



Location:	Committee Room C-13B, Tom Davies Square
Commencement:	4:05 PM
Adjournment:	6:00 PM

Minutes

**For the 2nd Hearing Committee Meeting held
Monday, January 30, 2012**

LISA OLDRIDGE, DEPUTY CITY CLERK IN THE CHAIR

Present

Councillors Cimino; Barbeau; Rivest; Caldarelli; Kett

Councillor Craig

Staff

Guido Mazza, Director of Building Services/Chief Building Official; Darlene Barker, Manager of Compliance and Enforcement Services; Richard Paquette, Animal Control Officer; Lisa Oldridge, Deputy City Clerk; Liz Collin, Committee Secretary

Declaration of Pecuniary Interest and the General Nature Thereof

None declared

Appointment of Committee Chair and Vice-Chair

- 1 . Report dated January 18, 2012 was received from the Executive Director, Administrative Services/City Clerk regarding the appointment of Committee Chair and Vice-Chair.

Nominations were held for the position of Committee Chair.

NOMINATOR	NOMINEE
Councillor Barbeau	Councillor Cimino

Nominations were held for the position of Committee Vice-Chair.

NOMINATOR	NOMINEE
Councillor Caldarelli	Councillor Kett

Nominations were closed.

The following recommendation was presented:

HC2012-01 Barbeau/Rivest: THAT Councillor Cimino be appointed as Chair of the Hearing Committee for the term ending December 31, 2012, or until his/her successor is appointed, whichever occurs later; and

THAT Councillor Kett be appointed as Vice-Chair of the Hearing Committee for the term ending December 31, 2012, or until his/her successor is appointed, whichever occurs later.

CARRIED

COUNCILLOR JOE CIMINO IN THE CHAIR

Public Hearings

- 2 . The Hearing Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated January 23, 2012 was received from the General Manager of Growth and Development regarding an appeal of Vicious Dog Notices issued to Kevin Cote of 1729 Paris Street, Sudbury.

Kevin Cote, appellant, was present.

The Manager of Compliance and Enforcement Services outlined the report to the Committee and submitted the following:

Statement from victim was distributed to the Committee Members at the meeting.

Police Report dated November 8, 2011 was distributed to the Committee Members at the meeting.

Rabies Investigation Reports 138-0009 and 138-0008 from the Sudbury and District Health Unit dated November 8, 2011 was distributed to the Committee Members at the meeting.

Rabies Confinement Notice from the Sudbury and District Health Unit was distributed to the Committee Members at the meeting.

Picture of the appellant's property and street map were distributed to the Committee Members at the meeting.

Complaint Report dated November 8, 2011 from the Rainbow District Animal Control and Shelter Services was distributed to the Committee Members at the meeting.

Mr. Cote stated he believes the incident is circumstantial as the dogs were puppies at the time. He informed he had just relocated to this apartment and started a new job. The day of the incident was the second time away from the dogs since he got them. He stated the house he is living in requires repairs and the dogs got out through a broken window in the basement. He feels the dogs were under stress due to the new environment and feared their owner was not returning. He stated the dogs are always supervised when in the yard and locked up when he is away, this incident should not have happened. He informed he has muzzles and leashes for the dogs; however, he does not agree that he should have to muzzle the dogs and it is wrong for them to have their mouths forced shut all the time. He stated the dogs have not yet received their vaccinations. He currently has financial difficulties as he lost his job due to a fall and not being able to return to work. He does not believe the dogs should be tied and muzzled when outside in the yard.

Mr. Paquette stated that dog bites are not breed specific. He stated the by-law is to protect residents from vicious dogs and in this situation the requirements have not been met. He believes the dogs may bite again. He stated a majority of dog bites are from unneutered male dogs often under one year in age. He requested the Committee uphold the recommendation. In response to a question, he informed there is no provincial or federal database for vicious dogs, the by-law requires the dog owner to report where the dogs are living in the City of Greater Sudbury. He stated both dogs attacked with one holding the victim by the arm and the other dog biting the victim's leg.

Mr. Cote stated he feels the report is exaggerated but does agree that the victim was bite by his dog. He does not feel the dogs were large enough to knock the victim down. He agrees they should not run loose but does not agree with leashing and muzzling when they are in the yard. He said the dogs have been socialized with other dogs and people and have had no other problems.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

The Public Hearing concerning this matter was closed and the Hearing Committee resumed in order to discuss and vote on the application.

The following recommendation was presented:

HC2012-02 Rivest/Barbeau: THAT the Hearing Committee uphold the Vicious Dog Notices 378874-1 and 378874-2, issued to Kevin Cote of 1729 Paris Street, City of Greater Sudbury as stated in the report dated January 23, 2012 received from the General Manager of Growth and Development.

CARRIED

Adjournment That we do now adjourn. Time: 4:42 p.m.

Councillor Dave Kilgour, Chair

Lisa Oldridge, Deputy City Clerk