



## **Town of Aurora Aurora Appeal Tribunal Hearing Minutes**

**Date:** Thursday, August 13, 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

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

### **1. Call to Order**

The Chair called the Hearing to order at 6:37 p.m.

### **2. Declarations of Interest**

None

### **3. Appeals for Consideration**

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

The Chair provided a brief review of the Hearing held on July 30, 2020, noting that the unavailability of the Town's second witness was the reason for adjournment.

The Chair and Vice Chair stated that for timing purposes the Town's second witness would be called, deviating from the order of the speakers for the Hearing. The Appellant agreed with this change.

The Town Case Presenter called upon the Town's second witness, Gillian Newell, owner of the dog that was allegedly attacked. Ms. Newell provided her account of the incident and answered questions from the Town and the Appellant.

The Appellant asked questions of the Town's Case Presenter and explained that the objection to 21 exhibits of evidence submitted by the Town was because they refer to incidents related to the Appellant's other dog, not the dog in question. The Appellant requested that these documents be ignored.

The Appellant presented exhibits with respect to the incident and answered questions from the Tribunal.

The Town's Case Presenter and the Appellant provided closing remarks. The Town's Case Presenter requested that the Order be confirmed as presented. The Appellant requested that the Muzzle Order be applied for only six months to a year.

The Tribunal recessed the Hearing to deliberate at 9:39 p.m. and reconvened the Hearing at 9:44 p.m.

The Tribunal confirmed with the Town's Case Presenter that the Order would be applied indefinitely if confirmed as written, and the Case Presenter noted that at the Pre-hearing the Town offered to reduce the Muzzle Order to three years with proof of appropriate training. The Tribunal inquired about the change in request from the Pre-hearing to the Hearing, and the Case Presenter cited an incident that occurred between the Pre-hearing and the Hearing involving the Appellant's other dog as the reason for the change.

The Tribunal recessed the Hearing to deliberate at 9:51 p.m. and reconvened the Hearing at 10:31 p.m.

The Vice Chair briefly detailed the Tribunal's decision-making process including the consideration of evidence and procedural fairness, noting that more information would be available in the final Notice of Decision, which would be provided within 15 days of the Hearing.

**Moved by Clarence Lui**  
**Seconded by Daniel Lajeunesse**

That the Order to Muzzle be confirmed in its entirety, with reasons for decision to follow.

**Carried**

#### **4. Adjournment**

**Moved by Clarence Lui**  
**Seconded by Michelle Boyer**

That the hearing be adjourned at 10:37 p.m.

**Carried**