

REPORT TO: Council Meeting

DATE OF MEETING: June 23, 2025

SUBMITTED BY: Dianna Saunderson, Manager, Council & Committee Services

PREPARED BY: Mariah Blake, Committee Coordinator, 519-741-2200 ext. 7277

WARD(S) INVOLVED: All

DATE OF REPORT: June 13, 2025

REPORT NO.: COR-2025-296

SUBJECT: Prohibited Dog Designation Appeal – N. Edwards

RECOMMENDATION:

That the decision of the Dog Designation Appeal Committee to designate “Monster” and “Mulisha” as _____ as referred to Council from the Dog Designation Appeal Committee Appeal meeting held earlier this date, regarding an appeal filed by N. Edwards for the two dogs, be ratified and confirmed, as outlined on Corporate Services Department report COR-2025-296.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council consider the decision of the Dog Designation Appeal Committee at the Hearing held earlier this date.
- The Dog Designation Appeal Committee met initially on June 9, 2025 and adjourned that hearing to the morning of June 23, 2025 to allow the appellant an opportunity to provide additional evidence, including but not limited to: evidence, related to letters of support, photographs, and proof of dog training enrolment that was not available on June 9, 2025.
- The Dog Designation Appeal Committee met to consider an appeal filed by N. Edwards for the dogs, “Monster,” and “Mulisha,” who are currently in the custody of the Humane Society of Kitchener Waterloo (HSKW).
- The HSKW believes that, given the severity and frequency of the incidents, it is not in the public’s best interest for the dogs to be returned to the community and recommended that the dogs be designated as Prohibited.
- The Appellant has testified that the dogs should be returned to their care, disputing the allegations that the dogs possess aggressive tendencies and noted that they are taking steps toward rehabilitate the dogs including but not limited to, behavioural training.
- This report supports the delivery of core services.

BACKGROUND:

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

On April 22, 2025, the Humane Society of Kitchener-Waterloo and Stratford Perth designated the dogs, “Monster” and “Mulisha,” owned by N. Edwards, as Prohibited Dogs. The designations were issued following multiple incidents, including two confirmed dog bites to individuals and a dog-bite-dog attack, which were in contravention of Chapter 420 (Dog Designations) of the City of Kitchener Municipal Code. It was noted that the Dangerous Dog Designations for “Monster” and “Mulisha” were also issued on April 22, 2025, due to challenges in locating the owner and a transition of the case between Officer Sarah Canavan and Officer Sara Schweitzer, HSKW.

On April 24, 2025, Legislated Services received correspondence from N. Edwards appealing the Prohibited Dog Designations for “Monster,” and “Mulisha,”; and a Notice of Hearing was issued to both the Respondent and the Appellant, advising that a hearing of the Dog Designation Appeal Committee would be held on June 9, 2025, to consider the matter. During the hearing, the Humane Society submitted evidence that the dogs pose an ongoing risk to public safety and recommended that the Prohibited Dog Designations be affirmed, and that the dogs remain in the custody of the Humane Society until the decision has been ratified by Council. The Appellant disputed the allegations that the dogs possess aggressive tendencies and submitted that the dogs should be returned to their care, citing efforts to pursue behavioural training in support of the dogs’ rehabilitation. The Committee heard evidence on June 9, 2025, and agreed to adjourn the Dog Designation Appeal Committee meeting to June 23, 2025 at 9:30 a.m. to allow the Appellant additional time to provide evidence.

REPORT:

The Dog Designation Appeal Committee, established by the Council of the Corporation of the City of Kitchener pursuant to Chapter 420 (Dog Designations) of the City of Kitchener Municipal Code and the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22, convened on June 9, 2025, and on June 23, 2025, to consider an appeal filed by N. Edwards regarding the Prohibited Dog Designations assigned to the dogs, “Monster” and “Mulisha,” currently in the custody of the Humane Society of Kitchener Waterloo (HSKW).

The Committee considered the following based on the evidence provided at the June 9, 2025 sitting:

- testimony and evidence presented on behalf of the Respondent by Officer S. Schweitzer, HSKW, including multiple witness statements, video surveillance, photographs, electronic case notes, and Public Health documentation relating to confirmed incidents involving both dogs, including two separate dog bite incidents to individuals and a dog-on-dog attack;
- testimony from the Appellant, N. Edwards, disputing the allegations and asserting that the dogs do not possess aggressive tendencies, as well as a petition provided by the appellant and signed by local community members in support of rescinding the prohibited dog designation.

The Dog Designation Appeal Committee convened on June 9, 2025, to consider an appeal filed by N. Edwards regarding the Prohibited Dog Designations issued for their two dogs, “Monster” and “Mulisha.” At the request of the Appellant, the Committee granted an adjournment to allow additional time for the submission of evidence, including letters of support, photographs, and proof of behavioural training enrolment. The hearing is scheduled to reconvene at 9:30 a.m. on June 23, 2025, to receive and consider the additional materials and testimony.

During the June 9, 2025 hearing, the Respondent, represented by Officer S. Schweitzer of the Humane Society of Kitchener Waterloo and Stratford Perth (HSKW) and legal counsel E. Kearney, Associate City Solicitor, submitted that the dogs pose an ongoing risk to public safety due to their involvement in multiple confirmed incidents, including two separate dog bite incidents involving individuals and a dog-on-dog attack. HSKW maintains that the severity and frequency of the incidents warrant the Prohibited Dog Designations and has requested that the dogs remain in their custody. The Respondent is recommending that the Committee uphold the Prohibited Designations in full.

The Appellant, Nikole Edwards, is seeking the return of the dogs to their care and disputes the allegations of aggressive behaviour. N. Edwards has stated the intention to pursue behavioural training and presented supporting materials to demonstrate the dogs temperaments.

Following completion of the hearing, once the Committee has heard all of the evidence, they will review and consider the provisions of Chapter 420 (Dog Designations) of the City of Kitchener Municipal Code and will render their decision verbally within the meeting related to the designation. The decision will be provided in writing to the respondent in writing at the earliest opportunity following the completion of the meeting.

Due to the dogs currently be in custody of the HSKW, and the nature of the designation, Council is being requested to expedite the matter and consider the recommendation of the Dog Designation Appeal Committee at the Council meeting later the same date as the Appeal hearing. When this matter is considered on the agenda, a member of the Committee will be required to share the recommendation of the Committee with Council to substitute the designation in the motion, as outlined in the staff recommendation, confirming the Committee's position. The Clerk will also ensure the recommendation is available for display during the Council meeting.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT:

All those in attendance at the June 9, 2025 Hearing were advised of the Committee's decision and that it would be considered at the June 23, 2024 Council meeting as required in the By-law. In addition, a Notice of Decision was sent to the Appellant and the Respondents via email and registered mail on June 12, 2025; thereby, further notifying both parties of when the Committee's decision would be considered by Council and the process for registering as a delegation.

All those in attendance at the June 9, 2025 Hearing, were advised of the Committee's decision and that the matter will be considered at the June 23, 2025 Dog Designation Appeal Committee Hearing, and later the same date at the Council Meeting, as required in the By-law. In addition,

a Notice of Hearing for the adjourned hearing was provided to the appellant and the respondents via email and registered mail on June 10, 2025; thereby, notifying both parties the process for registering as a delegation, and that the Committee may proceed in their absence to render any decision within its jurisdiction, and that each party will not be entitled to any further notice in these proceedings.

PREVIOUS REPORTS/AUTHORITIES:

There are no previous reports/authorities related to this matter.

APPROVED BY: Victoria Raab, General Manager, Corporate Services