

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 4930/155/06

**Being a By-Law to provide for the
Licensing, Control and Regulation of Dogs**

WHEREAS Section 9, 10, and 11 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a Municipality has the authority to pass a bylaw, to regulate or prohibit, license as it considers appropriate animals;

AND WHEREAS Section 103 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides for the seizure and impounding of animals, regulating or prohibiting with respect to the being at large or trespassing and the sale of impounded animals;

AND WHEREAS Section 105 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides for the muzzling of a dog under any circumstances, the council of the municipality shall, upon the request of the owner of the dog, hold a hearing to determine whether or not to exempt the owner in whole or in part from the requirement;

AND WHEREAS Section 128 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Section 129 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a municipality may prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors;

AND WHEREAS Section 130 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a municipality may regulate matters not specifically provided for by this Act or any other Act for purposes related to the health, safety and well-being of the inhabitants of the municipality;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF
PORT COLBORNE ENACTS AS FOLLOWS:**

1. **SHORT TITLE:**

This by-law shall be known as the "Dog Control By-Law"

2. **DEFINITIONS:**

For the purposes of this by-law:

- (a) "Appeal Committee" shall mean four members of Council appointed by Council from time to time.
- (b) "Corporation" shall mean the Corporation of the City of Port Colborne.
- (c) "Barking/Howling Excessively" means barking or howling that is of a persistent nature.
- (d) "Bite" shall mean a puncture of the skin with teeth.
- (e) "Clerk" shall mean the City Clerk for the City of Port Colborne.
- (f) "Consent Order" shall mean an undertaking signed by the owner of a dog to adhere to certain restrictions with respect to the methods to be used in restraining his/her dog when it comes into contact with other persons or domestic animals.

- (g) "Dog" means any animal of the canine species irrespective of sex or neutered/spayed.
- (h) "Dog Tag" means the license issued by the Corporation pursuant to this by-law to register and identify any dog within the boundaries of the said Corporation which license shall include and identification for the Corporation to which it applies thereon;
- (i) "Domestic Animal" shall mean any tame and naturally gentle animal traditionally kept by a person as a pet and shall not include any dangerous or potentially harmful animal by way of aggression, toxins, venom or size;
- (j) "Handicapped Person" shall mean a person who has a degree of paralysis, amputation, lack of physical co-ordination, blindness, mental retardation, physical reliance on a guide dog or in a wheelchair or other appliance or device;
- (k) "Holidays" shall mean any day where the designated pound is not open to the public;
- (l) "Impounded" shall mean seized, delivered, received or taken into the pound or any authorized vehicle operated by an officer pursuant to the provisions of this by-law;
- (m) "Kennel" shall mean the same as a Boarding Kennel and Breeding Kennel in the Current Kennel Licensing By-law as amended from time to time;
- (n) "Microchip" means an encoded electronic device implanted in an animal by or under the supervision of a veterinarian, which contains a unique number that provides owner information that is stored in a central database;
- (o) "Muzzled" means a humane fastening or covering device of adequate strength and design and suitable to the breed of the dog that fits over the mouth of a dog and cannot be removed by the dog, to prevent a dog from biting or attacking a person or domestic animal;
- (p) "Neutered Dog" means a male dog for which the owner produces satisfactory evidence of its being neutered;
- (q) "Not Under Control of Any Person" means when a dog is not on a lead/leash held by a person or not otherwise restrained or directed in its actions. Sound or voice shall not be deemed "control under this by-law";
- (r) "Notice to Muzzle" shall have the same meaning as a Notice to an owner of dog which has bitten, attack or injured a person or domestic animal.
- (s) "Owner" means a person who possesses or harbours a dog where the owner is a minor, the person responsible for the custody of the minor, and "owns" and "owned" have a corresponding meaning;
- (t) "Officer" means:
 - (i) any police officer
 - (ii) any person or the employee or agent of any entity authorized by the Corporation or the Society for the purposes of enforcing and carrying out the provisions of this by-law.

- (u) "Police work dog" shall mean a dog trained for and actually engaged in law enforcement for the Police or other person duly appointed as a peace officer;
- (v) "Pound" means those premises designated by the Corporation for the detention, maintenance or disposal of dogs that have been impounded by an officer and shall include any building or buildings and enclosures maintained on behalf of the Corporation by any person or organization as is duly authorized to do so for the purposes of carrying out the provisions of this by-law and such building or buildings and enclosures shall conform to the Ontario regulations under the Animals for Research Act, R.S.O. 1990, Chapter A.22;
- (w) "Poundkeeper" shall mean the person or organization responsible for maintaining the pound on behalf of the Corporations for the purpose of enforcing and carrying out the provisions of this by-law;
- (x) "Private Property" shall mean property other than the property of the owner or property of the person having care, custody or control of the dog;
- (y) "Restrained" shall mean being kept securely confined inside a building or house or in an enclosed pen or other structure;
- (z) "Running at Large" means a dog found in a place other than the premises of the owner of the dog or the premises of some other person with such person's consent;
- (aa) "The Society" means any agency to which animal control has been delegated to enforce the provisions of this by-law;
- (bb) "Spayed dog" means a female dog for which the owner can produce satisfactory evidence of its being spayed;
- (cc) "Vicious Dog" means any dog which has attacked, bitten or caused injury to a person or domestic animal or has demonstrated a propensity, tendency or disposition to do so and shall have the same meaning as a dangerous dog and a dog which has been declared vicious or dangerous in another municipality in Ontario.

3. PROVISION OF NEEDS:

- (a) No person who keeps an animal within the municipality shall fail to provide such animal with:
 - (i) clean, fresh drinking water available and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight;
 - (ii) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
 - (iii) the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and
 - (iv) necessary veterinary medical care when the animal exhibits signs of pain, illness or suffering;

- (v) if an animal is customarily kept out of doors, the owner of the animal shall provide for the safekeeping of the animal including for its use at all times a structurally sufficient enclosure;
 - (vi) contains a house or shelter that will provide protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelter must provide sufficient space to allow the animal the ability to turn around freely and lie in a normal position;
 - (vii) in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times; and
 - (viii) pens and run areas must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.
- (b) No person may cause a dog to be hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.
 - (c) No person shall keep any animal in the City tethered on a chain, rope or similar restraining device that is less than three (3) metres in length.
 - (d) No person may cause a dog to be hitched, tied or fastened to a fixed object as the primary means of confinement under circumstances that can be reasonably deemed to be inhumane.
 - (e) No person may cause a dog to be confined in an enclosed space, including a car, without adequate ventilation.
 - (f) No person may transport an animal in a vehicle outside the passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.

4. UNSANITARY CONDITIONS PROHIBITED:

- (a) No person shall keep an animal in an unsanitary condition within the municipality. Conditions shall be considered unsanitary where the keeping of an animal results in an accumulation of fecal matter, an odour, insect infestation or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about any dwelling, office, hospital or commercial establishment.

5. DOGS AND OWNER'S RESPONSIBILITY:

- (a) No owner shall suffer, permit, allow or for any reason have his or her animal, bark or howl excessively or in any other manner likely to disturb the quiet of any person.
- (b) No owner of a dog shall permit his or her dog to, without provocation:
 - (i) chase, bite or attack any person
 - (ii) chase, bite or attack any domestic animal or bird, or to fight with another dog or animal
 - (iii) damage public property
 - (iv) no owner of dog shall permit it to trespass on any private property

6. LICENSING:

- (a) Every owner of a dog, within the boundaries of the Corporation shall procure, in each year, a license for each dog owned by him/her and shall pay an annual license fee in the amount as set out in accordance with Schedule "A" to this by-law.
- (b) Any owner who acquires a dog after the 15th day in November in any year need only buy a dog tag for the subsequent year.
- (c) After the 15th day of November in any year, dog tags for the subsequent year shall be available for sale and shall be sold for the discount rate as outlined on Schedule "A" attached to this by-law up until the 15th day of March in the year for which the tag is valid. After the 15th day of March, dog tags for the current year shall be sold at the regular license fee rate as set out in Schedule "A" attached to this by-law.
- (d) A dog tag shall expires on the 31st day of December of the year for which it was issued.
- (e) The Corporation and The Society shall each keep, or cause to be kept, a record of the name and address of the owner of every dog registered and licensed, within the municipal boundaries of the said Corporation, the date of registration and the serial number of the dog tag issued.
- (f) A license or dog tag may be issued at no charge for canine vision dogs, hearing dogs or dogs trained to provide assistance to the handicapped and any police work dog.
- (g) There shall be no refund or rebate to any owner for any portion of a dog license when such license has been issued in accordance with the provisions of this by-law, with the exception of the following:
 - (i) Upon proof of neutered/spayed dog within six (6) months of the purchase of a dog tag within the current year to which the dog tag was purchased, a refund of the difference between the unneutered/unspayed and neutered/spayed license fee will be provided.
 - (ii) No refund will be given for prior years
- (h) No person shall transfer a dog license issued for a dog pursuant to the provisions of this by-law between dogs or between owners. Where a dog has been destroyed and a new dog has been purchased, upon receipt of the old dog tag or authorized verification, a new dog tag may be issued upon payment of the replacement fee as set out in Schedule 'A' of this bylaw.
- (i) No person shall own, possess or harbour a dog within the municipal boundaries of the Corporation or allow a dog to be owned, possessed or harboured on the premises of that person unless a license fee, for the current year, for the dog, as required by this by-law, has been paid and every owner of dog shall keep the dog license securely fixed on the dog at all times when the dog is not on the premises of the owner.
- (j) Where a dog tag issued pursuant to the provisions of this by-law has been lost or destroyed, the owner may be issued a new dog tag upon payment of the replacement fee as set out in Schedule "A" attached to this by-law.

- (k) The Corporation may direct that The Society undertake a door to door expired dog license follow-up and/or a door to door census for the purpose of determining the number of unlicensed dogs.
- (l) No person shall fail to register and license any dog in accordance with the provisions of this by-law.
- (m) The issuing of a certificate of offence does not relieve the owner of an unlicensed dog of the responsibility of obtaining a license for the current year.
- (n) The Corporation or its agent, upon payment of the proper dog tag fee, shall furnish the owner of the dog with a dog tag bearing a serial number and the term for which the said dog tag is valid and the owner shall also be issued with a receipt for the dog tag fee paid.
- (o) Every dog owner who takes up residence within the municipal boundary of one of the Corporation and who has a current dog tag issued by another Province or Ontario municipality, shall not be required to purchase new dog tags until the next calendar year immediately following the year of initial residence provided that such dog owner formally notifies the Corporation within whose municipal boundaries he/she resides.

7. RUNNING AT LARGE:

- (a) No person, being the owner or keeper of any dog within the municipal boundaries of the Corporation, shall permit any such dog to run at large.
- (b) Any officer shall be and is hereby authorized to seize and impound any dog found running at large within the municipal boundaries of the Corporation contrary to the provisions of this by-law.
- (c) Where a dog seized and/or impounded under this by-law is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, an officer or veterinarian may destroy the dog in a humane manner.
- (d) The owner of a dog which is found running at large may be issued a certificate of offence by an officer.

8. LEASHING:

- (a) No person shall keep a dog within the boundaries of The Corporation unless said dog is under control at all times and when leashed, said leash shall not exceed 2.5 meters in length when said dog is on land within the boundaries of The Corporation other than that of an owner unless consent is given by the person owning the land on which the dog is found.

9. IMPOUNDING:

- (a) When a dog is seized by an officer for running at large, it may be transported directly to the pound where it shall be impounded for a minimum of four (4) days excluding the day of capture and any holidays.

- (b) The owner of any dog impounded pursuant to paragraph 9(a) may claim the dog from the pound upon payment to the Poundkeeper of any redemption fee or boarding charges that may apply.
- (c) Any person claiming an unlicensed dog in accordance with paragraph 9(b) shall first pay to the Poundkeeper the required license fee for a current dog tag and any other charges that may apply in accordance with the provisions of this by-law.

10. **TRAPS:**

- (a) No person shall use, set or maintain a leghold trap, a killing trap or a snare within the Urban Areas.

11. **VICIOUS DOG:**

- (a) The Corporation and/or The Society shall have the authority to declare a dog as vicious and may make whatever inquiry deemed necessary to determine if a dog is vicious. Any dog declared vicious shall be muzzled and restrained immediately upon being served with notice to muzzle pursuant to the provisions as set out in this by-law.
- (b) The Officer may seize the dog that has been declared vicious and any dog so seized shall be impounded for a period not less than 10 days. The owner of the dog shall pay all applicable fees.
- (c) No Person who owns, keeps, or harbours a dog that has been declared vicious in accordance with this by-law shall allow:
 - (i) the dog to be on any streets or in any public place or any other place that is not owned or controlled by the owner unless;
 - A. The dog is secured on a substantial leash with a maximum length of 1 m and of sufficient strength to restrain the dog to keep it from chasing a person or domestic animal.
 - B. The dog shall be muzzled in a manner that will not cause injury to the dog or interfere with its vision or respiration.
 - C. The dog shall be under the control of a person 16 years of age or older and have adequate strength to restrain the dog.
 - (ii) the dog to come into contact with persons or domestic animals other than the owner of the dog, the dog when on the owner's premises must be kept securely confined either indoors or in an enclosed pen or other structure of minimum size of 1.5 m by 3 m or be within a securely fenced rear yard where the fence is a minimum height of 1.83 m. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device to prevent the dog from escaping. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from the outside by a child. The dog shall only be transported from one location to another by means of a collar type leash and a muzzle.
 - (iii) a vicious dog on his/her premises without conspicuously displaying a sign in accordance with the Corporations's Sign By-law warning that there is a vicious dog on the property.

- (d) No person shall fail to identify, the vicious dog by way of an implanted microchip at the owner's expense, such microchip information shall be provided to the Poundkeeper and/or Officer within 10 days.
- (e) A vicious dog must be confined in a manner that will allow persons who have implied or express license to enter onto the premises of the dog owner without fear of attack by the said dog.
- (f) The owner must notify the Poundkeeper and/or Officer forthwith if a vicious dog is loose, unconfined, has attacked another animal or human or has died or has been given away to another person or has moved and changed residency.
- (g) The owner must ensure that such dog is spayed or neutered and that the required license fee is paid for a vicious dog as set out in Schedule 'A' to this by-law.
- (h) The owner must forthwith enter into and maintain a policy of liability insurance in a form satisfactory to the Corporation of the City of Port Colborne. In an amount not less than one million (\$1,000,000.00)dollars for any damage or injury caused by such dog and must name The Corporation and The Society as an additional insured.
- (i) This Section of the bylaw shall not apply to Police Work Dogs acting in the course of its duties.

12. APPEALS:

- (a) Where a dog has been declared vicious by the Corporation and/or The Society, pursuant to the provisions of this by-law, the owner of the dog may apply to the Corporation for a hearing in respect of such Notice to Muzzle.
- (b) An application with the applicable fee as set out in Schedule "A" for a hearing shall be made in writing and delivered to the Clerk of the Corporation within 10 days after the Notice to Muzzle has been served.
- (c) Upon receipt of the application for a hearing from an owner of the alleged vicious dog, the Clerk shall convene a meeting of the Appeal Committee and shall give the owner of the dog, any material witness relevant to the declaration, the victim, if any, and the agency which declared the vicious dog and issued the notice to muzzle, 7 days written notice, by personal service or express post mail of the time, date and location of the hearing.
- (d) The applicant and any other interested person may appear at the hearing and present oral, written or visual evidence related to the dog.
- (e) When the owner of the dog does not attend at the proper time and location, the Appeal Committee may proceed with the hearing in his/her absence and the applicant shall not be entitled to any further notice of the proceeding.

13. APPEAL COMMITTEE:

- (a) The Appeal Committee shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than 10 days following the date of the hearing.

- (b) The decision of the Appeal Committee is final and binding.
- (c) The Appeal Committee shall confirm the vicious dog declaration and order, or exempt the owner of the dog from any of the muzzle, restraining or leashing requirements, or all, or dispose of an appeal by Consent Order.
- (d) The procedure of the Appeal Committee, appended hereto as Schedule "B" to this by-law shall govern the hearings of the matter subject only to the discretion of the Chair of the Committee to modify such procedures for the purpose of accommodating exigent circumstances and further to the extent that any matter arising during the course of proceedings not covered in the provisions of this by-law, shall be governed by the Statutory Powers and Procedures Act.
- (e) Notwithstanding that an applicant has applied for a hearing to appeal a Notice to Muzzle, all responsibilities on a person, as described in s. 11 hereto, including the Notice to Muzzle take effect when the declaration is served on the person to whom it is directed and all responsibilities will remain in effect until the Appeal Committee has made its decision on the appeal.
- (f) A written copy of the decision of the Appeal Committee, or the Consent Order shall be prepared, as soon as practicable after the conclusion of the hearing, and shall be delivered or mailed by express post mail to the applicant at the address shown on his/her application, the defendant, Niagara Regional Police, Regional Public Health Department, The Corporation, The Society, Members of Council, Appeal Committee Members and the Clerk.

14. ANIMAL WASTE:

- (a) No person, except a handicapped person, who owns or controls a dog shall fail to remove forthwith any feces left by such dog on public or private property and shall dispose of such feces in an acceptable sanitary manner.

15. INSPECTION BY OFFICER:

- (a) No person shall hinder or obstruct any Officer, Municipal Law Enforcement Officer, The Corporation's Chief Building Official or his/her designate under the Ontario Building Code and the Ontario Society for the Prevention of Cruelty to Animals to enter onto the property and to carry out an inspection of premises where dog(s) of the owner is kept or to make inquiries deemed necessary for the purposes of insuring compliance with the provisions of this by-law.

16. LIMITATION:

- (a) No person or persons occupying premises within the City of Port Colborne shall own or possess or house more than three (3) dogs, excluding unweaned puppies, at such premises within the City of Port Colborne unless a kennel license is obtained.
- (b) A temporary exemption to own or possess or house more than three (3) dogs may be provided, upon Council approval, for compassionate reasons, working dogs or farming/herding dogs and must be applied for in writing to the Clerk.

17. **PENALTIES:**

- (a) Every person who contravenes any of the provisions of this by-law is guilty of an offence and liable upon conviction to a penalty as prescribed under the Provincial Offences Act.
- (b) Each day that a breach of this by-law continues shall constitute a separate offence.

18. **SEVERABILITY:**

- (a) Every provision of this by-law is declared to be severable from the remainder of the by-law and if any provision of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.

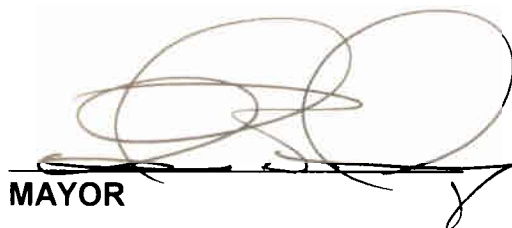
19. **BY-LAWS REPEALED:**

That By-Law #2876/55/93, Sections 2, 3, 4 (iii) to (xi), 5, 6, 7 and 8, By-Law #3291/20/96, and By-Law #4173/9/02, with the exception of Schedule "A", Section 7 (Kennel License) are hereby repealed.

20. **FORCE & EFFECT OF BY-LAW:**

This by-law shall come into force and take effect on the day of passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 11TH DAY OF DECEMBER, 2006.



MAYOR



DEPUTY CLERK

THE CORPORATION OF THE CITY OF PORT COLBORNE

SCHEDULE "A" TO BY-LAW NO. 4930/155/06

1.	Early purchase discount rate on or before March 15 th of each year where section 3 of this Schedule does not apply: License, Neutered/Spayed dog* License, Un-Neutered/Un-Spayed dog Vicious Dog	\$ 15.00 \$ 25.00 \$ 100.00
2.	After March 15 th of each year where sections 3 and 4 of this Schedule are not applicable: License, Neutered/Spayed dog* License, Un-Neutered/Un-Spayed dog Vicious Dog	\$ 25.00 \$ 35.00 \$ 100.00
3.	Where a dog moves into the City and the owner provides satisfactory proof that the dog was licensed in its previous municipality for the current year, a dog tag/license shall be issued free of charge.	\$ nil
4.	After June 30 th of each year for a newly registered dog (available at City Hall only) License, Neutered/Spayed dog* License, Un-Neutered/Un-Spayed dog	\$ 12.50 \$ 17.50
5.	Replacement Tag - verification of original tag purchase required	\$ 5.00
6.	Commission for sales by authorized agents per tag	\$ 1.00
7.	Application for Hearing - non refundable	\$ 180.00

*Proof of spaying or neutering is required with a certificate from a veterinarian

CITY OF PORT COLBORNE
SCHEDULE "B" TO BY-LAW NO. 4930/155/06

PROCEDURE OF APPEAL COMMITTEE

Purpose

For any dog deemed or declared vicious or dog ordered to be muzzled

Meeting Procedures

Introduction - Chair calls meeting to order and introduces members, staff, Officer, the appellant and victim, if any. Sets out evidentiary rules and proceedings.

Appeal Case - The appellant or agent may present their case and call witnesses.

1. Witnesses may be called by the appellant or agent. Before speaking, all witnesses must state their name and address in order that the recorder may enter them into the record.
2. Any exhibits presented by the appellant or agent should be clearly marked and distributed with enough copies to the Committee Members.
3. Any person discussing any matter pertaining to personal finances or other personal matters, must advise the Chair in order that proceedings may go "in camera" and members of the public and media, if any, will be asked to vacate the room before such discussion takes place.

Cross Examination -

1. After the appellant has presented his/her case, Committee Members will have an opportunity to ask questions of the appellant, or the witnesses.
2. The Animal Control Officer may ask questions of the appellant or the witnesses, on behalf of the City.
3. After the Committee has completed its questioning, any member of the public present, including the victim, if any, at these proceedings may speak to the appeal, by rising and being recognized by the Chair. (with a 15min time limit) Before speaking, any person must state their name and address for the record.
4. The Committee Members and Officer may ask questions of any presenter from the public, including the victim, if any.

Defence of Order - The Animal Control Officer may present evidence or call witnesses

1. Witnesses may be called by the Officer. Before speaking, all witnesses must state their name and address in order that the recorder may enter them into the record.
2. Any exhibits presented by the Officer should be clearly marked and distributed with enough copies to the Committee Members.
3. Any person discussing any matter pertaining to personal finances or other matters, must advise the Chair in order that proceedings may go "in camera" and members of the public and media, if any, will be asked to vacate the room before such discussion takes place.

Cross Examination -

1. Committee Members may ask questions of the Officer or the witnesses.
2. The appellant may ask questions of the Officer or the witnesses.
3. After the Committee has completed its questioning, any member of the public present, including the victim, if any, at these proceedings may speak to the Order, by rising and being recognized by the Chair. (with a 15min time limit) Before speaking, any person must state their name and address for the record.
4. The Committee Members and appellant may ask questions of any presenter from the public, including the victim, if any.

The Decision - Chairperson -

1. Shall advise interested parties that the Committee's decision is final and binding.
2. What is the pleasure of the Committee, any motions - Motions must be seconded where a motion is moved. No discussion by the public at this point, unless point of clarification.
3. If there are no motions, the Chairperson is to move for the Committee to go "in camera" to deliberate a decision.

CITY OF PORT COLBORNE
SCHEDULE "B" TO BY-LAW NO. 4930/155/06

PROCEDURE OF APPEAL COMMITTEE

After hearing all the evidence and through the Committee deliberation, the Committee will decide:

No.	Decision	Comments
1	The Declaration and or Order is CONFIRMED.	Appellant has 14 days to appeal in writing to the City Clerk, for a hearing to be set with a Provincial Judge.
2	Dispose of Appeal with a Consent Order	Consent Order to be completed and signed
3	The Declaration and or Order is hereby removed.	The Appeal is successful, no further action required. Any person can apply under DOLA for a Court Order.
4	To reserve the announcement of the decision in favour of providing a written decision at a later date.	Written decision provided on or before 10 days from the date of this meeting, together with reasons and conditions, if any.

The Committee will reconvene to the public meeting to provide its decision to the appellant, Officer and the public, including the victim, if any.

The Recording Secretary will record the proceedings, with names and statements made.

Compensation for Committee Members

That the Council of the City of Port Colborne hereby approves the payment of \$45.00 to each member for a hearing attended by that member.