LICENSING AND COMMUNITY STANDARDS BOARD DECISION

PRESIDING OFFICER: S. J. Crooks K.C.
PANEL MEMBER: D. Wielinga
PANEL MEMBER: M. Kartusch

BETWEEN:

JOSEPH SHAWN A. LEDUC

Appellant

and

CITY OF RED DEER

Represented by Jill Manning, Parking & Licensing Supervisor
and Gwendalee Woody, Inspections and Licensing Inspector

City Authority

This is an appeal to the Licensing and Community Standards Board (the "Board") regarding an Aggressive Dog Designation issued on January 5, 2026, by the City of Red Deer, Inspections & Licensing under Dog Bylaw No. 3429/2009 (the "Dog Bylaw"), for the dog Watson, who is owned by the Appellant.

The Appeal was heard on February 2, 2026, at the City of Red Deer Council Chambers in the Province of Alberta.

DECISION

Based on the evidence submitted in writing and presented at the hearing, the Board confirms the City Authority's Aggressive Dog Designation for Watson, as issued January 5, 2026.

A detailed summary of the decision follows.

JURISDICTION AND ROLE OF THE BOARD

1. The Board is established under The City of Red Deer Tribunals Bylaw No. 3680/2022 (the "Tribunal Bylaw"). The duty and purpose of the Board is to hear and make decisions on appeals for which it is responsible.

2. None of the parties had any objection to the constitution of the Board. There were no conflicts identified by the Board Members.

3. There were no preliminary issues for the Board to decide.

LEGISLATION AND POLICY

4. The legislation governing municipalities in the Province of Alberta is the Municipal Government Act (MGA), RSA 2000, c. M-26. The MGA provides that a Council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them.

5. The Council of The City of Red Deer passed the Dog Bylaw 3429/2009, for the purpose of regulating and controlling dogs within The City of Red Deer, Alberta.

6. The Dog Bylaw sets out offence provisions where the owner of a Dog is guilty of an offence if the Dog:

   Threatening Behaviour section 12

   (a) exhibits Threatening Behaviour toward another domestic animal; or
   (b) exhibits Threatening Behaviour toward a person.

   Minor Injury section 13

   (a) bites, attacks, or causes Minor Injury to another domestic animal; or
   (b) bites, attacks, or causes Minor Injury to a person.

   Severe Injury and Death section 14

   (a) causes Severe Injury to another domestic animal; or
   (b) causes Severe Injury to a person.

7. At all relevant times relating to this matter, the Respondent contracted Alberta Animal Services to enforce the Dog Bylaw and accordingly, Alberta Animal Services was the "Animal Control Manager" under the Dog Bylaw.

8. The City Authority relies on City Council Policy 6118-C (the "Council Policy"), which deals with aggressive dog designations and provides criteria the City will use when determining whether a dog should be designated aggressive. including the use of a 6-level "behaviour assessment chart" for evaluating a dog for aggressive behaviour. The Policy Statement #1 Chart follows:

Level	Description
1	Dog growls, lunges, and/or snarls. Chases a person in a menacing fashion. No teeth touch skin. Mostly threatening behaviour toward a person.
2	Teeth touch skin but no puncture of the skin. May have red mark/minor bruising. A minor injury to a person.
3	Puncture wounds to the skin, no more than ½ the length of the dog's canine tooth; one to four puncture holes from a single bite. No tearing or slashing of the skin. Probable bruising. A minor injury.
4	One to four holes from a single bite; one hole deeper than ½ the length of the canine tooth, typically with contact or punctures from more than just the canines only. Deep tissue bruising, tears, and/or slashing wounds. Dog usually clamped down and held, shook, or slashed the victim. A severe injury. Also, an attack that results in the death of another domestic animal.
5	Multiple bites at Level 4 or above. A concerted, repeated attack. A severe injury.
6	Any bite resulting in the death of a human.

9. Policy 2 of the Council Policy provides that the City may designate a dog as aggressive if:

    a. the dog has been involved in more than three incidents evaluated to be at Level 1;

    b. the dog has been involved in more than two incidents evaluated to be at Level 2 or 3, or

    c. the dog has been involved in an incident evaluated to be at a Level 4.

10. The Dog Bylaw in section 15(3) provides that, after evaluating a report submitted by the Animal Control Manager or an Animal Control Officer, the Inspections and Licensing Manager may designate a dog as an Aggressive Dog if the Manager determines the dog has caused or is likely to cause damage, injury or death to another domestic animal or a person.

BACKGROUND

11. This appeal concerns the dog "Watson" a male Old English Bulldog, owned by the Appellant Joseph Shawn A. Leduc.

12. An Aggressive Dog Designation was issued by the Inspections and Licensing Manager, Erin Stuart, on January 5, 2026.

13. The Aggressive Dog designation was served on the Appellant by Officer William Arsenault of Alberta Animal Services on January 5, 2026.

14. The Appellant submitted a Notice of Appeal regarding the Aggressive Dog designation to the City on January 13, 2026.

15. On January 19, 2026, a Notice of Hearing was issued to the Appellant and the City Authority, notifying them that the Appeal Hearing was scheduled for February 2, 2026, at 5:00 p.m. in Council Chambers, Red Deer City Hall.

16. The Board entered into evidence all items listed in Appendix "A".

SUMMARY OF EVIDENCE AND ARGUMENT
The City Authority (Inspections and Licensing)

Incident #1 August 2, 2025 (injury to child)

17. The City Authority presented incident #1, which took place August 2, 2025; for the record, including witness statements, indicated that the dog Watson was tied up in front of a unit in a residential housing complex. A child who lived in that complex was walking within the grounds of that complex when she noticed Watson tied up in front of a unit. Watson broke his lead, attacked the girl, knocking her to the ground, biting her and clamped onto her left shoulder. [Exhibits C & E to the City Authority Submission]

18. Further, the record indicates the Appellant and a neighbour responded to the child's scream. The Appellant got Watson off the child and took him inside. The neighbour carried the child back to her unit. The Appellant came to check on the child after he had taken Watson home.

19. The record indicates the child was immediately taken to the hospital for treatment. The medical records from Alberta Health Services (AHS) confirm that:

    a. The child was seen in the emergency department of the Red Deer Regional Hospital on August 2, 2025, and released on the same day.

    b. The examination confirmed a dog attack [Exhibit D to the City Authority Submission], including:

        I. Deep puncture wounds to the left shoulder with visible tendon

II. Superficial abrasions to the right posterior hip caused by falling down
III. Dog bites the left shin
IV. Bruises to both arms

c. The treatment course administered consisted of cleaning and dressing of wounds, oral antibiotic (Clavulin) dosed on site and sent home with the patient, and direction provided to return in the case of high fevers or pus from the wound.

20. The Appellant provided his own account of the August 2, 2025, incident in a statement on August 12, 2025, [Exhibit E to the City Authority Submission] He acknowledged he had:

    a. adopted Watson on July 27, 2025;

    b. that Watson was on a leash tied to a porch hook on August 2 and he was not paying full attention to Watson;

    c. that when a child appeared in the area in front of his unit, Watson ripped out the hook and got loose;

    d. that when he found Watson, he had a young girl on her back and was growling with part of the child's shirt in his mouth;

    e. taken Watson off of her and got him back home;

    f. went to the child's unit and asked the parents to photograph the child's injuries.

    g. He had no follow-up and was not aware of the extent of the child's injuries.

21. The City Authority's submission includes the investigation steps taken by an Animal Control Officer, including a visit and follow-up contacts with the occupants at the Appellant's address.

22. During an August 12, 2025, visit by the Animal Control Officer to the Appellant's home to take his statement, the evidence is that when the Appellant was introducing Watson to the Animal Control Officer, Watson "bit out" at the investigating officer's left leg, grabbed and held onto the cargo pocket of the Officer's uniform pants, and the encounter ended with the officer leaving the property and advising follow-up would occur.

23. The City Authority's submission indicates the August 2, 2025, incident met criteria for issuing a ticket under Dog Bylaw section 13(1)(b) (Dog biting/attacking/causing minor injury to a person). This ticket was served on the Appellant by the Animal Control Officer on September 5, 2025 [Exhibit B to the City Authority Submission].

24. The City Authority's submission indicates that, based on review of the report and accompanying materials, Inspections & Licensing Manager Erin Stuart determined Watson was involved in a Level 3 incident under the Council Policy, where it caused a minor injury.

Incident #2 November 21, 2025 (attack on domestic animal)

25. The City Authority presented incident # 2 as noted on November 21, 2025. The record, including a witness statement [Exhibit I to the City Authority Submission], indicated the following events:

    a. An owner walking her dog, "Frith" near her residential building noticed Watson leashed outside the Appellant's residence;

    b. on reaching her residence, she heard the Appellant yelling Watson's name, and she turned, saw Watson running at Frith and latching onto Frith's right back leg;

    c. The Appellant managed to get Watson off Frith, and the Appellant and Watson returned to their residence;

    d. Once inside, the owner noticed the puncture wound on Frith and took him to a veterinary clinic.

26. Further, the record includes veterinary clinic information indicating Frith was treated for a puncture wound and lesion, and that sutures were advised but refused due to cost; the wound was clipped and cleaned and medication dispensed. [Exhibit J to the City Authority Submission]

27. The record indicates Animal Control Officers investigated the incident, obtained records, reviewed evidence, and determined the attack met Level 4 behaviour under the Council Policy, including identifying a previous file involving Watson.

28. The record indicates tickets were issued to the Appellant, including for a dog causing severe injury to another domestic animal (Dog Bylaw section 14(1)(a)) and for running at large (Dog Bylaw section 10.1) [Exhibit H to City Authority's Submission].

29. Based on review of the November 21 incident material, the City Authority's submission indicates the Inspections & Licensing Manager determined Watson was involved in a Level 4 incident under the Council Policy and caused a severe injury.

Aggressive Dog Designation

30. The City Authority submission states that, based on review of both incidents and accompanying materials, the Manager's Level 3 and Level 4 determinations resulted in issuance of the Aggressive Dog designation on January 5, 2026.

31. The City Authority requests that the Board confirm the designation, relying on: the Manager's discretion under section 15(3) of the Dog Bylaw; the incident history; and public safety objectives achieved through the controls imposed by an aggressive designation.

THE APPELLANT

32. The Appellant did not attend the Appeal Hearing on February 2, 2026, and provided no further written information, in addition to the handwritten letter that accompanied his Notice of Appeal.

33. The Appellant's position, as reflected in the record, is that Watson was a newly adopted dog at the time of the first incident; that the Appellant was not paying full attention while the dog was tied; that the dog broke free; and that the Appellant did not know the full extent of the child's injuries at the time he went to speak with the parents.

34. The Appellant does not dispute that Watson was the dog involved in the two (2) incidents described in the City's written summary of evidence.

35. The Appellant also does not dispute the City Authority's evidence that during the August 12, 2025, investigation meeting, Watson exhibited threatening behaviour when he bit out at the investigating officer and grabbed the investigating officer's clothing, which the Board considers relevant to assessing ongoing risk and the need for effective control measures.

FINDINGS AND REASONS (City and Appellant)

City Authority

36. The Board finds the City Authority position is grounded in the statutory test in section 15(3) of the Dog Bylaw: ". . . the Inspections and Licensing Manager may designate a Dog as an aggressive dog if he or she determines that the dog has caused or is likely to cause damage, injury or death to another domestic animal or a person."

37. The Board finds the City Authority analysis is also grounded in the incident-level approach described in the record from the Council Policy: a designation is supported by more than two Level 2/3 incidents or any Level 4 incident.

38. The Board finds the City Authority evidence addresses both the underlying incidents and the investigation process, including issuance of tickets for minor injury (August 2) and

severe injury (November 21), which are consistent with the Dog Bylaw's offence provisions. [Exhibit H to the City Authority Submission and Schedule "A" to the Dog Bylaw]

Appellant

39. The Board is satisfied that the Appellant received proper notice of the hearing. The Appellant did not attend. The Board proceeded on the basis of the written record, including the evidence presented by the City Authority and the Appellant's handwritten letter, submitted with his Notice of Appeal.

40. Board finds the Appellant's evidence acknowledges Watson was newly adopted and that Watson broke free from a porch hook/leash arrangement on two occasions. The Appellant took steps immediately after the first incident to separate the dog from the child; to take Watson home while the child was returned to her home, and to contact the parents for information on the child's injuries. He also took steps after the second incident to call Watson home, to get Watson off of Frith, and to take Watson home.

41. The Board accepts that these points may explain context, but the appeal before the Board is not a moral assessment of the Appellant's intentions or how Watson may have been triggered. The legal questions are whether the incident(s) happened as described, whether the injuries were properly documented, and whether the designation was properly issued under the Dog Bylaw and Council Policy criteria, on the evidence.

42. The Board also finds the Appellant's own description that Watson had the child on her back and was "growling with a bit of her shirt in his mouth" is consistent with an aggressive event rather than a benign interaction.

The Board

43. Section 9 of the Tribunals Bylaw provides that "Boards are bound by their governing legislation and applicable bylaws relating to the matter under appeal."

44. Section 17(1) of the Dog Bylaw provides a right of appeal to the owner when a dog has been designated as an aggressive dog.

45. The Board's authority on appeal is limited by Dog Bylaw section 17(3) to either revoking or confirming the Aggressive Dog designation.

46. The Board's role in this appeal is to review the written and oral evidence and decide whether the "Aggressive Dog" designation was properly made by the Inspections and Licensing Manager in accordance with the Dog Bylaw and City Council policy.

47. The Board finds that the Dog Bylaw and the Council Policy govern dog behaviour in the City of Red Deer, and that the Inspections and Licensing Manager has the delegated authority to issue an Aggressive Dog designation based on the Dog Bylaw and the Council Policy.

48. The Board notes that the Council Policy states that a dog may be designated as an Aggressive Dog if it has more than two (2) incidents evaluated at a level 2 or 3, or one (1) incident evaluated at a level 4.

49. The City Submission states that the determination of the Level of an incident, pursuant to Council Policy, must be based on the injuries that occurred and the subsequent medical attention/surgeries that were required as a result of the injuries.

50. The Board notes that the Appellant did not provide evidence contradicting the City Authority's evidence regarding Watson's involvement in the incidents detailed in the record.

51. The Board finds that, on a balance of probabilities, the evidence from the City Authority and the Appellant established the following:

    a. Watson exhibited threatening behaviour towards the animal control officer when he was in the Appellant's home;

    b. Watson broke free from where he was tethered outside and was running free on at least two occasions, August 2 and November 21, 2025;

    c. Watson attacked the child on August 2, 2025 (Incident #1), causing injuries classified as level 3 (minor injuries under the Council Policy), as confirmed by medical records, and

    d. Watson attacked the dog, Frith, on November 21, 2025 (Incident #2), causing a severe injury, as confirmed by veterinary records.

52. The Board is satisfied that the minor injuries suffered by the child in Incident #1 involve the type of harm contemplated by the minor injury frameworks in clause 13 of the Dog Bylaw and in the level 3 and definitions descriptions set out in the Council Policy.

53. The Board is satisfied that the severe injuries suffered by the dog, Frith, in Incident #2 involve the type of harm contemplated by the severe injury frameworks in clause 14 of the Dog Bylaw and in the level 4 and definitions descriptions set out in the Council Policy.

54. The Board finds that the City Authority classification approach, using the injury level and supporting medical or veterinary information, is consistent with the Dog Bylaw and Council Policy.

55. On the facts and supporting medical and veterinary evidence, the Board finds that Watson's assessment by the Inspections and Licensing Manager as a level 3 for the August 2, 2025, incident and as a level 4 for the November 21, 2025, incident is consistent with the Dog Bylaw and Council Policy.

56. Importantly, even aside from the Council Policy criteria, the Board finds the Dog Bylaw's section 15(3) discretion is met on the facts. A dog that breaks free, knocks down and bites a child, and later runs at and latches onto another domestic animal, causing a severe puncture wound requiring veterinary care, has demonstrated behaviour that has caused harm and indicates a likelihood of future harm without strict controls.

57. The Board also considers the August 12 investigator interaction relevant to risk: during a controlled introduction, Watson bit at the officer and grabbed and held the officer's clothing. This incident supports the reasonableness of the City's conclusion that Watson requires heightened controls to protect public safety.

58. For these reasons, the Board finds the Inspections and Licensing Manager properly exercised discretion under section 15(3) of the Dog Bylaw, and that the Aggressive Dog Designation aligns with the Council Policy criteria described in the record.

59. The Board notes (for clarity) that an aggressive dog designation is a regulatory tool intended to manage risk through licensing and control conditions. The Dog Bylaw contains specific licensing requirements for aggressive dogs.

CLOSING

60. The Board is limited to confirming or revoking the Aggressive Dog designation.

61. Based on the evidence submitted in writing and presented orally at the hearing, the Board denies the Appeal and confirms the Aggressive Dog designation for the Dog Watson, as issued on January 5, 2026, by the Inspections and Licensing Manager for the City of Red Deer.

Dated at the City of Red Deer, in the Province of Alberta, this 13 day of February 2026 and signed by the Presiding Officer on behalf of all panel members who agree that the content of this document adequately reflects the hearing, deliberations, and decision of the Board.

Sharon J. Crooks K.C., Presiding Officer
Licensing and Community Standards Appeal Board

This decision can be appealed to the Court of Appeal on a question of law or jurisdiction. If you wish to appeal this decision, you must follow the procedure found in section 688 of the Municipal Government Act, which requires an application for leave to appeal to be filed and served within 30 days of this decision.

APPENDIX A

Exhibit A.1:	Hearing Materials	7 pages
Exhibit B.1:	City Authority Submission	61 pages