

## **Supplementary Report: Response to EC6.9 - Incident and Operational Review of Serious Dog Attacks**

**Date:** February 15, 2024

**To:** Economic and Community Development Committee

**From:** City Solicitor

**Wards:** All

### **SUMMARY**

---

The Economic and Community Development Committee requested the City Solicitor to report on options to make charges under dangerous dog legislation known to the public as well as public.

This supplementary report describes the legal considerations in making information about dangerous dog orders to comply publicly available on the City's website.

### **FINANCIAL IMPACT**

---

There are no financial implications to the City arising from the recommendation in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information

### **DECISION HISTORY**

---

On September 21, 2023, the Economic and Community Development Committee requested the City Solicitor report on options to make charges under dangerous dog legislation known to the public as well as public.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EC6.9>

### **COMMENTS**

---

As described in the staff report from the Executive Director, Municipal Licensing and Standards dated February 5, 2024, dangerous dog orders to comply are issued by Toronto Animal Services under Municipal Code Chapter 349, Animals (“the Animals By-law”) under certain listed circumstances. Dangerous dog orders to comply generally contain personal information of dog owners including their name, address and e-mail address.

When the City considers a program in which personal information may be released to the public, the City must ensure it has a valid municipal purpose for the program and the release of the relevant information. The dangerous dog provisions under the Animals By-law, including the issuance of dangerous dog orders to comply, aims to regulate animals and ensure the health, safety and well-being of persons in Toronto. These are valid municipal purposes which could be considered in establishing a program of posting dangerous dog order to comply information in a public forum.

In crafting such a program, the City would also consider its privacy policies and obligations under the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”). MFIPPA requires personal information collected by a municipality to be used only for the purpose for which it was obtained, or for a consistent purpose, and that a municipality not disclose personal information unless permitted by MFIPPA. MFIPPA contemplates that certain personal information may be maintained for the purpose of creating a record that is available to the general public, and where this is the case, disclosure of such personal information may be permitted.

The report from the Executive Director, Municipal Licensing and Standards dated February 5, 2024, describes the municipal purposes that would be served by the disclosure of certain dangerous dog order to comply information and the balancing of factors which took place in considering how to make this information available to the public. The report identifies the information staff feel can be supported to advance the identified municipal purpose while balancing the City's privacy and policy objectives.

Legal Services has reviewed the proposed option and can confirm that the approach is consistent with the City's MFIPPA obligations.

## **CONTACT**

---

Scott Nowoselski, Solicitor, Legal Services, 416-392-7225, [scott.nowoselski@toronto.ca](mailto:scott.nowoselski@toronto.ca)

## **SIGNATURE**

---



*W* Wendy Walberg  
City Solicitor