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Milton resident questions effectiveness of Town's muzzling law

Milton resident says,
"At the end of every leash is a voter"

BY JENNIFER ENRIGHT

Carolyn Caldwell of Milton has some serious reservations about the Town's new rules regarding the muzzling of pit bulls, and she hopes to be able to make her concerns known to Town Council at its next meeting on November 22.

Ms. Caldwell believes the muzzling law in Milton is misguided, difficult to enforce and that it doesn't properly address the problem of how to create a safer environment for pet owners, pets, and members of the general public. She also believes there hasn't been enough public debate about the subject of muzzling. As she states in a letter sent to the Town, a "locally crafted arbitrary requirement to muzzle certain breeds fails to hold the irresponsible dog owners or breeders of all types of dogs to account."

But Milton Councillor John Challinor, who represents Ward 4, says the Town wanted to create a balance between addressing the needs of pet owners and protecting the public from aggressive dogs. He noted that the Town was concerned about the potential severity of pit bull attacks. "This is not a matter that the Town takes lightly."

As it stands now, owners of pit bulls as defined in the bylaw will need to ensure that their dogs are muzzled when off their owners' property. The muzzling portion of the bylaw also requires interim muzzle orders for dogs that have bitten or attacked a domestic animal or person. And these orders remain in effect until they are upheld or withdrawn in court.

In late October, the Town passed an amendment to its animal control bylaw that stipulates any pit bull is a "dog of any age identifiable by the Oakville Humane Society" as a Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, and American Staffordshire Terrier or any mixture of these breeds.

According to the amended bylaw, a muzzle is defined as a "humane fastening or covering device of adequate strength which covers the mouth to prevent a dog from biting."

Ms. Caldwell says she recognizes the intention of the bylaw is to protect residents. But to accomplish this goal, she feels the Town should be focussing its attention on dog owners themselves, not on the muzzling of their pets, an opinion shared by Milton Ward 3 Councillor Jan Mowbray. Ms. Caldwell says that people "can't keep blaming the dogs. You have to blame the owners. There has to be some responsibility on the part of the owner."

Both Ms. Caldwell and Ms. Mowbray suggest it's difficult to create an effective bylaw when the term pit bull is hard to define. As Ms. Caldwell stressed, the pit bull is "made up of tons of breeds."

The subject of how to define a pit bull is raising a lot of questions these days in other jurisdictions as well. Recently, the Ontario government announced plans to consider banning pit bulls in the province, and as a result of this decision opposition parties in the legislature have questioned how enforceable the ban will be. Some members believe the term pit bull will be difficult to define in a court of law.

Under the province's proposed legislation, the list of pit bulls also includes, as it does in Milton's bylaw, the Staffordshire Bull Terrier, the American Staffordshire Terrier, the American Pit Bull Terrier, and the Pit Bull Terrier. In addition, the province's legislation includes dogs "that have an appearance and physical characteristics that are substantially similar to the four types of dogs that have been identified."

Writing about the province's proposed pit bull ban in the Hamilton Spectator, Dr. Lisa Driben, a veterinarian at Glanbrook Veterinary Services, has questioned the effectiveness of rules that deem certain breeds as pit bulls. She also referred to the lack of available Canadian information on vicious dogs. According to the Canada Safety Council's website, Canada has "no national data on canine population, dog-related deaths and injuries, or which breeds cause the most harm."

The degree of aggressiveness in dogs is a point that can be debated, according to Ms. Mowbray. Ms. Mowbray stressed that what's considered an aggressive dog is subject to change. She explained that German Shepherds used to be thought of as aggressive years ago, but nowadays they are not categorized that way. As well, she noted that dogs that bite are not limited to a particular breed, although specific breeds and mixed breeds are mentioned in Milton's bylaw. She referred to one study that placed Golden Retrievers fourth on a list of top biters. "Should we muzzle them (Golden Retrievers) too?"

Ms. Mowbray believes the Town should have considered rules regarding pit bulls only after a decision is reached by the province. "The Town of Oakville decided to wait to see what the province is going to do." However, Mr. Challinor says muzzling rules are by no means new in the province, and they are being used in other areas. He explained that several municipalities already have muzzling bylaws in place.

How the muzzling bylaw will be enforced is a difficult question for Ms. Caldwell. Looking specifically at the wording of the bylaw, she wonders what is

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