

DANGEROUS DOG

REVIEW TRIBUNAL

WHAT IS THE DANGEROUS DOG REVIEW TRIBUNAL?

The Dangerous Dog Review Tribunal is a local five-member board of the City of Toronto. The Tribunal was established under the authority of the City of Toronto Act and is conducted in accordance with the Statutory Powers Procedure Act. The chair and two panel members are present during a hearing. The panel listens to appeals of dangerous dog orders issued under section 15.1 of *Municipal Code, Chapter 349*.

WHEN A DOG OWNER DISPUTES A DANGEROUS DOG ORDER:

- The owner of a dog who is issued a dangerous dog order may request a hearing to appeal the order.
- A request for a hearing must be in writing and be mailed or delivered to the address that is listed on the order within 30 days of the issuance.
- The order to comply (requirements) take effect once the order is served and remain in effect until a hearing is held, and the Tribunal decides if the designation of a dangerous dog is confirmed or rescinded.

During the appeal, the DDRT will determine if:

- a dangerous act occurred
- it was committed by the dog in question on the date noted on the order
- the order was issued in accordance with the bylaw

Note

The Dangerous Dog Review Tribunal has the authority to confirm the determination of a dangerous dog and uphold the dangerous dog order or rescind the determination of a dangerous dog and exempt the owner from all requirements of the dangerous dog order. The Tribunal does not have jurisdiction to exempt an owner from some or part of the requirements on a dangerous dog order.

DANGEROUS DOG TRIBUNAL APPEAL FEE

Dog owners are eligible for a 50 per cent reduced fee if they meet the criteria below:

- Toronto resident
- at least 18 years of age
- are the owner of the dog
- have a current pet licence
- a household income of \$50,000 or less
- documentation that demonstrates financial need

PROVIDING EVIDENCE

At an appeal hearing, both the dog owner and the City are welcome to present evidence. All documents/evidence must be disclosed to the other party and Tribunal no later than 14 days prior to the hearing. If a party fails to disclose a document or discloses it late, the Tribunal may disallow the document from being entered into evidence.

The grounds of appeal are limited. An appropriate defence within the scope of the Dangerous Dog Review Tribunal would include evidence that on the date in question, the dog did not bite, attack, or engage in menacing behaviour (or a combination thereof) against a person or domestic animal or there is evidence to show that it was done so as an act of self defence.

- The dog's behaviour **before** or **after** the incident will not be considered during the appeal.
- Self-defence will be measured on whether the dangerous act was proportional to the threat presented.

Please consider the following before presenting your evidence at the hearing:

- Does your evidence prove that your dog did not bite, attack, or engage in menacing behaviour on the date noted on the Order?
- Can your witnesses provide first-hand testimony under oath that the dangerous dog act did not occur OR articulate the incident was an act of self-defence?

Hearings before the Tribunal are public and documents provided to the Tribunal will be made available to interested parties upon request.

WHAT TO EXPECT AT THE HEARING

The purpose of a hearing is to determine whether the dangerous dog order was issued in accordance with the bylaw. The only two possible outcomes of a hearing are:

- the dangerous dog order gets confirmed, meaning that all requirements of the order remain, or;
- all requirements of the order are rescinded.

Parties appearing before the Tribunal are free to arrange for legal counsel, but this is optional, not required. If a party has been given a notice of a hearing and does not attend, the Tribunal may proceed in the absence of that party.

WRITTEN DECISION

The tribunal will provide a written decision within 15 days of the hearing to both the dog owner and the City. A decision may also be determined at the time of the hearing. The City will provide a copy of this written decision to the victim or the victims dog owner.



More information:

toronto.ca/DogTribunal
toronto.ca/DogsInTheCity