

On August 29, 2005, against significant expert opposition, the Ontario Liberal government implemented Bill 132 (2005) to amend the existing Dog Owners' Liability Act. This document attempts to summarize the key changes to the Act.

- The law defines a "pit bull" as a pit bull terrier, a Staffordshire Bull Terrier, an American Staffordshire Terrier, an American Pit Bull Terrier, or a dog that has an appearance and physical characteristics that are substantially similar to those dogs. If your dog appears to be in this category and your dog lived in Ontario on August 29, 2005, or was born in Ontario before November 27, 2005, you own a "restricted dog". Restricted dogs must be muzzled, leashed, and sterilized. If your dog appears to be in this category and it was born in Ontario after November 26, 2005, or was brought into Ontario after August 29, 2005, your dog is illegal. It could be confiscated and destroyed and you could be fined up to \$10,000 and sentenced to up to six months in jail.
- Unless you own a purebred registered dog with a recognized pedigree, you cannot know for sure what breed of dog you have. If you have doubts about whether or not you own a restricted dog or whether your dog could be identified as such, it is suggested that you adhere to the Regulations Regarding Pit Bull Controls in Ontario.
- If any person in authority identifies your dog as a restricted or prohibited dog, you have to prove it isn't. The government has given no indication what documents are sufficient to prove this.
- You must muzzle and leash your restricted dog whenever it is not on your property, unless it is on someone else's property who has given their consent. Your dog must not be able to escape from the property. Your dog must be sterilized before it is 36 weeks old.
- If you take your restricted dog outside the province, you have three (3) months to get it back in or it becomes an illegal dog and could be confiscated and destroyed.
- You can give, but not sell, your restricted dog to another person in Ontario. That person must never own more restricted dogs than they did on August 29, 2005. If they didn't own a restricted dog on that date, they can own only one. You may also give your dog to a humane society, a rescue group, or a pound, keeping in mind that pounds may sell dogs to research facilities or destroy them.
- Your restricted dog is not allowed to have puppies. You could face fines or jail time for this offence and the puppies must be surrendered to a pound. You could also lose both parents of the puppies because they were not sterilized. This prohibition also applies to puppies of purebred registered show dogs of the restricted breeds.
- Except for show dogs and flyball dogs that fall within a very narrow set of criteria, you are not allowed to bring a prohibited dog into Ontario. If you are visiting Ontario with your dog and a peace officer identifies it as a prohibited dog, you must provide proof that your dog is not. If you cannot, then you may face fines or jail time and your dog may be confiscated and destroyed, even if you are only visiting Ontario.
- If you live outside Ontario, you may bring your prohibited dog into the province provided you conform to stringent qualifications. Your dog must be a purebred show dog or a registered flyball dog and it must be competing in a purebred dog show or a flyball competition. The only authorized registering bodies are the Canadian Kennel Club, the American Kennel Club, the United Kennel Club, the American Dog Breeders Association, or the North American Flyball Association. If you are visiting Ontario to compete, the time limit for your dog to be in the province is 14 days for a purebred show dog and 7 days for a flyball dog. For more information regarding the Regulations, please visit the website listed at the end of this document.
- If you are an Ontario resident and your dog is a purebred, registered show dog with one of the purebred kennel clubs mentioned above, it is exempt from the sterilization requirements but cannot be bred in accordance with the provisions set out in the Regulations Regarding Pit Bull Controls in Ontario. There is no sterilization exemption for flyball dogs. There are further restrictions regarding exemption. For more information regarding the Regulations, please visit the website listed at the end of this document.
- Please note that dog licensing and control by-laws in individual Ontario municipalities sometimes have more restrictive bans and regulations than those listed in the provincial legislation. If there is a conflict between provincial legislation and a municipal by-law, the more restrictive provisions prevail. Please research existing municipal animal regulations in all of the cities you intend to visit to ensure that you are in compliance with their local requirements.

- **If you own a restricted dog and are convicted of any offence under this law, including failing to muzzle, leash, or sterilize your dog, your dog must be destroyed.**
- Regardless of your dog's breed, if you are convicted of any offence under this law, you may be fined up to \$10,000 and/or receive a sentence of up to six months in jail. A corporation may be fined up to \$60,000.
- Regardless of your dog's breed, you and all other dog owners are subject to the following sections of the law:
 - Your dog must not bite or attack a person or a domestic animal nor behave in a manner that poses a menace to the safety of persons or domestic animals.
 - You must exercise reasonable precautions to prevent the above behaviour.
 - A peace officer may immediately seize your dog (in public or from wherever the dog is being kept) if they believe that you have violated any section of this Act, at any time, present or past. They do not necessarily need a warrant in order to seize your dog from your house and they may use as much force as necessary to accomplish this.
 - If you are convicted, in addition to fines and jail time, the court may order: destruction of your dog; sterilization of your dog; control measures including muzzling, leashing, confinement, warning signs; prohibition of dog ownership.

For more information, please visit the following web sites:

DOG LEGISLATION COUNCIL OF CANADA	www.doglegislationcouncilcanada.org
BANNED AID COALITION	www.bannedaid.com
CANADIAN KENNEL CLUB	www.ckc.ca
DOG OWNERS' LIABILITY ACT	www.e-laws.gov.on.ca/DBLaws/Statutes/English/90d16_e.htm
REGULATIONS REGARDING PIT BULLS	www.e-laws.gov.on.ca/DBLaws/Regs/English/050157_e.htm
ANIMALS FOR RESEARCH ACT	www.e-laws.gov.on.ca/DBLaws/Statutes/English/90a22_e.htm

If you have further questions regarding this legislation, please contact:

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720 Bay St. 11th Floor, Toronto, ON, M5G 2K1, Canada Tel: 416.326.2220

Hon. James Bradley, Minister of Tourism

900 Bay St. 9th Floor, Toronto, ON, M7A 2E1, Canada Tel: 416.326.9326 Toll Free Ontario: 866.700.0040

Information in this document is intended to provide the reader with a summary of the key elements of the legislation for ease of reading. It should not be construed as authoritative or as legal advice. For a more thorough analysis of the legislation, please contact a lawyer. Information in this document is the copyrighted property of the Dog Legislation Council of Canada. All rights reserved. This document may be distributed, without alteration of any kind, for the purpose of informing interested parties. Any errors or omissions are unintentional. The Dog Legislation Council of Canada recognizes that the word "pit bull" is often used and misused to apply to many purebred and mixed-breed dogs with varying appearances. Any use of the word "pit bull" by the authors is limited to this document and is used only for the purpose of referring to dogs that may fall under the government's definition in the Dog Owners' Liability Act, its regulations, and the Animals for Research Act. This does not mean that the authors believe there is any such breed as "pit bull" or that any dog can be identified as such.

The Dog Legislation Council of Canada would like to express its sincere gratitude to dog owners and organizations worldwide for their contributions and assistance, including their moral support and financial sponsorship, in the fight against this law and all other forms of Breed Specific Legislation in Canada.

To help finance the legal challenge, please visit the Banned Aid Coalition web site at www.bannedaid.com