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Notice to Muzzle Dog

Pursuant to City of London By-Law PH 4

To: Mary Woloshko
 Address: #707-30 Base Line Road West London, Ont., Postal Code: N6J 1V3

Being the owner of a dog described as:

Breed:	<u>Lhasa Apso</u>	Sex:	<u>Male Neutered</u>
Colour:	<u>Grey</u>	Size:	<u>Small 22 Lbs.</u>
Name:	<u>Lucky</u>	Approximate Age:	<u>4 1/2 years</u>
London Dog License #:	<u>9D-013779</u>	Microchip #:	<u></u>
Rabies Vaccination Date:	<u>11-Aug-08</u>	Veterinary Clinic:	<u>Staples Animal Hospital</u>

The undersigned Animal Control Officer is satisfied on the balance of probabilities that:

On the date: 10-Jul-09
 The above dog was identified as having bitten: A Person (Adult)

Take notice that pursuant to City of London By-Law PH 4 you are hereby ordered to muzzle the dog identified above. Hereafter the dog shall be muzzled and leashed at all times when it is in any place other than the premises of the owner.

Additional Muzzle Order requirements/responsibilities under City of London By-Law PH 4

The owner shall:

1. Notify the License Agent* immediately upon change of ownership of this dog.
2. Notify the License Agent* immediately upon change of residence of this dog.
3. Keep this dog leashed at all times under the control of some person when the dog is in any place other than the premises of the owner, including designated off-leash parks which the City may from time to time establish.
4. Have this dog implanted with a microchip within thirty (30) days of the issuance of this Notice to Muzzle Dog.
5. Provide the License Agent* with written proof of microchip implantation within thirty (30) days of the issuance of this Notice to Muzzle Dog.

Hand delivered to: dog owner, or an apparent adult living at this address

Issued in the municipality of London, Ontario, this, 15 day of July, 2009

Served by, and on behalf of the London Animal Care Centre, agent for the City of London:

Chris Lewis 24-38
 (Print: Name / Officer #)

[Signature]
 (Signature)

Received by:

(Print: Name)

(Signature)

* London Animal Care Centre, 121 Pine Valley Blvd., London, Ont., N6K 3T6, P. (519) 685-1330, F. (519) 685-1640

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COMMITTEE OF APPEALS

Appeal – “Dog Muzzle Order”

Appellant :(dog owner): Mary Woloshko 707-30 Base Line Rd W., London ON N6J 1V3

- Bite Occurrence:** - late afternoon, early evening hours of July 10, 2009 inside unit 30 at 707 Base Line Rd W. - residence of the biter dog owner
- Victim:** - an adult male
- bite reported July 15, 2009
- statements taken from this party on July 15, 2009
- Bite Description:** - a single deep puncture wound at the base of the thumbnail
- wound to neck - healed and not visible at time of investigation
- treated at walk-in Clinic where wound was cleaned and oral antibiotics prescribed.
- Dog owner:** - Mary Woloshko - 707-30 Base Line Rd. W - London
- statement taken from this party on July 15, 2009
- Biter dog:** - a small, 4 ½ year old male neutered, grey Lhasa Apso named ‘Lucky’

Incident Details:

Details of the biting incident are based on information collected impartially during investigation with both parties. This section provides an account of findings as recorded by the investigating Officer while in direct conversation with both the victim and owner of the biter dog.

- Victim Statement:** - invited into home of biter dog owner
- owner of biter dog requested assistance to administer ear drop medication to dog
- female friend of dog owner suggested they secure the dog by wrapping it in a blanket
- as biter dog owner and friend were securing the dog, dog bit neck and then thumb
- both dog owner and friend exited living room area and proceeded to obtain first aid supplies from bathroom area
- attempted to stop bleeding from thumb area - after 15 minutes returned to own unit for additional medical supplies
- attended walk-in clinic and reported bite 5 days later when infection worsened.
- Owner Statement:** - prior to bite, victim grabbed dog in an attempt to administer ear drops to biter dog
- ordered victim to ‘let the dog go’
- exited area and entered bedroom area with female friend
- alerted to sound of dog running out of bathroom area, followed by victim
- victim advised that he would not ‘let the dog beat him’
- victim did not advise that he had been bitten but did indicate that he was ‘okay’ and that wound was just a scratch
- collected first aid supplies for victim and then kicked victim out of unit
- Additional Information:** - Ms. Woloshko’s dog was involved in a previous bite which occurred on May 25, 2009
- in this incident the dog bit the hand of a woman while she was petting the dog
- a Notice of Caution was issued for this biting incident on May 25, 2009 due to Mitigating factors.

Animal Control after investigation, issued a Muzzle Order to **Mary Woloshko** in accordance with City of London by-law PH-4

URGENT request A

July 15, 2009

I of III

Occurance #: 09-80566

Attention: Appeals Tribunal

To Whom it may concern:

This afternoon I was issued a muzzle order for my little dog lucky. And I did obey the by-law and immediately purchased a muzzle before taking lucky out. The Animal Control Officer "Chris" told me I could appeal this order. And I am very grateful for this opportunity.

Aproximately a month ago, Dr. Staples (my vet), diagnosed lucky with an ear infection. And I have been putting ear drops into his ears. He doesn't understand why I am cleaning and touching his sore ears, as they are hurting him.

On Friday, July 10, 2009, my [redacted] was at my apartment. She was doing some sewing alteration for me. During this time, [redacted] knocked at my door. My friend Liz and I were talking about lucky's ear infection, when [redacted] came in. [redacted] asked if I was able to get the drops into lucky's ears. I said yes, but his ears are very sore and I take my time, as not to hurt him any further. [redacted] abruptly said "I'll show you how to do it!" I said NO, do not touch him, please. He is in pain and very fearful of anyone touching his ears. [redacted] ignored me and grabbed lucky and was yanking

URGENT request

II of III

at me to get the damn drops. I said you are choking him and please put him down. Finally, put lucky down. lucky was coughing and trying to hide. finally sat on the couch and smoked a cigarette.

returned to sewing and I went into the bedroom to change into the next item to be pinned for alterations. When I returned to the livingroom, I asked - where did go? said I don't know, as she was busy doing the alteration to my slacks. Then I asked where lucky was and why was my bathroom door shut? Suddenly, lucky was squealing and I opened my bathroom door. I said "Hey, what the hell are you doing?" said "I will not be beaten by a dog!" lucky ran into the bedroom and hid under my bed. Then said, "I do not give in!"

I said "I asked you to leave the dog alone!" What did you do to him?" said "Nothing." Then he abruptly left. I had asked him if he was okay also.

The next day he came to my door again and told me he was going to put the drops in lucky's ears. I said No, please leave us alone. pushed by me and went right into my bedroom looking for lucky. I told him to get out of my bedroom and to leave. got angry and said "Are you kidding me?" I told him to leave and stay away from us.

URGENT request III of III

When Chris from A.C.C. called me today - 5 days later to say [redacted] had reported lucky biting him, I was shocked! He did not say anything about lucky biting him to me on either July 10/09 or July 11/09.

I do not like [redacted] to be around lucky. In the past when I was ill, he had walked him for me. Various neighbours told me I shouldn't let [redacted] walk lucky, as he was being abusive by picking lucky up off his feet by the leash.

If lucky bit [redacted], I am responsible and I am respecting the muzzle order. However, lucky is not cross, nor a biter. Also, lucky has an ear infection. Please, consider lifting the muzzle order. Thank you for reviewing my letter. Any questions, please call me.

Mary Woloshka
~~Mary Woloshka~~

P.S. Chris from A.C.C. issued the muzzle order to me in the afternoon of Wednesday, July 15/09. He had NOT even done the investigation prior. The muzzle order was issued at approx. 1:15pm. He told myself (& friend [redacted] "was present") that he had an 8pm apt. with Paul later that day. Occurance # 09-80566