

# Niagara SPCA & Humane Society

## Occurrence Report

~~#Name?~~  
17765

Printed by: Welland & District SPCA  
Printed on: December 10, 2020 5:57 pm

Branch/Municipality: Pelham

Date Received: Dec 08, 2020

Time Received: 1:53 pm

Initialed by: Turmel, Nina

Informant:	[REDACTED]	Phone (Work):	#Name?	Phone (Home):	[REDACTED]
Street:	[REDACTED]	City: Welland, ON		Postal Code:	
Owner:	Irwin, Paul/Jennifer	Phone (Work):	#Name?	Phone (Home):	[REDACTED]
Street:	1191 Maple St Fenwick	City: Pelham, ON		Postal Code:	

NO CEIS PRIORS FOUND

EXPIRED DOCUPET licensing info found for "NEO" a male, unsterilized, golden doodle registered under: Paul Irwin.

ACO KOLL called CP and asked for witness statement to be sent to ACO's KOLL email.

ACO KOLL attended address on December 10, 2020. ACO spoke to Jennifer Irwin who was very upset and angry with ACO's presence.

ACO had trouble speaking/informing Jennifer because Jennifer would angrily interject.

ACO explained that her dog- "Oakley" a 2 yr old, white, curly haired medium/large sized dog, neutered female ran at large on December 7, 2020 and attacked another dog.

Jennifer became upset- saying that the CP's witness statement being used as evidence is a conflict of interest.

ACO tried to issue muzzle order and Jennifer shut door on ACO's face.

ACO returned to truck.

Jennifer came out to truck and held her hand out, waiting for something.

ACO asked Jennifer if she needed anything and Jennifer demanded the documents ACO was going to issue moments before.

ACO informed Jennifer that she was writing out the documents and Jennifer stated that she'd wait inside.

ACO returned to Jennifer's door with "OAKLEY'S" muzzle order and a by-law violation notice- informing Jennifer of a run at large, and failing to obtain dog tag/license by-law infractions.

ACO started to explain muzzle order and appeal process and Jennifer stated that "she could read" and shut door in ACO's face again.

#Name?

### Complaint:

Accus owns large, golden, curly/wavy fur.

CP was walkign on Maple Ave with friends dog, past location, accus dog ran at her dog and attacked.

CP friends dog was not injured, CP dog was wearing a jacket.

CP screamed at the dog, accus dog ran away.

No owners seen.

CP friend's dog J Terr, wht/blk, F, "Phoebe".

Owner did attend last evening.

Investigation Type: Dogs

Investigation Report:

Report Date: Dec 10, 2020

Report Time: 5:55 pm

Infraction Type: 10-35

Validity Type: Justified

### Important Dates:

Dec 17, 2020 Muzzle Order

Dec 27, 2020 Muzzle Order

Charge Laid:

Date Charged:

Criminal Code:

Case Specifics:

#Name?

**Niagara SPCA & Humane Society**  
**Occurrence Report**  
**#Name?**

Printed by: Welland & District SPCA  
Printed on: December 10, 2020 5:57 pm

Date Closed: Dec 10, 2020  
Investigator(s): Koll, Carly

Supervisor:

Signature:

A handwritten signature in black ink, appearing to read 'C. Koll', written over a horizontal line.

December 9, 2020

Emailed – [carlyk@niagaraspca.com](mailto:carlyk@niagaraspca.com)

## Statement – Dog Attack

Monday December 7, 2020, approximately 3:30 p.m. I was walking a friend's dog, as I often do, this friend is my ex-partner, [REDACTED]. I left Balfour Street, heading towards Canboro Rd, proceeded right down Canboro Rd to Maple Street, turned right on Maple Street to Sandra Drive, right at Sandra Drive, we were coming along the sidewalk on Sandra Drive. The house address 1191 Maple Street (corner of Maple and Sandra Drive) there were two vehicles (SUV and a truck) and a mobile home in the driveway. Phoebe (Jack Russell) and I were coming down the sidewalk and out behind the mobile home a large dog (longer hair, blonde/yellow in colour, not a breed I am familiar with) attacked, came out from behind the mobile home. Vicious, full teeth, gnarling, grabbed Phoebe by her coat (thank goodness, coat protected the skin) – I freaked out, started shouting, panicking, I grabbed Phoebe by the leash, pretty sure she was off the ground as I tried to get her out of harm way. My screaming seemed to scare the dog enough to back off, for a second, then the dog came back at Phoebe full teeth, going after her again, I freaked out more, screamed more, panicked more, I heard a faint call from the back yard of the house, the large dog ran off, I stayed on the sidewalk as I did not want to approach anyone on the property, staying off the dog's boundaries/property fearing that would make it more aggressive - especially when I looked around the mobile home to see who was outside of the house, I saw it was a young boy (9 or 10 years old), I did not want to make the dog more aggressive than it was thinking I was going to approach the young boy. I yelled to the boy, angry, 'who is responsible for this dog' – think I yelled the question twice. The young boy yelled back 'it is an electric fence' – I yelled back 'it is not working' and then he disappeared into the house. I waited, thinking for sure the owners of the dog would come out to make sure we were okay, or at least check to see what all the yelling and panicking was. Nothing. Nobody bothered.

I walked Phoebe back to [REDACTED] Balfour Street, sent [REDACTED] a text to let him know what happened and how upset I was, I gave him the address of the house where the attack happened and let him know I was going to do something, report it, whatever one does when your dog is attacked by an irresponsible dog owner. [REDACTED] was very upset, on his way home from work, he stopped at 1191 Maple Street and a young boy and a man were playing hockey outside, [REDACTED] got out of his car and asked 'what is going on, your dog attacked my dog'. The owner replied 'my dog does not have a mean bone in his body', 'I just have to turn up the electric fence' – no concern, no apology, did not ask for details, nothing.

Please advise if you need any additional information. Thank you for reviewing and working to keep our neighborhoods safe from irresponsibility and a lack of concern for neighbours safety.

[REDACTED]

**WELLAND & DISTRICT SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS**  
(WELLAND & DISTRICT HUMANE SOCIETY)

60 PROVINCIAL STREET  
WELLAND, ON L3B 5W7  
905-735-1552 OR 1-888-222-0568

Date December 10, 2020

**NOTICE TO MUZZLE**  
**Pursuant to the Corporation of the Town of Pelham By-Law No. 97-2010**

This is to inform you that an officer has reason to believe that on December 7, 2020 your dog has bitten or attacked. c.k.

Description of dog: "Oakley" - 2 yr old, white, med-sized, neutered female

- (1) Every owner shall not permit the dog to be on any streets or in any public place or any other place that is not owned or controlled by the owner unless the dog is on a substantial chain or leash not exceeding 1.5m in length and muzzled in a manner that will not cause injury to the dog or interfere with its vision or respiration, but will prevent the dog from biting another animal or human - Sec. 8 (d)(1)
- (2) At all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined indoors or in an enclosed pen or other structure, of minimum size five feet by ten feet, capable of preventing the entry of children and other animals and adequately constructed to prevent the dog from escaping - Sec. 8 (d)(2)
- (3) Conspicuously display a sign on his/her premises warning that there is a dangerous dog on the property - Sec. 8 (d)(3)
- (4) So confine said dog that allows persons who have lawful entry onto the premises of the dog owner to have such entry without fear of attack by said dog - Sec. 8 (d)(4)
- (5) Allow an officer to inspect such pen or other structure or to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this by-law - Sec. 8 (d)(5)
- (6) Notify the poundkeeper immediately if a dangerous dog is loose, unconfined, has attacked another animal or human or has died or has been sold or given away. If the dog has been sold or given away the owner or harbourer shall provide the poundkeeper with the name, address, and telephone number of the new owner - Sec. 8 (d)(6)

*Failure to comply with the above notice will result in fines or a summons to Court and/or a hearing under the Dog Owners Liability Act where a judge may place more restrictions on the dog or order it destroyed.*

Items 1, 3, 4, 6 to be complied with by (time) 9:00 AM (date) December 17, 2020

Items 2, 5 to be complied with by (time) 9:00 AM (date) December 21, 2020

For complete wording on vicious dogs, obtain a copy of the by-law from the Town of Pelham

Name Of Dog Owner: Jennifer Irwin

Address: 1191 Maple St.  
Fenwick, ON

Phone: [REDACTED]

3930

Animal Control Officer/ Badge #

[Signature]

Animal Control Officer Signature

December 10, 2020

Date Of Service



**BYLAW VIOLATION WARNING**

DATE OF SERVICE  
Dec 10 2020

ISSUED TO:

D.O.B

NAME: Jennifer Irwin

ADDRESS: 1191 Maple St, Fenwick ON

ON December 7, 2020, AT THE TIME OF 3:30 PM  
IT IS BELIEVED THAT A MUNICIPAL BY LAW OFFENCE WAS  
COMMITTED.

**BYLAW VIOLATION DETAILS**

BYLAW: 97-2010 LOCATION: Pelham

SECTION:	DESCRIPTION OF OFFENCE:
4(a)	Fail to prevent dog from running at large
3(a)	Fail to obtain dog tag

YOU MUST CORRECT THIS BYLAW VIOLATION ON OR BEFORE:

DATE: December 11 20

TIME: 6:00 PM

FAILURE TO COMPLY WITH THIS WARNING NOTICE MAY  
RESULT IN CHARGES BEING LAID

OFFICER: 3930 / C. Kall  
905-735-1552 EXT: 207

FILE # 17765

WELLAND AND DISTRICT SPCA  
706 EAST MAIN STREET  
WELLAND, ONTARIO, L3B 3Y4

DOG LICENCES CAN BE PURCHASED ONLINE BY GOING TO  
[WELLANDSPCA.DOCUPET.COM](http://WELLANDSPCA.DOCUPET.COM)