



The Municipal Corporation of the
Town of Fort Erie

Special Council Meeting Agenda

Wednesday, November 18, 2020 - 5:00 PM
(Agenda Items Adjourned from November 16, 2020)

Council Chambers via Video Teleconference

Due to the COVID-19 Pandemic and the Closure of Town Hall

All electronic meetings can be viewed at:

Town's Website:

<https://www.forterrie.ca/pages/CouncilAgendasandMinutes>

Town's YouTube Channel: www.youtube.com/townofforterie

or click on the YouTube icon on the home page of the Town's
website (www.forterrie.ca) or Cogeco TV

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1. **Call to Order**
2. **Roll Call**
3. **Announcements/Addenda**
4. **Declarations of Pecuniary Interest**
5. **Motions**

(a) Councillor Butler

Re: SPCA and Animal Control

(i) Animal Rights and Protection

***(Postponed from August 24, 2020 - Previously Moved by
Councillor Butler and Seconded by Council McDermott as
Resolution No. 7)***

Whereas the Town of Fort Erie currently does not have a by-law
in place that deal with animal rights, protection, and
consideration of worth, and

Whereas animals have basic interests that deserve recognition,
consideration and protection on both a moral and legal basis,
and

Whereas there is a need to ensure that animals live free from

suffering and exploitation, and

Whereas animals have an inherent worth and as such should be treated with great consideration, and

Whereas animals that may need care, treatment or require euthanasia are often not seen by a Doctor of Veterinary Medicine in good standing and board certified with a Canadian Veterinary College, and

Whereas basic standards of care in accordance with the Provincial Animal Welfare Services Act information has not been widely distributed nor adopted to be reflective of modern times;

Now therefore be it resolved,

That: The Municipal Council of the Town of Fort Erie directs staff to develop an Animal Rights and Protection By-law incorporating the Pounds Act, R.S.O. 1990, c. P. 17; Canadian Standards of Care in Animal Shelters in particular, the Guideline for Animal Shelter – UC Davis and California – revised for Canada; OMAFRA – Animals for Research Act, R.S.O. 1990, C. A.22 for R.R.O. 1990, Reg. 23: POUNDS, and further

That: Council directs staff to work with experts in the field that include a Doctor of Veterinary Medicine in good standing with the Canadian Veterinary College, an animal rights lawyer to ensure expert legal advice in advocacy and securement of law.

(b) Councillor Butler

Re: SPCA and Animal Control

(ii) Animal Control By-law
(Postponed from August 24, 2020 - Previously Moved by Councillor Butler and Seconded by Council McDermott as Resolution No. 8)

Whereas the Town of Fort Erie currently has a by-law – namely, By-law No. 119-97, as amended, that regulates, restricts and prohibits the keeping and running at large of dogs in the Town of Fort Erie, and

Whereas By-law No. 119-97 is not reflective of other types of animals, and

Whereas there is a need to identify a variety of animals that are either domestic or wild to ensure animal rights along with safe and humane handling and care are adhered to, and

Whereas a pound keeper contracted through The Corporation of the Town of Fort Erie is given recovery expense relief associated with impounding both domestic and wild animals in the form of annual compensation, and

Whereas the current Agreement with the SPCA appoints the Fort Erie SPCA as the authorized licence agent, and

Whereas the current by-law needs to be amended and reflective of modern times and encompass other animal species;

Now therefore be it resolved,

That: The Municipal Council of the Town of Fort Erie directs staff to modernize and update the Animal Control By-law to be reflective of all animal types both domestic and wild to ensure safe animal harbour, handling and protection, and further

That: Council directs staff to integrate the Animal Rights and Protection By-law once developed, into the Animal Control By-law to be more reflective of modern day realities.

(c) Councillor Butler

Re: Request SPCA's Policies and Procedures with respect to Animal Services

(Postponed from September 21, 2020)

Resolution:

Whereas the Town of Fort Erie currently has a contract with the Fort Erie SPCA (FESPCA), and

Whereas the current contractual agreement with the FESPCA sets out that they must demonstrate a health and safety program with objectives and standards in compliance with applicable legislation and municipal policy, and

Whereas that program is to be provided to the Town with a Health and Safety Policy and applicable Safe Work Procedures;

Now therefore be it resolved,

That: Council directs staff to request a copy of all FESPCA Policies and Procedures as it relates to its contractual obligation of Health, Safety and procedural guidelines as it applies to employees, facilities, animal intake, impound services, adoption, end of life, dog licensing and any and all other as implied, and further

That: Council requests the FESPCA to provide the documents within three (3) business days of the request from staff.

(d) Councillor Butler

Re: Terminate the Current Contract with the Fort Erie SPCA and Move up RFP timetable.

Resolution:

Whereas The Corporation of The Town of Fort Erie entered into a contract with the Fort Erie SPCA on May 24, 2019 which commenced June 1, 2019, and

Whereas that contract was set to end on May 31, 2022, and

Whereas a new contract is scheduled to be placed on an open RFP bid system in 2022, and

Whereas the current contract allows the Town to terminate the Agreement without penalty or payment by way of a 90-day written notice with the intent to terminate;

Now therefore be it resolved,

That: The Municipal Council of the Town of Fort Erie directs staff to notify the Fort Erie SPCA by written notice of termination no later than December 31st, 2020 with an effective contract end date of March 31st, 2021, and further

That: Council directs staff to place the updated contract on an open bid system with the successful bidder to commence on April 1st, 2021.

6. Notice of Motion

7. Consideration of By-laws

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Committee Meetings held on November 2, 2020 and November 9, 2020 and Council Meeting held on November 16, 2020

[116-2020 Confirmatory](#)

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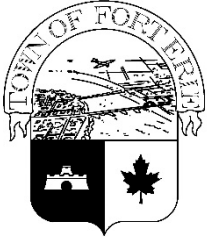
117-2020

To Confirm the Actions of Council at its Special Meeting held on November 18, 2020

[117-2020 Confirmatory](#)

8. Scheduling of Meetings

9. Adjournment



The Municipal Corporation of the Town of Fort Erie

By-law No. 116-2020

Being a By-law to Confirm the Actions of Council at its Council-in-Committee Meetings held on November 2, 2020 and November 9, 2020 and Council Meeting held on November 16, 2020

Whereas it is desirable to have the actions and proceedings of Council adopted, ratified and confirmed by by-law;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

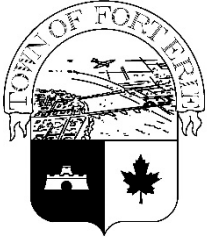
- 1. That** the actions of Council at its Council-in-Committee Meetings held on November 2, 2020 and November 9, 2020 and Council Meeting held on November 16, 2020 including all motions, resolutions and other actions are adopted, ratified and confirmed as if they were expressly embodied in this by-law, except where the law requires the prior approval of the Ontario Municipal Board or other authority.
- 2. That** where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.
- 3. That** the Mayor and officers of The Corporation of the Town of Fort Erie are authorized and directed to do all things necessary to give effect to such actions or to obtain approvals where required.
- 4. That** except where otherwise provided, the Mayor and the Clerk are authorized and directed to execute all documents arising from such actions.
- 5. That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of November, 2020.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 116-2020 of the said Town. Given under my hand and the seal of the said Corporation, this
day of _____, 20 .



The Municipal Corporation of the Town of Fort Erie

By-law No. 117-2020

Being a By-law to Confirm the Actions of Council at its Special Meeting held on November 18, 2020

Whereas it is desirable to have the actions and proceedings of Council adopted, ratified and confirmed by by-law;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the actions of Council at its Special Meeting held on November 18, 2020 including all motions, resolutions and other actions are adopted, ratified and confirmed as if they were expressly embodied in this by-law, except where the law requires the prior approval of the Ontario Municipal Board or other authority.
2. **That** where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.
3. **That** the Mayor and officers of The Corporation of the Town of Fort Erie are authorized and directed to do all things necessary to give effect to such actions or to obtain approvals where required.
4. **That** except where otherwise provided, the Mayor and the Clerk are authorized and directed to execute all documents arising from such actions.
5. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of November, 2020.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 117-2020 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20 .