

5.10 (b)

July 11, 2019

71 Main St W, Hamilton,

ON L8P 4Y5

Dear Ms. Lisa Chamberlain, Mayor Fred Eisenberger,

Thank you for the opportunity to have a final submission in my plea for clemency for my pets, Quacker and Sunny. Both these animals are domesticated ducks, and fall under the Hamilton By Law outlawing livestock.

In my submission, I outlined primarily my concerns for my older female, who is 9, so quite old, and suffering from arthritis in her leg, making her lame. My fear is her well being, both integrating with a flock, and the care and stress she may have both in relocating, and her needs with respect to her arthritis. Being lame makes it challenging for her, and puts her at risk with a pecking order in a flock, and her general well being. I believe she still has a quality of life, and have observed her condition for this. Both ducks are bonded with me, and with each other. They are truly pets.

I have had ducks as pets for many years now, and have properly managed them, and knowing that they were not allowed, have always been mindful of their care, and any disturbances that they could potentially cause. My neighbours have always enjoyed seeing them, having their children and grandchildren play with them, and they have even attended the neighbourhood school for a visit.

Their shelter is simple, a cage within a shed, and a small run. In the winter they are provided a source of heat, which they largely ignore, and I will even bring them inside during extreme cold snaps, which is most likely solely from my worry than their actual need.

In warmer months they are allowed to simply graze in the backyard. I do have a pen on a concrete run, which allows for me to hose it down and keep their area clean.

I wanted to propose an exemption or a licensing process for them. The City would be able to monitor for issues and address accordingly.

I have also had rabbits housed outside also. Having been a resident of this community for 16 years, I have always had animals outside, and have worked to be mindful and considerate of my neighbours. It is my argument that having rabbits housed outside would fall within the City by law orders, as are pot bellied pigs, and the circumstances around their care would be no

different than having two ducks. Meaning that the issues would potentially be the same. I believe I have had a good communication with my neighbours in the past, and have good relationships with those around me.

In addressing some concerns that were raised within the meeting by a neighbour of mine, I would like to be able to put a voice to that.

I had not raised this contentious issue in my meeting, because I truly believed the issue was resolved, and entirely not related to my pets. I had believed my neighbour when she on 3 occasions stated it was not her who reported my pet ducks. Stating emphatically it was not her. When I tried to explore this further, it was further emphasized that it was not her, and that she swore it to be true. I was left wondering who did. I had several neighbours ask did I know who reported me, and a couple suggested it was one particular owner who lived on the adjacent street who had a history of calling the City for various infractions. In further addressing the concerns raised in the meeting, my neighbour Jen Smith came to me to inform me of the situation within her greenhouse. I was surprised by what she had shown me, which was obvious tunneling and housing of rodents. I have had a relationship with Jen due to the neighbourhood being close, and our children of similar age playing together. I wanted to assist her in this, because as a newly single mom, I felt it would have been unmanageable for her. I had asked her if she would like my husband to help her.

I had expressed concern at the time over the matter, stating that they were living in the the greenhouse and probably had come for shelter during the winter. I further expressed concern in the ability for it to be cleaned, as it had a raised floor of fertilized soil that elevated it above the ground by about a foot, and had wooden partitions throughout. I had stated that it would need to be cleaned, in some way, to have the rodents kept out. And to ensure no sources of food were available. I acknowledged at that time that I had been feeding squirrels and birds along the fence line, as there are many, we have a lot of trees, and that I would further ensure that any garbage, recycle, green bin would be properly stored. We had agreed that if we worked together it would be resolved. She had addressed my animals, and I had stated at that time that the food was kept in a metal bin, housing was clean, and that I would take extra precaution during this time to ensure that this would be resolved. In addition I spoke to her neighbour, whose backyard also backs onto my property. I had advised him of the issue that Jen was experiencing. I also acknowledged my ducks at that time. He had stated to me that the recent sewer work on their street, twice in the last year, had most likely displaced the rodents, and they had taken up residence. He further stated he was not concerned about my ducks, or that they were the source, and that Hamilton had an issue with rodents. I had previously been not completely aware of this. I was aware of a resident on the West Mountain approximately two years ago, who had an issue with rats, and did not have any livestock. This bolstered my feelings around this matter. I further communicated with Jen, and offered an inspection of my property to alleviate her concerns. I had advised that I was willing to work with her on this matter, and that I was further concerned of health issues that this could have, and the risk of the rodents attacking my ducks. She was in agreement.

In the following day I received a notice from City by Law regarding my ducks. I approached Jen and asked her if this was her report, she adamantly stated no. I went to all my neighbours and asked them, they all responded no, and that they did not have an issue with my ducks. Perplexed as to what the source of the report was, I had gone back to Jen, to ask. On two more occasions she had stated that she had not, that she did not know who did. I even hugged her and told her that I believed her. I continued to work with her on her situation, stating my concerns of her greenhouse and the inability to clean it. Two days later the greenhouse was being dismantled. Once the greenhouse was dismantled, the rodent situation disappeared. I believed that this was evidence alone.

I further was open to my neighbour in all matters, including trying to get an appeal for my pet ducks. I was going to approach her to point out the fact that once the greenhouse was down, the issue disappeared. To note, I had my ducks for two more weeks due to an extension on the order. I felt that this was good evidence, and let the matter lay to rest, as I worked to try to save my pets. I did believe that Jen was not the source of the complaint, although I felt she had wanted to pinpoint me and lay blame without being open to the situation and solutions in the matter.

It had been my intention to resolve communication with Jen Stewart, and further advise her of my delegate submission. I had thought it perhaps I would advise her following, as I had been hopeful for a successful outcome. I believe that this had become a neighbour dispute as to the source of issue, and remedy for it. I maintain that I was open to helping and resolution, and further monitoring of the situation.

I have further communicated since my delegate meeting with my surrounding neighbours, who indicated a willingness to sign a statement for me, that they did not have concerns with my ducks.

I do have a petition on line that has gathered about 730 signatures. In addition to that, many phonecalls and messaging through social media in support.

I was surprised to see in the comments of the Twitter feed, that there were some that expressed having issues with rats, and they did not have ducks, or their neighbours.

I have had further private conversations regarding this, and many have stated that the change in the environment, water flooding and sewage issues, is the cause behind issues with wildlife, including having issues with coyotes in urban dwellings.

I am just trying to save my pets at this time. Outlining as openly as I can.

It is true that I understood that this was against the by law. I had always hoped that I would be able to move into the country. Financial barriers have just proven to be an obstacle.

I thank you for allowing me a final submission, Lisa Chamberlain and Mayor Fred Eisenberger.

Sincerely,

Lorraine Appleyard