



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 171 - 2006

A By-law to Amend Dog By-law 250-2005

WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25 authorizes the council of a lower-tier municipality to pass by-laws respecting animals;

AND WHEREAS Council adopted Dog By-law 250-2005 on August 15, 2005;

AND WHEREAS Council adopted amendments to the Licencing By-law 1-2002 on May 8, 2006 to eliminate the 3 councillor quorum for appeals to the Committee of Council (Licencing);

AND WHEREAS the Animal Control Tribunal of Council performs a similar function and is also subject to the *Statutory Powers Procedure Act*;

The Council of The Corporation of the City of Brampton ENACTS as follows:

1. Section 30 of Dog By-law 250-2005 is replaced with the following:

HEARING PROCEDURE


30. (a) Despite Section 5.3 of Procedure By-law 160-2004, the quorum for any panel for the Animal Control Tribunal is two members of Council.
- (b) The final decision in the hearing is deemed to involve a statutory power of decision within the meaning of the *Statutory Powers Procedure Act* and that Act, except for Sections 17.1 (power to award costs), 18 (requirement to send copies of final decision and order) and 19 (enforcement of order by filing with Superior Court of Justice), applies to the Committee of Council (Licencing) and the hearing conducted by it.
- (c) If the panel of the Animal Control Tribunal so requires, it may meet privately to deliberate, or to write a decision or order, notwithstanding Section 239(1) of the *Municipal Act*.
- (d) When an appellant who has been given written notice of the hearing does not attend at the appointed time and place, the panel may proceed in his or her absence, and the appellant shall not be entitled to any further notice of the hearing.

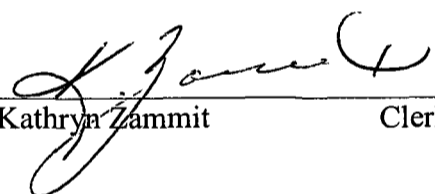
COUNCIL TO MAKE FINAL DECISION

- 30.1 (a) The panel shall provide its recommendations to Council after which Council may make the final decision.
- (b) When it makes the final decision pursuant to Section 53(1), Council is not required to hold a hearing or hear any further deputation.
- (c) Council is not required to give reasons for its decision.
- (d) Notice of Council's decision shall be given to the parties that were at the hearing before the Animal Control Tribunal, and any other persons as Council may direct, and notice shall be given within ten days after the date Council makes its decision.

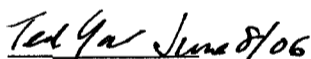
READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 12th day of June, 2006

THE CORPORATION OF THE CITY OF BRAMPTON


~~Susan Fennell~~ Mayor
 BOB CALLAGHAN ALTERNATE MAYOR


 Kathryn Zammit Clerk

Approved as to form and content


 Ted Yao
 Senior Legal Counsel