

BCR 95/96 - 349



# PIC-MOBERT FIRST NATION

7606 '95 NOV 27 AIO:25

## REPEALING BY-LAW

4216-00195  
4215-4-00195

The Pic Mobert First Nation  
A BY-LAW TO REPEAL BY-LAW NO.  
BEING A BY-LAW TO REGULATE THE  
CONTROL AND OWNERSHIP OF DOGS

MOBERT ONTARIO

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**WHEREAS** the council of the Pic Mobert Band did enact By-law number 1968-89-10 on the 27th day of November 1968, pursuant to paragraphs B1 (1) (a) and (r) of the Indian Act regarding the control of dogs.

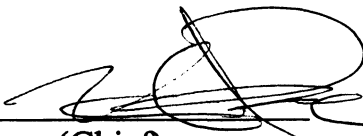
**AND WHEREAS** the said council is of the opinion that such a by-law is not required at this time;

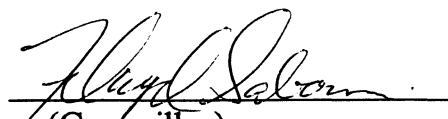
**NOW THEREFORE** the council of the Pic Mobert First Nation enacts as a by-law thereof the following;

1. By-Law number 1968-89-10 enacted on the 27th day of November 1968 and being a by-law regarding the control of dogs is hereby repealed.

Approved and passed at a duly convened meeting of the council,


this 16th day of November, 1995.

  
\_\_\_\_\_  
(Chief)

  
\_\_\_\_\_  
(Councillor)

  
\_\_\_\_\_  
(Councillor)

\_\_\_\_\_  
(Councillor)

  
\_\_\_\_\_  
(Councillor)

\_\_\_\_\_  
(Councillor)

The quorum is set at 4

Number of councillors who voted in favour: 3



# PIC-MOBERT FIRST NATION

By-Law No. 1995-1  
of the PIC MOBERT FIRST NATION

**MOBERT ONTARIO**

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## A BY-LAW TO REGULATE THE OWNERSHIP AND CONTROL OF DOGS ON THE RESERVE

WHEREAS the Council of the Pic Mobert First Nation desires to make a by-law for the regulation of the ownership of and control of dogs and other similar pets within the Pic Mobert reserve.

AND WHEREAS the Council of the Pic Mobert First Nation is empowered to make such by-law, and with respect to any matter arising out of or ancillary to the exercise of the power, and for the imposition of a penalty for a violation thereof, pursuant to paragraphs 81(1)(a),(c), (e), (q) and (r) of the Indian Act;

AND WHEREAS it is deemed to be expedient for the welfare of the inhabitants of the Pic Mobert Indian Reserve No. 82 to licence and regulate dogs;

NOW THEREFORE the Council of the Pic Mobert First Nation hereby enacts the following by-law:



# PIC-MOBERT FIRST NATION

1. This by-law will be cited as the Dog Control By-Law.

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2. In This By-Law

- a) "ANIMAL" means a domestic dog or other similar domestic animal held by it's owner primarily for purposes of companionship, security or sport.
- b) "BAND" means Pic Moberg First Nation Band.
- c) "BY-LAW ENFORCEMENT OFFICER" means any person designated by the council to enforce any or all band By-Laws and includes all First Nations Constables, Ontario Provincial Police Officers and Royal Canadian Mounted Police Officers.
- d) "COUNCIL" means the Council of the Band.
- e) "HOUSEHOLD" means all persons residing in the same house.
- f) "OWNER" means the Person who actually owns and controls the animal.
- g) "PERSON" means an individual who is on Pic Moberg First Nation Territory.
- h) "QUARANTINE" means to isolate the animal from people and other animals and that the animal must be tied up at all time.
- i) "RUN AT LARGE" "RUNNING AT LARGE" means an animal which is off the owner's premises, and is not tied up and not in the immediate control of the owner or other person responsible for that animal.
- j) Words in the singular include the plural, and words in the plural include the singular.
- k) "WARNING" means a written notice given to the owner by a By-Law enforcement officer within 5 working days of the offence.



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1) "WORKING DAYS" means regular business days of the Band which shall include weekdays from Monday through to Friday, excluding public holidays on which the Band office is closed.

3. No HOUSEHOLD shall :

a) Own more than 1 animal at any time, unless a special exception is granted by the Band.

b) A special exception to the maximum specified in 3 (a) may be granted upon application to the Band, in cases where

i) the animals are used as part of a sled dog team for sport or hunting purposes.

ii) the animals are used for commercial breeding purposes;

iii) the owner is operating an animal shelter within their household;

iv) the owner abides by all other regulations established in this by-law.

4. No person shall permit any animal owned by him/her to run at large on the First Nation Territory.

a) The owner shall be given a written warning for each occasion on which their animal is discovered running at large.

b) Upon the issuing of a third written warning the owner is guilty of an offence and is liable on summary conviction to a fine not exceeding \$500.00

c) If any animal(s) attacks and causes injury to any person on the Pic Mobert First Nation territory the animal will be destroyed after being quarantined for a period of 14 days.



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5. No action lies against any by-law enforcement officer where the by-law enforcement officer has exercised the duties and rights imposed upon him/her by this by-law.
  
6. Any animals which cannot be realistically controlled, including any animals without an identifiable owner and/or dogs running in packs which could potentially pose a threat to persons or other animals, may be destroyed without quarantine or notice.