



Town of Aurora  
Aurora Appeal Tribunal  
Hearing Minutes

<b>Date:</b>	Thursday, January 23, 2020
<b>Time and Location:</b>	6 p.m., Council Chambers, Aurora Town Hall
<b>Committee Members:</b>	Tom Plamondon (Chair), Clarence Lui (Vice Chair), Michele Boyer, Steven D'Angeli, and Daniel Lajeunesse
<b>Members Absent:</b>	None
<b>Other Attendees:</b>	Alex Wray, Manager, By-law Services, Hailey MacGillivray, Animal Services Officer and Town's Case Presenter, Sabrina Nathan, Shahila Nathan, Peng Qu, Appellants, Samantha Yew, Deputy Town Clerk, and Ishita Soneji, Council/Committee Coordinator

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## 1. Call to Order

The Deputy Town Clerk called the meeting to order at 6 p.m.

## 2. Appointment of Chair

The Deputy Town Clerk opened the floor to nominations for the Chair and Vice Chair of the Aurora Appeal Tribunal for the 2018-2022 Term.

Clarence Lui nominated Tom Plamondon as Chair. There being no other nominations, Tom Plamondon was appointed Chair of the Committee.

Tom Plamondon nominated Clarence Lui as Vice Chair. There being no other nominations, Clarence Lui was appointed Vice Chair of the Committee.

Tom Plamondon assumed Chair at 6:03 p.m. and outlined the process that would be followed in the conduct of the appeal hearing.

### **3. Declarations of Interest**

None

### **4. Appeals for Consideration**

#### **1. 32 Cypress Court – Notice to Muzzle – Animal Services By-law No. 6197-19**

Mr. Alex Wray, Manager of By-law Services introduced the matter before the Committee and presented exhibits and made submissions with respect to the dog bite experienced from dog, Caramel.

The Appellants, Ms. Sabrina Nathan and Ms. Shahila Nathan presented an exhibit package in defense of Caramel and noted that the incident was an act of self defence, and there have been no past altercations of this nature. It was noted that Caramel has no history of aggressive behaviour and measures would be taken to ensure such incidents do not repeat in the future.

The Committee sought clarification on the exhibit package submitted by the Appellant and recessed the meeting to allow time for the Town Case presenter to review the evidence as per the process, as the package was not provided prior to the meeting.

The Committee recessed the meeting at 7:13 p.m. and reconvened at 7:27 p.m.

The Committee sought any objections to the evidence submitted by the Appellants and the Town Case presenter noted that upon reviewing the evidence, and agreement was reached with the Appellant with respect to the Notice to Muzzle and requested the Committee to consider rescindment of the muzzle order and that a training program for Caramel should be considered.

The Committee inquired about the type of training program suggested and the proposed timelines, and staff provided clarification.

The Committee recessed to deliberate the matter at 7:43 p.m. and reconvened at 7:27 p.m.

The Vice Chair stated that upon hearing the evidence of the Appellant and Town staff on behalf of The Corporation of Town of Aurora and reviewing any evidences submitted, it was the decision of the Aurora Appeals Tribunal:

**Moved by Clarence Lui**

**Seconded by Steven D'Angeli**

1. That the Notice to Muzzle – Animal Services By-law No. 6197-19 for Caramel, dated November 19, 2019 be rescinded in its entirety with the following conditions:
  - (a) That the pet owner and Town of Aurora Animal Services department come to an agreement for a training program for Caramel; and
  - (b) That if an agreement is not reached, any party could resume the appeal process.

**Carried**

The Vice Chair provided the rationale behind the Committee's decision and the hearing for this case was adjourned with no appointed date for resumption.

2. **78 Timberline Trail – Notice to Muzzle – Animal Services By-law No. 6197-19**
3. **78 Timberline Trail – Notice to Muzzle – Animal Services By-law No. 6197-19**

Ms. Hailey MacGillivray, Animal Services Officer, introduced the matter before the Committee and presented exhibits and made submissions with respect to the dog bite experienced by a resident from dogs Chloe and Joey.

The Appellant, Mr. Peng Qu spoke in defence of the dogs noting that the incident was accidental and reactive in nature. He noted that he wishes to present video evidence regarding the incident to the Committee prior to any decisions being made.

The Committee recessed to deliberate the matter at 8:28 p.m. and reconvened at 8:38 p.m.

The Vice Chair stated that upon hearing the statement of the Appellant and Town staff on behalf of The Corporation of Town of Aurora, it was the decision of the Aurora Appeals Tribunal:

**Moved by Clarence Lui**

**Seconded by Steven D'Angeli**

1. That the hearing regarding Notices to Muzzle – Animal Control By-law No. 6197-19 for Chloe and Joey, dated November 19, 2019 be adjourned to February, 6, 2019 at 6 p.m.; and
2. That until a decision is made, the Notices to Muzzle for both dogs Chloe and Joey remain in force.

**Carried**

The Vice Chair provided the rationale behind the Committee's decision and requested the Appellant that the video evidence be submitted to the Town by Tuesday, January 28, 2020, and if possible a pre-hearing be considered.

## **6. Adjournment**

**Moved by Daniel Lajeunesse**

That the meeting be adjourned at 8:49 p.m.

**Carried**