

**REPORT NO. 130** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held April 24, 2013

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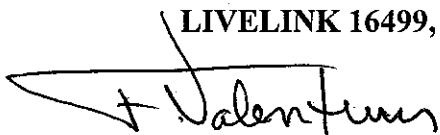
**Present:**                    **Councillor J. Gignac**  
                                  **Councillor A. Halberstadt**  
                                  **Councillor R. Jones,**  
                                  **Councillor H. Payne**  
                                  **Councillor F. Valentinis, Chair**


That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Jones, seconded by Councillor Halberstadt,  
**THAT** Section 26(1) of By-law 245-2004 **BE AMENDED** by changing the term  
“potentially dangerous dog” to “restricted dog”.  
Carried.

Clerk’s Note: The administrative report authored by the Manager of By-law Enforcement dated March 11, 2013 entitled “*Housekeeping Amendments to By-law No. 245-2004 – A By-law for the Registration and Licensing of Dogs and for the Control of Dogs Generally within the City of Windsor*” is **attached** as background information.

**LIVELINK 16499, AB2013**

  
\_\_\_\_\_  
**CHAIRPERSON**

  
\_\_\_\_\_  
**DEPUTY CLERK**

<b>NOTIFICATION:</b>				
<b>Name</b>	<b>Address</b>	<b>Email Address</b>	<b>Telephone</b>	<b>FAX</b>

THE CORPORATION OF THE CITY OF WINDSOR  
**Environment, Transportation & Public Safety Standing Committee**  
**Admin Report – Public Safety**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #: 16499 AB2013</b>	<b>Report Date: March 11, 2013</b>
<b>Author's Name: Ann Kalinowski, Manager of By-law Enforcement</b>	<b>Date of Standing Committee: April 24, 2013</b>
<b>Author's Phone: 519-255-6100 ext. 1931</b>	<b>Classification #:</b>
<b>Author's E-mail: akalinowski@city.windsor.on.ca</b>	

**TO:** Environment, Transportation & Public Safety Standing Committee

**SUBJECT:** Housekeeping Amendments to By-law No. 245-2004 - A By-law for the Registration and Licensing of Dogs and for the Control of Dogs Generally within the City of Windsor

**1. RECOMMENDATION:** City Wide:  Ward(s): \_\_\_\_\_

THAT Section 26 (l) of By-law 245-2004 **BE AMENDED** by changing the term "potentially dangerous dog" to "restricted dog".

**2. BACKGROUND:**

By-law 245-2004, A By-law for the Registration and Licensing of Dogs and for the Control of Dogs Generally within in the City of Windsor, defines the difference between potentially dangerous dogs, dangerous dogs, restricted dogs and prohibited dogs as well as the requirements each type of dog must comply with. A potentially dangerous dog is defines as a dog that in the absence of any mitigating factors has chased or approached a person or animal in a menacing fashion. A restricted dog is a dog that is a pit bull to which its owner had a valid 2004 dog tag.

**3. DISCUSSION:**

The By-law for the Registration and Licensing of Dogs and for the Control of Dogs outlines the requirements an owner of a restricted dog must comply with under section 26. Section 26 (l) refers to the restricted dog owner's obligation to purchase third party liability coverage for any damage or injury caused by the dog as follows:

- (l) *"To obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such potentially dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it. Such policy shall contain a provision*

requiring the insurer to immediately notify the Animal Control Officer should the policy expire, be cancelled or be terminated for any reason”.

This section incorrectly references “potentially dangerous dog” instead of “restricted dog” and therefore needs to be amended to reflect the correct designation.

**4. RISK ANALYSIS**

This error in By-law 245-2004 impedes the proper enforcement of Section 26 in carrying out Council’s direction with respect to restricted dogs.

**5. FINANCIAL MATTERS:**

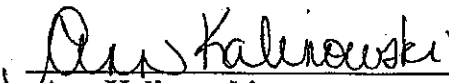
N/A

**6. CONSULTATIONS:**


Wira Vendrasco, Deputy City Solicitor  
Craig Robertson, Acting Supervisor of Licensing


**7. CONCLUSION:**

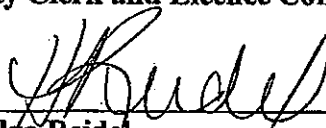
Administration is recommending a simple amendment to Section 26 (1) of By-law 245-2006 by replacing “potentially dangerous dog” with “restricted dog” to reflect the intention of section 26 (1).

  
Ann Kalinowski  
Manager of By-law Enforcement

  
Lee Anne Doyle  
Executive Director/Chief Building Official

  
Valerie Critchley  
City Clerk and Licence Commissioner

  
George Wilkki  
for City Solicitor and Corporate Leader,  
Economic Development and Public Safety

  
Helga Reidel  
Chief Administrative Officer

AK:al

**APPENDICES:**      None

**DEPARTMENTS/OTHERS CONSULTED:**  
Name:  
Phone #: 519              ext.