

**CITY OF SARNIA**

City Solicitor/Clerk's Department  
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256 North Christina Street  
P.O. Box 2018  
Sarnia, ON  
N7T 7N2

June 13, 2007

Dear Mr. Avery

Re: Dog named Rowen

Further to our discussions, the City of Sarnia is taking the position that where an existing pit bull does not meet the requirements, the legislation requires a pound operator to exercise certain options which are set out in section 20(7.4) of the Animals for Research Act, R.S.O. 1990 (the "ARA")

The options are:

1. Destroy the dog.
2. Transfer the dog to a person which is a resident outside Ontario in a jurisdiction in which ownership and possession of the pit bull is lawful, where the person is acquiring the dog, in good faith, in order that it be used as a pet or in hunting or working purposes.
3. Transfer the dog in accordance with clause 20(6)(c).
4. Transfer the dog in accordance with the permission to transfer restricted pit bulls given by section 9 of the Dog Owners' Liability Act.

The Animal Control Officers have confirmed in writing the following:

1. The dog is a Staffordshire Bull-Terrier (pit bull) or has the appearance and physical characteristics that are substantially similar.
2. The dog was not sterilized.
3. The dog had been at large/allowed to stray in the City of Sarnia.
4. The dog was unmuzzled, and not leashed.
5. The dog was not licensed and registered with the City of Sarnia.
6. The dog is now starting to display extreme aggressive behaviour at the Animal Shelter, while in our custody. The behaviour fits the description of "menacing" as outlined in the Dog Owners Liability Act.

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The City of Sarnia believes that the return of the dogs at this time would be illegal.

Please be aware that on the basis of all of these considerations, the City of Sarnia will exercise its authority under section 20(7.4) of the A.R.A. on Wednesday June 20, 2007, being to pursue option number one.

If you wish to take any further actions, Legal proceedings should be served no later than 2:00 p.m. Tuesday, June 19, 2007.

Yours truly



Scott McEachern  
Assistant City Solicitor

/s/

copy: Brian Edwards  
Tami Holmes  
Brian W. Knott  
Brad Loosley  
File

Section 20. (7.4) Where the operator of a pound believes it has possession of a pit bull and that it should not return the pit bull under subsection (7.3), the operator of the pound shall do one of the following with the dog:

1. Destroy the dog.
2. Transfer the dog to a person who is resident outside Ontario in a jurisdiction in which ownership and possession of the pit bull is lawful, where the person is acquiring the dog, in good faith, in order that it be used as a pet or in hunting or for working purposes.
3. Transfer the dog in accordance with clause 20 (6) (c).
4. Transfer the dog in accordance with the permission to transfer restricted pit bulls given by section 9 of the *Dog Owners' Liability Act* 2005, c. 2, s. 2 (5).