

A G E N D A

WINDSOR LICENSING COMMISSION

For a meeting on Thursday, January 23, 2014
at 4:00 o'clock p.m.
Windsor City Hall, 350 City Hall Square West
3rd floor – Council Chambers

1. CALL TO ORDER

2. MINUTES

Adoption of the minutes of the meeting of the Windsor Licensing Commission held October 24, 2013 (copy attached).

3. DISCLOSURE OF INTEREST

4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

5. COMMUNICATIONS

6. LICENCE TRANSFERS

7. APPLICATIONS/HEARINGS

- (a) Samuel Terrence McKay (Guardian of "Zeus") – Dangerous Dog
- (b) Mary Ferrar, Owner – Playhouse – Body Rub Parlour
- (c) Mary Ferrar, Owner – Fantasy Playhouse Massage + – Body Rub Parlour

- (d) Jillian Cassandra Rynyk – (Guardian of “Shadow” and “Maxine”) – Dangerous Dogs

8. REPORTS AND ADMINISTRATIVE MATTERS

- (a) Expired Application(s) for Business Licence

9. IN-CAMERA AGENDA

No In Camera Session.

10. NEW BUSINESS

11. DATE OF NEXT MEETING

The following meeting dates (4th Wednesday of the month to be held at 9:30 a.m. in the Council Chambers) are proposed for 2014:

February 26, 2014
March 26, 2014
April 23, 2014
May 28, 2014
June 25, 2014
July 23, 2014
August 27, 2014
September 24, 2014
October 22, 2014
November 26, 2014

12. ADJOURNMENT

KK/
Windsor, Ontario October 24, 2013

A meeting of the **Windsor Licensing Commission** is held this day commencing at 4:00 o'clock p.m. in the Council Chambers, 3rd floor, City Hall, there being present the following members:

Councillor Ron Jones, Chair
Councillor Drew Dilkens,
Councillor Ed Sleiman
Jack Fathers

Also present are the following resource personnel:

Gary Cian, Manager of Policy Gaming & Licensing/Deputy Licence Commissioner
Michael Chantler, Supervisor of Licensing & Deputy Licence Commissioner
Ann Kalinowski, Manager of By-law Enforcement
Dan Jenner, By-law Enforcement Officer
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Chair calls the meeting to order at 4:00 o'clock p.m. and the Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. MINUTES

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
That the minutes of the Windsor Licensing Commission at its meeting held September 26, 2013 **BE ADOPTED** as presented.
Carried.

3. DISCLOSURE OF INTEREST

None disclosed.

4. REQUESTS FOR DEFERRALS, REFERRALS AND WITHDRAWALS

Moved by Councillor Dilkens, seconded by J. Fathers,
That Item 7(b) 1890928 Ontario Inc. o/a Good Time Charly, 4715 Tecumseh Road East, Windsor, Ontario for an Entertainment Lounge Licence and a Tobacconist Licence **BE WITHDRAWN** as the applicant has complied with the requirements of the Licensing Department.

Carried.

5. **COMMUNICATIONS**

None.

6. **LICENCE TRANSFERS**

6(a) **Transfer of Plate #175**

Mr. Kamel Kakish and Mr Samer Hammoud are present and available to answer questions.

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
WLC19/13 That the transfer of Taxicab Plate #175 from Kamel Kakish & Rajaei Kakish to Mr. Hammoud **BE APPROVED** with the following conditions:

- I. Mr. Hammoud be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- II. Mr. Hammoud must submit a Plate Holder application and pay the applicable fee.
- III. Mr. Hammoud shall not 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**

No one is present to speak to the matter.

7(a) **2339700 Ontario Ltd. o/a Windsor Airport Metro Cars – Livery Vehicle (Class C – Executive)**

Moved by Councillor Dilkens, seconded by Councillor Sleiman,

WLC20/13 That the Livery Plateholder Application by 2339700 Ontario Ltd. o/a Windsor Airport Metro Cars to operate two, Class C – Executive Vehicles **BE APPROVED** for the following vehicles:

1. 2008 Lincoln Navigator – VIN#5LMFL28508LJ13950
2. 2008 Lincoln Towncar – VIN#2LNM84W38X652009

Carried.

(b) 1890928 Ontario Inc. o/a Good Time Charly – Entertainment Lounge & Tobacconist

This item is withdrawn as the applicant has complied with the requirements of the Licensing Department.

(c) Hoby Dwayne Maracle (Guardian of “Sasha”) – Dangerous Dog

Hoby Maracle, guardian of “Sasha” and Brenda Langan, alleged victim are present and available to answer questions.

A. Kalinowski advises following the investigation by Dan Jenner, By-law Enforcement Officer, it was determined “Sasha” is a dangerous dog as there were no mitigating factors.

Brenda Langan indicates she was concerned “Sasha” had been vaccinated with the required injections as she sustained a bite on her hand.

Hoby Maracle states the dog had not been vaccinated since 2011 as she was pregnant with a litter of puppies. He notes Sasha’s vaccinations are currently up to date. He advises he has contacted his landlord over the past two years regarding the areas in the chain link fence which allows his dog to readily escape. He states this was the first time his dog ever “nipped” at another dog.

Moved by Councillor Sleiman, seconded by Councillor Dilkens,
WLC21/13 That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for two year old American Bulldog known as “Sasha” which currently resides with guardian, Hoby Dwayne Maracle at 415 Pierre Avenue 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.

(d) Michael Nahnybida (Guardian of "Axxel") – Dangerous Dog

Michael Nahnybida, guardian of "Axxel" and the alleged victim are present and available to answer questions.

A. Kalinowski advises following the investigation by the By-law Enforcement Officer, it was determined "Axxel" is a dangerous dog as there were no mitigating factors.

The alleged victim provides the following chronology of events leading to her alleged dog bite:

- The alleged victim was walking her dog "Harley" and an unleashed dog came running across the street and attacked her dog.
- The alleged victim tried to use the blue harness on the larger dog to pull it off her dog.
- To loosen the grip on her dog's neck, the alleged victim hit "Axxel" on the head with her dog bag holder, at which point she was bitten on her hand.
- The alleged victim saw blood on her dog but soon realized it was her blood.
- The owner of "Axxel" arrives and states his dog broke from the leash.
- The alleged victim asked Mr. Nahnybida if his dog had received his shots, to which Mr. Nahnybida responds affirmatively that it was his dog. He gave her his address and left.
- The alleged victim received a Tetanus shot and indicates "Harley" has "some marks" on his belly.
- The alleged victim reported most of her dog's teeth have been removed.

Mr. Nahnybida indicates he was at the park with "Axxel" at which time he broke from his leash and was running loose. He provides the following comments with respect to the alleged dog bite:

- Mr. Nahnybida asked a jogger to follow and catch his dog for him and the jogger agreed.
- When Mr. Nahnybida arrived, the alleged victim was holding her dog.
- He asked if she was alright. She didn't answer but showed her hand with a couple trickles of blood.
- There were two young men on a bike laughing.
- Mr. Nahnybida spoke to the one male on the bike who said the alleged victim tried to hit the larger dog but missed and hit her own dog which turned and bit her.
- Mr. Nahnybida gave the alleged victim his name and address and promised to return and continued to search for his dog.
- He retrieved his dog, tied him up and went back approximately 10 minutes later to check with the alleged victim, who was gone.
- He states his dog is a large husky and would have done more damage if it had bit the alleged victim hand.

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
WLC22/13 That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for eight year old Husky known as "Axxel" which currently resides with guardian, Michael Nahnybida at 1558 Lincoln Road, 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.

8. REPORTS AND ADMINISTRATIVE MATTERS

8(a) Expired Application(s) for Business Licence

Moved by Councillor Dilkens, seconded by J. Fathers,

That the report of the Supervisor of Licensing and Deputy Licence Commissioner dated October 3, 2013 entitled "Expired Application(s) for Business Licence" **BE RECEIVED** for information.

Carried.

9. **IN CAMERA AGENDA**

No closed session meeting is held this day.

10. **NEW BUSINESS**

None.

11. **DATE OF NEXT MEETING**

The next meeting of the Windsor Licensing Commission will be held on December 12, 2013 at 4:00 o'clock p.m. in the Council Chambers.

12. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 4:25 o'clock p.m.

CHAIR

SECRETARY

A G E N D A

WINDSOR LICENSING COMMISSION

For a meeting on Thursday, October 24, 2013 at 4:00 o'clock p.m.
Windsor City Hall, 350 City Hall Square West
3rd floor – Council Chambers

1. CALL TO ORDER

2. MINUTES

Adoption of the minutes of the meeting of the Windsor Licensing Commission held September 26, 2013 (copy attached).

3. DISCLOSURE OF INTEREST

4. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

5. COMMUNICATIONS

6. LICENCE TRANSFERS

(a) Mr. Kamel Kakish & Mr. Rajaei Kakish Transfer of Plate #175
Transferor

Mr. Samer Hammoud
Transferee

7. APPLICATIONS/HEARINGS

(a) 2339700 Ontario Ltd. Livery Vehicle (Class C –Executive)
o/a Windsor Airport Metro Cars

- (b) 1890928 Ontario Inc. Entertainment Lounge & Tobacconist
o/a Good Time Charly
- (c) Hoby Dwayne Maracle (Guardian of "Sasha") – Dangerous Dog
- (d) Michael Nahnybida (Guardian of "Axxel") – Dangerous Dog

8. REPORTS AND ADMINISTRATIVE MATTERS

- (a) Expired Application(s) for Business Licence

9. IN-CAMERA AGENDA

No In Camera Session.

10. NEW BUSINESS

11. DATE OF NEXT MEETING

As there are meeting conflicts for the scheduled date of November 26, 2013, the following dates are proposed –

November 21, 2013 or December 12, 2013

12. ADJOURNMENT

ITEM NO. 7(a)

WINDSOR LICENSING COMMISSION

January 23, 2014

APPLICANT/LICENSEE:

Samuel Terrence McKay (Guardian of "Zeus")
1212 George Ave.
Windsor, ON N8Y 2X6

LICENCE CATEGORY:

Dangerous Dog-"Zeus"
Animal Licence # 07860
File # ACLD/11799

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 Windsor Police Report, being Appendix "B".
- Copy of By-law Enforcement Officers Report, being Appendix "C".
- Copy of Invoice from Lauzon Veterinary Hospital, being Appendix "D".
- Photograph of Tippy, being Appendix "E".
- Photograph of Zeus, being Appendix "F".
- Statement from Guardian of Tippy, being Appendix "G".
- Statement from Guardian of Zeus, being Appendix "H".

LICENCE COMMISSIONER'S COMMENTS

A dangerous dog designation appeal was submitted to the Licensing Division on August 15, 2013 by Terry McKay of 1212 George Ave., Windsor, guardian of a five year old English Mastiff called "Zeus". Licensing Division records indicate that this dog did not have a current 2013 dog tag licence at the time of the incident.

REGULATORY AUTHORITY

Dangerous Dog is defined by By-law Number 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:

"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;
- ii. means a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal; or

- iii. means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its guardian in violation of the requirements for such dog;

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

- July 15, 2013 Windsor Police Auxiliary Incident Report submitted to the By-law Enforcement Unit to investigate a dog bite.
- August 14, 2013 OSPCA Officer Natalie Crerar from Windsor Essex County Humane Society attended the property at 1212 George and designated the dog Zeus dangerous.
- August 15, the guardian of Zeus, Terry McKay, attended the Licensing Division and appealed the dangerous dog designation.
- September 26, 2013 a statement was received from Carol McKay.
- October 4, 2013 a statement was received from John Ufford and Leslie Powlenzuk.
- Full restitution was paid to the guardians of Tippy at a cost of \$1003.00.

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 Windsor Police, the By-law 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 5 year old English Mastiff known as "Zeus" which currently resides with guardian, Terry McKay at 1212 George 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.

DISPOSITION:



DANGEROUS DOG NOTICE
CORPORATION OF THE CITY OF WINDSOR
WINDSOR LICENSING COMMISSION
IN THE MATTER OF THE DESIGNATION OF DANGEROUS DOG.

RECEIVED
AUG 15 2013
POLICY GAMING & LICENSING

I, [Signature], ANIMAL CONTROL OFFICER, upon reasonable belief, and in the absence of mitigating factors; serve

a DANGEROUS DOG NOTICE to TERRY MCKAY, the GUARDIAN of

ZEUS, 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 as outlined under City of Windsor By-Law 245-2004 Section 17.

[Signature]
SIGNATURE OF ANIMAL CONTROL OFFICER

[Signature]
SIGNATURE OF GUARDIAN

"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 minor means the parent, guardian or person having custody of the minor.

Table with 2 columns and 6 rows detailing requirements for Dangerous Dog compliance, such as confinement, signage, muzzle use, insurance, microchipping, and restraint.

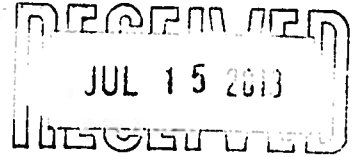
Assessment for Dangerous Dog form containing fields for Date of Assessment (Aug 14 2013), Guardian's Name (Terry McKay), Dog's Name (Zeus), Address (1212 George), Telephone (519 974 1277), Description of Dog (Kinnle Mastiff), Breed of Dog (Fing Mastiff), Rabies Tag No., City of Windsor Tag No., Microchip No., and various checkboxes for complaints, bite of attack, and quarantine.

Appeal Dangerous Dog Notice form with text: "In accordance with By-Law 245-2004 Section 18(c), 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." Includes fields for Guardian's name, address, date submitted, and received by.

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

Appendix "B"

WINDSOR POLICE AUXILIARY - INCIDENT REPORT



13-187634 DO

Barry Pogorzelski

Case # 13-44908		Page: 1 of 1						
Type of Incident: Dog Attack		Incident Location: Alexander Park						
Day	Month	Year	Day Of Week	Time				
Occurred: 25	6	2013	Tuesday	1950				
Reported: 25	6	2013	Tuesday	2003				
<input checked="" type="checkbox"/> Complainant		Suspect		<input type="checkbox"/> Employee Subject				
Name:	POWLENZUK, Leslie				Height	Build	Eyes	Hair
D.O.B.:					Skin:	White		
Address:				Telephone #:				
City: Windsor	Prov/State: On.	PC/Zip		Work/Other #:				
Incident Reported by:			D.O.B.:	Telephone :()				
Vehicle Information	Year:	Make:	Model:	Colour:	Plate #:			
Drivers License #	Prov/State:							
<p>Owner of attacked dog: POWLENZUK, Leslie Boyfriend of POWLENZUK: <i>1354 Bernard Rd.</i> UFFORD, John _____</p> <p>Owners of attacking dog MCKAY, Carol MCKAY, Samuel 1212 George Avenue, Windsor 519-974-6217 Ontario Driver's License: MCKAY, Samuel: A</p> <p>On Tuesday, June 25th, 2013 at approximately 1957 hours I, Auxiliary Constable KONOPASKY #16929 received a call from dispatch regarding a dog attack and hysterical woman in Alexander Park. I reported I was en-route to the call. I arrived at Alexander Park at approximately 2003 hours and observed a group of approximately 6-8 people talking and shouting. I approached the group and asked the arguing parties to move away from each other. I called A/Sgt. WALLACE #15552 to attend my location for support. I spoke with the parties involved with the incident and began to take information from POWLENZUK. POWLENZUK indicated that at approximately 1950 hours, she was walking her dog on a leash in the East end of the Alexander Park parking lot. She noticed Carol MCKAY's dog on a leash in close proximity to her dog. She stated that Carol MCKAY tripped and fell and lost control of her dog. At this point in time, MCKAY's dog attacked POWLENZUK's dog and began to bite MCKAY's dog across the mid-section, shaking her dog vigorously. MCKAY, Carol was able to regain control of her dog after a short period of time. I observed bite marks and blood on the back of POWLENZUK's dog. I then spoke with MCKAY, Carol and she relayed to me the same version of events. UFFORD took the attacked dog to get medical attention while POWLENZUK stayed behind to speak with arriving regular officers. Samuel MCKAY agreed to pay for any veterinarian bills that would have been incurred by the incident. A/S/Sgt. CALCOTT #16038 and Windsor Police regular officers SIROLA #13728 and HILLIER #13968 attended the scene at approximately 2020 hours. The regular officers took information from Carol and Samuel MCKAY and POWLENZUK. They gave me case number 13-44908 for the incident. All parties clear of the scene at approximately 2040.</p>								
Reporting Officer - Print Name <i>Joshua KONOPASKY 16929</i>			Reporting Officer - Signature <i>[Signature]</i>			Supervisor - Signature #16038 <i>[Signature]</i>		



THE CORPORATION OF THE CITY OF WINDSOR

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"

DATE: October 21, 2013

TO: Ann Kalinowski, Manager of By-Law Enforcement

FROM: Bart Pogorzelski, By-Law Enforcement Officer

RE: Dangerous Dog Designation – 1212 George Ave.

Guardian's Name: Samuel Terrence McKay
 Dog's Name & Breed: "Zeus" - English Mastiff
 Address: 1212 George Ave.

23/09/2013:

- 9:37 AM - Called the complainant on two separate telephone numbers and left messages.

26/09/2013:

- 12:16 PM - Called the complainant and left a voicemail message.

26/09/2013:

- 12:25 PM - Arrived at the 1212 George Ave. property. The owner Terry McKay has obtained the 2013 Animal Licence - Tag # 7860. The dog "Zeus" is an English Mastiff and is 5 years of age. The dog is neutered and is micro-chipped (# 288058). The dog is brindle colour. Obtained a statement from Carol McKay and took a photo of "Zeus" for evidence. Mr. and Mrs. McKay have adopted Zeus on June 07, 2013.

26/09/2013:

- 12:45 PM - Arrived at the 1359 Bernard Rd. property. There is no answer at the residence; left a business card in the main door.

- 2:37 PM - Spoke with Mr. John Ufford who owns a 3 year old Yorkie Mix dog named "Tippy". Mr. Ufford will submit statements and all evidence in relation to the incident within a week.

04/10/2013:

- 8:30 AM - Received statements, copy of the Veterinarian bill and pictures from the dog owner John Ufford and Leslie Powlenzuk. No charges have been filed in relation to the incident. Mr. McKay has paid the vet bill of the injured dog. Mr. McKay has appealed the Dangerous Dog Designation.

**Information Required For A Windsor Licensing
Commission Report (Dog Investigation.)**

Amanda reference number: 13-187634. Notes printed and attached.

Type of designation:

Prohibited **Restricted** **Dangerous** **Potentially Dangerous**

Name of the animal: "ZEUS"

Photograph of Dog taken and dated: **YES** NO

Name and address of animal owner/harbourer:

Samuel Terrence McKay

1212 George Ave.

Windsor, Ontario, N8Y 2X6 Phone: (519) 974-6217

Age of the dog: 5 Years. Confirmed: **YES** NO

How long the dog resided in Windsor: June 2013

Verification of residency (such as veterinarian records) **YES** NO

Licence information (current or previous years): **YES** (yr: 2013) NO

Has the dog been spayed or neutered: **YES** NO

Has the dog has been micro chipped: **YES** NO

Does the dog owner/harbourer have insurance: **YES** NO

Any previous Investigations, violations, charges: YES **NO**

Any addition information required for report: YES **NO**

Submission date of information to the Compliance/Enforcement Clerk: Oct. 21, 2013

Submitted By: Compliance/Enforcement Officer: Bart Pogorzelski

Lauzon Veterinary Hospital

Professional Corporation
1315 Lauzon Rd
Windsor, ON N8S 3N1
(519) 948-7727

Appendix "D"

John Ufford
4558 Ontario
Windsor, ON N8Y 1P5

Client ID: 31399
Invoice #: 362081
Date: 6/26/2013

Patient ID: 63947	Species: Canine	Weight: 18.50 pounds
Patient Name: Tippy	Breed: Terrier Mix	Birthday: 06/25/2010 Sex: Male

	<u>Description</u>	<u>Staff Name</u>	<u>Quantity</u>	<u>Total</u>
6/25/2013	Pre-Anesthetic Bld Test/Hct	Dr. Gp. Dabhia	1.00	\$77.00 T
6/26/2013	Exam/Office Visit		1.00	\$63.00 T
6/26/2013	Pre Surgical Radiograph		1.00	\$61.00 T
6/26/2013	Iv Fluids During Surgery		1.00	\$79.20 T
6/26/2013	Sedative		1.00	\$78.11 T
6/26/2013	Anes Ind. - Val/Ket		1.00	\$93.51 T
6/26/2013	Iso Anesth/Monitoring-10 Min		3.00	\$138.60 T
6/26/2013	Surgery Fee Per 10 Min.		2.00	\$231.02 T
6/26/2013	Surgery Pack - Routine		1.00	\$69.31 T
6/26/2013	Extended Pain Relief Package		1.00	\$56.00 T
6/26/2013	CONVENIA 80MG/ML		0.80	\$45.00 T
6/26/2013	Metacam 10ml		1.00	\$0.00
6/26/2013	Buster Collar 15cm (Med)		1.00	\$12.11 T
Patient Subtotal:				\$1,003.86

Instructions

Please return for no charge recheck on Sunday evening. Sutures will be removed in 2 weeks. If you notice tippy scratching the incision with hind paws; please return for recheck and bandage can be applied on hind paws. thank you.

Invoice Total:	\$1,003.86
Senior Citizen Discount:	(\$94.67)
Hst - (#865513758RT0001) :	\$118.20
Total:	<u>\$1,027.39</u>
Invoice Balance Due:	<u>\$1,027.39</u>
Cash :	(\$50.00)
Debit:	(\$977.39)
Less Payment:	<u>(\$1,027.39)</u>
Invoice Balance Due:	<u>\$0.00</u>
Balance Due:	<u>\$-400.00</u>

LAUZON VETERINARY HOSP
 1315 LAUZON RD N8S3N1
 WINDSOR ON
 20728435

Lauzon Veterinary Hospital
 Professional Corporation
 1315 Lauzon Rd
 Windsor, ON N8S 3N1
 (519) 948-7727

PURCHASE

06-25-2013 20:41:39
 Acct #6699 C
 Exp Date Card Type MC
 Name: JOHN S UFFORD
 16000000041010 MasterCard

Payment On Account

Client ID: 31399

Trace # 480044
 FS2032843501
 Inv. # 31399
 Auth # 042427 RRN 001948014

Total \$400.00
 (00) APPROVED-THANK YOU

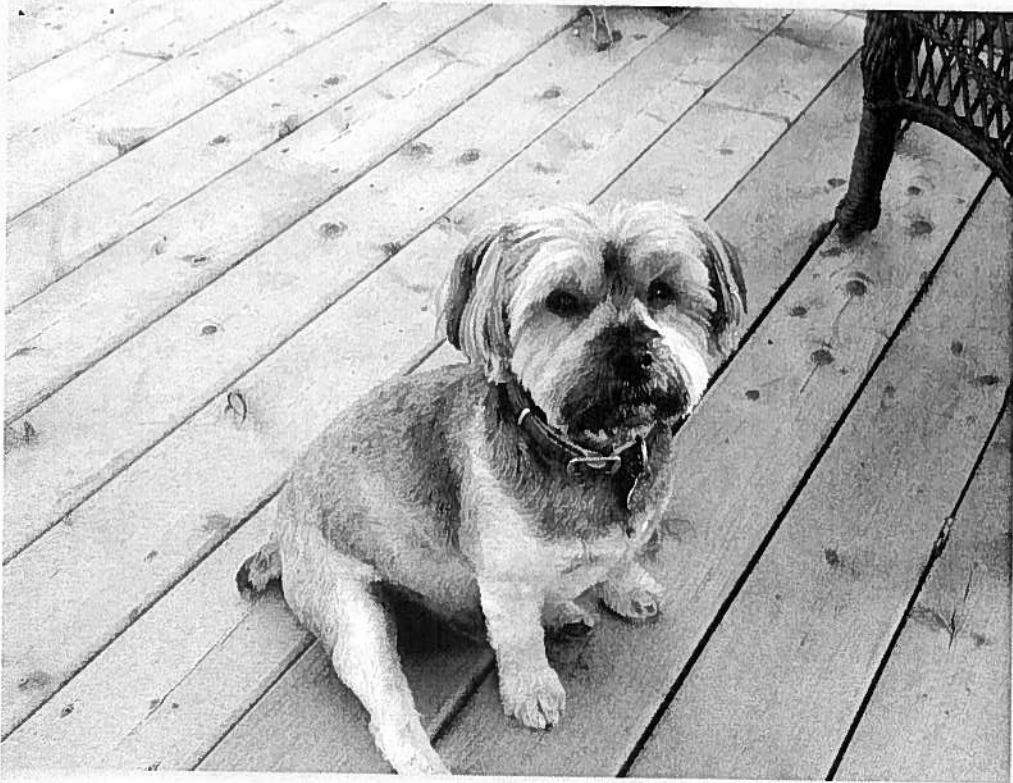
Retain this copy for your records
 Customer copy

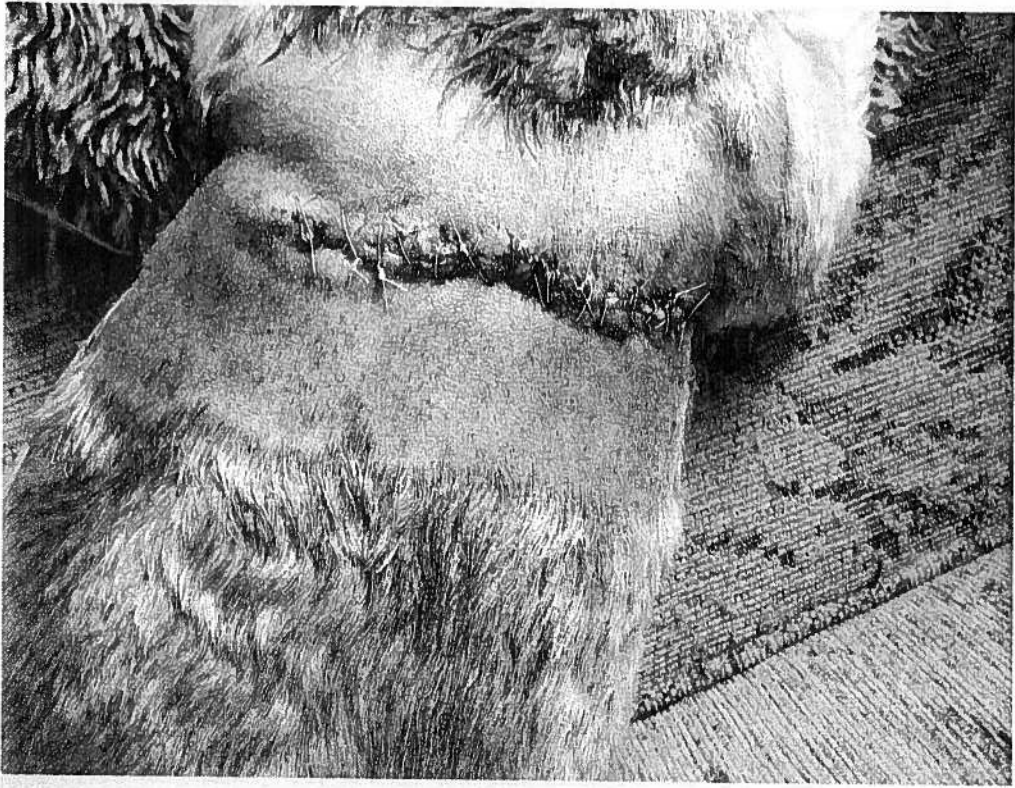
Previous Balance:	\$0.00
Master Card, :	(\$400.00)
Subtotal:	(\$400.00)
Change Given:	
Balance Due:	(\$400.00)

Thank You!

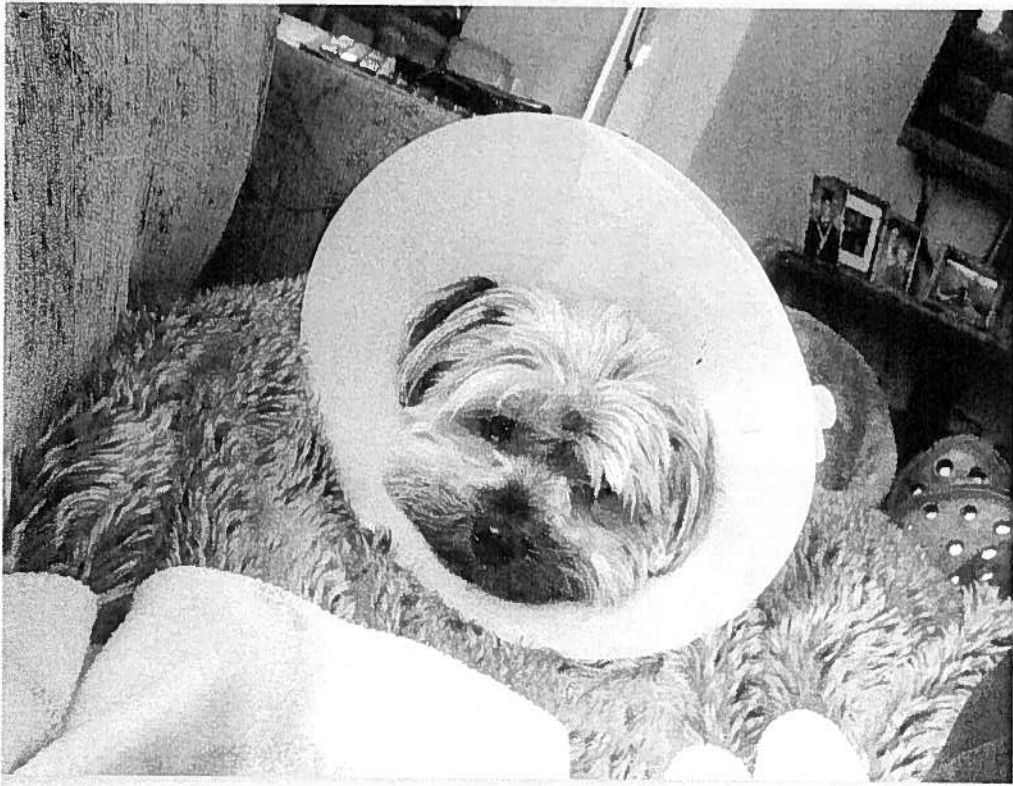
Current	30 Days	60 Days	90 Days
(\$400.00)	\$0.00	\$0.00	\$0.00

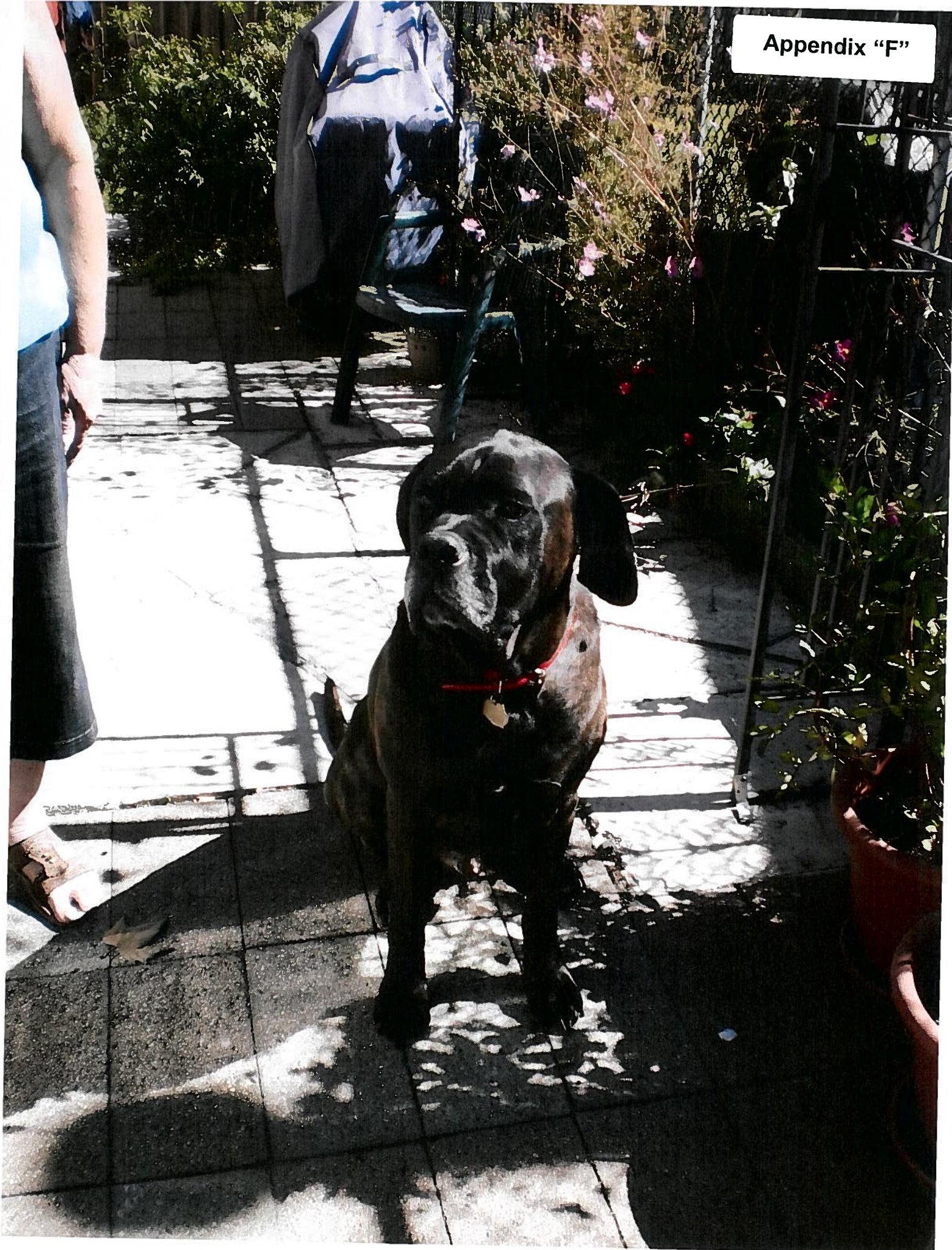
Appendix "E"











Appendix "G"

john ufford

From: "john ufford" <jufford@cogeco.ca>
To: <bpogorzelski@city.windsor.ca>
Sent: October-02-13 3:15 PM
Subject: statement from leslie powlenzuk re: dog attack on june 25, 2013 at alexander park

My name is leslie powlenzuk and i would like to tell you my story of the night that my little dog, tippy, was attacked by a much larger dog for no reason. the attack has changed all of us forever, as tippy is my first puppy ever and i have no children...in essence, tippy is the only baby i have ever had.

As on many occasions, when john is working or busy, I took tippy for an evening walk along the riverfront park. On June 25, i took him to Alexander Park, at the foot of George Ave. at approximately 7:45 pm.

It was a beautiful, sunny evening, fisherman at the waters' edge, many children and parents playing on the swing sets. The parking lot was full with many vehicles with families enjoying the summer weather and the beautiful setting that our river front parks provide.

I parked my car at the east end of the lot close to the sidewalk and proceeded to begin my much anticipated walk with Tippy. He was leashed with a triple shoulder and body harness as he always is when we go out anywhere. I took a few steps from the car to the sidewalk running parallel to the water with a railing separating us from the river's edge.

Then, out of nowhere, to our right, came running full force, a huge (which i now know) 160 lb. black, bull mastiff dog.

Before I could even bend to pick up Tippy, this dog had my tippy by the neck, swinging him back and forth like a rag doll...I was terrified...I yelled and yelled at the owner who was trying to get up off the grass where she fell over when her bull mastiff broke loose from her...She clearly had no control over her dog whatsoever.

I was pinned up against the railing, twisting in circles trying to pull tippy up and out of the clench of this huge dog, i was attempting to get my dog away from the attack and into my arms, but i couldn't get him free from the jaws of this huge animal. I estimate this attack lasted close to 2 minutes.

The large dog then went in for a second attack to tighten his grip on my tippy...as again he was in the mouth of this beast as it continued to shake and twist him...I was horrified and i recall thinking to myself that my puppy is going to die.

Throuhout all of this, I continued to scream to the owner of the large dog to get her dog away from my dog and myself as well, i was terrified that it was also going to attack me....The woman never even responded verbally or in any way to get her dog away from us...Finally it loosened its grip enough for me to scoop up tippy i my arms and get free from the railing that we were pinned against....The woman(owner) just sat on the grass and watched the whole time.

I was hysterical..I went to my car...Several people who had witnessed the attack came to us and asked if we were ok and offered help...A nice woman who had locked her children in her vehicle when she saw the attack, gave me a blanket for tippy, as he was shaking....I then saw the extent of the damage taht he had suffered, a huge hole through the middle of his back behind his neck left his insides exposed and bleeding...he was shaking and in shock. I called 911 and the dispatcher informed me that police would attend according to their "priority" list. Luckily, an auxilliary police office appeared to help out.

I then called john, tippy's owner with me, and told him of what happened.. He said he would come there immediately. When john arrived, another man whom i later found out was the co-owner of the bull mastif, also arrived...john and i explained to him that our dog was seriously hurt and that john would be leaving with him to seek medical help...with the auxilliary officer present, the other dog's owner reluctantly agreed to cover the medical costs...shortly after john left with tippy, three police cruisers arrived. The police discussed with the mastif's owner their agreement to cover whatever medical costs we had with tippy at the emergency vet that was open ...the necessity that they agree to cover all costs was a stipulation that the police required immediately. I then joined john at the Lauzon Veterinary emergency clinic. Tippy was examined, xrayed and treated for shock and pain,...It was decided that he needed emergency surgery which he had that same night. there was an incision made across his entire back to open up and expose his inside completely, then he was examined for internal damage (it was explained to us that the vicious shaking for such a long period could have extensive organ and/or skeletal damage, thus, such an exam.

The next morning, we picked tippy up at the vet..this was , without a doubt , one of my saddest days ever...to see my puppy this way and not to know that he would survive and recover from this attack was very traumatic, i cried endlessly.

Tippy was put on several medications for pain and infection for a few weeks...he wore a cone around his neck for a month at least...he could not run around or jump up on the couch, he had to be carried outside to relieve himself, and he developed bladder problems , which later required treatment...I took several days off from my job

02/10/2013

to care for him, and i stayed by his side, day and night. He was visibly traumatized, for days and weeks after he shook and whimpered...he would awaken in a jolt of fear, he was a mess...even now, he won't go out the back door alone.

The owner of the bull mastif did pay the initial vet bill for emergency tretment, i think it was app. \$1200...john and i decided to have any further care provided by the vet we have had since his birth at South Howard Animal Clinic. I feel that there is no amount of compensation that would bring my dog back to his normal, healthy state prior to this vicious, careless attack...My 18 lb. little tippy will never fully recover and go back to his normal happy life that he enjoyed.

Months have passed now and many follow up visits to the vets...He has many side effects caused by this vicious attack which will never go away....He sits and licks his paws for hours on end, we are told this is a nervous reaction to the trauma that he experienced

With regard to the bull mastif, i truly feel that this animal is a threat to anyone near it, without being muzzled and having an owner that can control it, it is a danger to the public and i feel will surely attack again, possibly a child...i feel this is an instinctively vicious animal that is a danger in any public setting...I urge the "powers that be" to take whatever steps available to prevent this beast from inflicting any more pain and hurt to any other being.

I am forwarding some photos...2 of which are of my puppy prior to the attack, the others immediately following the attack showing the extent of his physical injuries....They speak for themselves...Should you require any further information re this attack, please feel free to contact me at 226-246-1675...Thank You in advance for your continued interest and involvement in correcting a very dangerous situation, I remain, Sincerely...Leslie Powlenzuk (Tippy's Mom)...october 2, 2013

John ufford

From: "john ufford" <jufford@cogeco.ca>
To: <bpogorzelski@city.windsor.ca>
Sent: October-02-13 4:20 PM
Subject: statement from john ufford re dog attack on june 25/13

My name is john ufford., i reside at 1359 bernard rd. windsor and i am the resident owner of "tippy" a 3 yeat old male yorkie mix that was attacked by a bull mastif at alexander park on 6/25/13. i arrived home at app. 7:45 pm on june 25/13 to immedieately get a cell call from leslie powlenzuk that she was at the river and that our dog had been attacked by another dog...she was hysterical... i picked up my adult son, matt, who lives nearby and went to alexander park. There i found leslie holding tippy in a blanket, him shaking in shock and bleeding from a gaping hole in the middle of his back...leslie was crying profusely and being comforted by several bysstanders, one woman in particular...nearby sat a small elderly woman holding a leash to an enormous black bull mastif...except for admitting to being the owner of the mastif, she didn't respond much to any of my questions....almost as soon as i arrived an auxilliary windsor police officer came over and soon after that an elderly man arrived in a car claiming to be the owner of the bull mastif...he immediately bacame aggressive, saying that this attack was our fault, that owners of a small dog should have the common sense to pick up and remove such a small pet when a large dog is present and that by not doing so , we "provoked" the attack by his dog...i expalined to him that his "theory" as ridiculous and that since he was not present at the time of the attack, his opinions were irrelevant. i then told him that the police had been called and that i would be leaving momentarily to seek medical attention for my dog...i expressed to him that i would need for him to accept immediate responsibility for whatever costs would arise from this attack, and with the auxullinary officer present, he agreed....i then left, and took tippy to the 24 hr. emergency vet clinic at Lauzon Veterinaryit was determined that my dog would need surgery , so he was sedated ...leslie joined me shortly after and we left tippy in the care of the vet for the night, during which they would perform the surgery and repair whatever damage they could resulting from the attack....leslie and i even discussed the possibility on how far we would go before putting our dog to sleep..a very difficult conversation, if you know leslier at all.

When i got home i phoned the number that the police had provided for us to reach he owners of the bull mastif. (Carol Mckay 519-974-6217...case #13-44908)..they sounded like they were backing off on their commitment to cover the expenses , but i insisted i would need them to attend at the emergerncy clinic the next morning to pay for the surgery...The next morning, they did show up late at the clinic and paid the bill, i was then reimbursed for my deposit.(i will forward to you the original quote for surgery in the amount of \$1,003.86)

Tippy came home with leslie amd i and between the two of us, had round the clock care for a week...he wore a collar like a lamp shade, and needed pain meds and antibiotics for a couple weeks, he then developed a bladder infection, we decided to have his treatment carried out by our usual vet who was familiar with tippy and us.....between further treatment of his incision and treatment for the bladder we spent app. \$700 more. After app.5 weeks the stitches/staples were removed and the incision completely closed shortly after....Tippy continues to show signs of anxiety following the attack and is very timid around other dogs now, especially larger ones.....he licks his paws quite a lot, a sign of trama i am told.....and he won't go outside without me. The other party whom i feel is equally damaged by this incident is leslie...i don't think she will ever recover from ther trauma of that evening.

The bull mastif that carried out this attk on my small dog lives in the same neighbourhhd as us...twice now (once with photos) we have seen him viciously chasing people....clearly the elderly small woman who walks this beast has no control over it. **SOMEONE IS GOING TO BE SERIOUSLY INJURED BY THIS ANIMAL.**

I urge the enforcement by-law office of the city of windsor to take action to prevent this animal from hurting anyone immediately...it shouldn't have happened to us...common sense says this animal is not under control.... Thank You for responding to my concerns., I will gladly provide any further assistance that is needed to bring this issue to a safe end...john ufford ...519-974-2960.

As I was walking Zeus in Alexander Park a woman stepped from between vehicles with her small dog. I immediately said to the woman Please stay still while I take my dog behind the vehicle. She just kept walking and I turned to go behind the vehicle . Unfortunately I tripped and fell losing control of Zeus. He turned and went into play position beside the small dog. The next thing I saw was her reeving the dog in the air and Zeus just stood there. Someone called police and Zeus layed on the ground beside me. While we waited several children came over and petted Zeus.

Casey A. King

ITEM NO. 7(b)

WINDSOR LICENSING COMMISSION

January 23, 2014

APPLICANT/LICENSEE:

Mary Ferrar
Playhouse
1671 Howard Avenue
Windsor, ON N8W 3T6

LICENCE CATEGORY:

Body Rub Parlour – Owner

LiveLink#11827

HEARING PARTICULARS

Refuse to Issue

APPENDED MATERIALS

- Copy of application, attached as APPENDIX A
- Copy of Business Ownership Declaration, attached as APPENDIX B
- Copy of AMANDA screen shot indicating that zoning could not be approved, attached as APPENDIX C
- Copy of letter sent to applicant dated November 25, 2013 explaining that zoning was denied, attached as APPENDIX D

LICENCE COMMISSIONER'S COMMENTS

- Licensing records indicate that this is the first application for a Body Rub Parlour – Owner licence at 1671 Howard Avenue.
- AMANDA records indicate the applicant made a previous application for the same business category at 2478 Tecumseh Road East which was refused by the Windsor Licensing Commission due to a zoning rejection.
- The applicant has another application currently before the Windsor Licensing Commission for a Body Rub Parlour at 555 Pelissier. The recommendation on the Pelissier application is “Refuse to Issue” due to non-compliance with By-Law 131-2011.

REGULATORY AUTHORITY

By-Law Number 131-2011, being a by-law respecting the licensing, regulating and inspecting of Body-Rub Parlours and those engaged in the business of providing body-rubs in Body-Rub Parlours.

Section 43 of By-Law 131-2011 states, in part:

“At the hearing, the Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any licence under this By-law:

a) for any reason that would disentitle any licensee to a licence;

- f) upon such grounds as are set out in this By-law;
i) if the geographic location of the business does not meet land use requirements or does not comply with this By-law;"

BACKGROUND

- October 18, 2013 - Ms. Ferrar attended the Licensing Office to make application for Body Rub Parlour Owner's. (Appendix A & B)
- November 20, 2013 – the Licensing Issuer was advised that zoning had been rejected and the applicant would have to make application to the Committee of Adjustment to change the LNCU. (Appendix C)
- November 25, 2013 – Licence Issuer sent a letter to the applicant indicating her options and provided a deadline of December 11, 2013 to address the zoning issue
- December 3, 2013 – during an inspection of the applicant's other business premises (555 Pelissier Street), the Deputy Licence Commissioner served Ms. Ferrar with a copy of the letter dated November 25, 2013 (Appendix D) which she claimed to have never received. The applicant verbally declared to the Deputy Licence Commissioner that she will not be operating a Body Rub Parlour at 1671 Howard Avenue, but will instead use the location for an office.

SUMMARY

The applicant in this instance has failed to meet the requirements of the bylaw as the property is not zoned appropriately for use as a Body Rub Parlour. When contacted by phone, Ms. Ferrar indicated to administration that she would be willing to voluntarily withdraw the application; however she did not submit anything in writing to allow administration to honour a request for withdrawal of the application. Therefore, we continued to follow the licensing process and recommend to the Windsor Licensing Commission that it refuse to issue the licence.

RECOMMENDATION:

That the application for a Body Rub Parlour – Owner licence at 1671 Howard Avenue submitted on October 18, 2013 by Mary Ferrar o/a Playhouse, **BE REFUSED.**

DISPOSITION:



OFFICE OF THE CITY C Appendix "A"
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

**BODY RUB PARLOUR OWNER/
 OPERATOR APPLICATION (2 PAGES)**

OFFICE USE ONLY
 LICENCE # B 198763

MUST COMPLETE AND RETURN TO OFFICE IN PERSON

APPLICANT NAME AND ADDRESS

APPLICANT NAME:	MARY K. FERRAR	DATE OF BIRTH:	(MM/DD/YYYY)
STREET ADDRESS:		HOME PHONE:	
CITY, PROVINCE:		CELL PHONE:	
BUSINESS NAME AND NAME UNDER WHICH BUSINESS OPERATES:	Play House	POSTAL CODE:	
STREET ADDRESS:	1671 Howard Ave.	PLEASE INDICATE WITH A CHECK MARK: (✓)	
CITY, PROVINCE:	Windsor, Ont.	Corporation	<input type="checkbox"/>
MAILING ADDRESS FOR BUSINESS, IF DIFFERENT THAN ABOVE:		Sole Proprietorship	<input checked="" type="checkbox"/>
STREET ADDRESS:		Partnership	<input type="checkbox"/>
		BUS. PHONE:	(519) 819 3887
		FAX NUMBER:	
		POSTAL CODE:	N8W 3T6

LICENCE CATEGORY	LICENCE FEES
BODY RUB PARLOUR-OWNER/OPERATOR <input checked="" type="checkbox"/>	NEW - \$366.00
	RENEWAL - \$148.00

THIS BUSINESS LICENCE REQUIRES AN ANNUAL PHOTO ID CARD. THE COST FOR THIS CARD IS \$16.95 (INCLUDING HST). PLEASE NOTE THAT THE MUNICIPAL PHOTO ID CARD ISSUED FOR BUSINESS LICENSING PURPOSES IS THE PROPERTY OF THE CITY OF WINDSOR. THERE WILL BE A \$28.25 CHARGE (INCLUDING HST) FOR THE REPLACEMENT OF ANY LOST OR STOLEN PHOTO ID CARDS.

HAVE YOU EVER HAD ANY PREVIOUS MUNICIPAL LICENCE(S)? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES: What type? _____ What year? <u>OCT 18 2013</u>	HAVE YOU EVER BEEN CONVICTED OF ANY CRIMINAL OR INDICTABLE OFFENCE IN CANADA OR ANY OTHER COUNTRY? (FOR WHICH A PARDON HAS NOT BEEN GRANTED) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES: Year? _____ Location? _____
---	--

PLEASE ENCLOSE THE FOLLOWING DOCUMENTS WITH THIS APPLICATION:

POLICE RECORDS CHECK	PASSPORT SIZED COLOR PHOTO (NEW ONLY)
2 PIECES OF GOVERNMENT ID (ONE BEING A PHOTO)	LIST OF ATTENDANTS
BUSINESS OWNERSHIP DECLARATION FORM	PHYSICIAN'S LETTER (IF ACTING AS ATTENDANT) -
PROPERTY OWNER PERMISSION LETTER	COPY OF LOGO OR SYMBOL USED FOR ADVERTISING

DEPARTMENT DISTRIBUTION ONLY:

FIRE DEPARTMENT	BUILDING-ZONING CLEARANCE
MEDICAL OFFICER OF HEALTH (NOTIFICATION)	WINDSOR POLICE SERVICES (NOTIFICATION)

PLEASE RETURN THIS APPLICATION WITH YOUR PAYMENT TO THE OFFICE OF THE CITY CLERK/POLICY, GAMING & LICENSING DIVISION AT 350 CITY HALL SQUARE WEST, ROOM 203, WINDSOR, ON N9A 6S1. THE LICENCE RENEWAL DEADLINE IS JANUARY 31ST ANNUALLY. A 50% LATE PENALTY IS ADDED TO THE BUSINESS LICENCE FEE ON FEBRUARY 1ST. THE APPLICANT COULD FACE FURTHER PENALTIES/FINES FOR OPERATING WITHOUT A VALID BUSINESS LICENCE.

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 131-2011. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W. Room 203, Windsor, ON N9A 6S1, 519-255-6200.

10/18/2013 DATE (MM/DD/YYYY) Mary K. Ferrar SIGNATURE OF APPLICANT & TITLE



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

BODY RUB PARLOUR OWNER/

OFFICE USE ONLY

LICENCE # _____

OPERATOR APPLICATION-PAGE 2

MUST COMPLETE AND RETURN TO OFFICE IN PERSON

I HEREBY MAKE APPLICATION UNDER BY-LAW 131-2011 FOR AN OWNER/OPERATOR LICENCE.

LEGAL NAME:

Playhouse

I AM THE OWNER OF THE FOLLOWING BODY RUB PARLOUR:

Playhouse

THE FOLLOWING SECTION FOR NEW APPLICATIONS ONLY

IF THE COMPANY IS INCORPORATED, PLEASE PROVIDE THE FOLLOWING:

RECEIVED

OCT 18 2013

POLICY GAMING & LICENSING

- LETTERS OF INCORPORATION (NOTARIZED COPY IS ACCEPTABLE)
ANNUAL TAX RETURN FOR THE MOST RECENT TAXATION YEAR
LIST OF SHAREHOLDERS

IF THE COMPANY IS A PARTNERSHIP, PLEASE PROVIDE THE FOLLOWING:

- A DECLARATION SIGNED BY ALL PARTNERS DECLARING THE FULL NAME OF EVERY PARTNER AND THE ADDRESS OF THEIR NORMAL RESIDENCE

I HAVE NEVER HAD ANY LICENCE REFUSED/CANCELLED BY ANY MUNICIPALITY EXCEPT AS FOLLOWS:

NAME OF MUNICIPALITY:

Windsor

TYPE OF LICENCE:

Body Rub-

REASON FOR REFUSAL/CANCELLATION:

Zoning

PREVIOUSLY OWNED BODY RUB PARLOUR(S)

NAME OF BUSINESS:

ADDRESS OF BUSINESS:

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 131-2011. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W. Room 203, Windsor, ON N9A 6S1, 519-255-6200.

10/18/1980

DATE (MM/DD/YYYY)

May A Leves

SIGNATURE OF APPLICANT & TITLE



BUSINESS OWNERSHIP DECLARATION

> If your business is a CORPORATION:

I, _____, of the Municipality of _____, Province of Ontario,
 (Your Name) (Where You Reside)
 being the _____ of _____ herein after referred to as the
 (Title) (Corporation Name and/or Number)
 "Corporation", in the matter of Licensing Application for _____ hereby declare:
 (Licence Type)
 That the Corporation shall carry on business as _____ at
 (Trade Name)
 _____ during the currency of the licence, if granted.
 (Business Address)

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.

RECEIVED

OCT 18 2013

 Signature Print Name Date (MM/DD/YYYY)

> If your business is a SOLE PROPRIETORSHIP:

I, MARY K. FERRAR, of the Municipality of Windsor, Province of Ontario,
 (Your Name) (Where You Reside)
 being the Owner of PLAYHOUSE herein after referred to as the "Business", in the matter
 (Business Name)
 of Licensing Application for BOOBY RUB PARLOR hereby declare:
 (Licence Type)
 That the Business shall carry on/operate as PLAYHOUSE at
 (Trade Name)
1671 HOWARD AVE during the currency of the licence, if granted.
 (Business Address)

I hereby declare that all information included in this form is complete and accurate.

Mary K. Ferrar MARY K. FERRAR 10/18/2013
 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)

AMANDA 5.4.4.31.2020814 - User Janna Tetler Signed on to amanda

File Data Search Edit Actions Reports Window Help



1671 HOWARD AVE [BRP]

Folder | Property (1) | People (6) | Info (6) | Fee/Charge (4) | Process (3) | Document (8) | Comment

Folder #	Ref	Folder	Process	Document
2010 570306 000 00 HC	SB	13 198163 000 00 BRP	50	Licence Zoning Review
2011 144425 000 00 HC	SW	Property 1671 HOWARD AVE		
2012 149829 000 00 HC				
2013 198163 000 00 BRP	JT			

Status	Rejected	Start Date	Oct 18, 2013	End Date	
User	Matt McCulloch	Schedule	Oct 18, 2013		
Sign Off	Matt McCulloch	Actual	Oct 18, 2013		Nov 20, 2013
Discipline	Licensing	BaseLine	Oct 18, 2013		

Print Flag
 Mandatory
 Assign To-Do
 Scheduled
 Display Order
 File Location
 ProcessRSN
 2424366
 Priority

COMMENTS PLEASE NOTE: THERE IS AN EXISTING HOLISTIC CENTER OPERATING AT THE SAME LOCATION.

Attempt (1) | Checklist | Memo | Deficiency | Attachment | Dependency | Info | Consent | Insp. Detail

Date	User	Comment	Result	Hours	Mileage	Expense
Nov 20, 2013	Matt McCulloch	Current Legal Non-conforming (LNCU) use doe	Rejected	2		

Text Field Editor (Maximum 4000 characters)

Current Legal Non-conforming (LNCU) use does not permit this use.

An application to the Committee of Adjustments must be made to change the LNCU.

Spell Check Rulers

1 Row Returned

List View Related View

Start Today	End on Start	Repeat	File Location	Reschedule	Re-Default
End Today	End on Due	Assign	Sign Off	Clock Activity	Preview Email

3 Rows Returned

Ready





THE CORPORATION OF THE CITY OF WINDSOR

VALERIE CRITCHLEY
LICENCE COMMISSIONER

OFFICE OF THE CITY CLERK
POLICY, GAMING & LICENSING

November 25, 2013

Mary Ferrar
Playhouse
1671 Howard Avenue
Windsor, ON N8W 3T6

Dear Ms. Ferrar:

RE: Body Rub Parlour Owner Licence – 1671 Howard Avenue

Further to your application for a Body Rub Parlour Owner Licence, we have received a report from the Zoning Coordinator in the Planning Department indicating that the zoning for 1671 Howard Avenue has not been approved. For further information with respect to bringing your application into compliance with the Zoning By-Law 8600, please contact Matt McCulloch at (519) 255-6543 ext. 6198.

I therefore ask that the requirements of Zoning By-Law 8600 are met to the satisfaction of the Planning Department by no later than **December 11, 2013**.

Failure to do so will result in your application being deemed expired and forwarded to the Windsor Licensing Commission.

I submit the above for your immediate attention.

Yours Truly,

Janna Tetler
Licence Issuer (Acting)
(519) 255-6100 ext. 1898
/jt

350 City Hall Square West, Room 203 ♦ Windsor, Ontario ♦ N9A 6S1
BUSINESS LICENSING: (519) 255-6200, Option #1
GAMING: (519) 255-6200, Option #2
Fax: (519) 255-6868

ITEM NO. 7(c)

WINDSOR LICENSING COMMISSION

January 23, 2014

APPLICANT/LICENSEE:

Mary K. Ferrar
Fantasy Playhouse Massage +
555 Pelissier Street
Windsor, ON N8W 1E7

LICENCE CATEGORY:

Body Rub Parlour – Owner

LiveLink#11826

HEARING PARTICULARS

Refuse to Issue

APPENDED MATERIALS

- Copy of application, attached as APPENDIX A
- Copy of Business Ownership Declaration, attached as APPENDIX B
- Copy of AMANDA screen shot indicating that the Building Inspector identified deficiencies and notified employee, attached as APPENDIX C
- Copy of letter sent to applicant dated December 17, 2013 explaining that the operation is non-compliant, attached as APPENDIX D

LICENCE COMMISSIONER'S COMMENTS

- Licensing records indicate this is the first application for a Body Rub Parlour – Owner at 555 Pelissier. The applicant has submitted applications for similar operations on two previous instances at different locations.
- The previous application for 2478 Tecumseh Road location was refused due to the premises being non-compliant with Zoning By-law requirements.
- The application for 1671 Howard Avenue is currently before the Windsor Licensing Commission with a recommendation of “Refuse to Issue”.

REGULATORY AUTHORITY

By-Law Number 131-2011, being a by-law respecting the licensing, regulating and inspecting of Body-Rub Parlours and those engaged in the business of providing body-rubs in Body-Rub Parlours.

Section 43 of By-Law 131-2011 states, in part:

“At the hearing, the Licensing Commission may suspend, revoke, and refuse to issue or impose conditions on any licence under this By-law:

- a) for any reason that would disentitle any licensee to a licence;*
- c) where the licensee or applicant is in breach of any of the provisions of this By-law;*
- f) upon such grounds as are set out in this By-law;”*

Section 6 (b) of By-Law 131-2011 states:

"Every owner or operator shall ensure that no means of access to any room, cubicle, enclosure or partitioned area in a body-rub parlour, that is used to provide body-rubs is equipped or constructed with a locking device of any kind or with any other device or structure which could delay or hinder anyone from entering or obtaining access to such area"

Section 6 (m) of By-Law 131-2011 states:

"The premises for which the body-rub licence is required shall be subject to the following criteria:

- i. The maximum gross floor areas of the body-rub parlour shall be no more than one hundred fifty (150) square metres;*
- ii. A maximum of one body-rub parlour per lot; and*
- iii. When a body-rub parlour is located in a multi-unit building, it shall not exceed fifteen percent (15%) of the gross floor area of the multi-unit building."*

BACKGROUND

October 18, 2013, Mary K. Ferrar (owner/applicant) attended the licensing office at the City of Windsor to make application for a Body Rub Parlour at 555 Pelissier Street.

December 3, 2013, a City of Windsor Building Inspector attended the premises to conduct an inspection and noted two deficiencies. He left his business card with the receptionist and requested that the owner contact him to correct the issues.

December 17, 2013 – Building Inspector updates licensing that the owner has not contacted him regarding the deficiencies. Licensing sends a letter to the owner/applicant requesting that she contact the Building Department and receive the necessary approvals by a deadline of January 6, 2014. Copies of the letter were sent to both the mailing address provided by the applicant as well as the business address. The letter clearly indicated that failure to take action would result in a recommendation to the Windsor Licensing Commission that their application be refused.

SUMMARY

The applicant in this instance is in violation of the requirements of By-Law 131-2011, specifically, Sections 6(b) and 6(m). For this reason, administration is obligated to recommend that the Windsor Licensing Commission refuse to issue the licence.

RECOMMENDATION:

That the application for a Body Rub Parlour – Owner licence at 555 Pelissier Street, submitted on October 18, 2013 by Mary Ferrar o/a Fantasy Playhouse Massage +, **BE REFUSED.**

DISPOSITION:



OFFICE OF THE CITY C Appendix "A"
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

BODY RUB PARLOUR OWNER/ OPERATOR APPLICATION (2 PAGES) OFFICE USE ONLY
LICENCE # 13198157
 MUST COMPLETE AND RETURN TO OFFICE IN PERSON

APPLICANT NAME AND ADDRESS

APPLICANT NAME:	MARY K. FERRAR	DATE OF BIRTH:	(MM/DD/YYYY)
STREET ADDRESS:	[REDACTED]	HOME PHONE:	[REDACTED]
CITY, PROVINCE:	[REDACTED]	CELL PHONE:	[REDACTED]
		POSTAL CODE:	[REDACTED]

BUSINESS NAME AND ADDRESS

NAME UNDER WHICH BUSINESS OPERATES:	FANTASY Playhouse Massage +	PLEASE INDICATE WITH A CHECK MARK: (✓) Corporation <input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> Partnership <input type="checkbox"/>	
STREET ADDRESS:	555 Pelissier St.	BUS. PHONE:	819-3889
CITY, PROVINCE:	Windsor, Ont	FAX NUMBER:	
		POSTAL CODE:	N8W 3T6

MAILING ADDRESS FOR BUSINESS, IF DIFFERENT THAN ABOVE:

STREET ADDRESS:	1171 Howard Ave	CITY, PROVINCE:	Windsor, Ont
		POSTAL CODE:	N3W 1E7

LICENCE CATEGORY LICENCE FEES

BODY RUB PARLOUR-OWNER/OPERATOR	<input checked="" type="checkbox"/>	NEW - \$366.00	RENEWAL - \$148.00
---------------------------------	-------------------------------------	----------------	--------------------

THIS BUSINESS LICENCE REQUIRES AN ANNUAL PHOTO ID CARD. THE COST FOR THIS CARD IS \$16.95 (INCLUDING HST). PLEASE NOTE THAT THE MUNICIPAL PHOTO ID CARD ISSUED FOR BUSINESS LICENSING PURPOSES IS THE PROPERTY OF THE CITY OF WINDSOR. THERE WILL BE A \$28.25 CHARGE (INCLUDING HST) FOR THE REPLACEMENT OF ANY LOST OR STOLEN PHOTO ID CARDS.

HAVE YOU EVER HAD ANY PREVIOUS MUNICIPAL LICENCE(S)? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES: What type? _____ What year? _____	HAVE YOU EVER BEEN CONVICTED OF ANY CRIMINAL OR INDICTABLE OFFENCE IN CANADA OR ANY OTHER COUNTRY? (FOR WHICH A PARDON HAS NOT BEEN GRANTED) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IF YES: Year? _____ Location? <u>OCT 18 2013</u>
--	---

PLEASE ENCLOSE THE FOLLOWING DOCUMENTS WITH THIS APPLICATION:

POLICE RECORDS CHECK	PASSPORT SIZED COLOR PHOTO (NEW ONLY)
2 PIECES OF GOVERNMENT ID (ONE BEING A PHOTO)	LIST OF ATTENDANTS
BUSINESS OWNERSHIP DECLARATION FORM	PHYSICIAN'S LETTER (IF ACTING AS ATTENDANT)
PROPERTY OWNER PERMISSION LETTER	COPY OF LOGO OR SYMBOL USED FOR ADVERTISING

DEPARTMENT DISTRIBUTION ONLY:

FIRE DEPARTMENT	BUILDING-ZONING CLEARANCE
MEDICAL OFFICER OF HEALTH (NOTIFICATION)	WINDSOR POLICE SERVICES (NOTIFICATION)

PLEASE RETURN THIS APPLICATION WITH YOUR PAYMENT TO THE OFFICE OF THE CITY CLERK/POLICY, GAMING & LICENSING DIVISION AT 350 CITY HALL SQUARE WEST, ROOM 203, WINDSOR, ON N9A 6S1. THE LICENCE RENEWAL DEADLINE IS JANUARY 31ST ANNUALLY. A 50% LATE PENALTY IS ADDED TO THE BUSINESS LICENCE FEE ON FEBRUARY 1ST. THE APPLICANT COULD FACE FURTHER PENALTIES/FINES FOR OPERATING WITHOUT A VALID BUSINESS LICENCE.

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 131-2011. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W, Room 203, Windsor, ON N9A 6S1, 519-255-6200.

10/18/2013 DATE (MM/DD/YYYY) Mary K. Ferrar SIGNATURE OF APPLICANT & TITLE



Policy, Gaming & Licensing
350 City Hall Square West - Room 203
Windsor, ON N9A 6S1
Ph: 519-255-6200, Optlon 1 Fax: 519-255-6868
www.citywindsor.ca

BODY RUB PARLOUR OWNER/

OFFICE-USE ONLY

LICENCE #

OPERATOR APPLICATION-PAGE 2

MUST COMPLETE AND RETURN TO OFFICE IN PERSON

I HEREBY MAKE APPLICATION UNDER BY-LAW 131-2011 FOR AN OWNER/OPERATOR LICENCE.

LEGAL NAME:

MARY H FERRAR

I AM THE OWNER OF THE FOLLOWING BODY RUB PARLOUR:

FANTASY Playhouse Massage +

THE FOLLOWING SECTION FOR NEW APPLICATIONS ONLY

IF THE COMPANY IS INCORPORATED, PLEASE PROVIDE THE FOLLOWING:

- LETTERS OF INCORPORATION (NOTARIZED COPY IS ACCEPTABLE)
ANNUAL TAX RETURN FOR THE MOST RECENT TAXATION YEAR
LIST OF SHAREHOLDERS

IF THE COMPANY IS A PARTNERSHIP, PLEASE PROVIDE THE FOLLOWING:

- A DECLARATION SIGNED BY ALL PARTNERS DECLARING THE FULL NAME OF EVERY PARTNER AND THE ADDRESS OF THEIR NORMAL RESIDENCE

I HAVE NEVER HAD ANY LICENCE REFUSED/CANCELLED BY ANY MUNICIPALITY EXCEPT AS FOLLOWS:

NAME OF MUNICIPALITY:

Windsor

TYPE OF LICENCE:

Body Parlour

REASON FOR REFUSAL/CANCELLATION:

Zoning

PREVIOUSLY OWNED BODY RUB PARLOUR(S)

NAME OF BUSINESS:

ADDRESS OF BUSINESS:

RECEIVED

OCT 18 2013

POLICY GAMING & LICENSING

NOTICE WITH RESPECT TO COLLECTION OF PERSONAL INFORMATION

I acknowledge that the information requested on this form and any appendices attached are collected under the authority of the Municipal Act, City of Windsor Act, and City of Windsor Licensing By-law 131-2011. This information is required in order to process, issue, monitor, regulate and investigate the various licenses issued by the Office of the City Clerk, Policy, Gaming & Licensing Division. The name and business address of the licensee is public information. Any other personal information collected will only be used for investigative purposes. Questions regarding this collection can be made to the Supervisor of Licensing, 350 City Hall Square W. Room 203, Windsor, ON N9A 6S1, 519-255-6200.

10/18/2013

DATE (MM/DD/YYYY)

Mary H Ferrar

SIGNATURE OF APPLICANT & TITLE



BUSINESS OWNERSHIP DECLARATION

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

I, _____, of the Municipality of _____, Province of Ontario,
 (Your Name) (Where You Reside)
 being the _____ of _____ herein after referred to as the
 (Title) (Corporation Name and/or Number)
 "Corporation", in the matter of Licensing Application for _____ hereby declare:
 (Licence Type)
 That the Corporation shall carry on business as _____ at
 (Trade Name)
 _____ during the currency of the licence, if granted.
 (Business Address)
 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.

RECEIVED
 OCT 18 2013
 POLICY GAMING LICENSING

 Signature Print Name Date (MM/DD/YYYY)

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

I, MARY K. FERRAR, of the Municipality of Windsor, Province of Ontario,
 (Your Name) (Where You Reside)
 being the Owner of Fantasy Playhouse Massage + herein after referred to as the "Business", in the matter
 (Business Name)
 of Licensing Application for Body Rub Parlour hereby declare:
 (Licence Type)
 That the Business shall carry on/operate as FANTASY PLAYHOUSE MASSAGE + at
 (Trade Name)
555 Pelissier St. during the currency of the licence, if granted.
 (Business Address)

I hereby declare that all information included in this form is complete and accurate.
Mary K. Ferrar MARY K FERRAR 10/18/1980
 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)



555 PELISSIER ST (lee) [BRP]

Folder | Property (1) | People (5) | Info (6) | Fee/Charge (4) | Process (8) | Document (7) | Comment (2) | Attachment (1)

Folder #	Ref	Folder 13 198157 000 00 BRP	Process	1045 Body Rub Parlour Inspection - Bldg.
2011 120176 000 00 LE		Property 555 PELISSIER ST		Inspection#
2013 202320 000 00 LE				

Status	Objection	Start Date	End Date
User	Don Shuttleworth	Schedule	Dec 31, 2013
Sign Off		Actual	Nov 13, 2013
Discipline	Inspection	BaseLine	

Print Flag Mandatory Assign To-Do Scheduled

Display Order File Location ProcessRSN 2433379 Priority

COMMENTS

Attempt (5) Check

Date	Checked
Dec 03, 2013	Don
Dec 05, 2013	Don
Dec 05, 2013	Don
Dec 05, 2013	Don
Dec 7, 2013	Don

< Back

A: Text Field Editor (Maximum 4000 characters)

No response for operator of business to card left with receptionist At the time of inspection on Dec 3, 2013, there were locks sets on the room doors in contravention of section 6(b) and the body rub parlour area exceeds the allowable 15% of the gross floor area of the building in contravention of section 6(m)(iii) of By-Law 131-2011.

Spell Check | Rulers

List View | Related View

Start Today	End on Start	Repeat	File Location	Reschedule	Re-Default	< Back	Forward >
End Today	End on Due	Assign	Sign Off	Clock Activity	Review Email	8 Rows Returned	



THE CORPORATION OF THE CITY OF WINDSOR

VALERIE CRITCHLEY
LICENCE COMMISSIONEROFFICE OF THE CITY CLERK
POLICY, GAMING & LICENSING

December 17, 2013

Mary K. Ferrar
Fantasy Playhouse Massage+
1671 Howard Avenue
Windsor, ON N8W 1E7

Dear Ms. Ferrar:

RE: Body Rub Parlour (Owner) Licence – 555 Pelissier Street

Further to your application for a Body Rub Parlour (Owner) Licence for the above property, we have received a report from the Building Department indicating an approval was not granted following your inspection of December 5, 2013. For further information or to schedule a re-inspection, please contact the Building Department at (519) 255-6267 option #1.

I therefore request that an approval be gained from the Building & Development Department by no later than **January 6, 2014**.

Failure to do so will result in your application being forwarded to the Windsor Licensing Commission, where a recommendation will be made to refuse to issue your licence.

I submit the above for your immediate attention.

Yours Truly,

Michael Chantler
Deputy Licence Commissioner
(519) 255-6100 ext. 6869

MC/jt

ITEM NO. 7(d)

WINDSOR LICENSING COMMISSION

January 23, 2014

APPLICANT/LICENSEE:

Jillian Cassandra Rynyk
1584 Ellrose
Windsor, ON
N8Y 3X5

LICENCE CATEGORY:

Dangerous Dog Designations
"Shadow and Maxine"

LiveLink#11822

HEARING PARTICULARS:

Appeal of Dangerous Dog Designations

APPENDED MATERIALS

- Copy of Dangerous Dog Notice "Shadow", being Appendix "A"
- Copy of Dangerous Dog Notice "Maxine", being Appendix "B"

LICENCE COMMISSIONER'S COMMENTS

Dangerous Dog designation appeals were submitted to the Licensing Division on Oct 10, 2013 by Jillian Cassandra Rynyk of 1584 Ellrose., Windsor, guardian of 2, approx 10 month old German Shepherd and German Shepherd/Rotti mix dogs called, "Shadow and Maxine".

REGULATORY AUTHORITY

Dangerous Dog and Mitigating Factors are 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:

"Dangerous Dog":

"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; means a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal; or means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its guardian in violation of the requirements for such dog"

"Mitigating Factors":

" means a circumstance which excuses aggressive behaviour of a dog and without limiting the generality of the foregoing, may include circumstances where:

"the dog was, at the time of the aggressive behaviour, acting in defence to an attack from a person or domestic animal;

the dog was, at the time of the aggressive behaviour, acting in defence of its young or reacting to

a person or domestic animal trespassing on the property of its guardian; or the dog was, at the time of the aggressive behaviour, being teased, provoked or tormented”

BY-LAW NO. 245-2004 - 6 -

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

- A Humane Society Officer attended the address of 1584 Ellrose on October 8, 2013 and made contact with Ken Adam Soney the owner of Smudges, the cat that was apparently attacked. He claimed that he was in his home and had heard a lot of noises outside and came out to see what was the cause. He found his cat on the porch with the two dogs standing over it. He took the cat to the veterinarian immediately. Police photo showed that there was what appeared to be blood where the incident took place.
- A Humane Society Officer attended Jillian Cassandra Rynyk's home to ask what happened with her dogs. She admitted her dogs got loose and her dogs ran across the street. She stated at the time that the dogs possibly gave the cat a heart attack. She claimed the dogs were possibly doing the cat a favour because the cat perhaps wanted to die since it was very old. After the incident she retrieved her dogs Shadow and Maxine and brought them back inside.

- A Humane Society Officer spoke to Jillian a second time on the phone. She wanted to know what was going to happen with her case. She wanted the case to go away. The Humane Society Officer informed her that her dogs were going to be deemed dangerous, but that it was her right to appeal the designation. She then explained that her dogs did not do anything wrong. She believed then that a skunk killed the cat and that her dogs Shadow and Maxine were just eating the deceased cat.

SUMMARY

The Windsor/Essex County Humane Society investigation led to the conclusion that Shadow and Maxine killed Smudges without mitigating factors. We are recommending that the designations of dangerous dog remain in place.

RECOMMENDATION:

That a DANGEROUS DOG designation BE PLACED on the German Shepherd and German Shepherd/Rotti mix dogs known as Shadow and Maxine, which currently reside with guardian Jillian Cassandra Rynyk, 1584 Ellrose, 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. 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
3. To insert a microchip implantation in such dog, at the Guardian's expense, for the purpose of identifying such dog as a dangerous dog.
4. Given that the incident occurred while the dogs were off leash and not under the owner's control, and that it would most likely not have happened if they were on leash, we recommend that the usual muzzling requirements be lifted in this case.

DISPOSITION:



THE CORPORATION OF THE CITY OF WINDSOR

DANGEROUS DOG NOTICE CORPORATION OF THE CITY OF WINDSOR WINDSOR LICENSING COMMISSION

Appendix "A"

IN THE MATTER OF THE DESIGNATION OF DANGEROUS DOG.

I Aimee Trotter upon reasonable belief, and in the absence of mitigating factors; serve
ANIMAL CONTROL OFFICER

a DANGEROUS DOG NOTICE to Jillian Cassandra Rynyk, the GUARDIAN of
GUARDIAN (full name)

Shadow, which has been deemed DANGEROUS DOG, as defined under City of
NAME OF DOG

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

Further that,

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

Aimee Trotter
SIGNATURE OF ANIMAL CONTROL OFFICER

[Signature]
SIGNATURE OF GUARDIAN

"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 minor means the parent, guardian or person having custody of the minor.

RECEIVED

OCT 15 2013

POLICY GAMING & LICENSING

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 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.	4. 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 dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it.
2. Conspicuously display on his or her property a sign provided by the city warning that there is a dangerous dog on the property.	5. Insert a microchip implantation in such dog, at the Guardian's expense, for the purpose of identifying such dog as a dangerous dog.
3. To securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17(a).	6. To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer

Assessment for: Dangerous Dog								
Date of Assessment: <u>Tues. Oct 8, 2013</u>						Time: <u>11:00 am</u>		
Guardian's Name: <u>Jillian Rynyk</u>				Dog's Name: <u>Shadow</u>				
Address: <u>1584 Ellrose</u>						Telephone: <u>519 915 7585</u>		
Description of Dog: <u>70 lbs brn/gold</u>				Breed of Dog: <u>German Shepherd</u>				
Rabies Tag No.:		City of Windsor Tag No.:		Microchip No.:				
Complaints:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Surrendered:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Police Report:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Bite of Attack:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Seized:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Report No.:		
At Large:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Quarantined:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Witness:	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Animal Control Officer's Comments: The dog escaped from the backyard and ran across the street and mauled the neighbors cat. As a result of being mauled, the cat had died.

Appeal Dangerous Dog Notice	
In accordance with By-Law 245-2004 Section 18(c), 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 request to the Licence Commissioner of the City of Windsor to have a hearing before Appeal Committee.	
Guardian: _____	Address: _____
Date Submitted: _____	Received by: _____

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



THE CORPORATION OF THE CITY OF WINDSOR

Appendix "B"

DANGEROUS DOG NOTICE
CORPORATION OF THE CITY OF WINDSOR
WINDSOR LICENSING COMMISSION

IN THE MATTER OF THE DESIGNATION OF DANGEROUS DOG.

I Amee Trotter upon reasonable belief, and in the absence of mitigating factors, serve
ANIMAL CONTROL OFFICER

a DANGEROUS DOG NOTICE to Jillian Cassandra Rynyk, the GUARDIAN of
GUARDIAN (full name)

Maxine, which has been deemed DANGEROUS DOG, as defined under City of
NAME OF DOG

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

Further that,

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

Amee Trotter
SIGNATURE OF ANIMAL CONTROL OFFICER

[Signature]
SIGNATURE OF GUARDIAN

"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 minor means the parent, guardian or person having custody of the minor.

Table with 2 columns and 3 rows detailing requirements for Dangerous Dog compliance, including confinement, insurance, signage, microchipping, and muzzling.

Assessment for Dangerous Dog form containing fields for Date of Assessment, Guardian's Name, Dog's Name, Address, Telephone, Description of Dog, Breed of Dog, Rabies Tag No., City of Windsor Tag No., Microchip No., Complaints, Bite of Attack, At Large, and Animal Control Officer's Comments.

Appeal Dangerous Dog Notice form with text explaining the appeal process and fields for Guardian, Address, Date Submitted, and Received by.

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

(see over)

**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"

Livelihood: Report #	Report Date: January 7, 2013
Author's Name: Michael Chantler Supervisor of Licensing and Deputy Licence Commissioner	Date to Commission: January 23, 2014
Author's Phone: 519 255-6100, Ext. 6869	Classification #:
Author's E-mail: mchantler@city.windsor.on.ca	

To: Windsor Licensing Commission

Subject: Expired Application(s) for Business Licence

1. **RECOMMENDATION:** City Wide: Ward(s): _____

To the Commission for information.

EXECUTIVE SUMMARY:

2. **BACKGROUND:**

Various business licence application(s) 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(s) for a business licence was submitted by the following:

<u>APPLICANT</u>	<u>LOCATION</u>	<u>LICENCE CATEGORY</u>	<u>DATE OF APPLICATION</u>
On The Side Pizzeria	20 Chatham St. E., Unit 4	Hospitality Food Service	March 22, 2013
Sin Nightclub	459 Ouellette Ave.	Entertainment Lounge	February 19, 2013
Burrito Backhouse	333 Riverside Dr. W., Unit 101	Hospitality Food Service	April 11, 2013
Alex Mini Mart	1405 Ouellette Ave.	Hospitality Food Service	March 18, 2013
Zaatar & Zeit	1129 Wyandotte St. E.	Hospitality Food Service	February 28, 2013
High Society Tattoo Parlour	1321 Ottawa St.	Body Modification	May 6, 2013
The Pastry Table	1459 Tecumseh Rd. E.	Hospitality Food Service	March 21, 2013
The Mansion	1271 Riverside Dr. E.	Adult Entertainment; Hospitality Food Service	February 28, 2013
Corner Store	1500 Parent Ave.	Hospitality Food Service	February 28, 2013
Donna Mae's Diner	213 Eugenie Street East	Hospitality Food Service	February 27, 2013
Honest Lawyer	300 Ouellette Avenue	Hospitality Food Service	February 26, 2013
Time Grill	1521 Riverside Drive West	Entertainment Lounge	March 28, 2013
East African and Asian Restaurant	1806 Wyandotte Street West	Hospitality Food Service	February 27, 2013
Sangria Latin Lounge	485 Pelissier	Entertainment Lounge	February 26, 2013
Thang Long Restaurant	904 Wyandotte Street West	Hospitality Food Service	February 28, 2013
G & M Bar and Grill	2085 University Avenue West	Hospitality Food Service	April 15, 2013
Bar Domani	881 Erie Street East	Hospitality Food Service	February 28, 2013
Italian Sandwich Shop	188 Erie Street East	Hospitality Food Service	May 23, 2013
Vanity Nightclub	459 Ouellette Avenue	Entertainment Lounge	Sept. 13, 2013

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

A letter has been sent to the above applicant(s) advising that their application has expired and is no longer valid.

4. **FINANCIAL MATTERS:**
5. **COMMUNITY STRATEGIC PLAN:**
6. **CONSULTATIONS:**
7. **CONCLUSION:**

The application(s) listed above shall be deemed to have expired.

Michael Chantler
Supervisor of Licensing and Deputy Licence
Commissioner

APPENDICES:

DEPARTMENTS/OTHERS CONSULTED:

Name:

Phone #: 519

Ext.

NOTIFICATION :

Name	Address	Email Address	Telephone	FAX