

Ontario “Pit Bull” Ban

The amendments to the Dog Owners' Liability Act (DOLA) introduced earlier in 2005 by the Ontario government through Bill 132, will take effect province-wide on August 29, 2005. The amendments include broader powers to deal with dangerous dogs in general, as well as a ban on pit bulls and restrictions on existing pit bulls.

For Ontario residents who currently own a pit bull, the new legislation contains a "grandfathering" clause, which will allow existing pit bulls to remain in Ontario provided that the owner can prove that the pit bull was in Ontario prior to August 29, 2005 or born within 90 days of August 29. Pit bull owners must also comply with the regulations under the Dog Owners' Liability Act by October 28, 2005.

Effective August 29, 2005, in a Court proceeding, if a pit bull owner is found to have contravened a provision of the Dog Owners' Liability Act or their dog has bitten, attacked or posed a menace to public safety, **a mandatory destruction order will be issued by the Court.**

It is against the law to bring pit bulls into Ontario, even for a short visit.

- **There are *no* exceptions made for:**
 - Tourists
 - People moving to Ontario, or
 - **Military personnel being transferred to Ontario postings.**
- If you leave Ontario with a restricted pit bull (one that was legally owned after the ban was implemented), you can return with that pit bull within three months of your departure. But after three months, that pit bull will not be allowed back in Ontario.
- The amendments to DOLA provide that police officers, special constables, First Nations Constables, auxiliary police, municipal law enforcement officers, OSPCA inspectors and OSPCA agents are all designated as peace officers for the purposes of DOLA.
- **Designated peace officers will be able to obtain warrants to seize a dog** from a particular location where it is not desirable in the interests of public safety that the dog be so located.
- In exigent circumstances, **designated peace officers will have a right of entry without warrant.** Exigent circumstances include circumstances where there are reasonable grounds to believe that entry without warrant is necessary to prevent imminent bodily harm or death to any person or domestic animal.
- **There are also provisions for seizure in public places.**

Under the amendments to DOLA, pit bull is defined as:

- A pit bull terrier
- A Staffordshire bull terrier
- An American Staffordshire terrier
- An American pit bull terrier
- **A dog that has an appearance and physical characteristics substantially similar to any of those dogs.**

Who decides whether or not a dog is a pit bull?

The amendments provide that in a Part IX proceeding the onus of proving that the dog is not a pit bull will lie with the owner of the dog. In offence proceedings, the amendments provide that the prosecution must prove its case beyond a reasonable doubt and that, in the absence of evidence to the contrary, a veterinarian's certificate attesting that a dog is a pit bull is evidence of that fact. Part IX proceedings and offence proceedings are heard before the Ontario Court of Justice.

What if I am just passing through Ontario with my pit bull?

You will be in contravention of the law if you are found to have imported a pit bull into the province. Your pit bull may be subject to seizure and you may be subject to a fine and/or jail time. Please note that exceptions exist for Ontario residents who are out of the province with their pit bulls for less than three months. Limited exceptions also exist for individuals coming to Ontario for purposes of participating in recognized dog shows and flyball tournaments.

[Information on The Dog Owners' Liability Act and Public Safety Related to Dogs Statute Law Amendment Act, 2005](#) » Information on The Dog Owners' Liability Act and Public Safety Related to Dogs Statute Law Amendment Act, 2005

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