



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Rebekah Msuya-Collison, Municipal Clerk**
Date: January 7 2019
Report: 2-2019
Subject: Animal Control Tribunal

Recommendations:

That South Huron Council hereby sets the date for a hearing of the South Huron Animal Control Tribunal for February 4, 2019 at 5:00 p.m.

Purpose:

To set a date for South Huron Animal Control Tribunal.

Background and Analysis:

At the October 1, 2018 Regular Council meeting, South Huron Council received a request to remove a vicious dog designation. The following resolution was passed at that meeting:

"Motion:463-2018

Moved:C. Hebert

Seconded:T. Tomes

That South Huron Council refer the request by Christina Riley-Ankers and Brad Ankers to remove the vicious dog designation to South Huron Animal Control Tribunal. Disposition: Carried"

South Huron Council passed By-Law 85-2018 being a By-Law to establish the Rules of Procedure for the Animal Control By-Law on November 19, 2018. The appeal is commenced by the filing of a Notice of Appeal which was received by the municipal Clerk on December 11, 2018. Pursuant to the

Rules of Procedure, within sixty (60) days of receipt of a complete Notice of Appeal by the Municipal Clerk:

- a. the Tribunal Secretary shall contact the Members to advise them of the Appeal and to confirm quorum for the next Hearing date; and
- b. the Tribunal Secretary shall schedule a Hearing, and shall give reasonable notice to the required parties.

Once the date for the Tribunal as been set, the Clerk will procede to follow the administrative practices and procedures as established by By-Law. The Tribunal members will select a Chair at the first hearing and this appointment may be rotated on an annual or as needed basis.

Operational Considerations:

The Tribunal's operating budget and meeting management support is provided through the Clerk's department.

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies Strategic Objectives. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Transparent, Accountable, and Collaborative Governance

Financial Impact:

Costs are incurred in the case of an appeal being submitted for a Hearing to be conducted.

Legal Impact:

As a committee of Council, the South Huron Animal Control Tribunal members will be covered by the municipality's errors and omissions and general liability policies to protect and defend against claims from third parties while performing duties outlined in the Terms of Reference for their position as a member of the Tribunal.

Staffing Impact:

Tribunal meetings are scheduled when an appeal is received.

Policies/Legislation:

Municipal Act, 2001

Statutory Powers of Procedure Act

South Huron Animal Control By-law 21-2018

South Huron Animal Control Tribunal By-Law 85-2018

Consultation:

South Huron Municipal Enforcement Officer

Related Documents:

By-Law 85-2018

Respectfully submitted,

Rebekah Msuya-Collison, Municipal Clerk