

ONTARIO FEDERATION OF ANGLERS & HUNTERS

P.O. Box 2800, 4601 Guthrie Drive, Peterborough, Ontario K9J 8L5
Phone: (705) 748.6324 • Fax: (705) 748.9577 • Visit: www.ofah.org • Email: ofah@ofah.org



Ontario Conservation Centre

OFAH FILE: 409
March 7, 2022

Ministry of the Solicitor General
George Drew Building
25 Grosvenor St, 9th Floor
Toronto, ON M7A 1Y6

To Whom It May Concern:

Subject: 21-SOLGEN027 Proposal for Updated Standards of Care for Dogs Kept Outdoors

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We have reviewed the draft *Updated Standards of Care for Dogs Kept Outdoors under the Provincial Animal Welfare Services Act (PAWS)* and offer the following comments for consideration.

The OFAH is supportive of the intent of these regulation changes, and we understand the need to provide clear standards for the care of dogs kept outdoors. The OFAH represents many members who have hunting dogs that are primarily or entirely kept outdoors. Our comments are scoped to hunting dogs and are not intended to speak to other types of outdoor dogs (e.g., sled dogs). Overall, we fully support the amendments related to *Grooming and Nail Care* and *Health and Welfare Maintenance*. However, there are aspects of other proposed amendments that require further consideration and discussion. The OFAH wants to ensure that the changes made to this regulation provide the best possible care for outdoor dogs while recognizing the logistical, practical, and spatial constraints that exist.

Outdoor Doghouse Requirements

The outdoor doghouse requirements should be more specific to ensure that doghouses function to adequately keep the dogs warm. While it is important to ensure the doghouse is sufficiently large to permit free movement of the animal, it is equally important to ensure doghouses are small enough for the dog to maintain its own body heat within the doghouse in cold weather. A doghouse that is too large, even if well insulated, will not be warmed by the dog's body heat. The OFAH recommends alternate wording to ensure the doghouse is sized appropriately for all weather conditions. This could be accomplished by stipulating the size of the doghouse in relation to the size of the dog (e.g., a height-to-height comparison, or by using small, medium, and large dog classifications). The government should also consider including: (1) a requirement for insulated walls in addition to an insulated roof; and (2) a requirement for some form of wind break to the doghouse, either through a door flap or some type of buffer wall within the doghouse itself. These three additions would ensure adequate protection for dogs across the spectrum of weather conditions in Ontario.

Containment Requirements

The OFAH believes that the wording under the “*Ability to Tether a Dog Outdoors*” section is too prescriptive for all potential situations. The restrictions for tethering should not apply to situations where there is supervision by the owner or guardian. Most notably under this section, the six-month age limit is too restrictive. Some dogs as young as four months are tethered as part of training exercises. This can be used to teach them how to stay on a tether or used while exercising multiple dogs in one location. The minimum age should be lowered to four months, but wording should include that the tethering is associated with training and not for long-term containment (possibly through an exemption in the regulation).

The housing pen requirements under “*Minimum Size of Housing Pen and Minimum Length of Tether*” of nine square metres for the first dog and five square metres for the second dog is unrealistic. These requirements would not be able to be met by most outdoor dog owners with multiple dogs. These restrictions should be put in place for the betterment of the dogs and not as a way to effectively restrict the number of dogs that someone can own. A one-size-fits-all approach is not logical for housing pen sizes, as a 30-pound beagle clearly does not need the same amount of space as an 80-pound retriever. The size of pen should be scaled depending on the size or weight of the dog, with only small increases when housing multiple dogs. For example, 0.2 square meters per kilogram of body weight with a minimum size of 3 square meters and a maximum of 10 square meters, with a smaller increase when factoring in multiple dogs. Regardless of the formula used, the OFAH recommends that pen size requirements be scaled to the size of the dogs being housed while maintaining clarity and enforceability of the regulation.

The requirement under “*Maximum Time on Tether*” that dogs tethered outdoors for more than 24 consecutive hours must be taken off the tether for at least 30 minutes to allow for exercise may be understandable but will not be practical for owners of multiple outdoor dogs. It would be advisable for owners of multiple tethered dogs to have a dog run for the purpose of exercise, but we recognize that this may not be feasible for some. This part of the regulation would require 24-hour surveillance to determine compliance and as such, we worry this requirement is effectively unenforceable.

The OFAH suggests that the “*Tether and Collar Design*” section include wording that ensures each collar have a name plate containing the owner’s name and cellphone number in case the snap or swivel on a tethered dog becomes worn and breaks allowing the dog to escape. This would also be advisable for dogs in housing pens in case of escape. This requirement would ensure that dogs can be returned to owners quickly.

Food and Water Requirements

The OFAH recommends that the requirement to have “continuous access” to water be removed from the regulations under “*Water Consumption*” and replaced with more reasonable wording. There needs to be an understanding that, in the winter, water bowls may freeze before an owner is able to provide water. The focus of this section should be on ensuring that dogs have sufficient water throughout the day (e.g., dogs kept outdoors must be given water at least twice daily, once being with their food). A dog owner should not be charged because a water bowl froze overnight before they were able to refill it with water. If there is snow available, outdoor dogs will use that to supply hydration. However, when there is no snow available, unfrozen water twice daily is imperative. It should also be noted that plastic heated water bowls are not a practical way to prevent frozen water as dogs can easily chew through the plastic part of the bowl and risk an electrical shock. Again, this regulation appears to have been drafted for ease of enforcement rather than in the interest of animal welfare.

Conclusions

Overall, the OFAH is supportive of the Updated Standards of Care for Dogs Kept Outdoors. Clearer language and stricter requirements should improve enforcement capability against the most egregious examples of abusive and negligent dog ownership in Ontario. However, without implementing the above suggestions the regulations would create unfair and unfeasible rules strictly for the sake of ease of enforcement. These regulations need to be reasonably implemented to ensure that compliance is met, and the welfare of outdoor dogs is enhanced. Additionally, many of these new requirements will likely require a significant investment (both time and money) by the dog owners to bring their outdoor dog facilities into compliance. As such, we recommend initial enforcement be focused on education and communication instead of punitive action. The OFAH was not a member of the Outdoor Dogs Technical Table that was created for the purpose of drafting this proposal despite attempts to be added. We would like to request that in any future stakeholder groups or consultation on this or similar topics, that we be included to be able to provide hunting dog perspectives that are sometimes unique from other outdoor dogs. Thank you for considering our comments.

Yours in Conservation,



Lauren Tonelli
Resource Management Specialist

LT/jb

cc: OFAH Board of Directors
OFAH Sporting Dogs Advisory Committee
Angelo Lombardo, OFAH Executive Director
Matt DeMille, OFAH Director, Policy & Programs
Mark Ryckman, OFAH Manager, Policy
OFAH Policy & Programs Staff