



06-09 Animal Control

Status: Amended

Issued: 2020.01.03

Replaces: 2016.12.16

Rationale

This Procedure governs police response to

- incidents involving rabid animals
- complaints of animal bites
- commencing proceedings under the *Dog Owners' Liability Act*
- control of animals at large.

Caution must be used when handling dead or injured animals, or those suspected of having rabies. Rabies can be contracted through any form of physical contact with a rabid animal and is not restricted to bites or scratches.

Procedure

When investigating a complaint of cruelty to animals, the investigating police officer shall contact the investigations department of the Ontario Society for the Prevention of Cruelty to Animals (OSPCA).

Police Officer

1. Upon receiving a complaint of a dog at large shall
 - interview the complainant
 - caution the owner relative to Municipal Code, Chapter 349
 - ➔ *For continuous complaints, or where deemed necessary, the police officer may charge the dog owner under Municipal Code, Chapter 349, rather than give a caution.*
 - if the owner cannot be located, arrange for an animal control officer – Municipal Licensing Standards – Toronto Animal Services (animal control officer) to remove the dog
2. Upon locating cattle, horses or other similar animals at large shall
 - attempt to contain the movement of the animals
 - refrain from chasing the animals
 - request additional police officers, if required
 - ensure the area is kept clear of vehicular traffic
 - request the attendance of the animal owner and/or an animal control officer
 - destroy the animal, if necessary for public safety and in compliance with Procedure 15–03

3. Upon locating an animal suspected of being rabid shall
 - keep all persons away from the animal
 - destroy the animal if it poses an immediate threat to persons and/or other animals
 - advise the communications operator to request the attendance of an animal control officer
 - confine the animal, if possible, until the arrival of an animal control officer
 - complete the applicable eReport
 - forward a copy of the eReport by TPS eFax to Toronto Public Health prior to the end of the current tour of duty

4. If destroying a suspected rabid animal shall
 - comply with Procedure 15–03

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 - request the carcass be removed by an animal control officer
 - remain with the carcass until it is removed
 - complete the applicable eReport
 - forward a copy of the eReport by TPS eFax to Toronto Public Health prior to the end of the current tour of duty

5. Upon receiving a complaint of an animal to human exposure shall
 - interview the victim
 - ensure the victim is offered medical assistance
 - attempt to locate the animal and identify its owner
 - ensure the owner confines the animal until contacted by a Public Health Inspector – Toronto Public Health for further direction
 - if the owner cannot be located or the animal remains at large, ensure an animal control officer takes custody of the animal
 - commence court proceedings against the owner, when appropriate
 - complete the applicable eReport and a TPS 301
 - forward a copy of the eReport and TPS 301 by TPS eFax to Toronto Public Health prior to the end of the current tour of duty

➔ *Animal-to-human exposure refers to a bite, scratch, or other form of physical contact where rabies may be contracted.*

6. When commencing proceedings under the *Dog Owners' Liability Act* shall
 - comply with item 5
 - advise the owner that they will receive a notice of hearing to appear in court

➔ *The court may decide an owner is liable for damages resulting from the dog biting or attacking a person. In addition, the court may order the dog be destroyed or require the owner to take specific steps which will provide more effective control of the dog.*

 - complete a Form 142
 - swear to the Form 142 before a Justice of the Peace
 - ensure the Form 142 is filed with the Court Clerk's Office
 - complete a Form 104 as a summons application, and comply with Procedure 06–01

Supplementary Information

Governing Authorities

Provincial: Dog Owners' Liability Act; Health Protection and Promotion Act, O.Reg. 557, Communicable Diseases – General; Provincial Offences Act.

Municipal: Toronto Municipal Code, Chapter 349, Animals.

Associated Governance

TPS Procedures: 06–01 Commencing POA Proceedings; 15–03 Service Firearms.

Forms: eReports; Form 104 Summons to a Defendant; Form 142 Statement Under Section 161 of the Provincial Offences Act; TPS 200 Incident Report; TPS 301 Rabies Control – Animal Exposure Report.

→ *The TPS 301 is available as a text template.*

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