TORONTO Member Motion

City Council

Notice of Motion

MM27.4	ACTION			Ward:All

Humane Treatment and use of Guard Dogs within the City of Toronto - by Councillor Mark Grimes, seconded by Councillor Michelle Berardinetti

**** Notice of this Motion has been given.***
**** This Motion is subject to referral to the Licensing and Standards Committee. A two-thirds vote is required to waive referral.***

Recommendations

Councillor Mark Grimes, seconded by Councillor Michelle Berardinetti, recommends that:

1. City Council amend Toronto Municipal Code Chapter 349, Animals, to require that:

   a. All guard dogs will be kept in compliance with Section 349-5 of Toronto Municipal Code Chapter 349, Animals, which outlines the responsibility of the person keeping an animal in the City of Toronto, to care for animals; specifically to provide the animal or cause it to be provided with adequate and appropriate care, food, water, shelter, exercise, attention and veterinary care as may be required to meet the need of the species.

   b. A person shall not use or permit the use of a guard dog at any premises unless a person ("the handler") who is capable of controlling the dog is present on the premises and the dog is under the control of the handler at all times while it is being so used.

   c. The handler of a guard dog shall keep the dog under his or her control at all times while it is being used as a guard dog at any premises.

   d. A person shall not use or permit the use of a guard dog at any premises unless a notice containing a warning that a guard dog is present is clearly exhibited at each entrance to the premises, such notice to also include an emergency contact number to be used if the dog is in distress.

Summary

Throughout the City of Toronto, dogs are used to protect business premises; or the property kept on the premises; or even a person guarding the premises or such property.

The dogs are most often kept in pens during the day and released at night to roam their respective warehouses, used car lots, construction sites, etc. until the next working day. Many dogs are kept outdoors through all types of weather including snow, sleet, rain, extreme heat and freezing cold. They may go for days without water or proper food. Their injuries, wounds and ailments may go unnoticed for days and left untreated.

Dogs are social animals that crave attention and companionship, and life as a guard dog, roaming an empty concrete lot, is a lonely and miserable existence. The dogs bark to signal distress and this disturbs individuals in the surrounding area, particularly residential homes. Residents file complaints with Animal Services regarding the noise of these dogs and the disturbance in neighbourhoods during the night and early morning hours.

Section 349-5 of Toronto Municipal Code Chapter 349, Animals outlines the responsibility of the person keeping an animal in the City of Toronto, to care for animals. Specifically to provide the animal or cause it to be provided with adequate and appropriate care, food, water, shelter, exercise, attention and veterinary care as may be required to meet the need of the species. It also requires enclosures to be provided if an animal is customarily kept out of doors, for the animals use at all times a structurally sufficient, weatherproofed and insulated enclosure of appropriate size and dimension.

Chapter 349 however does not clearly define the need for human interaction and monitoring of working dogs and allows them to be left on their own for long periods. In the United Kingdom, legislation exists regarding the care and control of guard dogs, to ensure this type of animal cruelty does not happen.

(Submitted to City Council on October 30 and 31, 2012 as MM27.4)

Background Information (City Council)

Member Motion MM27.4