



## STAFF REPORT ACTION REQUIRED

### Responsible Dog Ownership – Results of Consultation

<b>Date:</b>	November 10, 2015
<b>To:</b>	Licensing and Standards Committee
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2015\Cluster B\MLS\LS15023

#### SUMMARY

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This report responds to City Council's direction that the Executive Director, Municipal Licensing and Standards report to Licensing and Standards Committee with recommendations on how the City can effectively respond to incidents of dog bites and dangerous and/or vicious dogs, including a review of best practices on public education, legislation and enforcement in other jurisdictions.

The ultimate goal is zero dog bite incidents in the City of Toronto. To achieve this goal preventive actions such as educating the public and clear and easy-to-understand by-laws are needed.

With a growing population and over 230,000 dogs in the city, dog owners and non-dog owners must be able to co-exist in public places. Prior to amending by-laws and creating new policies, Municipal Licensing and Standards set out to understand the issues by completing research which included a jurisdictional scan and conducting public consultation which included public meetings and a survey.

From this work, it is clear that owners need to be responsible for their dogs and their dog's actions. Municipal Licensing and Standards has identified the need to develop educational materials and amend Toronto Municipal Code, Chapter 349, Animals to ensure responsible dog ownership. Further consultation will be required.

#### RECOMMENDATIONS

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**The Executive Director, Municipal Licensing and Standards recommends that:**

1. Licensing and Standards Committee receive this report for information.

## **Financial Impact**

There are no financial impacts beyond what has already been approved in the current year's budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

At its meeting of March 31, 2015, City Council requested the Executive Director, Municipal Licensing and Standards to report to Licensing and Standards Committee with recommendations on how the City can effectively respond to incidents of dog bites and dangerous and/or vicious dogs; such report to include: a review of the Dog Owners' Liability Act (DOLA), a jurisdictional scan including the City of Calgary's approach to vicious dogs, the impact of insurance claims, incidents of dog on dog violence and enforcement of muzzle orders.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.CC5.4>

## **ISSUE BACKGROUND**

In 2013, an Ipsos-Reid poll estimated that the City of Toronto has over 230,000 dogs. To ensure public safety, owners of dogs must abide by the Province's Dog Owners Liability Act (DOLA) and the City of Toronto Municipal Code, Chapter 349, Animals. Animal Care and Control Officers in Toronto Animal Services enforce the provisions of both DOLA and Chapter 349, Animals. Attachment 3 contains data on reported incidents of dog bites from 2008 to 2014.

In 2014:

- 688 incidents of dogs biting people were reported
- 248 incidents of dogs biting domestic animals were reported
- 423 dog menace or attacks were reported

In response to these reported incidents, Toronto Animal Services issued:

- 59 muzzle orders
- 202 notices of caution
- 220 written warnings
- laid 73 charges under DOLA, of which there were 27 convictions

In the summer of 2014, ML&S, in partnership with the Toronto Police Service, conducted a blitz of parks to educate and inform dog owners of their responsibilities under the City's by-law. ML&S also responded to 829 complaint-initiated investigations of dogs at large (not leashed or in a designated off leash area) and laid 161 charges for individuals not complying with the by-law.

In 2013, the Ombudsman investigated Toronto Animal Services' response to a severe dog bite. The Ombudsman's investigation found the victim was not well served following the

bite. The Ombudsman's report identified problems with the timeliness of Toronto Animal Services' response, the process and the training of staff who respond to incidents of dog bites.

Since the Ombudsman's investigation, ML&S has made changes to its processes in the handling of incidents of dog bites and has improved the ways in which it responds to reported incidents of dog bites. ML&S now responds to reports of dog bites within 24 hours. Information available to the public has also been improved.

## **COMMENTS**

### **Consultations**

To better understand the issues and to seek input on changes, ML&S sought feedback from a broad range of Toronto residents and stakeholders to ensure that the City can effectively balance, manage and address dog behaviour, owner responsibility and public safety. ML&S gathered feedback in four ways: public meetings, survey, telephone and email.

### **Public consultations and stakeholder meetings**

ML&S held five public consultation meetings and obtained input from approximately 60 community members in-person and through email. A detailed summary of the public consultations can be found in Attachment 1.

ML&S staff also consulted with the College of Veterinarians of Ontario, the Ontario Veterinary Medicine Association, University of Guelph Veterinary College Behaviour Department, North Toronto Veterinary Behaviour Specialty Clinic, dog trainers, dog walkers and Toronto Humane Society.

### **Survey**

ML&S developed a comprehensive online survey on dog behaviour and dog owner responsibilities. The online survey was posted on the Municipal Licensing and Standards website [www.toronto.ca/mlshaveyoursay](http://www.toronto.ca/mlshaveyoursay) and ran from August 21 to October 30, 2015. To increase public participation, ML&S circulated its survey through Councillors, businesses, stakeholders, neighbourhood dog and residential associations and social media. In total ML&S received over 2,500 responses to the survey. Attachment 2 is a summary of the survey findings.

### **Key Findings**

#### **Some dogs bite**

Every dog is different and any dog can bite. Stakeholders noted that dogs can bite when they are fearful, in pain, when they are expressing guarding or prey drive or after another human or domestic animal has not respected the dog's warning signals. Some feedback from those who were consulted identified that some people do not understand dog behaviour. Of those who provided feedback, some had witnessed or experienced other dog owners, residents or children who had difficulty distinguishing dogs' social cues and dog behaviour. In particular in the dog parks, some individuals reported that they witnessed some individuals having difficulty when distinguishing dogs playing from a

dog being harassed or the warning signs of when a dog wants to be left alone. Despite warning signs or possible reasons for dog bites, the owner is responsible for preventing their dog from biting other people or domestic animals.

### **Most people are aware that the owner is responsible if their dog bites**

The majority (95%) of survey respondents were aware that the owner is responsible for their dog's behaviour, including when a dog bites. Overall, few complaints were reported about incidents involving dogs, the large majority (83%) had never reported a complaint.

Those who did report a complaint were concerned about a dog at large (47%), a dog barking (21%), dog biting another domestic pet (22%) and an aggressive dog in a public place (21%). Some of those that participated in the public consultations noted that if a dog has bitten or attacked another person or domestic animal it is likely that the owner encouraged the dog to behave in this manner. Owners may do this intentionally (e.g., guard dog training) or unknowingly (e.g., tethering their dog for long periods of time or not socializing their dogs with other people or domestic animals).

### **Public safety concerns**

Of those that responded to the survey, 22% had made a complaint about a dog biting another domestic pet, another 21% complained about an aggressive dog in a public place, and 13% about a dog who bit a human. In cases where a complaint was not made, respondents identified similar issues in the survey. For example, 21% of survey respondents had witnessed an aggressive dog in a public place, 11% identified noticing a dog biting another dog and 5% noticed a dog biting a human.

Other respondents who provided feedback indicated that they were concerned about public safety in the City of Toronto's off leash designated areas. Some recommended that children under 12 years old should be prohibited from off leash areas unless accompanied by an adult. Others were concerned about the size of dogs and would like to see separate areas for small dogs and big dogs. Some would like to see intact (not neutered/spayed) dogs prohibited from designated off leash areas because they perceived behavioural changes in other dogs with the presence of an intact dog.

While a number of incidents involving dogs did not present lingering effects, some respondents (11%) identified that they were nervous or afraid since the incident occurred. Others (40%) identified being irritated about the situation, but not nervous or afraid. Some respondents (13%) indicated that the issue has affected their sleep.

Some experiences had an effect on the respondent's dog. Almost half (41%) of those who responded to this question noted their dog(s) had experienced stress and 15% noted that their dog(s) behaviour had changed. Many (46%) of dog owners noted avoiding certain areas of the city because of certain dogs.

### **Education**

A key strategy for preventing incidents of dog bites is education according to those who provided feedback. A number of respondents to the survey (79%) and participants in the

public consultations indicated that they would like to see Toronto increase public awareness and information about dog safety and dog owner responsibilities.

While the educational material exists online and in brochures, consultation participants indicated that there may be a bigger role for the City to play in education to promote appropriate socialization between humans and dogs and between dogs and other domestic animals. For example, some participants would like to see additional education on how dogs behave or respond to intact dogs or dogs in heat, or 'difficult' dogs who are being rehabilitated. Some suggested that the City promote campaigns such as the [Yellow Dog Project](#) or using other indicators such as special tags or bandanas to help identify a dog that requires additional space from humans or domestic animals. Some attendees expressed disappointment that Toronto Animal Services were no longer administering the education program for students in schools on socializing with dogs and dog bite prevention due to budget cuts.

As identified earlier, most dogs exhibit warning signs before they bite. Educating the public to recognize and respect these signals can help avoid potentially dangerous situations.

### **Enforcement**

Some feedback from respondents noted slow response time and not enough officers to investigate offences when they occur. A few residents were particularly concerned about the number of officers on duty during the time when they witnessed or experienced offences such as in the early morning, in the evening or overnight. During the consultation period, a few residents described lengthy and frustrating experiences documenting an incident. Others experiences may have resulted in a charge but the offending behaviour continued. Some participants in the consultation thought offending behaviour continued because the fines and penalties are not effective at deterring dog owners from an offence.

Some strategies to increase compliance that were suggested include: increasing the clarity of the by-law and education about owners' responsibilities, targeted enforcement or blitzes, and increasing or escalating penalties. For dogs who have severely bitten a person or domestic animal, the majority of those surveyed (64%) indicated that enforcing muzzling at all times while off the owner's property was sufficient to protect the public, 18% weren't sure whether it was sufficient or not, and 19% thought it was insufficient. The effectiveness of a muzzle is dependent on the owner ensuring that the dog is wearing it every time the dog is on property other than the owner's. Many of the survey respondents would also like to see increased fines for any further charges (60%) or continuing offences, specialized licences for dogs who have bitten (46%), and the owner should be required to post a sign on their property advising the public of their dog (44%). Other suggestions included mandatory training for the owner, requiring the owner and dog to consult with a behavioural specialist, pay damages and vet bills resulting from the bite, remove the dog from owner's care, and some were not sure about what should be done.

## **Best practices**

ML&S reviewed Toronto's current Animals by-law, as well as by-laws in neighbouring municipalities, and cities across Canada and the United States to determine whether changes may increase owners' compliance and reduce or prevent unnecessary bites. Attachment 4 is a summary of a jurisdictional scan of legislation for Toronto, Barrie, Brampton, Caledon, Mississauga, Ottawa, Vaughan, Waterloo, Calgary, Grand Prairie, Hythe, Vancouver, Victoria, Nanaimo, Chicago, and New York City. Areas of focus included definitions, licensing requirements, requirements to protect the public, fines and appeals.

## **Calgary**

The City of Calgary's by-law is more comprehensive than Chapter 349, Animals in part because Alberta does not have provincial legislation equivalent to Ontario's DOLA.

The City of Calgary has similar provisions in their Responsible Pet Ownership By-law as exists in Chapter 349, Animals including the requirement for:

- Dogs to be licensed and wear a licence tag at all times
- Dogs to be on-leash at all times, unless posted signs indicate otherwise, or are in a securely fenced private yard
- Owners to pick up all feces produced by their dog both on and off their property
- Dogs to be under control in designated off-leash areas, meaning they must be in sight of their owners and respond to sight or sound commands

Calgary has much higher rates of compliance than Toronto despite additional requirements placed on dog owners. More than 90 per cent of dogs and 45 per cent of cats residing in Calgary are licensed, making it a leader in licensing compliance in North America. Calgary has reported that its high licensing rates can be attributed to an open dialogue with residents about services supported by licensing fees. The dialogue turned the act of licensing into an engaging and positive interaction. In addition, Calgary established a rewards program card in 2010 for residents who pay annual fees. Toronto has a similar rewards program, but only 30% of dogs and 10% of cats are licensed.

Calgary's by-law also includes a definition for vicious animals, a licensing category which applies to owners of vicious animals and has additional requirements for the owner to adhere to, as well as higher fees for licensing and higher penalties for non-compliance with the by-law.

## **Other jurisdictions**

ML&S also reviewed municipalities in Ontario, Canada and North America to compare their regulatory approaches to incidents of dog bites and dangerous dogs with the measures provided for under the existing Chapter 349, Animals, keeping in mind that different jurisdictions operate under different authorizing legislation. Despite similarities between municipal by-laws, there are a few points of interest. For example, in this jurisdictional scan **Toronto is the only City of the 15 cities reviewed that does not include in its by-law a definition of "dangerous", "menacing" or "vicious" dog.** The cities of Brampton and Waterloo also have definitions for "potentially dangerous dog".

In addition, seven cities (Brampton, Ottawa, Vaughan, Waterloo, Calgary, Grand Prairie, and Hythe) have a specific licence for dangerous, vicious and/or restricted dogs which includes a higher licensing fee and additional requirements for the dog owner to comply with.

Penalties for offences vary across municipalities and Toronto's minimum and maximum fines established in Chapter 349, Animals are somewhat lower than other municipalities. For example, Barrie's fines range from \$500 to \$10,000 and the fines cannot exceed \$100,000 for continuing offences. Calgary has fines not exceeding \$10,000 and where a person is in default of payment, the by-law indicates possible imprisonment of not more than six months. Calgary also sets distinct fines for offences where the dog falls under the vicious animal licensing category. Chicago and Hythe, Alberta both indicate the authority in the by-law for the City to seize the dog for the period of the investigation and final decision to protect the public. Further information can be found in Attachment 4.

Given the wide variation between municipalities, there is very little research on the effectiveness of enforcement and education strategies to prevent dog bites. Only Clarke and Fraser (2013) had completed a recent study of 36 Canadian urban municipalities' animal control measures and their relationship to reported incidence of dog bites.

**The study's findings show that in urban Canadian municipalities with very active ticketing and licensing enforcement the reported bite rate was much lower.** This finding indicated to the authors that higher levels of enforcement led to a reduction in dog bites and it also led to more reporting by members of the public.

### **Impact of Insurance Claims**

There is very little data on the impact of insurance claims in Canada, with only one insurer publicizing data on dog bite claims. In Canada, State Farm paid out \$940,000 from 31 claims in 2013 which was down from \$2.4 million and 33 claims in 2012.

**According to State Farm most of these incidents could have been prevented.**

Currently, the **City of Toronto does not require dog owners to have liability insurance.** One key advantage of liability insurance is that the victim of the dog bite is not victimized twice by having been injured and then having to bear the costs associated with the injury and potential loss of income. The biggest disadvantage, and arguably a reason why many municipalities do not have an insurance requirement, is that insurance can be expensive. It can be seen as penalizing less affluent owners and the expense may cause some owners to not license their dog or to surrender healthy dogs to animal services. Also it may not be necessary. Additional requirements, such as insurance, can be included in an order under DOLA in cases where a dog has bitten.

### **Current Enforcement Powers**

The City has the authority to enforce Chapter 349, Animals and the Dog Owner's Liability Act (DOLA). DOLA is the provincial legislation in Ontario which governs dogs and their owners. **DOLA identifies that the owner of the dog is liable for damages resulting from a bite or attack by the dog on a person or domestic animal.**

If the court decides that an order is necessary for the protection of the public, the final order may specify that:

- the dog be destroyed in the manner specified in the order, or
- the owner take measures specified in the order for more effective control of the dog (e.g., confining the dog to the owners property, posting a warning sign, leashing and muzzling)
- The owner is prohibited from owning another dog during a specified period of time

If a dog owner is found guilty of an offence, he or she is liable to a fine of not more than \$10,000 or imprisonment for a term of not more than six months or both.

### **Dogs at large**

The City of Toronto defines "dogs at large" in Chapter 349, Animals as "an animal found on any other property than that of the owner of the animal, and not under the control of the owner except where the owner of the property permit the animal to be on his or her property." This includes when an unaccompanied dog is tethered on public or private property (such as when an individual tethers their dog to run into the coffee shop or grocery store).

Dogs at large are one of the more significant concerns from members of the public who either participated via the survey, email or in-person. The survey findings indicate that 47% complained about a dog at large and, of those who had not complained, 50% identified that dogs at large were an issue. Of particular concern to residents who witnessed dogs at large were safety concerns for themselves, their children and/or their leashed dogs. Some individuals identified having been chased, bitten or approached by dogs at large. Others identified that dogs at large were the result of irresponsible or arrogant dog owners.

Respondents also identified the need for additional enforcement for dogs at large, especially in parks. Others suggested that owners and their dogs need more off leash areas in parks. Some thought higher penalties or better signage would encourage compliance.

The City of Toronto currently has 57 off leash areas designated in parks. Park stakeholders also shared concerns of the impact of dogs on the park itself, which can reduce biodiversity and wildlife in the park. One stakeholder noted that off leash areas seem to only encourage people to have their dogs off leash elsewhere in the parks, despite signage.

### **Tethering in public spaces**

Some dogs at large are tethered in public spaces while their owner is inside a store. According to a study in the Journal of Pediatrics, dogs who are tethered are nearly three times more likely to bite than untethered dogs. Mistreatment, abuse and poor standards of care can also lead to aggressive behaviour. According to the Toronto Humane Society dogs who are chained and isolated from their families have a greater likelihood of developing psychological and behavioural problems including anxiety and aggression.

In addition to increasing the likelihood of biting incidents, tethered dogs may bark, or destroy property out of boredom and frustration, which can increase the likelihood of complaints from neighbouring residents. The City of Mississauga is an example of a municipality that recently strengthened tethering and standards of care provisions to recognize that the owner is responsible and certain owner decisions can lead to an increased risk of dog bites.

### **Next steps**

ML&S will report back to Licensing and Standards Committee in April 2016 with proposed by-law amendments based on public and stakeholder consultation; an education plan; and an enforcement strategy.

Proposed by-law amendments include:

- Definitions of dangerous and vicious dogs and processes for determining such
- Additional requirements for dog owners
- Increasing and escalating penalties for owners who are not complying with the by-law
- Changes to increase clarity of the by-law

Further consultation with the public on by-law amendments will take place in the coming months.

### **CONTACT**

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### **SIGNATURE**

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Tracey Cook, Executive Director  
Municipal Licensing and Standards

### **ATTACHMENTS**

- Attachment 1: Summary of public consultations
- Attachment 2: Summary of dog behaviour and responsible dog ownership survey
- Attachment 3: Incidents of reported dog bites from 2008-2014
- Attachment 4: Summary of jurisdictional research

## **ATTACHMENT 1**

### **Summary of Public Consultation Meetings on Review of Responsible Dog Ownership**

Location of meetings held:

- September 24, 2015 Scarborough Civic Centre, Committee Room 2
- September 28, 2015 City Hall, Committee Room 4
- October 1, 2015 North York Civic Centre, Committee Room 3
- October 5, 2015 Etobicoke Civic Centre, Main Boardroom
- October 6, 2015 East York Civic Centre, Committee Room A

#### ***Dogs and their owners have a huge impact on the City.***

During the course of these five public consultations Municipal Licensing & Standards (ML&S) staff documented over 60 community members' feedback in-person and through email. Those who attended in person represented various resident, community and dog associations, dog walkers and businesses as well as residents representing themselves. Over 25 community members provided feedback via email as they were unable to attend in person.

ML&S completed a short presentation outlining the review, considerations, issues and areas of focus as well as proposals for change for public comments. The majority of the time was allotted for attendees to comment on issues, their experiences and suggestions for change.

There was a huge breadth of information gathered during these meetings. This document serves to summarize the issues and suggestions for improvements that ML&S heard from those who attended.

#### **"There are no bad dogs just bad owners"**

- Attendees identified that the owner is ultimately responsible for their dog's behaviour.
- They also indicated that if a dog has bitten or attacked another person or domestic animal it is likely the owner that has encouraged the dog to behave aggressively.
- Owners may do this knowingly (e.g., guard dog training) or unknowingly (e.g., tethering a dog for long periods or not socializing the dog with humans or other domestic animals.)
- Some owners either are not aware of the by-law or they are choosing not to comply with the by-law.
- Some attendees reported that dog owners were frequently in public areas (such as parks) in non-designated areas with their dog(s) not on a leash. Some individuals who use the park reported having been bitten or attacked by a dog off leash in a non-designated area.

**Suggestions:** All of these points led the attendees to suggest that the by-law needs to be written in plain language and consideration needs to be given for strategies to increase compliance with the law. Education about the by-law is beneficial for residents, dog owners, dog walkers and other dog businesses and ML&S staff. Some thought increasing fines, targeted enforcement and issuing summons to court rather than a fine may influence owners to take the by-law more seriously. Others thought the City should consider removing the guard dog provision and setting time limits on tethering in the by-law.

### **"Some people do not understand dog behaviour"**

- Some attendees identified that there is a need to combat misinformation about dog behaviour.
- Often in the designated off leash areas attendees witnessed or experienced other dog owners, residents or children who had difficulty distinguishing dogs' social cues and dog behaviour. In particular, distinguishing dogs playing from a dog being harassed by another dog or the warning signs when a dog wants to be left alone.
- While the educational material exists online, attendees indicated that there may be a bigger role for the City to play in education about appropriate socialization between humans and dogs and between dogs and other domestic animals.
- Some attendees thought that additional education about how dogs behave or respond to intact male dogs, female dogs in heat or 'difficult' dogs who are being rehabilitated would help prevent dog bites.
- Some thought that campaigns such as the yellow ribbon project or using other indicators such as, special tags or bandanas, may identify help to identify a dog that requires additional space from other domestic animals or humans. This type of campaign may prevent dog bites.
- Some attendees were saddened to hear that Toronto Animal Services were no longer administering education program for children on socializing with dogs and bite prevention.

**Suggestions:** Consult with veterinarians, animal behaviourists and associations determine reliable information about dog behaviour. Consider partnerships with other City divisions or animal organizations to provide more information about appropriate socialization with dogs and how to prevent dog bites. Reconsider funding for education programs in schools about bite prevention.

### **"Inadequate enforcement of the by-law is the problem"**

- Some attendees identified a slow response time to complaints they made.
- Others identified that there are not enough officers to investigate offences that occur early in the morning, in the evening or overnight.
- Another concern was that fines and penalties are not effectively deterring and that some businesses are considering fines as a cost of doing business.
- A few residents described lengthy and frustrating experiences documenting their experience to no avail or that it resulted in a charge but that by-law infractions

continued. The effort required to make a complaint, prove the offence and the consequences of reporting often led individuals to suffer in silence.

**Suggestions:** Increase and escalate fines and penalties for noise by-law offences. Increase resources for ML&S to speed up response time in the evening, overnight and weekends. Align investigation and by-law enforcement shifts with times when the majority of complaints are received.

### **"Dog owners need training"**

- Several attendees identified that a lot of dog owners would benefit from responsible dog ownership training.
- Some would like to see the City require owners of dogs that have bitten to take additional training or work with an animal behaviourist to prevent further bites.
- Others thought some owners would be more likely to take training if there was an incentive such as a discount on their dog license.
- Some attendees would like the City to identify reputable trainers and animal experts. Currently dog trainers are not regulated and it can be challenging for owners to know which trainers or animal experts to use.

**Suggestions:** Develop a list of approved dog trainers and related organization as a resource for dog owners. Consider a requirement for training for owners of dogs with a bite history.

### **"Safety in the off leash parks"**

- Several owners were concerned about safety in the off leash dog designated areas.
- Some were concerned about children in the dog parks and would like to see children under the age of 12 prohibited from the off leash area unless accompanied by an adult.
- Others were concerned about the size of dogs and suggested that City create separate areas for large dogs and small dogs.
- Some were concerned about intact male dogs influencing behavioural changes in other dogs.
- There were concerns about owners not cleaning up after their dogs in the parks which can be a health and safety concern for human and dogs.

**Suggestions:** Consider by-law amendments prohibiting intact male dogs and unaccompanied children from the off leash parks. Consider creating separate areas for small dogs and large dogs in the off leash designated areas. Consider better signage in the park areas to increase safety. Consider putting additional bins and dog bags for waste in the off leash areas. Some attendees suggested social media or other campaigns to encourage owners to clean up after their pets.

## **ATTACHMENT 2**

### **Summary of Online Survey –Findings**

#### **Overview**

In July 2015, Municipal Licensing and Standards launched its review of responsible dog ownership.

ML&S began its initial round of consultation in August 2015 with a comprehensive online survey about dogs and dog ownership responsibility. In addition to the online survey, the review also incorporates feedback gathered from five public consultation meetings and discussions with veterinarians, animal behaviour academics, dog trainers, dog walkers and other stakeholder organizations.

The online survey was posted on the Municipal Licensing and Standards website [www.toronto.ca/mlshaveyoursay](http://www.toronto.ca/mlshaveyoursay) and ran from August 21 to September 21, 2015. Preliminary findings were collected and the survey was re-posted and circulated from September 25 to October 30, 2015 to gather additional feedback from the public. The purpose of the survey was to seek feedback from a broad range of Toronto residents and stakeholders to consider any changes which may be needed and to ensure that the City can effectively balance, manage and address dog behaviour, owner responsibility and public safety.

The survey focused on questions that provided the public with the opportunity to submit detailed written responses on a range of issues. With 2550 completed surveys, including extensive written comments from respondents, MLS staff completed an in-depth review of the issues and opportunities.

The purpose of this document is to communicate survey findings including, key themes and detailed feedback that were identified in this review.

#### **Respondent Profile**

The survey was made available online through the MLS public website and distributed to Councillors through *the Monitor* for distribution in his or her ward. The survey was sent by email to all Toronto veterinary clinics, resident and neighbourhood associations for circulation through their mailing lists. The survey was tweeted once weekly via Strategic Communications, Toronto Animal Services and 311 twitter accounts.

In total, there were 2550 responses. Respondents responded individually with the exception of one respondent, who identified that it was completed on behalf of a residents' association.

The survey required each respondent to identify the ward in which he or she was a resident. The wards with the highest response rate were Ward 32 (12%), 30 (8%), 27 (8%), 19(8%), 20 (7%). Of those who responded to the survey, 71% were dog owners.

## Key messages

**Few complaints about dogs:** The large majority (83%) of respondents indicated that they had not made a complaint about a dog.

**Dogs at large (on the loose), dog barking, dogs biting and an aggressive dog in a public place are the source of most complaints:** The majority of the respondents who at some point complained to an organization about a dog indicate that they complained about a dog at large (47%), a dog barking (21%), dog bites to another domestic pet (22%), and aggressive dog in a public place (21%).

**Complaints about dogs are made to a variety of organizations:** While half of respondents identified contacting Toronto Animal Services (55%) or 311 (43%) to make a complaint, they also contacted other organizations depending on the nature and time of the complaint. Examples of organizations contacted to voice complaints were 911 (4%), Councillor's office (15%), Toronto Police Services (14%), ML&S (8%), other (15%). "Other" includes dog's owner, property management, condo board, Toronto Public Health, Toronto Parks, Forestry & Recreation department.

Even if respondents did not make a formal complaint, dogs at large (50%), dog barking (36%) and not cleaning up after the dog (80%) were identified as the biggest issues with dogs in their neighbourhood.

**Dog issues are not a big deal but can be bothersome:** A large percentage (49%) of respondents were not bothered, nervous or afraid. While others were irritated, but not nervous or afraid (40%). A small percentage (11%) indicated that dog issues in their neighbourhood did make them nervous or afraid and 13% said issues had affected their sleep. Some respondents identified that they had no issues with dogs.

**Dog issues can change an owner's behaviour and cause stress to their dogs:** Of those who responded 46% indicated that they avoid certain areas where there are dogs that they think are aggressive or dangerous. Another 40% indicated that their dog has experienced stress and 15% indicated that their dog's behaviour has changed. Some respondents indicated "other" (39%) and the majority of these respondents identified that there were no issues or that the issues identified did not affect their dog(s).

**Dog owners are responsible when their dog bites:** The majority of respondents (95%) were aware that the owner of the dog is responsible if their dog bites another domestic animal or a person.

**Most respondents do not know to which organization they should report a dog bite:** The majority of respondents (57%) identified that they did not know who to report a dog bite to when asked. However, if they needed to report a dog bite the majority (78%) chose to report it to Toronto Animal Services, Toronto Public Health (28%) or Toronto Police Services (25%) and to a lesser extent 911 (9%). Other responses (6%) included physician or veterinarian, the owner, would not report or they weren't sure what they

would do, some indicated that their response would vary depending on the situation and severity of the bite.

**Muzzling may be sufficient to protect the public:** the majority (64%) of respondents think muzzling is sufficient to protect that public from a dog who has severely bitten in the past.

**Owners of dogs who have severely bitten should be subject to increased fines:** Of those who responded, 60% identified that they would like to see the owner subjected to increased fines, others (46%) think there should be a special licence and 44% think that signage should be posted if a dog has bitten and severely injured another dog or human. Other suggestions were mandatory training, seeking an animal behaviourist and not being permitted in off-leash parks, some thought the dog should be seized from the owner or euthanized.

**Respondents would like more information:** The majority (79%) of respondents would like to see the City of Toronto increase public awareness and information about dog owner safety and dog owner responsibilities.

**Communications:** Respondents indicated that they would like to receive communication in multiple ways. The majority preferred website, social media, through their councillor, via signage or public awareness campaigns or TTC shelters. Other suggestions included vet offices, off-leash parks, schools, pet stores, property managers, CBC radio.

**Other feedback:** About half of respondents chose to add additional feedback not covered above on a range of issues. A number of individuals had concerns about enforcement, in particular the availability and response time of enforcement staff. Quite a number of respondents identified that education is a key part of responsible ownership.

Others had concerns about dog owners not being responsible, unaltered dogs in parks, dogs off leash on the sidewalk or in parks (not in designated off-leash areas), people not cleaning up after their dogs, and dogs needing personal space. Other comments identified that some respondents had few or no problems with dogs or owners. Some would like to see more off-leash parks or off-leash times in existing parks during non-peak periods. Some would like to see more education initiatives for owners and public information for residents. Certain respondents indicated a concern that certain dog owners who are required to muzzle their dog are not complying with this requirement. Some noted that the survey itself was negative, and that most dogs and owners are very responsible and that it is rare to come into contact with a vicious dog. Those dogs who do bite are typically from fearful rather than vicious dogs.

## **By the Numbers**

### **Dogs at large, dog barking, dogs biting and an aggressive dog in a public place are the source of most complaints:**

Survey data shows that while there were certain key sources of complaints, respondents identified that there were a variety of other issues that were complained about.

Complaints included a dog not being cared for (17%), aggressive dog on private property (8%), not cleaning up after a dog (15%) someone having too many dogs (5%) and other (12%). Other responses included reporting a puppy mill, dog broke free of a tether, dog left outside, pit-bull without a muzzle on, found dogs, dog chasing a child, dog in a restaurant or coffee shop.

Issues identified but not reported include, an aggressive dog in the off leash park (25%), an aggressive dog in a public place (21%), An aggressive dog on private property (11%), dog bit another dog (11%), dog bit a human (5%), someone had too many dogs (11%) and a dog was not being properly cared for (16%). Other issues (14%) included dogs with no tags, unaltered male dogs in the off leash park, no issues with dogs, abusing a dog, dogs left in cars and unattended, insufficient off leash areas.

## **Detailed Feedback**

### **1. Dogs at large**

The City of Toronto defines dogs at large in Chapter 349, Animals. According to the by-law the definition for at large is an animal found on any property other than that of the owner of the animal, and not under control of the owner except where the owner of the property permits the animal to be on his or her property. The by-law identifies that no owner of a dog shall cause or permit the dog to be at large upon or in any grounds or lands owned or operated by the City, such as sidewalks, curbs, boulevards, walkways or other public places, except where permitted by City by-law. Dogs are deemed to be at large when they are found on property other than the property of the owner of the dog and not under the control of any person. This includes when an unaccompanied dog is tethered on public or private property (such as when an individual tethers their dog to go into the coffee shop or grocery store).

Dogs at large are a key issue noted by respondents in the survey. The survey findings indicate that 47% complained about a dog at large and, of those who hadn't complained, 50% identified that dogs at large were an issue. Of particular concern to residents who witnessed dogs at large were safety concerns for themselves, their children and/or their leashed dogs. Some individuals identified having been chased, bitten or approached without consent by dogs at large. Others identified that dogs at large were the result of irresponsible or arrogant dog owners.

Respondents also identified the need for additional enforcement for dogs at large, especially in parks. Others suggested that owners and their dogs need more off leash

areas in parks to increase compliance and reduce the number of dogs at large in parks. Some thought higher penalties or better signage would encourage compliance.

## **2. Dogs biting other dogs or humans**

While this is not a common occurrence, it is the one that poses the greatest risk to the public and other dogs. A dog bite is defined in the by-law as any piercing or puncturing the skin as a result of contact with a dog's tooth or teeth. In the case of dogs that have bitten persons or animals, the owner shall be served with a notice of caution (if it is the first offence and the bite is not severe). If the bite is severe or it is the second or subsequent bite on record the owner shall be served a notice to muzzle.

Of those that responded to the survey, 22% had made a complaint about a dog biting another domestic pet, another 20% complained about an aggressive dog in a public place, and 13% about a dog who bit a human. In cases where a complaint was not made, respondents identified similar issues in the survey. For example, 21% of survey respondents had witnessed an aggressive dog in a public place, 11% identified noticing a dog biting another dog and 5% noticed a dog biting a human.

While a number of these issues did not present lingering effects, some respondents (11%) identified that they were nervous or afraid since having an issue with a dog. Others (40%) identified being irritated about the situation but not nervous or afraid. Some respondents (13%) indicated that the issue has affected their sleep.

Some experiences had an effect on respondent's dog. Almost half (41%) of those who responded to this question noted their dog(s) had experienced stress and 15% noted that their dog(s) behaviour had changed. Many (46%) of dog owners noted avoiding certain areas of the city because of certain dogs.

Currently, both the City of Toronto by-law and the provincial Dog Owners Responsibility Act (DOLA) identify that the owner is responsible if their dog bites another person or domestic animal. Of those who responded on the survey 95% were aware of this dog owner responsibility. DOLA sets out that the owner of the dog is liable for damages resulting from a bite or attack by the dog on a person or domestic animal. A proceeding against a dog owner may begin if an individual alleges that the dog has bitten or attacked another person or domestic animal, the dog has behaved in a manner that poses a menace to the safety of persons or domestic animals, or when it is alleged that the owner did not exercise reasonable precautions to prevent the dog from biting or attacking another person or domestic animal or behaving in a manner that poses a menace to the safety of a person or domestic animal.

Both Chapter 349, Animals and DOLA provide the City with the authority to order the owner of a dog who has bitten either a person or a domestic animal to restrain the dog by means of a muzzle, a leash and/or confining the dog to its owner's property. This authority exists to ensure the public is adequately protected from dogs who have previously bitten. This authority requires the owner to engage in more effective control of their dog. Of those who responded to the survey, 64% thought muzzling a dog at all times

while off the owner's property was sufficient to protect the public, 18% weren't sure whether it was sufficient or not, and 19% thought it was insufficient. Many of the survey respondents would also like to see increased fines for any further charges (60%), specialized licences for dogs who've bitten (46%), and the owner should be required to post a sign on their property advising the public of their dog (44%). Other suggestions included mandatory training for the owner, requiring the owner and dog to consult with a behavioural specialist, pay damages and vet bills resulting from the bite, remove the dog from owner's care, and some were not sure about what should be done.

### **3. Increase communication**

Public education or communication about this by-law and its application is of interest to respondents. It is clear that while most respondents (95%) understood that a dog owner is responsible for their dog 57% did not know who to report a dog bite to or were not sure what steps to take if their dog or another dog bites. Although, when presented with options for organizations to contact most respondents (78%) indicated they would contact Toronto Animal Services, 28% would contact Toronto Public Health, 25% would contact Toronto Police Services, 9% would contact 911 and others (6%) identified that they would call the owner, their doctor, and for some who they would report the bite to was dependent on the circumstances or the severity of the bite.

Seventy-nine percent of respondents would like to see the City increase public awareness and information about dog safety and owner responsibilities. Most respondents also wanted the City to communicate with them about the by-law and responsible dog ownership in general and identified several preferred options for communications, such as social media, signage, public awareness campaigns, TTC shelters or City of Toronto website. Overall, it seems that it would be useful to consider ways to better communicate and increase the public's understanding of this by-law.

### Attachment 3 - Incidents of reported dog bites from 2008-2014

	2008	2009	2010	2011	2012	2013	2014
<b>Dog to human bites</b>	653	455	518	571	493	765	688
<b>Dog to domestic animal bites</b>	161	193	185	231	243	285	248
<b>Muzzle orders issued</b>	227	192	207	208	147	136	61
<b>Notices of caution issued</b>	94	60	62	64	25	80	197
<b>City of Toronto muzzle tribunal hearings</b>	70	75	97	98	57	41	19
<b>Notices revoked or rescinded</b>	61	65	81	83	48	37	2 revoked 3 rescinded
<b>DOLA attacks or menace</b>	Not available	Not available	Not available	Not available	219	400	423
<b>DOLA written warnings</b>	Not available	Not available	Not available	Not available	309	698	743
<b>DOLA charges</b>	8	3	74	58	40	55	73
<b>DOLA convictions</b>	0	2	22	17	24	23	27

Not available is listed because the category did not exist prior to 2012.