

## **KWAKIUTL BAND COUNCIL**

99 TSAKIS WAY, FORT RUPERT RESERVE  
P.O. BOX 1440, PORT HARDY B.C. V0N 2P0  
TEL: (250) 949-6012 FAX: (250) 949-6066

### **Kwakiutl Band Animal Control By-law**

#### **By-law No. 2018.1 Being a By-law Respecting the Care and Control of Animals on the Reserve.**

WHEREAS section 81, paragraph (a), (d), (e), (q) and (r), of the Indian Act empower the Council of an Indian Band to pass by-laws to provide for the health of residents on the reserve, the prevention of nuisances, the protection against and the prevention of trespass by domestic animals, in addition to, matters arising out of or ancillary to the exercise of powers under this section, and the imposition of a penalty for the violation of any such by-law; When a domestic animal residing on the Kwakiutl Band Reserves is involved in a "vicious attack" against another domestic animal or against a human, the Owner will be responsible for any financial costs incurred by the attack.

AND WHEREAS the Council of the Kwakiutl Band is of the opinion that the uncontrolled ownership, breeding, and running at large of animals may be detrimental to the health of the residents on the reserve, and a nuisance to such residents;

THEREFORE, the Council of the Kwakiutl Band enacts this Animal Control Bylaw, Number 2018.1, as follows:

### **PART 1 - GENERAL**

#### **SHORT TITLE**

1. This by-law may be cited as the "Kwakiutl Band Animal Control By-law".

#### **INTERPRETATION**

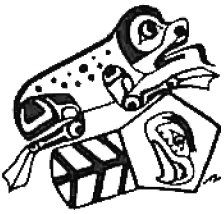
2. In this by-law

"animal" means a dog, a cat, or any other domestic animal;

"animal control officer" means an animal control officer, appointed pursuant to section 3, or any by-law enforcement officer, including a police officer or a person employed by the band council for the purpose of enforcing the provisions of this by-law;

"animal register" means the register kept by the animal control officer for the purpose of the registration of all dogs and other animals on the reserve;

"band" means the Kwakiutl Band, as defined by Section 2 of the Indian Act;



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"cat" means any cat, male or female;

"council" means the Council of the Kwakiutl Band, as defined in the Indian Act;

"dog" means any dog, male or female and includes an animal that is a cross between a dog and a wolf;

"dwelling" means each single unit home being a fully or semi-detached building, a multiple unit dwelling, an apartment home or any building used or intended to be used for human habitation and in which normal domestic functions may be carried on;

"medical officer of health" means the medical officer of health so appointed by band council resolution;

"muzzle" means to secure a dog's mouth in such a fashion that it cannot bite anything;

"owner" of a animal includes a person who possesses or harbours a animal, and the terms "owns" and "owned" have a corresponding meaning;

"at large" or "running at large" means off the premises of the owner and not muzzled or under the control of any person;

"reserve" means the following: Fort Rupert 1, Kippase 2, Thomas Point 5, Thomas Point 5A, Shell Island 3, Wazuliz 14, Walden 9, Keogh 6, Klickseewy 7 and Malcolm Island 8;

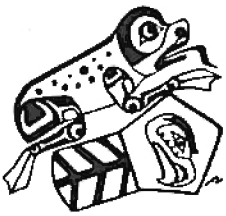
"vicious dog" includes

- (a) any dog that demonstrates any ferocious, vicious, or aggressive behaviour;
- (b) any dog that an animal control officer, upon reasonable and probable grounds, believes to be a vicious dog;
- (c) any dog which has been the cause of a prosecution under this by-law within the previous six months where a conviction against anybody had been entered concerning that specific dog;
- (d) any dog which has bitten another animal or human without provocation.

### APPLICATION

3. This by-law applies to all owners of domestic animals residing or visiting on the Fort Rupert 1, Kippase 2, Thomas Point 5, Thomas Point 5A, Shell Island 3, Wazulis 14, Walden 9, Keogh 6, Klickseewy 7 and Malcolm Island 8 reserves.

This by-law comes into force 40 days after the date of mailing to the Minister of Indigenous and Northern Affairs Canada as required pursuant to section 82 of the Indian Act.



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THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of Kwakiutl Band this 22nd day of May, 2018.

Voting in favour of the by-law are the following members of the Council:

Cheryl  
Desiree Hunt  
\_\_\_\_\_  
\_\_\_\_\_

Ross  
Dawina Hunt  
\_\_\_\_\_  
\_\_\_\_\_

Being the majority of those members of the Council of the Kwakiutl Band present at the aforesaid meeting of the Council.

The quorum of the Council is 4 members  
Number of members of the Council present at the meeting 6.

I, Chief/Councillor of the Band, hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indigenous and Northern Affairs Canada at the Vancouver office of the department pursuant to subsection 82(1) of the Indian Act, this 4th day of June, 2018.

[Signature]  
(Witness)

[Signature]  
(Chief/Councillor)

