notice #66381A and #66381B issued to Dennis Richer and Jennifer Lapointe

Background

The City of Greater Sudbury By-law 2002-285, as amended, became effective on January 1, 2003 and regulates the keeping of animals and the registration of dogs and cats. Part VIII of the By-law entitled "Vicious Dogs"; section 21 of the By-law, contains provisions for the issuance of a Vicious Dog Notice to owners of dogs that have attacked a person or domestic animal without provocation.

The effect of the notice is to ensure the owner of a dog deemed vicious by receipt of the notice, muzzle and leash the dog when not inside the owner's dwelling at all times.

The By-law is specific about the contents of the notice and how the process is carried out. Several provisions in the By-law for the issuance of the notice are mandatory requirements of the Registrar and of the recipient of the Notice.

This section also provides for an appeal of the notice by the owner of the dog requesting a hearing of the matter by Council or Committee of Council. The Committee may uphold the notice and its contents, exempt the owner from the muzzling or leashing requirements or from both, or may modify the conditions for muzzling or leashing.

By-law Procedure Vicious Dog Notice – 66381A and 66381B

Subsection 2(1) of By-law 2002-285 designates the Manager of Compliance and Enforcement Services for the City of Greater Sudbury as the Registrar pursuant to the By-law, and By-law Officers in Compliance and

Signed By

Report Prepared By

Kyle Anderson
By-law Enforcement Officer
Digitally Signed Jun 17, 15

Division Review

Brendan Adair
Manager of Security, By-Law and Court
Services
Digitally Signed Jun 17, 15

Recommended by the Department

Caroline Hallsworth
Executive Director, Administrative
Services/City Clerk
Digitally Signed Jun 17, 15

Recommended by the C.A.O.

Bob Johnston
Interim Chief Administrative Officer
Digitally Signed Jun 17, 15

Enforcement have been appointed by the Registrar to perform the task of issuing Vicious Dog Notices pursuant to the By-law.

Subsection 21(2) of the By-law states "Where the Registrar is informed upon written complaint, and is satisfied that the dog has attacked without provocation or bitten a person or domestic animal, and had further been provided with satisfactory evidence as to the name and address of the owner of the dog the Registrar shall serve notice on the owner of the dog that the dog is deemed to be a vicious dog and requiring the owner to comply with any or all of the requirements set out in Subsections 21(4) and 21(5)."

A written complaint was received by the Registrar on February 24, 2015, regarding an occurrence that took place on February 23, 2015 where the complainant's dog was attacked and killed. The letter of complaint is attached to this report.

Information in the letter describes an incident which happened on February 23rd, 2015. The complainant stated that they were in their back yard with their small dogs when two large dogs entered the yard off leash and took one of the small dogs in their mouths and ran off. The complainant chased the two large dogs across the street to a neighbours house where the large dogs reside. The victim found their small dog dead at that location. The complainant also took pictures of the dog's body after the incident.

Vicious Dog Notices 66381A and 66381B, dated March 9, 2015 were issued to the dog owners. Sudbury Animal Control also investigated the matter and charges were subsequently laid against the dogs owners.

Appeal Notice

A letter of Appeal of the Vicious Dog Notice was sent by the owners dated March 23, 2015. A copy of the Appeal is attached to this report. The hearing was scheduled, and a notice was sent to the owners of the dog advising of the date and time of the hearing.

Conclusion

The Registrar is confident that the Vicious Dog Notices issued to Dennis Richer and Jennifer Lapointe satisfies the requirements of By-law 2002-285, Part VIII, Section 21, 1 By-law to regulate the keeping of animals and the registration of dogs and cats. The purpose of the notice is to mitigate the recurrence of similar incidents and provide an assurance of safety for the area residents and the general public.

The Registrar recommends that the Vicious Dog Notices be upheld by the Committee.

Case ID 663381

Caller Information

Known Callers: 1 Anonymous Callers: 0

Name: [REDACTED]

Address: [REDACTED]
[REDACTED]
[REDACTED]

Home Phone: [REDACTED]
[REDACTED]

Case Information

Case Type: By-Law Vicious Dog Category: Animal Control

Status: Postponed Priority: Normal

Expected Completion: 31-Aug-2015 08:00:00 AM Reactivation Date: 30-Jun-2015 12:00:00 AM

Last Updated: 11-May-2015 08:02:20 AM

Submitted By: Teresa Labelle On 24-Feb-2015 03:38:46 PM

Assigned To: Kyle Anderson (By-Law Ward 11-12 Officer) On 24-Feb-2015 03:38:47 PM

Access Code: 635563

Subject: Dog Killing

Description: Please see attached with regards to acr case

The case was created as: Re-Active

Location

Location: [REDACTED] [REDACTED]

[REDACTED] [REDACTED] MAILING1 [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] PROPERTYCODE [REDACTED]

OWNER1NAME [REDACTED]

Contacts

Work	Staff Member	Phone [Public]	Email	Fax
By-Law Vicious Dog Case	Kyle Anderson (By-Law Ward 11-12 Officer)	(705) 674-4455 x2510	Kyle.Anderson@city.greatersudbury.on.ca	(705) 671-0871

Comments

Date	Type	Entry	Relates To	Created By
11-May-2015 08:02:20 AM	Case Postponed	Other Reactivate on: 30 Jun 2015 Waiting for notification of hearing from Clerks Dept.	By-Law Vicious Dog	Kyle Anderson

11-May-2015 08:01:51 AM	Completion Date Revised	Other Expected case completion date changed from: 22 Jun 2015 08:00:00 AM to: 31 Aug 2015 08:00:00 AM	By-Law Vicious Dog	Kyle Anderson
11-May-2015 12:06:11 AM	Case Reactivated	System Case Reactivated	By-Law Vicious Dog	SYSTEM
06-May-2015 08:53:46 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 11 May 2015	By-Law Vicious Dog	Kyle Anderson
06-May-2015 08:53:33 AM	Case Communication	0852 hrs - Called CGS Clerks office to follow-up on the next available hearing date. They to look into this and respond back.	By-Law Vicious Dog	Kyle Anderson
05-May-2015 12:01:38 AM	Case Reactivated	System Case Reactivated	By-Law Vicious Dog	SYSTEM
30-Apr-2015 08:22:43 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 05 May 2015	By-Law Vicious Dog	Kyle Anderson
30-Apr-2015 12:02:23 AM	Case Reactivated	System Case Reactivated	By-Law Vicious Dog	SYSTEM
31-Mar-2015 09:10:19 AM	Case Postponed	Other Reactivate on: 30 Apr 2015 Awaiting notice of hearing.	By-Law Vicious Dog	Kyle Anderson
30-Mar-2015 10:55:54 AM	Case Communication	Email sent March 30, 2015 File Attached: Email sent March 30, 2015.pdf	By-Law Vicious Dog	Kyle Anderson
25-Mar-2015 01:59:33 PM	Completion Date Revised	Other Expected case completion date changed from: 05 May 2015 08:00:00 AM to: 31 Jul 2015 08:00:00 AM	By-Law Vicious Dog	Kyle Anderson
25-Mar-2015 01:59:10 PM	Case Communication	Appeal request received March 24, 2015 File Attached: Appeal Request Letter March 24, 2015.pdf	By-Law Vicious Dog	Kyle Anderson
25-Mar-2015 01:57:26 PM	Case Reopen	Other Case has been reopened by Kyle Anderson: Appeal request received March 24, 2015	By-Law Vicious Dog	Kyle Anderson
24-Mar-2015 08:10:53 AM	Case Completion	By-Law Work Completed Closed due to Case ID: 663381.	By-Law Vicious Dog	Kyle Anderson
24-Mar-2015 12:05:24 AM	Case Reactivated	System Case Reactivated	By-Law Vicious Dog	SYSTEM
11-Mar-2015 09:06:13 AM	Case Communication	0904 hrs - Called Dog Owner Jennifer at [REDACTED] no answer, voicemail box was full and I was unable to leave a message.	By-Law Vicious Dog	Kyle Anderson
11-Mar-2015 09:05:32 AM	Case Communication	0830 hrs - Received a voicemail message from the dog owner named in the vicious dog notice [REDACTED] requesting information on how to file an appeal to the Notices. She requested a call back at [REDACTED]	By-Law Vicious Dog	Kyle Anderson
11-Mar-2015 08:32:09 AM	Case Communication	Animal Control confirms that the Vicious Dog Order was served by personal service on March 10, 2015.	By-Law Vicious Dog	Kyle Anderson
11-Mar-2015 08:29:36 AM	Case Communication	Email received March 10, 2015 File Attached: Email received March 10, 2015.pdf	By-Law Vicious Dog	Kyle Anderson
09-Mar-2015 03:35:07 PM	Case Communication	1534 hrs - Called complainant, no answer, left a voicemail requesting a call back.	By-Law Vicious Dog	Kyle Anderson

User: cbylawe1

09-Mar-2015 03:32:39 PM	Case Postponed	Other Reactivate on: 24 Mar 2015 Vicious Dog Notices issued March 9, 2015 Final date for appeal of March 23, 2015 Sent registered mail.	By-Law Vicious Dog	Kyle Anderson
09-Mar-2015 03:31:03 PM	Case Communication	Email sent to Animal Control on March 9, 2015 File Attached: Email sent March 9, 2015.pdf	By-Law Vicious Dog	Kyle Anderson
09-Mar-2015 03:27:57 PM	Case Communication	Vicious Dog Notices 663381A and 663381B issued March 9, 2015. Copies to be sent registered mail and served in person by Animal Control. File Attached: Vicious Dog Notices March 9, 2015.pdf	By-Law Vicious Dog	Kyle Anderson
09-Mar-2015 02:53:41 PM	Case Communication	1430 hrs - Attended problem location and knocked on front door, no answer at the door. Two dogs could be heard barking inside and visible through the window in the side door was the two dogs. One appeared to be a German Shepherd and the other a black lab or similar. Left a business card in the door.	By-Law Vicious Dog	Kyle Anderson
06-Mar-2015 03:00:15 PM	Case Communication	1500 hrs - Called Dennis/Jennifer Richer at [REDACTED], no answer, voicemail box full, unable to leave a message. Called from an unlisted number.	By-Law Vicious Dog	Kyle Anderson
06-Mar-2015 12:03:50 PM	Case Communication	1145 hrs - Spoke to complainant who advised that he does not believe the dogs are still living at the same location as he has not seen them. I advised of the Vicious Dogs Notice process and he agreed to appear as a witness if need be. He also granted permission for his written complaint to be forwarded to Animal Control for investigation and would be willing to appear as a witness if charges are laid.	By-Law Vicious Dog	Kyle Anderson
04-Mar-2015 10:47:04 AM	Case Communication	1040 hrs - Spoke to Richard Jr at Animal Control who advised that charges have not yet been laid as they are awaiting a statement from the complainant. I advised that I would forward it along with the Vicious Dog Notice if the complainant is willing to appear as a witness. He advised that they would lay charges pending receipt of an acceptable statement.	By-Law Vicious Dog	Kyle Anderson
04-Mar-2015 10:35:21 AM	Case Communication	1034 hrs - Called Dennis/Jennifer Richer at [REDACTED], no answer, voicemail box full, unable to leave a message.	By-Law Vicious Dog	Kyle Anderson
24-Feb-2015 03:38:46 PM	Case Communication	- File Attached: Re Fwd Dog killing.rtf	By-Law Vicious Dog	Kyle Anderson
24-Feb-2015 03:38:46 PM	Case Communication	- File Attached: 6515D-Richer Dog Attack.pdf	By-Law Vicious Dog	Kyle Anderson
24-Feb-2015 03:38:46 PM	Case Communication	Written complaint received from complainant. File Attached: Just after midnight.docx	By-Law Vicious Dog	Kyle Anderson
24-Feb-2015 03:38:46 PM	Case Assignment	System Case ID: 663381 has been assigned to By-Law Ward 11-12 Officer (Anderson, Kyle).	By-Law Vicious Dog	Teresa Labelle

User: cbylawe1

24-Feb-2015 03:38:46 PM	Case Submission	System Case was submitted by [REDACTED].	By-Law Vicious Dog	Teresa Labelle
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Just after midnight.... Early morning of Feb 23, 2015.

I had my dogs out in the back for their late night pee.

I was taking them in 2 on leashes.

As they were coming in the two big dogs from across the street can around the corner and jumped on Mousie. They cornered him between them and grabbed him, then they ran away with Mousie in their mouth(s).

I immediately chased after them in my sock feet. I grabbed a little shovel and ran as fast as I could, yelling and screaming. I chased them into their yard, falling once and losing my retainer in the neighbor's yard. I threw the shovel aside and ran to Mousie as he lay on the ground. The dog owners were outside and I was screaming that "They killed my dog" referring to the big dogs. As I picked Mousie up and took him away the lady was saying she was sorry. He was dying in my arms as I brought him into the house.

I called the veterinary emergency number and it took a long time for them to connect with me. A vet technician did speak to me on the phone but Mousie was dead. I had a very difficult time for the rest of the night. I spent a long time talking to my friend John on the phone. I did not sleep all night.

I am worried about my other dogs. They are all small and these two big dogs have a taste for killing now.



Dog attack (other domestic animal):
6515D

Priority: High

Call taken

02/23/2015 at 11:40 AM

Call address

Dennis/Jennifer Richer

See address history below

Call description/notes

12:10 am this morning 2 dogs from across the street came on to his property and dragged away and killed his Papillon Chihuahua mix. The owners of the 2 dogs are aware. He has not spoken to them since incident. Wanted to know his options. Fearful it may reoccur. Told him about DOLA and Viscous Dog aspect of Bylaw.

Caller

Dispatched by

Richard M. Paquette

Case

• No case

Enforcement

No enforcement

Animal(s)

No animals

Prior actions

- Spoke with complainant on 02/24/2015 at 8:31 AM assigned to Richard L. Paquette
Notes: asking about next steps - prevention, protection. Will email statement - forward information on how to request vicious dog notice.
- Spoke with animal owner on 02/23/2015 at 7:40 PM assigned to Sheri Mills (address: [REDACTED])
Notes: explained DOLA act, vicious dog order, charges, surrender and licences, both have 2014 but no valid 2015, Jennifer stated she will speak to her husband about it and decide what they will do and call tomorrow or Wednesday with their decision. She also questioned about the dog limit within Sudbury as complainant has 5-7 chihuahuas that are always at large, in the bush behind his house and follows the [REDACTED]
- [REDACTED] 2015 at 6:40 PM assigned to Sheri Mills ([REDACTED])
- Called - no answer on 02/23/2015 at 2:59 PM assigned to Richard L. Paquette (address: [REDACTED])
Notes: Mailbox full...
- Corrective action taken - see notes on 02/23/2015 at 2:58 PM assigned to Richard L. Paquette ([REDACTED])
Notes: -ROXY FEMALE DOG BLACK/TAN GERMAN SHEPHERD -DOLLY FEMALE DOG BLACK BLACK LAB Not registered 2015!

Address history: [REDACTED]

Current and prior occupants:

- Dennis/Jennifer Richer (01/06/2014 through present)

Current and prior calls:

- Dog attack (other domestic animal) #6515D on 02/23/2015 (12:10 am this morning 2 dogs from across the street came on to his property and dragged away and killed his Papillon Chihuahua mix. The owners of the 2 dogs are aware. He has not spoken to them since incident. Wanted to know his options. Fearful it may reoccur.

Told him about DOLA and Viscous Dog aspect of Bylaw.)

- Dog at large #3197D on 01/22/2014 (German Shep came into his yard and tried to attack his dog. Wednesday 3:55pm. Ongoing problem will purchase tag by feb 1st)
- Dog at large #3083D on 01/06/2014 (Dog owner has 2 dogs that are always off their property - one lab mix dog and one german shep type dog - both were ate large around 11:30 pm on Sunday Jan 5 and as well as earlier in the day... Please contact dog owner and let them know of DAL bylaw and possible license sales.)

March 23/2015

Greater City of Sudbury (Animal Control)

attention: Kyle Anderson By-Law Enforcement Officer

I Jennifer Lapointe, have recently received a Verbal Abg Notice Case #'s 663381A, 663381B in which I choose to have my case heard before Council or Committee. My husband Dennis Ritor also recieved one of two notices but he was not part of the ~~alleged~~ incident that took place February 23 at 12:30 am. He had made his presence known but was completely shocked at the allegations that were brought to our attention at that time.

Sincerely

Jennifer Lapointe

&
Dennis Ritor

VICIOUS DOG NOTICE 663381A

Pursuant to City of Greater Sudbury Animal Control By-law 2002-285

REGISTERED MAIL & HAND DELIVERED

To: Dennis Richer
Jennifer Richer



PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The City of Greater Sudbury is in receipt of a written complaint that your dog, Roxy, not registered in 2015, has attacked another dog without provocation on February 23, 2015.

As Registrar pursuant to the Animal Control By-Law #2002-285, I deem your dog to be vicious. Therefore, you are hereby required to comply with the requirements as set out in Sections 21 (4) and 21 (5) of the by-law which states:

- 4) "Every owner of a vicious dog shall at all times when the vicious dog is not in the owner's dwelling unit but otherwise within the boundaries of the owner's premises, ensure that
 - a) the vicious dog is muzzled so as to prevent it from biting a person or domestic animal; and
 - b) the vicious dog is securely leashed on a leash which does not allow it to go beyond the property line of the owner's lands."
- 5) "Every owner of a vicious dog shall at all times when the vicious dog is not within the boundaries of the owner's premises;
 - a) keep the vicious dog under the effective control of an adult person on a leash held by the person; and
 - b) keep the vicious dog muzzled.

AND FURTHER

- (6) Every owner of a vicious dog shall notify the Registrar within two working days of any change in ownership or residence of the vicious dog and provide the Registrar with the new address and telephone number of the owner.
- (7) Where the owner of a vicious dog is informed that his or her dog has been deemed to be a vicious dog, the owner may, within 14 days of such notice, request in writing a hearing by Council or committee established for that purpose and Council may exempt the owner from the muzzling or leashing requirement, or both such requirements or may modify the conditions for muzzling or leashing.
- (8) The notification that a dog is a vicious dog is effective from the date it is served, even if a hearing before Council is requested by the owner of the dog affected.

Failure to comply with this notice will result in charges pursuant to the by-law and Provincial Offences Act, which upon conviction may result in a fine to a maximum of \$5,000.

Dated this 9th day of March, 2015.

A handwritten signature in blue ink, appearing to read 'K. Anderson', is written over a horizontal line.

Kyle Anderson, Registrar/
By-Law Enforcement Officer
City of Greater Sudbury

C: Greater Sudbury Animal Control

VICIOUS DOG NOTICE 663381B

Pursuant to City of Greater Sudbury Animal Control By-law 2002-285

REGISTERED MAIL & HAND DELIVERED

To: Dennis Richer
Jennifer Richer



PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The City of Greater Sudbury is in receipt of a written complaint that your dog, Dolly, not registered in 2015, has attacked another dog without provocation on February 23, 2015.

As Registrar pursuant to the Animal Control By-Law #2002-285, I deem your dog to be vicious. Therefore, you are hereby required to comply with the requirements as set out in Sections 21 (4) and 21 (5) of the by-law which states:

- 4) "Every owner of a vicious dog shall at all times when the vicious dog is not in the owner's dwelling unit but otherwise within the boundaries of the owner's premises, ensure that
 - a) the vicious dog is muzzled so as to prevent it from biting a person or domestic animal; and
 - b) the vicious dog is securely leashed on a leash which does not allow it to go beyond the property line of the owner's lands."
- 5) "Every owner of a vicious dog shall at all times when the vicious dog is not within the boundaries of the owner's premises;
 - a) keep the vicious dog under the effective control of an adult person on a leash held by the person; and
 - b) keep the vicious dog muzzled.

AND FURTHER

- (6) Every owner of a vicious dog shall notify the Registrar within two working days of any change in ownership or residence of the vicious dog and provide the Registrar with the new address and telephone number of the owner.
- (7) Where the owner of a vicious dog is informed that his or her dog has been deemed to be a vicious dog, the owner may, within 14 days of such notice, request in writing a hearing by Council or committee established for that purpose and Council may exempt the owner from the muzzling or leashing requirement, or both such requirements or may modify the conditions for muzzling or leashing.
- (8) The notification that a dog is a vicious dog is effective from the date it is served, even if a hearing before Council is requested by the owner of the dog affected.

PO BOX 5000 SIN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

Failure to comply with this notice will result in charges pursuant to the by-law and Provincial Offences Act, which upon conviction may result in a fine to a maximum of \$5,000.

Dated this 9th day of March, 2015.



Kyle Anderson, Registrar/
By-Law Enforcement Officer
City of Greater Sudbury

C: Greater Sudbury Animal Control

		REGISTERED DOMESTIC		RECOMMANDÉ RÉGIME INTÉRIEUR		
CUSTOMER RECEIPT		REÇU DU CLIENT				
To		Destinataire		FOR DELIVERY CONFIRMATION		CONFIRMATION DE LA LIVRAISON
Name		Nom		www.canadapost.ca		www.postescanada.ca
Address		Adresse		or/ou		
City / Prov. / Postal Code		Ville / Prov. / Code postal		1 888 550-6333		
Declared Value		Valeur déclarée		CPC Tracking Number		Numéro de repérage de la SCP
\$				RW 770 656 747 CA		
33-086-584 (11-04)						

Request for Decision

Order to Remedy Appeal, ACR #641305 - Sandra Cartledge

Presented To:	Hearing Committee
Presented:	Monday, Jun 29, 2015
Report Date	Wednesday, Jun 17, 2015
Type:	Public Hearings
File Number:	ACR #641305

Recommendation

THAT the City of Greater Sudbury upholds the Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy #641305 issued to Sandra Cartledge, owner of 264 Whittaker Street Sudbury.

Background

The Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy (herein referred to as "the Order") was issued pursuant to the Building Code Act, S.O. 1992, Chapter 23 as amended, (herein referred to as "the Act").

The Council of the City of Greater Sudbury enacted By-law 2011-277, cited as the "Maintenance and Occupancy Standards By-law" (herein referred to as "the By-law"). This By-law has been passed under the authority of Section 15 of the Act and prescribes standards for the maintenance and occupancy of properties within the City and for requiring properties not in conformance with the standards therein to be repaired and maintained to conform to the standards. This By-law was enacted to ensure the safety of residents and the upkeep of properties to prevent the degradation of the community and neighborhoods.

The enforcement and appeal provisions of this By-law are found in the Building Code Act. It provides for inspection powers of the officer, the issuance of an Order, the establishment of a Property Standards Committee, and the procedures for an appeal of the Order. Specific time frames and methods of notification are established in the Act and the powers of the Property Standards Committee are also set out in the Act.

Facts and Evidence Supporting the Order

On July 25, 2014 the City of Greater Sudbury Compliance and Enforcement office received a complaint from a resident about the discharge of water from the downspouts of the neighbouring property at 264 Whittaker St, specifically that the water was draining onto the complainant's property.

Signed By

Report Prepared By

Stephen Holt
By-law Enforcement Officer
Digitally Signed Jun 17, 15

Division Review

Brendan Adair
Manager of Security, By-Law and Court Services
Digitally Signed Jun 17, 15

Recommended by the Department

Caroline Hallsworth
Executive Director, Administrative Services/City Clerk
Digitally Signed Jun 17, 15

Recommended by the C.A.O.

Bob Johnston
Interim Chief Administrative Officer
Digitally Signed Jun 17, 15

On July 29, 2014 By-Law Enforcement Officer Holt attended the location and inspected the property. Photographs were taken showing the downspouts directing water towards the complainant's property. In Officer Holt's opinion this was in violation of the City of Greater Sudbury By-Law 2011-277 Property Standards By-Law Ss 2.06(3) which states:

a) Lot drainage shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.

On July 30, 2014 an Order to Remedy was issued to Sandra Cartledge the registered owner of 264 Whittaker Street requiring the downspouts be re-routed so the water does not drain onto adjoining property.

Conclusion

Section 15.3(3.1) of the Building Code Act sets out the powers of the Committee on an appeal of an Order. It provides to the Committee the same powers and functions of the officer who made the order, and can confirm, modify or rescind the Order, and can also extend the time for complying with the order, if in the Committee's opinion doing so would maintain the general intent and purpose of the By-law and of the Official Plan or Policy Statement.

It is the recommendation of this report to uphold the Order to Remedy Non-Conformity with Standards for Maintenance and Occupancy, #641305 issued July 30, 2014 requiring the redirection of discharge water to minimize the risk of water damage to the property neighbouring 264 Whittaker Street.

Case ID 641305

Caller Information

Known Callers: 1 Anonymous Callers: 0

Name: [REDACTED]

Address: [REDACTED]
[REDACTED]
[REDACTED]

Home Phone: [REDACTED]

Mobile Phone: [REDACTED]

Case Information

Case Type: By-Law Water Infraction Category: Property Maintenance
Status: Postponed Priority: Normal
Expected Completion: 05-May-2016 08:00:00 AM Reactivation Date: 24-Jul-2015 12:00:00 AM
Last Updated: 04-Jun-2015 03:39:23 PM
Submitted By: Chris St. Onge On 25-Jul-2014 02:31:44 PM
Assigned To: Stephen Holt (By-Law Ward 1-2 Officer) On 25-Jul-2014 02:31:45 PM
Access Code: 113783
Subject: Drainage
Description: Complainant upset over problem location draining water on thier property via eavestrough.
The case was created as: Re-Active

Inspection Complete	Yes	Re-Inspection Complete	No
2nd Re-Inspection	No	3rd Re-Inspection	No
4th Re-Inspection	No		

Location

Location: 264 WHITTAKER STREET, SUDBURY, ON, CANADA (Verified with GIS)
MAILING1 264 WHITTAKER ST MAILING4 SUDBURY ON
MAILING5 P3C 3X8 LEGALDESCRIP TION MCKIM CON 3 LOT 7 PLAN 4S LOT 179 REG 6250.00SF 50.00FR 125.00D
WARD 1 ZONING R6
OWNER1NAME CARTLEDGE SANDRA APRIL

Contacts

Work	Staff Member	Phone [Public]	Email	Fax
By-Law Water Infraction Case	Stephen Holt (By-Law Ward 1-2 Officer)	(705) 674-4455 x4322	Stephen.Holt@greatersudbury.ca	

Comments

Date	Type	Entry	Relates To	Created By
04-Jun-2015 03:39:23 PM	Case Note	Notice of Appeal Hearing. Caller advised. File Attached: Notice of Hearing 264 Whittaker.pdf	By-Law Water Infraction	Stephen Holt
12-May-2015 11:16:33 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 24 Jul 2015 Awaiting appeal date	By-Law Water Infraction	Stephen Holt
12-May-2015 11:16:07 AM	Completion Date Revised	Other Expected case completion date changed from: 16 Jun 2015 08:00:00 AM to: 05 May 2016 08:00:00 AM revise	By-Law Water Infraction	Stephen Holt
05-May-2015 12:00:52 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
07-Apr-2015 10:56:47 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 05 May 2015 Awaiting appeal hearing date	By-Law Water Infraction	Stephen Holt
06-Apr-2015 12:06:59 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
10-Mar-2015 11:49:54 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 06 Apr 2015 Awaiting appeal hearing	By-Law Water Infraction	Stephen Holt
02-Mar-2015 12:02:07 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
05-Jan-2015 12:03:12 PM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 02 Mar 2015 Awaiting appeal hearing	By-Law Water Infraction	Stephen Holt
02-Jan-2015 12:04:59 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
01-Dec-2014 09:32:56 AM	Case Note	Still awaiting appeal hearing.	By-Law Water Infraction	Stephen Holt
01-Dec-2014 09:32:25 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 02 Jan 2015	By-Law Water Infraction	Stephen Holt
01-Dec-2014 12:02:20 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
30-Oct-2014 11:21:12 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 01 Dec 2014 Awaiting appeal date	By-Law Water Infraction	Stephen Holt
30-Oct-2014 11:20:41 AM	Completion Date Revised	Other Expected case completion date changed from: 11 Dec 2014 08:00:00 AM to: 12 Jan 2015 08:00:00 AM revise	By-Law Water Infraction	Stephen Holt
30-Oct-2014 12:02:49 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
30-Sep-2014 04:07:11 PM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 30 Oct 2014	By-Law Water Infraction	Stephen Holt
30-Sep-2014 04:06:51 PM	Completion Date Revised	Other Expected case completion date changed from: 10 Nov 2014 08:00:00 AM to: 30 Dec 2014 08:00:00 AM revise	By-Law Water Infraction	Stephen Holt
29-Sep-2014 12:02:20 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
16-Sep-2014 09:26:26 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 29 Sep 2014	By-Law Water Infraction	Stephen Holt

15-Sep-2014 12:01:16 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
25-Aug-2014 11:08:04 AM	Case Note	Appeal to Order to Comply File Attached: 201408251115.pdf	By-Law Water Infraction	Jane Lewis
15-Aug-2014 11:25:50 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 15 Sep 2014 Appeal submittd. Awaiting date for hearing.	By-Law Water Infraction	Stephen Holt
15-Aug-2014 12:00:29 AM	Case Reactivated	System Case Reactivated	By-Law Water Infraction	SYSTEM
11-Aug-2014 12:24:25 PM	Case Note	Writer spoke with caller this date as she requested update-advised. Writer spoke with homeowner and reiterated advice given her by Darlene Barker that at this point an appeal needed to be filed in order for her to amend Order. Owner was not happy, writer gave her directions on how to file appeal.	By-Law Water Infraction	Stephen Holt
11-Aug-2014 11:01:29 AM	Case Note	Caller from said location called 3 separate times in which I spoke with and transferred her once to D. Barker and 2x to S. Holt.	By-Law Water Infraction	Jennifer Dimmel
11-Aug-2014 10:12:50 AM	Case Note	Caller indicated that she would like Officer to attend property for inspection.	By-Law Water Infraction	Chris St. Onge
08-Aug-2014 10:30:43 AM	Case Note	8 August 2014 - 10:25 hrs - Recipient of Order called in requesting information for appeal. Also indicated that she would like Officer to attend property for inspection.	By-Law Water Infraction	Greg Bergeron
06-Aug-2014 03:26:29 PM	Case Note	I called the owner back and advised her that if she was not in agreement with the order, she should appeal the order. She needs to send a request in writing before the date on the order. I also advised her that Officer Holt would inspect when he returns from holidays. She advises that she has a survey to show that the downspouts are not on her neighbour's property. Would like the officer to witness that the water does not run onto her neighbour's property.	By-Law Water Infraction	Darlene Barker
06-Aug-2014 03:04:33 PM	Case Note	Called again, want an officer to attend (knows Steve is on vacation) to witness that the water is not flowing onto the neighbouring property.	By-Law Water Infraction	Gilles Lefebvre
05-Aug-2014 09:56:30 AM	Case Note	Complainant came to the office on August 5 2014 stating that she had a survey done and the drainage is in fact going onto her property. Would like the officer to contact her so she can provide the survey evidence. [REDACTED]	By-Law Water Infraction	Brittnee Sheridan
30-Jul-2014 11:03:46 AM	Case Postponed	By-Law Re-Inspect on Due Date Reactivate on: 15 Aug 2014	By-Law Water Infraction	Stephen Holt
30-Jul-2014 11:03:06 AM	Case Note	OTR File Attached: OTR 264 Whittaker downspouts.doc	By-Law Water Infraction	Stephen Holt
30-Jul-2014 11:02:36 AM	Case Note	pic File Attached: 004.JPG	By-Law Water Infraction	Stephen Holt
30-Jul-2014 11:02:20 AM	Case Note	pic File Attached: 003.JPG	By-Law Water Infraction	Stephen Holt
30-Jul-2014 11:02:04 AM	Case Note	pic File Attached: 002.JPG	By-Law Water Infraction	Stephen Holt
30-Jul-2014 11:01:45 AM	Case Note	pic File Attached: 001.JPG	By-Law Water Infraction	Stephen Holt

User: off03byl

28-Jul-2014 08:34:52 AM	Case Note	Complainant sent in photo. File Attached: rocks removed again.jpg	By-Law Water Infraction	Chris St. Onge
28-Jul-2014 08:33:37 AM	Case Note	Complainant sent in photo. File Attached: photo 2.JPG	By-Law Water Infraction	Chris St. Onge
28-Jul-2014 08:33:07 AM	Case Note	Complainant sent in photo. File Attached: photo.JPG	By-Law Water Infraction	Chris St. Onge
25-Jul-2014 02:31:44 PM	Case Assignment	System Case ID: 641305 has been assigned to By-Law Ward 1-2 Officer (Holt, Stephen).	By-Law Water Infraction	Chris St. Onge
25-Jul-2014 02:31:44 PM	Case Submission	System Case was submitted by Chris St. Onge.	By-Law Water Infraction	Chris St. Onge



PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200 RUE BRADY
SUDBURY ON P3A 5P3

ORDER TO REMEDY
NON-CONFORMITY WITH STANDARDS
FOR MAINTENANCE AND OCCUPANCY

Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended.

		Case #641305
Date of Inspection: July 29, 2014	Time:1520 hrs	By-Law No.:2011-277
Municipal address or legal description of property X Occupied Unoccupied		
264 Whittaker St Sudbury, ON		
Name of owner/occupant and mailing address		
Sandra CARTLEDGE 264 Whittaker St Sudbury, ON P3C 3X8		
DESCRIPTION OF NON-CONFORMITY	LOCATION	BY-LAW REFERENCE
a) Lot drainage shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.	Downspouts along property line	2.06(3)
REQUIRED ACTION		
Reroute downspouts so water does not drain onto adjoining property.		
Emergency Order - above work to be carried out immediately to terminate danger. Subsection 15.7 (1)		
There must be compliance with the terms and conditions of this order before this date <u>August 15, 2014</u> .		

TAKE NOTICE THAT if such repair or clearance is not done within the time specified in this order, the Municipality may carry out the repair or clearance at the expense of the owner. Clause 15.2 (2) (c).

APPEAL TO PROPERTY STANDARDS COMMITTEE - An owner or occupant upon whom this order has been served, if not satisfied with the terms or conditions of the order, may appeal to the Property Standards Committee by sending notice of appeal by registered mail to the Secretary of the Committee on or before August 14, 2014 (Date -within fourteen days after service of this order) and, in the event that the order is not appealed, it shall be deemed to be confirmed. Subsection 15.3 (1).

Date Order Served: July 30, 2014

Stephen Holt
Property Standards Officer
705 674-4455 ext 4322

DISTRIBUTION OF ORDER TO REMEDY* - The order shall be served on the owner of the property and such other persons affected by it as the officer determines and a copy of the order may be posted on the property. Subsection 15.2(3).

REGISTRATION OF ORDER - Where a copy of this order is registered in the proper land registry office, any person acquiring any interest in the land, subsequent to the registration of the order, shall be deemed to have been served with the order on the day on which the order was served. Subsection 15.2 (4).

OFFENCE - A person is guilty of an offence if the person fails to comply with an order, direction or other requirement made under the Building Code Act, 1992. A person who is convicted of an offence is liable to a fine of not more than \$25, 000 for a first offence and to a fine of not more than \$50,000 for a subsequent offence. Subsections 36 (1) (b) and 36 (3).

Personal information contained on this form, collected pursuant to a by-law passed under the Building Code Act, 1992 will be used for the purposes of that by-law. Questions should be directed to the Municipal Freedom of Information and Privacy Coordinator at the institution responsible for the procedures under that Act.

Original - CONTRAVENOR*	Copy - OFFICE	Copy - PROPERTY STANDARDS OFFICER	Copy - BUILDING CONTROLS	Copy- FIELD
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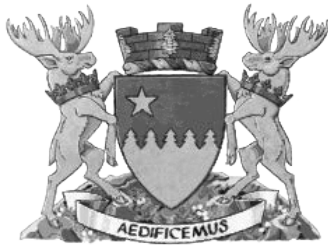


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City of Greater Sudbury Charter

WHEREAS Municipalities are governed by the Ontario Municipal Act, 2001;

AND WHEREAS the City of Greater Sudbury has established Vision, Mission and Values that give direction to staff and City Councillors;

AND WHEREAS City Council and its associated boards are guided by a Code of Ethics, as outlined in Appendix B of the City of Greater Sudbury's Procedure Bylaw, most recently updated in 2011;

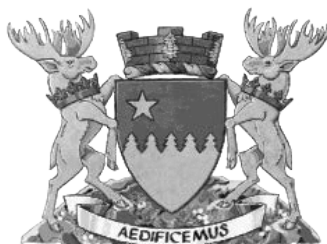
AND WHEREAS the City of Greater Sudbury official motto is "Come, Let Us Build Together," and was chosen to celebrate our city's diversity and inspire collective effort and inclusion;

THEREFORE BE IT RESOLVED THAT Council for the City of Greater Sudbury approves, adopts and signs the following City of Greater Sudbury Charter to complement these guiding principles:

As Members of Council, we hereby acknowledge the privilege to be elected to the City of Greater Sudbury Council for the 2014-2018 term of office. During this time, we pledge to always represent the citizens and to work together always in the interest of the City of Greater Sudbury.

Accordingly, we commit to:

- Perform our roles, as defined in the Ontario Municipal Act (2001), the City's bylaws and City policies;
- Act with transparency, openness, accountability and dedication to our citizens, consistent with the City's Vision, Mission and Values and the City official motto;
- Follow the Code of Ethical Conduct for Members of Council, and all City policies that apply to Members of Council;
- Act today in the interest of tomorrow, by being responsible stewards of the City, including its finances, assets, services, public places, and the natural environment;
- Manage the resources in our trust efficiently, prudently, responsibly and to the best of our ability;
- Build a climate of trust, openness and transparency that sets a standard for all the City's goals and objectives;
- Always act with respect for all Council and for all persons who come before us;
- Ensure citizen engagement is encouraged and promoted;
- Advocate for economic development, encouraging innovation, productivity and job creation;
- Inspire cultural growth by promoting sports, film, the arts, music, theatre and architectural excellence;
- Respect our historical and natural heritage by protecting and preserving important buildings, landmarks, landscapes, lakes and water bodies;
- Promote unity through diversity as a characteristic of Greater Sudbury citizenship;
- Become civic and regional leaders by encouraging the sharing of ideas, knowledge and experience;
- Work towards achieving the best possible quality of life and standard of living for all Greater Sudbury residents;



Charte de la Ville du Grand Sudbury

ATTENDU QUE les municipalités sont régies par la Loi de 2001 sur les municipalités (Ontario);

ATTENDU QUE la Ville du Grand Sudbury a élaboré une vision, une mission et des valeurs qui guident le personnel et les conseillers municipaux;

ATTENDU QUE le Conseil municipal et ses conseils sont guidés par un code d'éthique, comme l'indique l'annexe B du Règlement de procédure de la Ville du Grand Sudbury dont la dernière version date de 2011;

ATTENDU QUE la devise officielle de la Ville du Grand Sudbury, « Ensemble, bâtissons notre avenir », a été choisie afin de célébrer la diversité de notre municipalité ainsi que d'inspirer un effort collectif et l'inclusion;

QU'IL SOIT RÉSOLU QUE le Conseil de la Ville du Grand Sudbury approuve et adopte la charte suivante de la Ville du Grand Sudbury, qui sert de complément à ces principes directeurs, et qu'il y appose sa signature:

À titre de membres du Conseil, nous reconnaissons par la présente le privilège d'être élus au Conseil du Grand Sudbury pour le mandat de 2014-2018. Durant cette période, nous promettons de toujours représenter les citoyens et de travailler ensemble, sans cesse dans l'intérêt de la Ville du Grand Sudbury.

Par conséquent, nous nous engageons à :

- assumer nos rôles tels qu'ils sont définis dans la Loi de 2001 sur les municipalités, les règlements et les politiques de la Ville;
- faire preuve de transparence, d'ouverture, de responsabilité et de dévouement envers les citoyens, conformément à la vision, à la mission et aux valeurs ainsi qu'à la devise officielle de la municipalité;
- suivre le Code d'éthique des membres du Conseil et toutes les politiques de la municipalité qui s'appliquent à eux;
- agir aujourd'hui pour demain en étant des intendants responsables de la municipalité, y compris de ses finances, biens, services, endroits publics et du milieu naturel;
- gérer les ressources qui nous sont confiées de façon efficiente, prudente, responsable et de notre mieux;
- créer un climat de confiance, d'ouverture et de transparence qui établit une norme pour tous les objectifs de la municipalité;
- agir sans cesse en respectant tous les membres du Conseil et les gens se présentant devant eux;
- veiller à ce qu'on encourage et favorise l'engagement des citoyens;
- plaider pour le développement économique, à encourager l'innovation, la productivité et la création d'emplois;
- être une source d'inspiration pour la croissance culturelle en faisant la promotion de l'excellence dans les domaines du sport, du cinéma, des arts, de la musique, du théâtre et de l'architecture;
- respecter notre patrimoine historique et naturel en protégeant et en préservant les édifices, les lieux d'intérêt, les paysages, les lacs et les plans d'eau d'importance;
- favoriser l'unité par la diversité en tant que caractéristique de la citoyenneté au Grand Sudbury;
- devenir des chefs de file municipaux et régionaux en favorisant les échanges d'idées, de connaissances et concernant l'expérience;
- viser l'atteinte de la meilleure qualité et du meilleur niveau de vie possible pour tous les résidents du Grand Sudbury.