

# A G E N D A

## WINDSOR LICENSING COMMISSION

For a meeting on Wednesday, April 18, 2012 at 9:30 o'clock a.m.  
Windsor City Hall, 350 City Hall Square West  
3<sup>rd</sup> floor – Council Chambers

---

1. **CALL TO ORDER**

2. **MINUTES**

Adoption of the minutes of the meeting of the Windsor Licensing Commission held February 15, 2012 (copy attached).

3. **DISCLOSURE OF INTEREST**

N/A

4. **REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

N/A

5. **COMMUNICATIONS**

N/A

6. **LICENCE TRANSFERS**

N/A

7. **APPLICATIONS/HEARINGS**

(a) Miss Kristen Lees  
1649 Hall Ave.  
Windsor, ON N9G 1H4

Appeal of Dangerous Dog

- |     |   |   |
|-----|---|---|
| (b) | Miss Shelley Beattie<br>2558 Chandler Rd.<br>Windsor, ON N9C 1T5                            | Appeal of Potentially<br>Dangerous Dog            |
| (c) | Mr. Lee Grandmaison<br>1129 Drouillard Ave.#2<br>Windsor, ON N8Y 2R2                        | Licensing and Control of Dogs                     |
| (d) | Mrs. Rita Pazner<br>Pazner Scrap Metals Corp.<br>1276 Drouillard Rd.<br>Windsor, ON N8Y 2R5 | Revoke licence                                    |
| (e) | Lia Bernachi<br>Excess Metals<br>1276 Drouillard Rd.<br>Windsor, ON N8Y 2R5                 | Endorse licence for wrecking<br>of motor vehicles |
| (f) | Kathy Lenahan<br>2870 Richmond St.<br>Windsor, ON N8Y 3N6                                   | Appeal of Prohibited Dog                          |
| (g) | Mr. Ahmad Shakib<br>299 International Ave.<br>LaSalle , ON N9J 1V1                          | Accessible Taxi Placeholder                       |

## **8. REPORTS AND ADMINISTRATIVE MATTERS**

- (a) Expired Business Licence
- (b) Taxi Vehicle Colour Scheme

## **9. IN-CAMERA AGENDA**

N/A

## **10. NEW BUSINESS**

N/A

**11. DATE OF NEXT MEETING**

The following 2012 meetings are scheduled for the Licensing Commission:

May 16, 2012	9:30 a.m.	Council Chambers
June 20, 2012	9:30 a.m.	Council Chambers
July 18, 2012	9:30 a.m.	Council Chambers
August 15, 2012	9:30 a.m.	Council Chambers
September 19, 2012	9:30 a.m.	Council Chambers
October 17, 2012	9:30 a.m.	Council Chambers
November 21, 2012	9:30 a.m.	Council Chambers
December 19, 2012	9:30 a.m.	Council Chambers

**12. ADJOURNMENT**

KK/

Windsor, Ontario February 15, 2012

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3<sup>rd</sup> floor, City Hall, there being present the following members:

Councillor Ron Jones, Chair  
Councillor Drew Dilkens (arrives at 9:35 a.m.)  
Councillor Al Maghnieh (arrives at 9:37 a.m.)  
Councillor Ed Sleiman  
Jack Fathers

**Also present are the following resource personnel:**

Michael Chantler, Deputy Licence Commissioner & Supervisor of Licensing  
Gary Cian, Manager of Policy, Gaming & Licensing/Deputy Licence Commissioner  
Ann Kalinowski, Manager of Compliance & Enforcement  
Ken Passa, Supervisor Environmental Quality  
Denise Cassan, Senior Licence Issuer  
Karen Kadour, (A) Committee Coordinator

**1. CALL TO ORDER**

The Chair calls the meeting to order at 9:34 o'clock a.m. and the Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

**2. MINUTES**

Moved by J. Fathers, seconded by Councillor Sleiman,  
That the minutes of the meeting of the Windsor Licensing Commission held December 21, 2012 **BE ADOPTED** as presented.  
Carried.

**3. DISCLOSURE OF INTEREST**

None disclosed.

#### 4. **REQUESTS FOR REFERRALS, DEFERRALS OR WITHDRAWALS**

Moved by J. Fathers, seconded by Councillor Sleiman,  
That Item 7 (a) Kristin Lees (Guardian of “Misha”), dangerous dog  
**BE DEFERRED** to the March 28, 2012 Windsor Licensing Commission meeting as the  
Registered notification letter sent to the applicant was not picked up.  
Carried.

Moved by J. Fathers, seconded by Councillor Sleiman,  
That Item 7 (c) Shelley Beattie (Guardian of “Gemma”) potentially dangerous  
dog **BE DEFERRED** to the March 28, 2012 Windsor Licensing Commission to allow  
the applicant to be in attendance.  
Carried.

Moved by J. Fathers, seconded by Councillor Sleiman,  
That Item 7 (f) Windsor Auto Connection Ltd. (Mr. Fulvio Faroni) – Automobile  
Service Station – Repairs **BE WITHDRAWN** as the applicant has complied with the  
requirements of Licensing By-law 395-2004.  
Carried.

Moved by J. Fathers, seconded by Councillor Sleiman,  
That Item 7 (g) Rally Auto Service (Mr. Ziaollah Nasheri) – Automobile Service  
Station – Repairs **BE WITHDRAWN** as the applicant has complied with the  
requirements of Licensing By-law 395-2004.  
Carried.

#### 5. **COMMUNICATIONS**

None.

#### 6. **LICENCE TRANSFERS**

##### 6(a) **Transfer of Plate No. #84**

Mr. Walter Bezzina and Mr. Imad Alhasan are present and available to answer  
questions.

Moved by Councillor Sleiman, seconded by Councillor Dilkens,  
**WLC1/12** That the transfer of Taxicab Plate # 84 from 538523 Ontario Ltd. o/a  
Windsor Airline Limousine Service Ltd. to Mr. Imad Alhasan **BE APPROVED** with the  
following conditions:

- the transferee, Mr. Imad Alhasan be given thirty (30) days from the date of this  
decision in which to submit a vehicle for inspection that complies with Schedule 5  
to By-law 137-2007.

- submit a Plate Holder Application and pay the applicable fee.

and further, that the transferee, cannot lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

#### **6(b) Transfer of Plate No. #123**

Mrs. Faranak Kasmikha and Mr. Youseef Farhat are present and available to answer questions.

Moved by Councillor Dilkens, seconded by Councillor Fathers,  
**WLC2/12** That the transfer of Taxicab Plate # 123 from Mrs. Faranak Kasmikha to Mr. Youseef Farhat **BE APPROVED** with the following conditions:

- the transferee, Mr. Youseef Farhat be given thirty (30) days from the date of this decision in which to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- submit a Plate Holder Application and pay the applicable fee.

and further, that the transferee, cannot lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

### **7. APPLICATIONS/HEARINGS**

#### **7(a) Kristin Lees – Dangerous Dog “Misha”**

*Item is deferred to the March 28, 2012 meeting.*

#### **7(b) Barbara Brown – Dangerous Dog “Samson”**

Ms. Barbara Brown, guardian of “Samson” is present and available to answer questions. She states that the Mail Carrier who was bit by “Samson” alleges that she witnessed the dog “dragging” Ms. Brown. Ms. Brown states she has a medical condition called “Cervical Spinal Stenosis” and would not allow the dog to drag her.

Moved by Councillor Dilkens, seconded by Councillor Sleiman,  
**WLC3/12** That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for two year old German Shepherd known as “Samson” which currently resides with guardian, Barbara Brown at 1682 Taylor Ave. in Windsor, Ontario, and further, that the following actions **BE REQUIRED** as a result of this designation:

1. To keep such dog, when in or on the property of another person with the person's consent, on a leash and under the control of that person who is sixteen years of age or more.
  2. Conspicuously display on his or her property a sign provided by the city warning that there is a dangerous dog on the property.
  3. To securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17 (a).
  4. Obtain and maintain a policy liability insurance coverage in an amount of not less than \$1,000,000 for any damage or injury caused by such dangerous dog and to provide to the animal Control Officer a Certificate of such policy and each subsequent renewal of it.
  5. Insert a microchip implantation in such dog, at the Guardian's expense, for the purpose of identifying such dog as a dangerous dog.
  6. To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.
- Carried.

**7(h) The Governing Council of the Salvation Army o/a Salvation Army Windsor Community & Rehabilitation Centre– Lodging House**

Major Don Felthan, Salvation Army is present and available to answer questions.

M. Chantler succinctly provides the following relating to the Governing Council of the Salvation Army Lodging House licence:

- During a recent inspection of the business, it was determined that the organization operates a lodging home on the second and third floors of the building.
- The third floor falls under the definition of a Class 2 Lodging House under Schedule L1 to By-law 395-2004 and the second floor falls under a Class 1 Lodging House.
- Rather than issuing 2 licences, administration recommends issuing a Class 2 Lodging House Licence to the organization with a condition that the residents requiring assistance are housed on the third floor where they will receive the care as required for a Class 2 category under Schedule L1.
- Those residents on the second floor would comply with the regulatory framework under Class 1 of the same schedule.

Moved by Councillor Dilkens, seconded by Councillor Sleiman,  
**WLC4/12** That a Class 2 Lodging House Licence #11 143144 **BE ISSUED** to The Governing Council of the Salvation Army o/a Salvation Army Windsor Community & Rehabilitation Centre at 355 Church Street, Windsor, ON N9A 7G9 **WITH CONDITIONS** as follows:

- 2<sup>nd</sup> floor to comply with regulatory framework for Class 1 Lodging House.

Carried.

**7(d) 538523 Ont. Ltd. & 1287609 Ont. Ltd. – Suspension of Licence Plateholder**

Mr. Walter Bezzina, General Manager of 538523 Ontario Ltd. and 1287609 Ontario Ltd. is present and available to answer questions.

The salient points of discussion outlined in the Report of the Deputy Licence Commissioner and Supervisor of Licensing relating to the suspension of licences are as follows:

- Subject Plates (Nos. 189, 153, 205 and 53) without associated vehicles have been out of service beyond 120 days.
- Public Vehicle Licensing By-law 137-2007, Schedule 5, Part III, Section 6.12 “requires the Licence Commissioner to recommend suspension or revocation of such plates”.
- It is within the power of the Licence Commissioner to suspend or revoke these plates, however, a “shell game” would ensue whereby the company could shuffle vehicles to ensure that plates are not out of service for more than 120 days.
- E-mail from Mr. Bezzina indicates that Veteran Cab (to their own detriment) allows leases to be suspended when new plates are purchased and the drivers are not penalized.

Moved by Councillor Dilkens, seconded by J. Fathers,  
**WLC5/12** That the following plate holder licences issued to 538523 Ontario LTD. and 1287609 Ontario LTD. o/a Windsor Airline Limousine Service (aka Veteran Cab Company) **BE SUSPENDED** until May 16, 2012:

- #11 147456 associated with plate #189
- #11 147454 associated with plate #153
- #11 147457 associated with plate #205
- #11 147453 associated with plate # 53

and further that, should the plate holder have an opportunity to transfer the plate or place a vehicle into service with regard to one of the above plates, prior to May 16, 2012, the licensee **BE ALLOWED** to proceed and the suspension on the plate holder licence **BE LIFTED** immediately.

and further, should the plate holder fail to take action regarding the above plates by May 16, 2012, the Licence Commissioner **SHALL RECOMMEND REVOCATION** of the plate holder licences at the next regularly scheduled meeting of the Windsor Licensing Commission.

Carried.

**7(e) Lynn Lesperance – Taxi Plateholder #195**

Mrs. Lynn Lesperance and Mr. Henry Lesperance are present and available to answer questions.

Moved by Councillor Maghnieh, seconded by Councillor Dilkens  
**WLC6/12** That the following plate holder licence issued to Mrs. Lynn Lesperance **BE SUSPENDED** until May 16, 2012:



- #11 147451 associated with Plate #195

and further, should the plate holder have an opportunity to transfer the plate or place a vehicle into service with regard to one of the above plates, prior to May 16, 2012, the licensee **BE ALLOWED** to proceed and the suspension on the plate holder licence **BE LIFTED** immediately;

and further, should the plate holder fail to take action regarding the above plates by May 16, 2012 the Licence Commissioner **SHALL RECOMMEND REVOCATION** of the plate holder licence at the next regularly scheduled meeting of the Windsor Licensing Commission.

Carried.

#### **7(i) 2300991 Ontario Inc. o/a Fast Auto Service – Automobile Service Station**

Mrs. Zeinab Ghazi, applicant is not present. A letter signed by Mrs. Ghazi allowing Mr. Zaitoun Zaitoun (husband) to speak on her behalf is distributed and **attached** as Appendix “A”.

M. Chantler states it is the opinion of Administration that there is a Salvage Yard operating out of 1425 Rankin Avenue and as such, is not licensed for such an activity. He displays photos of inoperable vehicles, old motors, car parts, transmissions, oil stains, and furniture.

Mr. Zaitoun indicates that the site has been cleaned.

The Chair requests that a site inspection be conducted on this day.

Moved by Councillor Dilkens, seconded by Councillor Maghnieh,  
**WLC7/12** That licence application #11 141840 for Automobile Service Station – REPAIRS submitted by 2300991 Ontario Inc. o/a Fast Auto Service, 1425 Rankin, **BE ISSUED** when the property is in a “clean and neat condition” to the satisfaction of the Licence Commissioner, and THAT a condition **BE PLACED** on the licence specifying that violation of any City of Windsor Bylaw results in immediate revocation.

and further, that licence #11 141842 for Automobile Service Station – STORAGE/SALES issued to 2300991 Ontario Inc. o/a Fast Auto Service, 1425 Rankin **BE SUSPENDED** until the property is in a “clean and neat condition” to the satisfaction of the Licence Commissioner.

Carried.

#### **8. REPORTS AND ADMINISTRATIVE MATTERS**

##### **(a) Expired Business Licence**

Moved by Councillor Sleiman, seconded by Councillor Dilkens,

That the report of the Deputy Licence Commissioner and Supervisor of Licensing dated January 19, 2012 entitled “Expired Applications for Business Licenses” **BE RECEIVED** for information.

Carried.

(b) **Safety Lane**

A. Kalinowski states that the 2011 Fall Taxicab/Livery Safety Lane was a great success.

Moved by Councillor Sleiman, seconded by J. Fathers,  
That the memo submitted by the Manager of By-Law Enforcement dated October 31, 2011  
entitled "Results of 2011 Fall Taxicab/Livery Safety Lane" **BE RECEIVED.**  
Carried.

9. **IN CAMERA AGENDA**

N/A

10. **NEW BUSINESS**

N/A

11. **DATE OF NEXT MEETING**

The next meeting will be held on March 28, 2012 at 9:30 o'clock a.m. in the Council Chambers,  
3<sup>rd</sup> floor, City Hall.

12. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 9:57 o'clock a.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

**ITEM NO. 7(a)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Kristen Lees (Guardian of "Misha")  
1649 Hall Ave.  
Windsor, ON N9G 1H4

**LICENCE CATEGORY:**

Dangerous Dog-"Misha"  
Animal Licence # 08741  
File # ACLC/11265

**HEARING PARTICULARS:**

Appeal of Dangerous Dog Designation

**APPENDED MATERIALS**

- Copy of Dangerous Dog Notice issued by the Windsor-Essex County Humane Society, being Appendix "A".
- Copy of Invoice from Emeryville Animal Hospital, being Appendix "B".
- Copy of Examination Report Card from Emeryville Animal Hospital, being Appendix "C".
- Copy of Certificate of Vaccination from Emeryville Animal Hospital, being Appendix "D".
- Statement from Victim dated September 21, 2011, being Appendix "E".
- Statement from Victim's Parent dated October 15, 2011, being Appendix "F".
- Copy of Prescription for Victim dated November 7, 2011, being Appendix "G".

**LICENCE COMMISSIONER'S COMMENTS**

A dangerous dog designation appeal was submitted to the Licensing Division on September 23, 2011 by Kristin Lees of 1649 Hall Ave., Windsor, guardian of a three year old Chihuahua called "Misha". Licensing Division records indicate that this dog did not have a current 2011 dog tag licence at the time of the incident.

***REGULATORY AUTHORITY***

*Dangerous dog is defined by B Y - L A W N U M B E R 245 -2004, a (by-law for the registration and licensing of dogs and for the control of dogs generally within the City of Windsor) as:*

**“Dangerous Dog”:**

- i. *“means a dog that, in the absence of any mitigating factor has attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;*

*Section 17 to By-law Number 245-2004 states:*

17. *If an Animal Control Officer designates a dog as a dangerous dog, the Animal Control Officer shall serve notice upon the Guardian, requiring the Guardian, upon receipt of such notice to comply with the following requirements:*
  - a) *to keep such dog confined;*
    - i. *within the guardian’s dwelling, or*
    - ii. *in an enclosed pen of sufficient dimension and strength to be humane shelter for the dog and to prevent the dog from coming in contact with or making a real and substantial threat of attack on a person other than the guardian of the dog;*
    - iii. *conspicuously display on his or her property a sign provided by the City warning that there is a dangerous dog on the property.*
  - b) *to securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17(a);*
  - c) *to obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it. Such policy shall contain a provision requiring the insurer to immediately notify the Animal Control Officer should to policy expire, be cancelled or be terminated for any reason; and*
  - d) *to permit the Animal Control Officer to have a veterinarian insert a microchip implantation in such dog, at the Guardian’s expense, for the purpose of identifying such dog as a dangerous dog;*
  - e) *To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.*

## BACKGROUND

- On September 23, 2011, “Misha” was running at large, chased and bit victim who was walking down the street with friends.
- September 23, 2011, Animal Control Officer Nancy McCabe attended 1649 Hall Ave. She spoke with the owner and met “Misha”. Animal Control Officer at that time deemed “Misha” as Dangerous Dog and notice was given to Kristen Lees (Guardian of “Misha”), being Appendix “A”.
- September 23, 2011, an appeal to the Dangerous Dog Designation was submitted to the Licensing Division by Kristin, being appendix “A”. Kristen purchased a dog tag licence at this time.
- September 27, 2011 the case was assigned to By-law Enforcement Officer D. Jenner.
  
- October 11, 2011 By-law Enforcement Officer D. Jenner attended 2175 Wellesley Ave. to obtain further information from the victim and her mother. A blank statement form was provided so that further details could be obtained.
- November 9, 2011 a statement from the victim’s mother and a copy of the Doctors note were retrieved from 2175 Wellesley Ave., being Appendix “F” and “G”.
- November 24, 2011 By-law Enforcement Officer D. Jenner attended 1649 Hall to obtain further information from the dog owner.
- December 20, 2011 By-law Enforcement Officer D. Jenner laid a charge under the Dog Owners Liability Act.

## SUMMARY

The Windsor Licensing Commission may determine whether or not there were any mitigating factors that would give reason for the dog to attack and bite. Based on the information provided by the Compliance and Enforcement Officer, and Animal Control Officer, Administration is of the opinion that there are no mitigating factors. Therefore Administration is recommending that the dangerous dog designation remain in place.

## RECOMMENDATION:

That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for 3 year old Chihuahua known as “Misha” which currently resides with guardian, Kristin Lees at 1649 Hall Ave. in Windsor, Ontario, and further, that the following actions **BE REQUIRED** as a result of this designation:

7. To keep such dog, when in or on the property of another person with the person's consent, on a leash and under the control of that person who is sixteen years of age or more.
8. Conspicuously display on his or her property a sign provided by the city warning that there is a dangerous dog on the property.
9. To securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17 (a).
10. Obtain and maintain a policy liability insurance coverage in an amount of not less than \$1,000,000 for any damage or injury caused by such dangerous dog and to provide to the animal Control Officer a Certificate of such policy and each subsequent renewal of it.
11. Insert a microchip implantation in such dog, at the Guardian's expense, for the purpose of identifying such dog as a dangerous dog.
12. To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.

**DISPOSITION:**



THE CORPORATION OF THE CITY OF WINDSOR  
DANGEROUS DOG NOTICE  
CORPORATION OF THE CITY OF WINDSOR  
WINDSOR LICENSING COMMISSION  
IN THE MATTER OF THE DESIGNATION OF DANGEROUS DOGS APPENDIX "A"

July 28 2011  
paid  
2012/04/18

I, Michael J. Leves, Animal Control Officer, do hereby advise you that, in the course of my duties, I have served

you a DANGEROUS DOG NOTICE in respect of Keaton Leves a GUARDIAN of

Keaton Leves, which has been deemed DANGEROUS DOG, as defined under City of

Windsor By-Law 245-2004 Section 1(i).

Further that,

The said GUARDIAN shall, upon receipt of such notice, comply with the requirements of By-Law 245-2004 Section 17.

Michael J. Leves  
SIGNATURE OF ANIMAL CONTROL OFFICER

Keaton Leves  
SIGNATURE OF GUARDIAN

"Municipal" means any person, firm, company or individual who owns, possesses or has control of a dog and "owner" means the person who has the legal responsibility for the dog and who is responsible for the dog's behavior in public places, whether or not the dog is on the owner's property.

RECEIVED  
SEP 23 2011

DANGEROUS DOG Must Comply with ALL of the following:	
1. To keep such dog confined within the guardian's dwelling or in an enclosed pen of a certain dimension and strength to be determined by the City and its various divisions, from causing any damage with or without a real and substantial threat of attack on a person other than the guardian of the dog.	5. Obtain and maintain a policy of public liability insurance coverage to an amount of not less than \$1,000,000.00 for any damage or injury caused by such dog, covering and in compliance with the Annual Dog License Certificate of such dog and each subsequent renewal of it.
2. Display prominently in his or her company sign provided by the City warning that the dog is a dangerous dog to the public.	6. Obtain, at the guardian's expense, the dog's behavior in such dog as the guardian's expense, for the purpose of identifying such dog as a dangerous dog.
3. Take all reasonable steps to ensure that all times when a dog is outside the guardian's premises, the dog is under the control of the guardian.	7. To ensure the dog does not come into contact with any person, including children, who may be injured by a Dangerous Dog.

**Assessment for Dangerous Dog**

Date of Assessment: September 23/11 Time: 10:30 AM

Guardian's Name: Keaton Leves Dog's Name: Keaton Leves

Address: 11-11-1111 Telephone: [REDACTED]

Description of Dog: Golden Retriever Breed of Dog: Golden Retriever

Stables Tag No.	City of Windsor Tag No.	YES	NO	Microchip No.	YES	NO		
Complete	YES	NO	Standard	YES	NO	YES	NO	
Dev of Attack	YES	NO	Special	YES	NO	Aggravated	YES	NO
At Large	YES	NO	Guardian	YES	NO	Other	YES	NO

Animal Control Officer's Comments: Keaton Leves is a Golden Retriever and is a friendly dog. He is well trained and is under the control of the guardian at all times. He is not a dangerous dog.

**Appeal Dangerous Dog Notice**

In accordance with By-Law 245-2004 Section 18(i), you may request, within three working days of receipt of the Animal Control Officer's notice, for a review of the notice by the Appeal Commission, which is the Windsor Licensing Commission.

I want to submit my written request to the License Committee of the City of Windsor to have a hearing before the Appeal Commission.

Date: Sept 23/11 at: 644 Hill Ave

Date Submitted: Sept 23/11 Received by: [Signature]

Planning and Information Department (437-3111)  
Animal Control Officer's copy - 11/11  
Guardian's copy - 11/11

APPENDIX "B"

# INVOICE

**Emeryville Animal Hospital**

106 Emery Dr.  
Emeryville, ON NOR 1C0  
519-727-3304

We treat your Pets Like Family.

**FOR:** Kristin Lees  
862 Henry Street  
Belle River, ON NOR 1A0  
(519) 728-1044

**Printed:** 08-05-10 at 5:14p  
**Date:** 08-05-10  
**Account:** 7110  
**Invoice:** 71063

Date	For	Qty	Description	Price	Discount	Net Price
08-05-10			Debit payment			-111.30
08-05-10	Misha	1	Annual K-9 Physical & Vacc.*			98.50
08-05-10		1	Rabies Vaccination - 1 Year			0.00
08-05-10		1	DA2P Annual Vaccine			0.00

Old balance	Charges	HST		Payments	New balance
0.00	98.50	*12.80	0.00	111.30	0.00

Reminders for: **Misha** (Weight: 9.4 lbs - 2y) Last done

08/13	DA2P Annual Vaccine	08-05-10
08/11	Rabies Vaccination - 3 Year	
08/11	Annual K-9 Physical Exam	08-05-10

**Misha's weight history** (in lbs)

08-05-10	9.40
----------	------

Are you covered? Ask about Pet Health Insurance!



# Emeryville Animal Hospital

106 Emery Drive, Emeryville, Ontario NOR 1C0  
519-727-3304 Fax 519-727-1125  
www.emeryvilleanimal.com

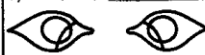

# Examination Report Card

APPENDIX "C"

Pet's Name / Owner "Misha" Lees

Gender: F Age: 2yrs Date: 8-5-10

Drs. Godfrey, Donatelli, Graet & Jeun

<p>1. Eyes <b>Normal</b> Discharge L R Inflamm L R Cataract: L R Lenticular Sclerosis ( 1 2 3 4 ) Retinal Problems Excess Tears Eyelid Deformities</p> 	<p>Problem List / Diagnosis:  <input checked="" type="checkbox"/> front digit #5          hairless, pink skin          from previous trauma          (stepped on)</p>	<p>10. Legs &amp; Paws <b>Normal</b> Broken Nail Nails LONG Lameness Joint Problems Damaged Ligaments Patellar Luxation</p>
<p>2. Ears <b>Normal</b> Wax Excessive Hair Inflamed L R Pinnae Itchy Redness Yeast Bacteria Mites Other:</p>	<p>Bites → fearful Barks → rewarded every time person + car leaves.</p>	<p>11. Neurological System <b>Normal</b> Paralysis Disc Problems Seizures Nystagmus Balance Disorder Depressed</p>
<p>3. Nose &amp; Throat <b>Normal</b> Sneeze Reverse Sneeze Nasal Discharge Inflamed Throat Enlarged Lymph Glands Dry Nose</p>	<p>Healthy otherwise (L/H, SW) (R/H, SW) Diazepam + Ruben-lyc #1</p>	 <p>Ventral Dorsal</p>
<p>4. Mouth, Teeth, Gums <b>Normal</b> Missing Teeth Inflamed Gums Broken / Loose / Baby Teeth Abscess Tumors Tartar Buildup Gr. 0 1 2 3 4 Abnormal Bite Worn Teeth CRT/MM Pink &lt; 25</p>	<p>Recommendations:          Recommend Parasite Protection          Loved Jams Puppy Treats!          Citronella Bark collar          Rental ?? No  <input checked="" type="checkbox"/> Discussed vaccine reactions</p>	<p>13. Weight <b>Normal</b> 9.4 lbs. kg Weight last visit Thin / Heavy lbs.</p>
<p>5. Heart <b>Normal</b> Murmur Sinus Arrhythmia Gr. 1 2 3 4 5 6 Irregular Rate Pulse 108</p>	<p><input checked="" type="checkbox"/> Obedience training          ↳ individual          ↳ with Paulette</p>	<p>14. Diet Good <b>Fair</b> Poor Brand: 7 Reindeer-Buckwheat Quantity: 1/2 Extras: 379</p>
<p>6. Lungs <b>Normal</b> Coughing Breathing Difficulty Abnormal Sound Panting Congestion R.R.</p>	<p><input checked="" type="checkbox"/> Home-cooking for dogs          (Book + video)          See website</p>	<p>15. Temperature 37.9 °C  <input checked="" type="checkbox"/> Stool/Fecal Rec  <input type="checkbox"/> Urine Sample  <input checked="" type="checkbox"/> Heartworm, Lyme Rec          Anapl. / Ehrlichia  <input type="checkbox"/> Leukemia/AIDS  <input checked="" type="checkbox"/> Wellness Testing          Current Meds: Sectra etc</p>
<p>7. Abdomen <b>Normal</b> Enlarged Organs Abnormal Mass Tense/Painful Fluid Swollen</p>	<p><input checked="" type="checkbox"/> abri.online.org → free videos          on website</p>	
<p>8. Gastrointestinal System <b>Normal</b> Excessive Gas Abnormal Feces Vomiting Appetite ↑ ↓</p>	<p><input checked="" type="checkbox"/> Harness + leash dragging          behind. Helps to stop Misha          from escaping out door. Use only          when you are at home with her</p>	
<p>9. Urogenital System <b>Normal</b> Abnormal Testicles Enlarged Prostate Abnormal Urination Mammary Tumors Genital Discharge Anal Sac Disease RECOMMEND: SPAY/NEUTER Intact In heat To Breed</p>		
<p>RECHECK EXAM REMIND / CALL DA2PP in 1 Wks Days Month DR. Jeun R.V.T. Kuhlmei          FOR AFTER HOUR EMERGENCY CALL: 519-972-9000</p>		

APPENDIX "D"

**CERTIFICATE OF VACCINATION**

Date of Vaccination: 08-05-10  
Next Vaccination due On: 08-05-11

Certificate Date: 08-05-10  
Previous Rabies Vaccination:

**VETERINARY CLINIC**  
Emeryville Animal Hospital  
106 Emery Dr.  
Emeryville, ON N0R 1C0  
519-727-3304

**OWNER OF ANIMAL**  
Kristin Lees  
662 Henry Street  
Belle River, ON N0R 1A0  
County:

This is to certify...

**THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.**

**Patient information...**

**PATIENT:** Misha  
**SPECIES:** Canine  
**SEX:** F

**TAG NO:** 10-0226  
**WEIGHT:** 9.40  
**AGE:** 2 years

**Color and markings...** Black/Brown/White

Signed \_\_\_\_\_  
Gwendolyn Jehu, DVM

Vaccinations done:			Due:
08-05-10	GJ	Annual K-9 Physical & Vacc.	08-05-11
08-05-10	GJ	Rabies Vaccination - 1 Year, #10-0226	
08-05-10	GJ	DA2P Annual Vaccine	08-04-13

**Emeryville Animal Hospital**  
106 Emery Drive, Emeryville, ON  
N0R 1C0  
Tel: (519) 727 3304  
Fax: (519) 727 3125  
www.emeryvilleanimal.com

## APPENDIX "E"

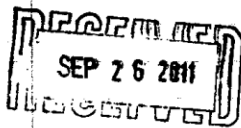
September 21, 2011

Jessica Cosgrove was walking down Hall Avenue with two girls. The three girls walked by 1649 Hall. The man and one woman were sitting on the porch. The dog began to bark, came off the porch barking, running towards myself and my 2 girl-friends. He stepped toward me backed up came toward me then bite my leg. I shoed ~~the~~ the dog with my foot. I ~~also~~ realized it bite me. The dog began to bark at my friend. Then it bite my friend Katherine. It went after my 2<sup>nd</sup> friend Morgan but she screamed and the dog kept barking. She shoed the dog with her foot.


The man came off the porch by now we were about 5 houses down from 1649 Hall. The owner picked up the dog after smacking it & said he was sorry. When the dog bite me I was 3 houses down from 1649 Hall Avenue.

Jessica Cosgrove Jessica Cosgrove

Mia Cosgrove Terra Cosgrove (Parent)



APPENDIX "F"

	<b>CITY OF WINDSOR</b>		STATEMENT <input type="checkbox"/>	PAGE(S): OF
			CONTINUATION REPORT <input type="checkbox"/>	FILE #:
Location Statement recorded:			Date of Statement: Oct 15 2011	
Victim: <input type="checkbox"/>	Family name: CUSCROVE	Given name(s): TIRRA	Sex: F	
Witness: <input type="checkbox"/>	Date of birth: Feb 21, 1974	Contact number: [REDACTED] or [REDACTED]		
Address: [REDACTED]	City: WINDSOR	Province: ON		
Recording Officer:	Department: Building Department - Compliance & Enforcement Unit	Employee #		
<p>I arrived home around 8pm Jessica Cusgrove told myself Tina Cusgrove that a dog bit her on the leg said she and her friend Morgan cleaned it and put polysporin on it She told me the story of what happened Jessica and I went to find the house where the dog lived on Hall Avenue we began speaking to the dog's owners father the father got the daughter owner of the dog I spoke to her I asked if she had the dog rabies for the rabies shot She showed them to me I realized the shots were not up to date I thanked her left and called the Human Society and the Health unit Jessica's skin was broken you could clearly see the mouth top and bottom outline of the dog The following day I Tirra Cusgrove took Jessica to our family doctor Dr J Bressi He prescribed Amoxicillin + Clavulin 500mg + 125mg, take 1 tablet 2x/day</p>				
Witness Signature: Tina Cusgrove		Date signed: Oct. 15 2011	Time: 9:30pm	
Recording Officer's Signature:		Date completed:		
Witness Name (print):		Witness Signature:		

APPENDIX "G"

**Malden Rexall Medical Centre**  
5881 Malden Road, LaSalle, Ontario N9H 1S5  
(519) 966-3411 Clinic  
(519) 966-2473 Family Dr.

Fax: 519-966-8961

- J. Ferris, MD, CCFP
- H. Schincariol, MD, CCFP
- P. Dhaliwal, MD, CCFP
- K. Tatlay, MD, CCFP
- C. Johnston, MD, CCFP
- D. D'Aloisio, MD
- D. Ruel, MD, CCFP
- D. Cargill, MD, CCFP
- L. Voltje, MD, CCFP
- K. Jasey, MD, CCFP

FOR Jethie Congrove

ADDRESS \_\_\_\_\_  
DATE Nov 7 2011

R Ms. Congrove had a dog  
like Sept 21. It was seen on 22  
and had slow motion on D leg.  
She was given Clavadin 500 Bg  
x 10 days

REPEAT	1	2	3	4	5	NR
--------	---	---	---	---	---	----

**ITEM NO. 7(b)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Shelley Beattie  
2558 Chandler Rd.  
Windsor, ON  
N9C 1T5

**LICENCE CATEGORY:**

Potentially Dangerous Dog  
"Gemma"

Licence # 12 101100  
Folder # ACLC/11267

**HEARING PARTICULARS:**

Appeal of Potentially Dangerous Dog Designation

**APPENDED MATERIALS**

- Copy of Potentially Dangerous Dog Notice, being Appendix "A"
- Copy of a statement from victim, being Appendix "B"
- Copy of photographs of injuries, being Appendix "C"
- Copy of City of Windsor 2012 Animal Licence Receipt (for dog named Gemma), being Appendix "D"
- Copy of Animal Medical Summary Report (for dog name Lucy), being Appendix "E"

**LICENCE COMMISSIONER'S COMMENTS**

A Potentially Dangerous Dog designation appeal was submitted to the Licensing Division on January 10, 2012 by Shelley Beattie of 2558 Chandler Rd., Windsor, guardian of a 7 ½ year old Spaniel mix called "Gemma". Licensing Division records indicate that there was a current dog tag license issued to this address at the time of the dog occurrence for a dog named "Lucy". This dog was a rescue dog from the Humane Society and went by the name "Lucy". The guardians have since changed the dogs name to "Gemma".

**REGULATORY AUTHORITY**

Potentially Dangerous Dog is defined by By-law 245-2004, a By-law for the Registration and Licensing of Dogs and for the Control of Dogs Generally within the City of Windsor as follows:

**“Potentially Dangerous Dog”:**

“means a dog that in the absence of any mitigating factors, chases or approaches any person or domestic animal, anywhere other than on the property of its guardian, in a menacing fashion or apparent attitude of attack, including, but not limited to, behaviour such as growling or snarling;

Section 16 to By-law Number 245-2004 states :

16. *“If an Animal Control Officer designates a dog as a potentially dangerous dog, the Animal Control Officer shall serve a Dangerous Dog Notice upon the Guardian, requiring the Guardian, upon receipt of such notice, to comply with such of the following requirements deemed necessary by the Animal Control Officer:  
(substituted B/L 374-2004, dated Nov. 22, 2004)*
- a) *to keep such dog, when it is on the property of the Guardian, confined*
    - i. *within the Guardian’s dwelling; or*
    - ii. *in an enclosed pen of sufficient dimension and strength to be a humane shelter for the dog and to prevent the dog from coming in contact with or making a real and substantial threat of attack on a person other than the Guardian;*
    - iii. *or if not confined under subparagraphs (i) and (ii) above, to keep such dog on a leash and under control of the Guardian;*
  - b) *to keep such dog, when it is on the property of another person with that person’s consent, on a leash and under the control of that person who is sixteen years of age or more;*
  - c) *to securely attach a muzzle to such dog at all times when it is not on the property of the Guardian or not on the property of another person with such person’s consent;*
  - d) *to obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such potentially dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it. Such policy shall contain a provision requiring the insurer to immediately notify the Animal Control Officer should the policy expire, be cancelled or be terminated for any reason;*
  - e) *to permit the Animal Control Officer to have a veterinarian insert a microchip implantation in such dog, at the Guardian’s expense, for the purpose of identifying such dog as a potentially dangerous dog.*

*f) To restrain the potentially dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.”*

## **BACKGROUND**

On Thursday December 16, 2011 mail carrier Tammy Ganney was conducting her daily routine at 2552 Chandler, when a spaniel mix dog from 2558 Chandler charged at her ripping her jacket and biting her upper right leg. Tammy Ganney indicated in her statement, attached as Appendix “B” that she sustained bruising with no breaking of the skin.

The following is a chronology of events as it relates to this appeal:

- December 16, 2011 311 complaint received regarding a dog bite.
- December 22, 2012 By-law Enforcement Officer Bonas contacted guardian Shelley Beattie at 2558 Chandler Rd. Windsor to obtain further information regarding the dog incident.
- January 3, 2012 received statement and photographs from dog attack victim Tammy Ganney.
- January 5, 2012 Part 1 ticket laid under By-law 245-2004 Part V Muzzling, leashing and containment of dogs and designated dog “Gemma” as potentially dangerous.
- January 11, 2012 Licensing Department received appeal for potentially dangerous dog notice.

## **SUMMARY**

The Windsor Licensing Commission may determine whether or not there were any mitigating factors that would give reason for the dog to behave in this manner. Based on the information provided by the By-law Enforcement Officer, Administration is of the opinion that there were no mitigating factors. Therefore Administration is recommending that the designation of potentially dangerous dog designation remain in place.

## **RECOMMENDATION:**

That a **POTENTIALLY DANGEROUS DOG** designation **BE PLACED** on the Spaniel mix dog known as ‘Gemma’, which currently resides with guardian Shelley Beattie at 2558 Chandler Rd. Windsor, Ontario, and further, **THAT** the following actions **BE REQUIRED** as a result of this designation:

1. To keep such dog confined; within the guardian’s dwelling; or in an enclosed pen



sufficient dimension and strength to be humane shelter for the dog and to prevent the dog from coming into contact with or making a real and substantial threat of attack on a person other than the guardian of the dog.

2. To keep such dog, when in or on the property of another person with the person's consent, on a leash and under the control of that person who is sixteen years of age or more.
3. Obtain and maintain a policy of public liability insurance coverage in an amount of not less than \$1,000,000 for and damage or injury caused by such potentially dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it.
4. Insert a microchip implantation in such dog, at the guardian's expense, for the purpose of identifying such dog as a dangerous dog.
5. To restrain the potentially dangerous dog in accordance with any written directives with may be given by and Animal Control Officer.

**DISPOSITION:**



THE CORPORATION OF THE CITY OF WINDSOR

POTENTIALLY DANGEROUS DOG NOTICE  
CORPORATION OF THE CITY OF WINDSOR  
WINDSOR LICENSING COMMISSION  
BY THE MASTER OF THE DESIGNATION OF  
POTENTIALLY DANGEROUS DOG.

APPENDIX "A"

JAN 11 2012

POLICY GAMING & LICENSING

I, M. J. G. GARDNER ANIMAL CONTROL OFFICER upon reasonable belief, and in the absence of mitigating factors, serve a POTENTIALLY DANGEROUS DOG NOTICE to M. J. G. GARDNER the GUARDIAN (full name) of \_\_\_\_\_ which has been deemed POTENTIALLY DANGEROUS DOG, as defined under City of Windsor By-Law 245-2004 Section 16(e).

Further that,

The said GARDNER shall, upon receipt of such notice, comply with the requirements as outlined under City of Windsor By-Law 245-2004 Section 16.

SIGNATURE OF ANIMAL CONTROL OFFICER: M. J. G. Gardner SIGNATURE OF GUARDIAN: M. J. G. Gardner

\*Guardian means any person who owns, keeps, possesses or harbours a dog or dogs and "own" "owns" or "owned" have a corresponding meaning, and where the guardian is a corporation, the person having custody of the asset.

Potentially Dangerous Dog Must Comply with ALL of the following:	
<input checked="" type="checkbox"/> To keep such dog confined: within the guardian's dwelling or in a residential part of sufficient strength and construction to be immune to either the dog and to prevent the dog from coming into contact with or making a real and substantial threat of attack on a person other than the guardian of the dog.	<input checked="" type="checkbox"/> Obtain and maintain a policy of public liability insurance coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such potentially dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and such subsequent renewal of it.
<input checked="" type="checkbox"/> To keep such dog, when it is on the property of another person with the person's consent, on a leash and under the control of that person who is sixteen years of age or more.	<input checked="" type="checkbox"/> Have a microchip implantation in such dog, at the Guardian's expense, for the purpose of identifying such dog as a dangerous dog.
<input type="checkbox"/> To securely encase a muzzle on such dog at all times when it is not on the property of the Guardian or not on the property of another person with such person's consent.	<input checked="" type="checkbox"/> To return if a potentially dangerous dog is furnished with any written directives which may be given by an Animal Control Officer.

**Assessment for Potentially Dangerous Dog**

Date of Assessment: January 10, 2012 Time: 3:40 PM

Guardian's Name: M. J. G. Gardner Dog's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Description of Dog: \_\_\_\_\_ Breed of Dog: \_\_\_\_\_

Rabies Tag No:	Date of Windsor Tag No:	Muzzling No:
Compliate: YES NO	Surrendered: YES NO	Police Report: YES (NO)
Bite of Attack: YES NO	Seized: YES NO	Report No: YES NO
At Large: YES NO	Quarantined: YES NO	Witness: YES NO

Animal Control Officer's Comments or Directives:  
The owner must have a liability insurance - insurance  
has license  
verify muzzle

**Appeal Potentially Dangerous Dog Notice**

In accordance with By-Law 245-2004 Section 16(e), you may request, within three working days of receipt of the Animal Control Officer's notice, and are entitled to, a hearing by the Appeal Committee, which is the Windsor Licensing Commission.

I wish to submit my written: post to the Licensing Commission of the City of Windsor to have a hearing before Appeal Committee.

Question: \_\_\_\_\_ Address: 2558 Chandler Rd Windsor ON

Date Submitted: January 10, 2012 Received by: Margaret Moore  
Sharonne Adams

*Licensing and Enforcement Department (copy - white)*  
*(Animal Control Officer's copy - yellow)*  
*(Guardian's copy - pink)* (see over)

## APPENDIX "B"

On Dec 16/2011 at approx 12:30 p.m after I delivered the mail to 2552 Chandler I turned around to the dog from 2558 Chandler running at me. Before I could react he was jumping and biting my right leg and then again he bite and ripped my jacket. The owner was right there and could not calm the dog down. All I kept saying was I told you to keep that damn dog in the yard.

Luckily my cell phone was in my pants pocket so it didn't break the skin but it charged pretty hard causing a severe bruise on my leg. I immediately when back

to depot 4 (Canada post) to report it and to make sure the skin wasn't broke. I did my report with my acting supervisor Lonnie Bouele.

2558 Chandler has been told many times by me to keep the dog on a leash or in the yard

Canada Post has given them "Be a responsible Pet owner Guide" prior to the attack.

The dog has come running at me barking but the owner was always able to control it. She said it comes from an abused home that why it's so aggressive. She <sup>was</sup> told

then to keep it in the yard.

Tammy

Tammy Gannay

[REDACTED]

Windsor, On

[REDACTED]

[REDACTED]

[REDACTED]

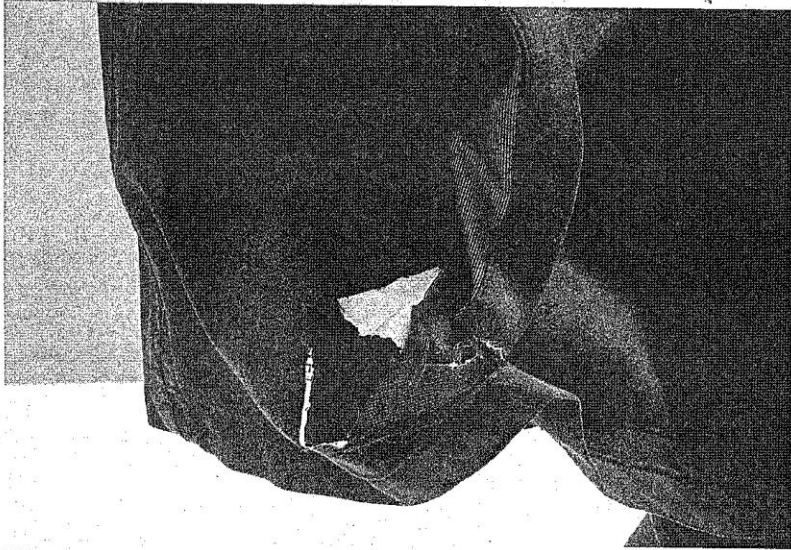
[REDACTED]

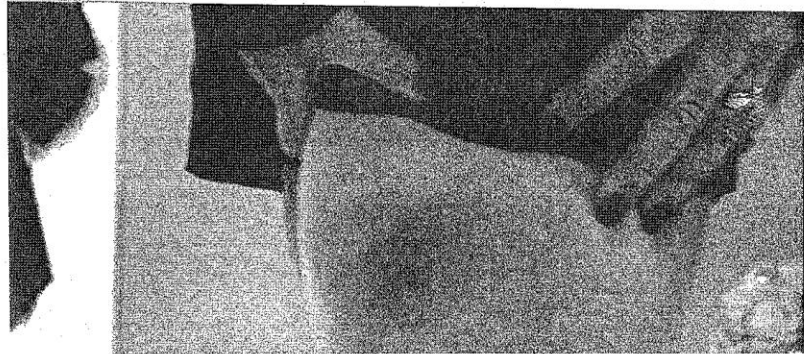
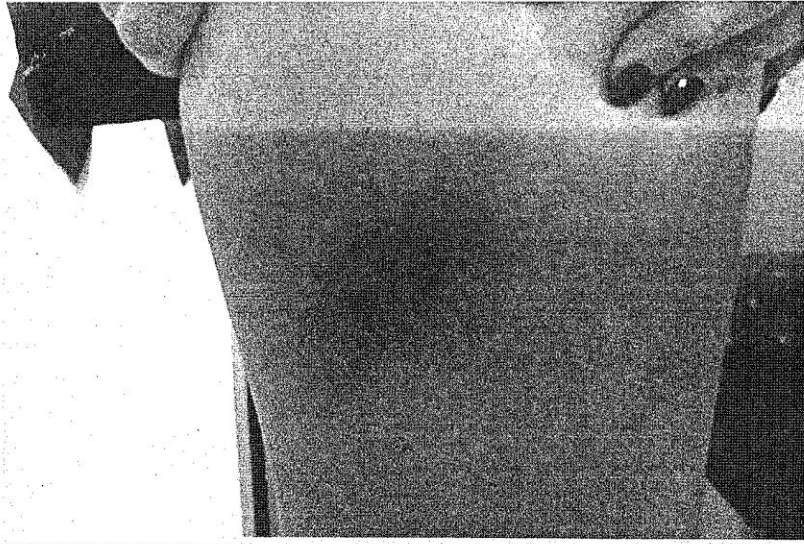
attached to Photo

Jan 12/2012



**APPENDIX "C"**





**City of Windsor**

**APPENDIX "D"**

**Animal Licence Inspection Card**

Property Roll Number: 3739070330038000000

Site Address: 2558 CHANDLER RD WINDSOR

Legal Description: PLAN 1140 LOT 426;PT CLOSED

ALLEY; 4080.00SF 40.00FR 102.00D

Folder #: **12101100**

Expires: December 31, 2012

Issued: January 3, 2012

By: wisemas

Type: Dog

Work Proposed:

Applicant: SHELLEY MARIE BEATTIE  
 2558 CHANDLER RD WINDSOR ON CAN N8W 4B1  
 Owner: SHELLEY MARIE BEATTIE  
 2558 CHANDLER RD WINDSOR ON CAN N8W 4B1  
 Business: SHELLEY MARIE BEATTIE  
 2558 CHANDLER RD WINDSOR ON CAN N8W 4B1  
 Mailing: SHELLEY MARIE BEATTIE  
 2558 CHANDLER RD WINDSOR ON CAN N8W 4B1

**Zoning:**RD1.2

**Subdivision:**

# of spayed/neutered 1  
 license status RENEWAL  
 1st Dog - Breed and N Spaniel - LUCY  
 Date of Birth of 1st 7.5 YRS  
 I Accept No

**Special Conditions:**

MAIL

**Mandatory Inspections:**



APPENDIX "E"

Medical Summary Report

Shelley Beattie

Animal ID's	Animal Info	Location Info
A07586836 982009105828522	Inactive Released Lucy - Dog Female - Adult (1-6 Years)	Spaniel/Mix - Golden 7 y 8 m 4 d , DOB: 5/7/2004, Altered: Yes, Size: Small, Weight: 20.80 pound Bitten: No Known History, Danger: No
		Released

Medical Summary

Medical Record #	Type	Subtype	Medical Status	Temperament Status	Exam/ Surgery Date ^	Review Date
M06019762	Exam	Initial	Healthy	Friendly	05/05/2009 04:49 PM	
M06022766	Exam	Initial	Healthy	Friendly	05/06/2009 11:38 AM	
<p><b>Vitals:</b> 20.80 pound</p> <p><b>Notes:</b> Standard vet check. Booster, rabies, and follow up deworming still needed. Mandibular canine on right side is fractured.</p>						
M13334202	Surgery				05/11/2009 10:20 AM	
<p><b>Notes:</b> Scheduled Date: May 11 2009 10:00AM. Schedule With: Aimee Seguin. Created By: Kelly MacDonald.</p>						
M06051141	Exam	Surgical	Healthy	Friendly	05/11/2009 05:35 PM	
<p><b>Vitals:</b> 20.80 pound</p> <p>removed bottom far right incisor-broken in half including root-sutured closed</p> <p>Routine Sx clip and prep the ventral abd xiphoid to pubis</p> <p>Skin incision made just caudal to the umbilicus</p> <p>2-4 cm incision made to expose the linea alba</p> <p>Extend the linea incision cranial and caudal to the stab with Mayo scissors</p> <p>Snook spay hook used to exteriorize the uterine horn</p> <p>Gentle traction used to break the suspensory lig.</p> <p><b>Notes:</b> 2 hemostats placed across ovarian pedicle</p> <p>3-0 PDS used Double ligatures placed around pedicle</p> <p>Pedicle Incised and released into abd (repeat for the opposite side)</p> <p>A circumferential ligature placed near the cervix uterine arteries ligated individually</p> <p>Incision made just caudal to ligatures at the level of the cervix</p> <p>Good hemostasis, cervical stump released into the abdomen</p> <p>Standard 3 layer closure 3-0 PDS</p> <p>Uneventful recovery</p>						

Conditions	Type	Noted Date ^	Body Part	Resolution Date	Review Date	Record #
BAR	Symptom	05/05/2009 04:49PM				M06019762
BAR	Symptom	05/06/2009 11:38AM				M06022766
BAR	Symptom	05/11/2009 05:35PM				M06051141

Tests	Test For Condition	Result	Test Date ^	Result Date	Re-Test Date	Record #
Heartworm Test, Canine SNAP		Negative	05/06/2009 11:38AM	05/06/2009 12:00AM		M06022766

Vaccinations	Type	Vaccination Date ^	Re-Vacc Date	Pet ID	Pet ID Type	Record #
Bordetella/Paraintra Nasal, Canine	Not Set up	05/05/2009 04:49PM	05/05/2010 04:49PM			M06019762
Vanguard Plus 5 Lepto4	Not Set up	05/06/2009 11:38AM	06/05/2009 11:38AM			M06022766

**ITEM NO. 7(c)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Mr. Lee Grandmaison  
 Guardian of dog "Gewa"  
 1129 Drouillard Rd.  
 Windsor, ON N8Y 2R2

**LICENCE CATEGORY:**

Licensing and Control of Dogs

ACLC/ 11377

**HEARING PARTICULARS:**

Designation of Dog as Prohibited or Restricted

**APPENDED MATERIALS**

- Licensing record showing change of designation in 2005, being APPENDIX "A"
- By-law Enforcement record showing results of site visit in 2006 to 390 Pierre, being APPENDIX "B"
- Email from By-Law Enforcement Officer regarding encounter with dog in 2012, being APPENDIX "C"

**LICENCE COMMISSIONER'S COMMENTS****REGULATORY AUTHORITY**

By-Law No. 245-2004, is a by-law for the registration and licensing of dogs and for the control of dogs generally within the City of Windsor.

By-Law No. 245-2004, Part I – Dog Licences, Section 4(a) states:

*"Every guardian of a dog that is a restricted dog shall obtain a licence for each such dog on or before the 1<sup>st</sup> of February in every year."*

And further, Section 26 states in part:

*"(b) to keep the restricted dog, when it is on the lands and premises of the owner, confined:*

- (i) within the owner's dwelling and under the effective control of an adult; or*
- (ii) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a*

*minimum depth of 30 centimetres (1 foot), or as otherwise approved by the Animal Control Officer. The pen shall provide humane shelter for the restricted dog while preventing it from escaping therefrom and preventing the entry therein of unsupervised children;*

*(c) to keep the restricted dog under the effective control of an adult person and under leash, such leash not to exceed 1.8 metres (6 feet) in length and to be approved by the Animal Control Officer, at all times when it is not confined in accordance with clause*

*(d) to securely attach a muzzle as defined in Part I to the restricted dog at all times when it is not confined in accordance with clause (b);”*

In accordance with By-Law 245-2004, a Prohibited Dog is defined as:

*“A Pit Bull dog, previously designated as a restricted dog that is kept or permitted to be kept by its owner in violation of the requirements for such dog”.*

## **BACKGROUND**

2005 – Mr. Lee Grandmaison, guardian of a pit bull named “Gewa”, appealed to the Windsor Licensing Commission for a re-designation of his **Prohibited Dog**. The designation was changed to **Restricted Dog** and Mr. Grandmaison was required to purchase a dog tag by December 31, 2005. Mr. Grandmaison applied for and received a tag on December 13, 2005. (AMANDA folder notes attached as **APPENDIX “A”**)

2006 – On September 7, a letter was sent to Mr. Grandmaison from the Licensing Division reminding him that his insurance policy was set to expire and he was required under the by-law to provide updated insurance. The letter came back to the Licensing Division with an indication from Canada Post that the occupant had moved. Licensing issued a Request for Service to the Enforcement Division who directed an Officer to attend the address. A site visit revealed that there was no occupant at 390 Pierre Avenue (Officer’s notes in AMANDA system are attached as **APPENDIX “B”**). Mr. Grandmaison did not contact the Licensing Division to indicate that he was moving. He did not renew his dog licence.

2012 – On February 29, while attending to a call in the 1000 block of Drouillard Road, a By-law Enforcement Officer observed a dog at large that appeared to be a pit bull. The owner presented himself and was identified as Mr. Grandmaison. Mr. Grandmaison admitted to the Officer that he did not have a leash or a muzzle. The officer contacted licensing who confirmed that the dog was not licensed. The Officer charged Mr. Grandmaison on 2 counts. (Officer’s email attached as **Appendix “C”**)

**SUMMARY**

Mr. Grandmaison failed to provide the Licensing Division with required insurance in 2006, failed to procure a dog licence since 2006, and fails to abide by multiple by-law requirements for a Restricted Dog. Having an unlicensed Restricted Dog at large in a residential neighbourhood is a serious issue when considering the safety of the public. At this time, there are basically two courses of action:

**OPTION 1**

The By-Law Enforcement Officer could deem the dog a Prohibited Dog based on the guardian's failure to comply with the by-law. In this case, the Officer would serve a notice to the guardian requiring the owner, upon receipt of such notice, to deliver the prohibited dog within six (6) working days to the Humane Society. The owner could appeal within 3 days, however, the appeal body is the Windsor Licensing Commission and therefore the end result of this action would inevitably be the disposal of the dog in a humane manner.

**OPTION 2**

The Windsor Licensing Commission could allow Mr. Grandmaison to apply and pay the fee for a 2012 Restricted Dog Licence in accordance with Schedule B of the by-law and remind him of the conditions of keeping a Restricted Dog, including, but not limited to, insurance, purchasing a leash and muzzle and posting signs at his residence.

If the decision of the Windsor Licensing Commission is to approve option 2, administration would suggest that a further condition be placed on this animal. That is, if Mr. Grandmaison fails to comply with any portion of By-Law 245-2004, his dog will be deemed Prohibited and disposed of in a humane manner.

**RECOMMENDATION:**

To the Windsor Licensing Commission for decision.

**DISPOSITION:**

## APPENDIX "C"

**Chantler, Michael**

**From:** Tetler, Willis  
**Sent:** March 5, 2012 2:45 PM  
**To:** Chantler, Michael  
**Cc:** Kalinowski, Ann  
**Subject:** Lee Grandmaison - Pitbull - Gewa

Mr. Chantler,

On Wednesday February 29, 2012 while in my assigned ward 5 area. The writer was parked in the 1000 block of Drouillard facing north, when a pitbull dog went running down Drouillard north on the abutting sidewalk. I approached a (u) male, later identified as Lee Grandmaison (known to writer). Grandmaison stated that he did not have a leash for his dog or a muzzle. Grandmaison was served a prohibited dog notice and attended the WLC in 2005 in which the designation was changed to restricted.

Grandmaison has since moved and his whereabouts were unknown till the writer found Grandmaison on Drouillard. Grandmaison indicated that he was moving to 1055 Henry Ford as of March 1, 2012.

The writer charged Grandmaison with 1 – dog at large, 2 – failure to procure dog tag

The writer recommends that the WLC allow Grandmaison to licence his dog to keep the dog in our database. Grandmaison was educated on by-law 245-2004 and DOLA and informed that he will need insurance, etc to keep his animal.

**Bill Tetler**

*By-Law Enforcement Officer*  
Office Of The City Solicitor  
City of Windsor  
350 City Hall Square West, 4th Floor, P.O. Box 1607

Windsor, Ontario N9A 6S1  
Tel - (519) 255-6100 Ext. 6912  
Fax - (519) 255-6588

<http://www.citywindsor.ca>



***This e-mail (including any attachments) may contain PRIVILEGED and CONFIDENTIAL INFORMATION only for use of the Addressee(s). If you are not the intended recipient of this e-mail or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone or e-mail to arrange for the return or destruction of this document. Thank you.***

APPENDIX "A"

AMANDA 5.4.4.29.0092810 - User Michael Chantler Signed on to amanda

File Data Search Edit Actions Reports Window Help

Close Update Mark All Delete Pick Accept Refresh Detail Query Exit To-Do List Reports Points Property People Desktop Professional Gaming RFD Outlook

390 PIERRE AVE [RD]

Folder Property (1) | People (6) | Info (26) | Fee/Charge (2) | Process | Comment (1)

Folder #	Ref	Gen. Yr	Sequence	Rev.	Type	Sub Type	Status
2005 327571 000 00 AL	10359	20	05	336633	00	RD Restricted Dog	Closed
2005 336633 000 00 RD	10370						
2006 361352 000 00 RD	06259						
2006 395360 000 00 DO	06259						
2012 110769 000 00 DO							
2012 110771 000 00 CT							

**Property**

House Prefix Street Type Direction Unit Type Unit

Address 390 PIERRE AVENUE

City Postal Roll Property Row ID

WINDSOR 3739-030-010-10400-0000 55360

Location PLAN 433 W PT LOT 29; 2730.00SF 30.00FR 91.00D Folder Unit

In Date Nov 21, 2005 Issued Dec 13, 2005 Expires Dec 31, 2005

Ref file # 10370 By Stephanie Resume Final Date Apr 7, 2006

Name 390 PIERRE AVE Priority

Description

Group Business Licence Parent ID

**People**

Applicant	Name
LEE GRANDMAISON	
Owner	DAVID JAMES MCGINNIS
Owner	LISE MARIE MCGINNIS
Business	LEE GRANDMAISON
Mailing	LEE GRANDMAISON

**Indicators**

Violations

Properties

Parent

Child

Due \$ .00

In Date Nov 21, 2005 Issued Dec 13, 2005 Expires Dec 31, 2005

Ref file # 10370 By Stephanie Resume Final Date Apr 7, 2006

Name 390 PIERRE AVE Priority

Description

Group Business Licence Parent ID

**People**

Applicant	Name
LEE GRANDMAISON	
Owner	DAVID JAMES MCGINNIS
Owner	LISE MARIE MCGINNIS
Business	LEE GRANDMAISON
Mailing	LEE GRANDMAISON

WLC DECISION 156/05 - CHANGE PROHIBITED DESIGNATION TO RESTRICTED DESIGNATION, AND HE IS REQUIRED TO PURCHASE A 2005 DOG TAG LICENCE BY DEC. 31/05. SEE COMMENTS.

COUNTER 312

List View Related View Copy Create Child Create Violation Renew Revise Issue P

Show no. of rows on tabs

Spell Check Rules

6 Rows Returned

Ready

start [Taskbar icons] 100% 11:51 AM

APPENDIX "B"

AMANDA 5.4.4.29.0092810 - User Michael Chantler Signed on to amanda

File Data Search Edit Actions Reports Window Help

Close Update Mark All Delete Pick Accept Restore Detail Query Exit To-Do List Reports Permit Property People Pickless Professional Gaming PFS Color

390 PIERRE AVE [DO]

Folder Property (1) People (3) Info (23) Process (2) Document File Comment (1) Attachment

Folder #	Ref	Gen. Year	Seq.	Type	Sub	Additional Info	Value
2005 327571 000 00 AL	10359	20	06	395360	DO Dog Control Licensing and Regist	Call Taken By	A <input checked="" type="checkbox"/> Intensive
2005 336633 000 00 PD	10370			Work	In Date Status Group Row ID	Night Inspection?	B <input checked="" type="checkbox"/> No
2006 361352 000 00 PD	06259			Sep 15, 2006	Complete PFS - By-Law Enforcem	Breed of 1st Dog?	A <input checked="" type="checkbox"/>
2006 395360 000 00 DO	06263				Details of Problem / Notes to Crew	Breed of 2nd Dog?	A <input checked="" type="checkbox"/>
2012 110769 000 00 DO					Letter indicating insurance on Restricted dog is to expire was returned in the mail Sept. 13, 2006. Please verify if dog owner is no longer living at this address.	Dog at Large?	B <input checked="" type="checkbox"/>
2012 110771 000 00 CT					Parent ID	Dog Bite - Dog at Large?	B <input checked="" type="checkbox"/>
					873266	Dog Bite - Dog not at Large?	B <input checked="" type="checkbox"/>

Property  Property  People  Find Last Clear Folders on Prop. Property

390 PIERRE AVE

Roll # 5738-030-010-10400-0000 City WINDSOR

X Street Type Address

Location PLAN 433 W PT LOT 28 2730.00SF Name

30.00FR 91.00

Process 19071 Site Visit

Start Date End Date

Schedule Sep 18, 2006

Actual Sep 22, 2006

Assigned Jeff Bondy Status Closed

Text Field Editor (Maximum 4000 characters)

Site visit reveals dwelling is boarded up at all doorway entrance points, and hydro meters show no current draw at this dwelling. All exterior stairs have either been removed, or are blocked off by hoarding. Subject is not residing at this address anymore; whereabouts unknown.

People  Encrypt  Last

First Last

List View Related View Info Library Copy

Show no. of rows on tabs

Spell Check Rulers

Ready

start [Taskbar icons] AMANDA 5.4.4.29.00... 100% 11:48 AM

## APPENDIX "C"

**Chantler, Michael**

---

**From:** Tetler, Willis  
**Sent:** March 5, 2012 2:45 PM  
**To:** Chantler, Michael  
**Cc:** Kalinowski, Ann  
**Subject:** Lee Grandmaison - Pitbull - Gewa

Mr. Chantler,

On Wednesday February 29, 2012 while in my assigned ward 5 area. The writer was parked in the 1000 block of Drouillard facing north, when a pitbull dog went running down Drouillard north on the abutting sidewalk. I approached a (ui) male, later identified as Lee Grandmaison (known to writer). Grandmaison stated that he did not have a leash for his dog or a muzzle. Grandmaison was served a prohibited dog notice and attended the WLC in 2005 in which the designation was changed to restricted.

Grandmaison has since moved and his whereabouts were unknown till the writer found Grandmaison on Drouillard. Grandmaison indicated that he was moving to 1055 Henry Ford as of March 1, 2012.

The writer charged Grandmaison with 1 – dog at large, 2 – failure to procure dog tag

The writer recommends that the WLC allow Grandmaison to licence his dog to keep the dog in our database. Grandmaison was educated on by-law 245-2004 and DOLA and informed that he will need insurance, etc to keep his animal.

**Bill Tetler**

*By-Law Enforcement Officer*  
Office Of The City Solicitor  
City of Windsor  
350 City Hall Square West, 4th Floor, P.O. Box 1607

Windsor, Ontario N9A 6S1  
Tel - (519) 255-6100 Ext. 6912  
Fax - (519) 255-6588

<http://www.citywindsor.ca>



***This e-mail (including any attachments) may contain PRIVILEGED and CONFIDENTIAL INFORMATION only for use of the Addressee(s). If you are not the intended recipient of this e-mail or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone or e-mail to arrange for the return or destruction of this document. Thank you.***



**ITEM NO. 7(d)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Mrs. Rita Pazner  
Pazner Scrap Metals Corp.  
1276 Drouillard Rd.  
Windsor, ON N8Y 2R5

**LICENCE CATEGORY:**

Salvage Yard

Licence # 11-144110

Folder # ACLT/11378

**HEARING PARTICULARS:**

Revoke licence – Salvage Yard

**APPENDED MATERIALS**

- Copy of licence issued December 14, 2011, being Appendix “A”.
- Copy of Business Ownership Declaration received on November 23, 2011, being Appendix “B”.
- Copy of email sent by City of Windsor, By law Enforcement Officer, being Appendix “C”.

**LICENCE COMMISSIONER’S COMMENTS****REGULATORY AUTHORITY****Business Licensing Bylaw 395-2004 GENERAL PROVISIONS****3.28 Recommendation - Windsor Licensing Commission – Refuse to issue, refuse to renew, suspension, place conditions, revocation – notice - hearing request**

“Where the Licence Commissioner intends to recommend to the Windsor Licensing Commission that it refuse to issue, refuse to renew, place conditions, revoke or suspend a

licence, he shall give notice of his intended recommendation to the applicant or licence holder, together with the reason for his intended recommendation, as well as to such other persons, civic departments, boards, commissions, authorities or agencies as appear to have an interest in the recommendation.

### **3.31 Refusal - suspension - revocation - by Windsor Licensing Commission – hearing**

- (1) At the hearing, the Windsor Licensing Commission may suspend, revoke or refuse to issue any licence under this by-law:
  - (a) for any reason that would disentitle the holder to a licence if he/she were an applicant;
  - (b) where the holder of the licence or applicant is in breach of a condition of the licence or of this by-law;
  - (c) if there are reasonable grounds to believe that the statements on the licence application are false;
  - (d) if a report is filed subsequent to the date of the issuance of the licence by any department or agency which provided its approval originally to the issuance of the licence which indicates that a licensed premises no longer complies with any of the provisions of this by-law;
  - (e) upon such grounds as are set out in this by-law;
  - (f) if the applicant has outstanding fines or penalties owing to the municipality or has not paid the required licence application fee;
  - (g) if the conduct or character of the applicant or licensee affords reasonable cause to believe that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;
  - (h) if the geographic location of the business does not meet land use requirements;
  - (i) if, in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be engaged in or carried on in accordance with the law or with honesty and integrity; or
  - (j) if issuing a licence is not in the public interest.”

## **BACKGROUND**

- March 30, 2012, City of Windsor, By law Enforcement Officer, B. Tetler, attended 1276 Drouillard Rd. to investigate a 311 complaint regarding loud noises at a Salvage Yard, attached as Appendix “C”.

**SUMMARY**

Licensing Division files indicated two different companies were operating two salvage yards, both at 1276 Drouillard Rd. Upon investigation of the site, the Bylaw Officer discovered that only one is operating at this time, Excess Metals. Therefore the licence for Pazner must be revoked as they are not operating a salvage yard at this time.

**RECOMMENDATION:**

**THAT** the Salvage Yard licence #11 144110 issued to Pazner Scrap Metals Corp. at 1276 Drouillard Rd. **BE REVOKED** as they are not operating a salvage yard at the location.

**DISPOSITION:**

APPENDIX "A"

LICENCE MUST BE POSTED IN A PROMINENT POSITION ON THE LICENSED PREMISES.



**WINDSOR LICENSING COMMISSION  
BUSINESS LICENCE**

OFFICE OF THE CITY CLERK - LICENSING DIVISION  
350 City Hall Square West, Room 203  
P.O. BOX 1607, Windsor, ON N9A 6S1

**11 144110**

PHONE: (519) 255-6200, OPTION 1

FAX: (519): 255-6868

THE ENTITY NAMED HEREIN IS HEREBY GRANTED A LICENCE TO OPERATE THE BUSINESS INDICATED  
HEREUNDER

PAZNER SCRAP METALS CORP.

CONDITIONS, IF ANY:

RITA PAZNER  
1276 DROUILLARD RD  
WINDSOR ON N8Y 2R5

TYPE OF LICENCE

LICENCE FEE

Salvage Yard

Pollution Control Fee 40.00  
Business Licence Fee 148.00

New

Renewal

TOTAL FEE

**188.00**

Date of issue December 14, 2011

Date of Expiry November 30, 2012

Issuer Shannon Boutillier

*Shannon Boutillier*  
LICENCE COMMISSIONER



**OFFICE OF THE CITY CLERK**  
**Policy, Gaming & Licensing**  
 350 City Hall Square West - Room 203  
 Windsor, ON N9A 6S1  
 Ph: 519-255-6200, Option 1 Fax: 519-255-6868  
 www.citywindsor.ca

APPENDIX "B"

**BUSINESS OWNERSHIP DECLARATION**

**RECEIVED**

> **If your business is a CORPORATION:**

I, RITA PAZNER of the Municipality of WINDSOR, Province of Ontario,  
 (Your Name) (Where You Reside) **POLICY GAMING & LICENSING**  
 being the PRESIDENT of PAZNER SCRAP METALS herein after referred to as the  
 (Title) (Corporation Name and/or Number)  
 "Corporation", in the matter of Licensing Application for SALVAGE YARD hereby declare:  
 (Licence Type)  
 That the Corporation shall carry on business as PAZNER SCRAP METALS CORP. at  
 (Trade Name)  
1276 DROUILLARD RD WINDSOR ON during the currency of the licence, if granted.  
 (Business Address)  
MAIL TO - 3598 WHITESTONE DR. WINDSOR ONT N9E4P5  
 I hereby declare I am an authorized signing officer with, and therefore have authority to bind, the  
 Corporation and that all information included in this form is complete and accurate.  
Rita Pazner RITA PAZNER NOV. 10 / 2011  
 Signature Print Name Date (MM/DD/YYYY)

> **If your business is a SOLE PROPRIETORSHIP:**

I, \_\_\_\_\_ of the Municipality of \_\_\_\_\_, Province of Ontario,  
 (Your Name) (Where You Reside)  
 being the Owner of \_\_\_\_\_ herein after referred to as the "Business", in the matter  
 (Business Name)  
 of Licensing Application for \_\_\_\_\_ hereby declare:  
 (Licence Type)  
 That the Business shall carry on/operate as \_\_\_\_\_ at  
 (Trade Name)  
 \_\_\_\_\_ during the currency of the licence, if granted.  
 (Business Address)  
 I hereby declare that all information included in this form is complete and accurate.  
 \_\_\_\_\_  
 Signature Print Name Date (MM/DD/YYYY)

> **If your business is a PARTNERSHIP:**

I, \_\_\_\_\_ of the City of \_\_\_\_\_, Province of Ontario,  
 (Your Name) (Where You Reside)  
 being the Owner of \_\_\_\_\_ herein after referred to as the "Partnership"  
 (Business Name)  
 of Licensing Application for \_\_\_\_\_ hereby declare:  
 (Licence Type)  
 That the Partnership shall carry on business as \_\_\_\_\_ at  
 (Trade Name)  
 \_\_\_\_\_ during the currency of the licence, if granted.  
 (Business Address)  
 I hereby declare that I am authorized to sign on behalf of the Partnership and that all information included in this form is  
 complete and accurate.  
 \_\_\_\_\_  
 Signature Print Name Date (MM/DD/YYYY)

## APPENDIX "C"

**Chantler, Michael**

**From:** Tetler, Willis  
**Sent:** March 30, 2012 11:15 AM  
**To:** Chantler, Michael  
**Cc:** Kalinowski, Ann  
**Subject:** 1276 Drouillard

Mr. Chantler,

FYI...I attended the above noted property in the City of Windsor. A check with the City of Windsor Amanda database shows that two (2) salvage yard licenses are issued. While I was present I only observed one (1) salvage yard operating, that being Excess Metals. Pazner Scrap Metals no longer operates out of 1276 Drouillard in the City of Windsor. If you have any questions, please feel free to contact me. Thank you.

**Bill Tetler**

*By-Law Enforcement Officer*  
Office Of The City Solicitor  
City of Windsor  
350 City Hall Square West, 4th Floor, P.O. Box 1607

Windsor, Ontario N9A 6S1  
Tel - (519) 255-6100 Ext. 6912

Cell - (519) 995-4718  
Fax - (519) 255-6588

<http://www.citywindsor.ca>



***This e-mail (including any attachments) may contain PRIVILEGED and CONFIDENTIAL INFORMATION only for use of the Addressee(s). If you are not the intended recipient of this e-mail or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone or e-mail to arrange for the return or destruction of this document. Thank you.***

**ITEM NO. 7(e)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Excess Metals  
Lia Bernachi, Owner  
1276 Drouillard Road  
Windsor, ON  
N8Y 2R5

**LICENCE CATEGORY:**

Salvage Yard  
  
Licence # 11 143520  
  
Folder # ACLT/11379

**HEARING PARTICULARS:**

Endorse licence for wrecking of motor vehicles

**APPENDED MATERIALS**

- Copy of Business Licence issued December 14, 2011, being Appendix "A"
- Copy of letter from Bylaw Enforcement dated April 3, 2012, being Appendix "B"
- Copy of letter from Lia Bernachi, Owner of Excess Metals, being Appendix "C"

**LICENCE COMMISSIONER'S COMMENTS**

Excess Metals has been licensed as a Salvage Yard at this location since 2008. Prior to this current operator, AMANDA records indicate that Pazner Scrap Metals and Zalev Brothers Limited have also had similar operations out of the same location as early as 1996.

**REGULATORY AUTHORITY**

Schedule S1 to Business Licensing By-Law 395-2004, Section 7 states:

"No licensee shall permit the wrecking of motor vehicles on the licensed premises unless such licence so specifically authorizes permission to do."

**BACKGROUND**

In response to a noise complaint, a Bylaw Enforcement Officer attended Excess Metals at

1276 Drouillard Road. Through discussions with the owner, Ms. Lia Bernachi, the officer determined that the wrecking of motor vehicles occurs on the property as a major part of their operations. The licence was never endorsed for this activity as required under Bylaw 395-2004.

Ms. Bernachi contacted the Licensing Division indicating they do wreck motor vehicles on the premises and would like the endorsement specifying this activity, added to the existing licence. The Supervisor of Licensing directed her to send her request in writing which is attached hereto as Appendix "C".

According to records in the AMANDA database, aside from the recent complaint regarding noise, there exist the following records of complaints against the operator of this salvage yard:

September 2008 – emission of sound complaint for operating at 7am on a Sunday and dust and dirt coming from the property as screening on fence had been removed. Bylaw Officer investigates – no action required.

December 2009 – complaint of a hole in the fence. Building investigates and fence appears secure.

January 2010 – complaint of dust and odours. Building investigates. No action required.

March 2011 – complaint of tracking dirt and mud into roadway from yard. Building investigates and finds no evidence of debris being tracked out of the yard and notes that there is a washdown system in place for vehicles leaving the yard.

## **SUMMARY**

Currently, the licensee is in violation of Bylaw 395-2004, Schedule S1 – Salvage Yard, because the licence does not display the appropriate endorsement for wrecking motor vehicles. Based on the operator's history, administration has no reason to oppose the addition of appropriate wording, thus allowing the premises to come into compliance with Schedule S1 of the Business Licensing Bylaw.

If there are future violations, administration would bring forward a report outlining the non-compliance issues. It is always within the jurisdiction of the Windsor Licensing Commission to take appropriate action in response to violations of the Business Licensing Bylaw should it be deemed necessary.



**RECOMMENDATION:**

THAT, the following condition **BE PLACED** on Salvage Yard licence #11-143520 issued to Excess Metals operating at 1276 Drouillard Road:

- Wrecking of motor vehicles permitted on the licensed premises

**DISPOSITION:**

APPENDIX "A"

LICENCE MUST BE POSTED IN A PROMINENT POSITION ON THE LICENSED PREMISES.



# WINDSOR LICENSING COMMISSION BUSINESS LICENCE

OFFICE OF THE CITY CLERK - LICENSING DIVISION  
350 City Hall Square West, Room 203  
P.O. BOX 1607, Windsor, ON N9A 6S1

**11 143520**

PHONE: (519) 255-6200, OPTION 1  
FAX: (519) 255-6868

THE ENTITY NAMED HEREIN IS HEREBY GRANTED A LICENCE TO OPERATE THE BUSINESS INDICATED  
HEREUNDER  
CONDITIONS, IF ANY:  
EXCESS METALS

1276 DROUILLARD RD  
WINDSOR ON N8Y 2R5

TYPE OF LICENCE

LICENCE FEE

Salvage Yard	Pollution Control Fee	40.00
	Business Licence Fee	148.00

New

Renewal

TOTAL FEE **188.00**

Date of Issue December 14, 2011  
Date of Expiry November 30, 2012  
Issuer Shannon Boutlier

*Valerie Costello*  
LICENCE COMMISSIONER



**THE CORPORATION OF THE CITY OF WINDSOR**  
**OFFICE OF THE CITY SOLICITOR**  
**BUILDING DEPARTMENT**

APPENDIX "B"

*Lee Anne Doyle, MPA, MCIP, RPP,*  
*Chief Building Official*

---

April 3<sup>rd</sup>, 2012

Lia Bernachi  
C/O Excess Metals  
1276 Drouillard  
Windsor Ontario

Dear Ms. Bernachi:

This letter addresses a complaint received by the By-law enforcement Unit on March 21, 2012. An inspection was performed on your salvage yard located at 1276 Drouillard, within the City of Windsor.

Upon inspection of the above-mentioned location some deficiencies were noted showing that you are in non-compliance with Schedule Number S1 to By-Law Number 395-2004 for Salvage Yards:

7. *No licensee shall permit the wrecking of motor vehicles on the licensed premises unless such licence so specifically authorizes permission to do.*

It was observed that vehicles are being wrecked on the licensed property. Please be advised that your current licence issued to you by the City of Windsor does not allow for wrecking of a motor vehicle. The wrecking of motor vehicles **MUST** cease immediately.

If you wish to continue to wreck motor vehicles you must first procure a licence to do so. You may contact Mr. Michael Chantler, Deputy Licence Commissioner at 519-255-6100 x 6869 to discuss your options.

I submit the foregoing for your immediate attention.

Sincerely,

Bill Tetler  
By-Law Enforcement Officer  
City of Windsor  
BT/vo

---

**APPENDIX "C"**

**EXCESS METALS**  
The Scrap Metal Company

1276 Drouillard Rd.  
Windsor, Ontario  
N8Y 2R5

Tel. (519) 988-1500  
Fax. (519) 988-1505  
E-mail [excessmetals@hotmail.com](mailto:excessmetals@hotmail.com)

April 3, 2012

The Corporation of the City of Windsor  
ATTN: Deputy Licence Commissioner

Dear Mr. Michael Chantler,

We have been ordered to cease and desist operations of wrecking motor vehicles immediately per letter as well as verbally by Bill Tetler, By-Law Enforcement Officer. The ramifications of this action to our business would require that we lay off approximately 15 employees and possibly shut down as this plays a major role in our revenue.

We have been operating for over 4 years. A brief summary of our operations is: We purchase all metals including vehicles. After purchasing a vehicle we remove the gas tank, tires, battery and converter (if applicable). No parts are held for resale on a retail level.

We would like to apply for an endorsement of motor vehicle wrecking as an addition to our existing "salvage yard" licence. Thanking you in advance for your help in this matter.

Sincerely

Lia Bernachi  
Owner, Excess Metals

**ITEM NO. 7(f)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Kathy Lenahan  
 2870 Richmond Street  
 Windsor, On N8Y 3N6

**LICENCE  
CATEGORY:**

Appeal – Prohibited Dog  
 “Diva”

Folder # ACLC/11380

**HEARING PARTICULARS:**

Hearing for an Appeal of Prohibited Dog

**APPENDED MATERIALS**

- Copy of Notice of Designation of a Prohibited Dog, being Appendix “A”
- Copy of Appeal Letter, being Appendix “B”

**LICENCE COMMISSIONER’S COMMENTS**

A Prohibited dog appeal letter was submitted to the Licensing Department on March 9, 2012 by Kathy Lenahan of 2870 Richmond Street, owner/harbour of six-year-old American Staffordshire Terrier Diva. Licensing records indicate that this dog has never had a dog tag licence.

**Regulatory Authority:**

By-law Number 245-2004 defines a Pit Bull as follows:

**Pit Bull**” includes:

- (i) a Pit Bull Terrier,
- (ii) a Staffordshire Bull Terrier,
- (iii) an American Staffordshire Terrier,
- (iv) an American Pit Bull Terrier,
- (v) any dog that has the appearance and physical characteristics predominantly conforming to the standards for any of the above breeds, as established by the Canadian Kennel Club or the American Kennel Club or the United Kennel Club or as determined by a veterinarian licensed to practice in

Ontario.

**Prohibited Dog” means:**

- (i) A Pit Bull dog which is not a restricted dog;
- (ii) A Pit Bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog; or
- (iii) A dog, previously designated as a dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog.

**Restricted Dog” means:**

- (i) A dog that is a Pit Bull dog; and
- (ii) A dog for which the owner has a valid 2004 dog licence issued under Part I.

If a guardian receives notice from an Animal Control Officer designating his or her dog to be any one or more of a potentially dangerous dog or a dangerous dog or a restricted dog or a prohibited dog, and so requests in writing to the Licence Commissioner within three working days of receipt of such notice, the Appeal Committee shall hold a hearing pursuant to the provisions of the *Statutory Powers Procedure Act* within 15 working days of the Licence Commissioner’s receipt of the request for a hearing and may:

- a) Affirm or rescind the Animal Control Officer’s designation of the dog as a potentially dangerous dog or as a dangerous dog or as a restricted dog or as a prohibited dog, as the case may be;
- b) Substitute its own designation of the dog as a potentially dangerous dog or as a dangerous dog or as a restricted dog or as a prohibited dog, as the case may be; and/ or
- c) Substitute its own requirements of the guardian of a potentially dangerous dog pursuant to section 16 (a) through (f).
- d) Substitute its own requirements of the guardian of a dangerous dog pursuant to section 17 (a) through (e).
- e) Substitute its own requirements of the guardian of a restricted pit bull pursuant to section 26 (a) through (l).
- f) Substitute its own requirements of the guardian of a prohibited dog pursuant to section 26 (a) through (l).

## BACKGROUND

### The following is a chronology of events as it relates to this appeal:

- February 28, 2012 a pit bull complaint was assigned to By-law Enforcement Officer Bill Tetler to investigate.
- February 28, 2012 Officer Tetler attended the home of Kathy Lenahan and explained the investigation process. Mrs. Lenahan was educated on D.O.L.A (Dog Owners Liability Act) and By-law 245-2004 (Animal Control By-law) and was given 24 hours to provide breed verification from a certified veterinarian.
- February 29, 2012 Mrs. Lenahan advised Officer Tetler that her dog, "Diva" was a boxer. Mrs. Lenahan was once again advised to provide verification.
- March 5, 2012 Officer Tetler spoke to Mrs. Lenahan and explained that she would be served with a prohibited dog notice if breed verification was not provided.
- March 6, 2012 Mrs. Lenahan was served with a prohibited notice for her pit bull dog "Diva"; the notice is attached as Appendix "A".
- March 9, 2012 Mrs. Lenahan appealed the designation; the appeal notice is attached as Appendix "B".

## SUMMARY

It is recommended by Administration that the dog owned and harboured by Kathy Lenahan be deemed a Restricted Dog as long as proof of public liability insurance, micro chipping and castration is received by no later than April 30, 2012.

## RECOMMENDATION

That the dog owned and harboured by Kathy Lenahan **BE DEEMED** a Restricted Dog and that she be required to submit proof of insurance, micro chipping and castration by no later than April 30, 2012. And furthermore, once the information is received by the Licensing Department that a dog licence be purchased by the guardian of the dog by the same date of April 30, 2012.

## DISPOSITION:



APPENDIX "A"

**THE CORPORATION OF THE CITY OF WINDSOR**  
OFFICE OF THE CITY CLERK  
LICENSING DIVISION

**VALERIE CRITCHLEY**  
Licence Commissioner

Date: MARCH 6, 2012

**NOTICE OF DESIGNATION OF A PROHIBITED  
DOG**

Dear: KATHERINE LEONHART  
Address: 2870 RICHMOND  
Prohibited Dog Information:

Name: DUA  
Age: APPROX 5 YRS OLD  
Characteristics: YES

By way of this notice, please be advised that I BILL TETTER an Animal Control Officer for the City of Windsor have reason to believe you are the guardian of a dog that is a PROHIBITED DOG as defined in By-law 245-2004 of the City of Windsor.

By-law 245-2004 defines a PROHIBITED DOG as

- (i) A Pit Bull dog which is not a restricted dog;
- (ii) A Pit Bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog; or
- (iii) A dog previously designated as a dangerous dog that is kept or permitted to be kept by its owner in violation of the requirements for such dog.

You as the guardian/owner of a prohibited dog shall deliver the prohibited dog within six (6) working days of this notification to the Essex County Humane Society. Unless you appeal this designation by requesting a hearing before the Appeal Committee as hereafter described and your appeal is successful, your prohibited dog will thereafter be disposed of in a humane manner.

You as the guardian/owner of this prohibited dog may request in writing, within three (3) working days of receipt of this Notice a hearing before the Appeal Committee, which is the Windsor Licensing Commission by submitting the request to the Licence Commissioner as follows:

Office of the City Clerk - Licensing  
350 City Hall Sq West  
Room 203  
Windsor, ON N9A 6S1  
FAX: 255-6868

The Appeal Committee may affirm or rescind the designation of your dog as a prohibited dog.

The Appeal Committee may substitute its own designation or its own requirements of you as the owner of a prohibited dog pursuant to Sections 18 and 19 of By-law 245-2004.

\_\_\_\_\_  
Signature of Animal Control Officer

350 City Hall Square West - Suite 203 • Windsor, ON • N9A 6S1  
Tel: (519) 255-6200, Option 1  
Fax: (519) 255-6868  
Email: [licences@city.windsor.on.ca](mailto:licences@city.windsor.on.ca)  
[www.city.windsor.on.ca](http://www.city.windsor.on.ca)

**RECEIVED**  
MAR 09 2012  
POLICY GAMING & LICENSING



DATED MARCH 7 2012

APPENDIX "B"

To Windsor Licensing Commission,

I Kathy Lenahan are requesting a hearing before Windsor Licensing Commission regarding my 6 1/2 dog, goes by the name Divo.

Thank You  
KATHY LENAHAN  
Ashleen Lenahan  
(519) 252-5136.

Kathy Lenahan .  
2890 Richmond St .  
WINDSOR, ONT .  
N8Y-3N6 .

RECEIVED  
MAR 09 2012  
POLICY GAMING & LICENSING

**ITEM NO. 7(g)****WINDSOR LICENSING COMMISSION****April 18, 2012****APPLICANT/LICENSEE:**

Mr. Ahmad Shakib  
299 International Ave.  
LaSalle , ON N9J 1V1

**LICENCE CATEGORY:**

Accessible Taxi Plateholder #302

Folder # ACLT/11381

**HEARING PARTICULARS:**

Request for extension on out of service plate

**APPENDED MATERIALS**

- Copy of letter from Canadian Checker Cab (broker), attached as Appendix "A"
- Copy of letter from plateholder dated April 4, 2012, attached as Appendix "B"
- Copy of plateholder licence, attached as Appendix "C"

**LICENCE COMMISSIONER'S COMMENTS**

Mr. Ahmad Shakib has been an accessible taxicab plateholder for over 4 years. Mr. Shakib has been a licenced driver since 2001. He also held licences in 1996 and 1997.

**REGULATORY AUTHORITY**

Bylaw 137-2007, Schedule 5, Section 6.12 states:

"Should any taxicab or taxicab wheelchair accessible plate holder fail to maintain the operation of any taxicab or taxicab wheelchair accessible vehicle owned by the taxicab or taxicab wheelchair accessible plate holder for a period of at least 120 successive days, the taxicab or taxicab wheelchair accessible plate holder licence shall be recommended for suspension or revocation by the Licence Commissioner."

**BACKGROUND**

On March 21, 2012, Mr. Jay Abdoullrahman, owner of Canadian Checker Cab advised the Licence Commissioner that accessible taxi plate 302 was no longer operating in his fleet, attached as Appendix "B". Mr. Abdoullrahman was advised that, under bylaw 137-2007, the plateholder has the responsibility of notifying the Licence Commissioner.

On April 5, 2012, Mr. Ahmad Shakib, notified the Licence Commissioner in writing that plate #302 is currently off the road, and verbally indicated to the licence issuer that it came off the road at least a month ago. The issuer amended the letter and Mr. Shakib initialed the change on his letter, attached as Appendix "C".

**SUMMARY**

Having this vehicle off the road for a slightly extended period of time will not cause hardship to the public. However, if Mr. Shakib fails to put this plate back into service, administration would want to have the authority to offer the accessible plate to the drivers' list immediately following the surrender and revocation of the plate.

**RECOMMENDATION:**

THAT Mr. Ahmad Shakib, plateholder licence #11 128516 associated with plate #302, **BE ALLOWED** to remain out of service until August 15, 2012 and;

THAT plateholder licence #11 128516 associated with plate #302 **BE REVOKED** immediately if the plateholder does not place the plate and accessible vehicle into service by August 15, 2012.

**DISPOSITION:**

APPENDIX "A"

**CANADIAN CHECKER CAB**

506 Hanna St.E. Windsor Ont. N8X 2N6 • Phone: (519) 254-7777 • Toll Free: 1-866-TAXI-R-US • Fax: (519) 253-6907

**March 21, 2012****City of Windsor  
Licensing Commission  
Attn: Michael Chantler****Re: Accessible Plate 302**

Dear Michael,

I would like to bring to your attention two important issues related first to Accessible plate 302 and second to Accessible plate 300.

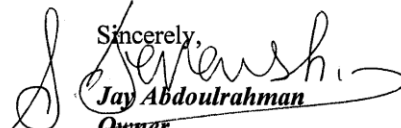
As you are aware, plate 302 will be returned to the city as the driver Ahmad Shakib is moving to Veteran Cab and cab 300 owner Abdul Bedawi has been off the road for the past 4 months. He only works occasionally or comes out to service his own clients.

Canadian Checker Cab main concern now is the shortage of accessible vehicles in the fleet, as our main concern is to still be able to provide the fastest service to our community.

In order for us to continue and maintain the accessible transportation service in the city, we strongly ask for your support and consideration to return plate 302 to our fleet.

We have been working hard to build and maintain the accessible transportation business as it is the main source of income to our company.

Please feel free to contact me to discuss further my concerns and your solutions.

Sincerely,  
  
**Jay Abdourahman**  
**Owner**

## APPENDIX "B"

**April 04, 2012**

**City of Windsor  
Licensing Commission**

**Re: Accessible Plate 302**

**To Whom It May Concern:**

A  
@ LEAST 1 MTH AGO

I would like to inform you that cab 302 is currently off the road due to several mechanical problems. The cost of repair is very high and it is very hard for me at present to fix it. I simply can't afford it.

Therefore, I would like to ask if possible to let me keep the accessible plate 302 until I fix my accessible vehicle. I am willing to put it back on the road within a period of 6 months.

I strongly ask for your support and consideration in this matter.

Please feel free to contact me to discuss it further.

Sincerely,

**Ahmad Shakib  
519-560-1443**



APPENDIX "C"

LICENCE MUST BE POSTED IN A PROMINENT POSITION ON THE LICENSED PREMISES.



**WINDSOR LICENSING COMMISSION  
BUSINESS LICENCE**

OFFICE OF THE CITY CLERK - LICENSING DIVISION  
350 City Hall Square West, Room 203  
P.O. BOX 1607, Windsor, ON N9A 6S1

**11 128516**

PHONE: (519) 255-6200, OPTION 1      FAX: (519): 255-6868

THE ENTITY NAMED HEREIN IS HEREBY GRANTED A LICENCE TO OPERATE THE BUSINESS INDICATED  
HEREUNDER

AHMAD SHAKIB

299 INTERNATIONAL AVE  
LASALLE ON N9J 1V1

CONDITIONS, IF ANY:

TAXICAB PLATE 302  
BROKED BY CAN.CHECKER CAB  
2006 DODGE VAN  
BFBB572 SER.1D4GP24R06B659260

TYPE OF LICENCE

LICENCE FEE

Taxicab/Wheelchair Accessible Plate Holder	Business Licence Fee	400.00	<input type="checkbox"/>
			New
			<input checked="" type="checkbox"/>
			Renewal

TOTAL FEE      **400.00**

*Margaret Moore*  
LICENCE COMMISSIONER

Date of Issue      July 15, 2011

Date of Expiry      August 31, 2012

Issuer      Margaret Moore

**Item No. 8 (a)**

**THE CORPORATION OF THE CITY OF WINDSOR  
OFFICE OF THE CITY CLERK  
LICENSING DIVISION**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>Livelihood: 15821</b>	<b>Report Date: March 7, 2012</b>
<b>Author's Name: Michael Chantler</b>	<b>Date to Commission: March 28, 2012</b>
<b>Author's Phone: 519 255-6100, Ext. 6869</b>	<b>Classification #:</b>
<b>Author's E-mail: mchantler@city.windsor.on.ca</b>	

**To: Windsor Licensing Commission**

**Subject: Expired Applications for Business Licences**

**1. RECOMMENDATION: City Wide:  Ward(s): \_\_\_\_\_**

To the Commission for information.

**EXECUTIVE SUMMARY:**

**2. BACKGROUND:**

Various business licence applications are submitted to the Licensing Division annually for either the renewal of a licence or for a new business.

Section 3.20 of Business Licensing By-law 395-2004 states:

**"3.20 Licence – application deemed expired**

Any business licence application that has not received approvals from all municipal or provincial departments or agencies as the Licence Commissioner deems necessary within 60 days from the date of the filing of the application, because of the applicant's inability to comply with the requirements to become licensed, shall be deemed to have expired

unless the application is referred to the Windsor Licensing Commission under section 3.28 of this by-law.”

### **3. DISCUSSION:**

An application for a business licence was submitted by the following:

<b><u>APPLICANT</u></b>	<b><u>LOCATION</u></b>	<b><u>LICENCE CATEGORY</u></b>	<b><u>DATE OF APPLICATION</u></b>
<b>Zio’s Italian Kitchen o/a Cheese Wheelz</b>	<b>2950 Dougall, Unit 9</b>	<b>Hospitality Food Service</b>	<b>December 12, 2011</b>
<b>Precision Wheelz INC</b>	<b>1451 Lauzon Rd.</b>	<b>Automobile Service Station- Storage/Sales</b>	<b>December 19, 2011</b>
<b>Precision Wheelz INC</b>	<b>1451 Lauzon Rd.</b>	<b>Automobile Service Station-Leasing</b>	<b>December 19, 2011</b>
<b>Luxury on Lincoln</b>	<b>895 Lincoln Rd.</b>	<b>Retail/Resale</b>	<b>October 24, 2011</b>
<b>Compark</b>	<b>558 Chatham</b>	<b>Public Parking Lot</b>	<b>October 28, 2011</b>

The above mentioned applications have been pending for more than 60 days, and the applicants have not complied with the requirements of Business Licensing By-law 395-2004.

Letters have been sent to all the above applicants advising that their application has expired and are no longer valid.

### **4. FINANCIAL MATTERS:**

### **5. COMMUNITY STRATEGIC PLAN**



**6. CONSULTATIONS:**

**7. CONCLUSION:**

The applications listed above shall be deemed to have expired.

---

**Michael Chantler**  
**Deputy Licence Commissioner**

MC/dc

**APPENDICES:**

**DEPARTMENTS/OTHERS CONSULTED:**  
**Name:**  
**Phone #: 519                      Ext.**

<b>NOTIFICATION :</b>				
Name	Address	Email Address	Telephone	FAX

Item No. 8 (b)

**THE CORPORATION OF THE CITY OF WINDSOR**  
**Windsor Licensing Commission**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #:</b>	<b>Report Date: February 6, 2012</b>
<b>Authors' Names:</b> Michael Chantler, Supervisor of Licensing	<b>Date to Commission: March 28, 2012</b>
<b>Author's Phone: 519 255-6100 ext. 6869</b>	<b>Classification #:</b>
<b>Authors' E-mails:</b> mchantler@city.windsor.on.ca	

**To: Windsor Licensing Commission**

**Subject: Taxi Vehicle Colour Scheme**

**1. RECOMMENDATION: City Wide:  Ward(s): \_\_\_\_\_**

THAT Public Vehicle Licensing Bylaw 137-2007 **BE AMENDED** by adding the following wording to Schedule 5, Section 23.5:

*"(c) The colour of the vehicle's bumpers, trim, mirrors, roof racks and tires shall be acceptable if they are as originally supplied as black or chrome, by the manufacturer of the vehicle or painted in one of the two body colours of the broker's colour scheme.*

*(d) Door jams and paintable surfaces of the interior of the trunk shall be painted one of the two colours of the broker's colour scheme.";* and

THAT taxi vehicle owners **COMPLY** with the requirements prior to Fall Safety Lane inspections to be conducted by the Bylaw Enforcement Officers in October 2012; and

THAT Council adopt By-Law \_\_\_\_\_ attached hereto as Appendix A.

**EXECUTIVE SUMMARY:** N/A

**2. BACKGROUND:**

Recently, taxi vehicle colour schemes have been questioned due to the existence of cars that are not entirely painted in accordance with the two colours submitted to the Licence Commissioner

**APPENDICES:**  
**Proposed By-Law amendment attached as APPENDIX A**

**DEPARTMENTS/OTHERS CONSULTED:**  
**Name:**  
**Phone #: 519            ext.**

<b>NOTIFICATION :</b>				
Name	Address	Email Address	Telephone	FAX
All Taxi Brokers				
Mike Dunning - CAW Local 195				

BY - LAW NUMBER ~~2012~~

A BY-LAW TO AMEND BY-LAW 137-2007,  
BEING A BY-LAW RESPECTING THE  
LICENSING AND REGULATING OF PUBLIC  
VEHICLES

Passed the ~~16<sup>th</sup>~~ day of, 2012.

**WHEREAS** administration was directed by M -2012 to amend By-law Number 137-2007, being a By-law respecting the licensing and regulating of public vehicles, passed the 16<sup>th</sup> day of July, 2007;

**THEREFORE** the Council of the Corporation of the City of Windsor enacts as follows:

1. That By-law Number 137-2007 be and the same is hereby amended as follows:
  - a) That the following be inserted into Schedule 5, Section 23.5:
    - (c) The colour of the vehicle's bumpers, trim, mirrors, roof racks and tires shall be acceptable if they are as originally supplied as black or chrome, by the manufacturer of the vehicle or painted in one of the two body colours of the broker's colour scheme.
    - (d) Door jams and paintable surfaces of the interior of the trunk shall be painted one of the two colours of the broker's colour scheme
2. This by-law shall come into force and take effect on the day of the final passing thereof.

EDDIE FRANCIS, MAYOR

CLERK

First Reading -  
Second Reading -  
Third Reading -