



Town of Aurora Aurora Appeal Tribunal Hearing Minutes

Date:	Monday, July 30, 2020
Time and Location:	6:30 p.m., Video Conference
Committee Members:	Tom Plamondon (Chair), Clarence Lui (Vice Chair), Michele Boyer, Steven D'Angeli, Daniel Lajeunesse
Members Absent:	None
Other Attendees:	Lindsay Clarke, Supervisor, Animal Services, By-law Services (Town's Case Presenter), Bethany Coleman, Animal Services Officer, By-law Services (Town's Case Presenter), Alexander Wray, Manager, By-law Services, Samantha Yew, Deputy Town Clerk, Patricia Calderon, Appellant, Ryan Davies, Witness, Gillian Newell, Witness

This meeting was held electronically as per Section 20.1 of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 State of Emergency.

1. Call to Order

The Chair called the hearing to order at 6:12 p.m.

2. Declarations of Interest

None

3. Adjournments/Withdrawals (Added Section)

1. 36 Victoria Street – Notice to Muzzle – Animal Services By-law No. 6197-19

The Appellant requested that the hearing be adjourned to a future date due to lack of time to prepare for the hearing. The Town's Case Presenter opposed the adjournment and requested to proceed with the hearing.

The Tribunal recessed the hearing to deliberate the request for adjournment at 6:58 p.m. and reconvened the hearing at 7:13 p.m.

The Tribunal requested clarification from staff regarding the distribution of documents related to the hearing.

The Tribunal recessed the hearing to further deliberate the request for adjournment at 7:19 p.m. and reconvened the hearing at 7:24 p.m.

Moved by Steven D'Angeli
Seconded by Clarence Lui

That the request for adjournment be denied.

Carried

4. Appeals for Consideration

1. 36 Victoria Street – Notice to Muzzle – Animal Services By-law No. 6197-19

Alexander Wray, Manager, By-law Services, stated that it is the Town's position that the Notice to Muzzle should be confirmed as written.

The Town's Case Presenter presented exhibits, including a video, with respect to the alleged dog bite experienced from dog, Max. The Case Presenter also provided submissions regarding the Appellant's other dog, who has been involved in unrelated incidents. The Appellant objected to the submission of many exhibits.

The Town's Case Presenter called upon two witnesses. The first witness, Mr. Ryan Davies, answered questions from the Town and the Appellant regarding his account of the alleged dog bite and a video he took showing the aftermath of the incident, which was submitted by the Town as evidence.

The Town's second witness, Gillian Newell, who is the owner of the dog subject to the alleged attack, was unavailable when called to speak.

The Tribunal recessed the hearing to allow By-law Services to attempt to contact the second witness at 9:45 p.m. and reconvened the hearing at 10:08 p.m.

The second witness did not return to the hearing. The Committee asked the Appellant if they would like to request an adjournment as the witness was not present. The Appellant requested an adjournment in order to request a legal opinion on the significance of the witness.

The Tribunal recessed the hearing to deliberate the request for adjournment at 10:20 p.m. and reconvened the hearing at 10:29 p.m.

Moved by Steven D'Angeli
Seconded by Michele Boyer

That based on the unavailability of the Town's witness, who is the owner of the dog subject to the alleged attack, the Tribunal adjourns the hearing to Thursday, August 13, 2020, at 6:30 p.m.

Carried

5. Adjournment

Moved by Clarence Lui
Seconded by Daniel Lajeunesse

That the hearing be adjourned at 10:35 p.m.

Carried