



SERPENT RIVER FIRST NATION

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THE SERPENT RIVER FIRST NATION BY-LAW NO. 09-01-95

Being a by-law respecting the control of dogs on the reserve;
WHEREAS Section 81, paragraphs (a), (d), (e), (q) and (r), of the Indian Act empower the Council of a Band of Indians to pass by-laws to provide for the health of residents on the reserve, the prevention of nuisances, the protection against and prevention of trespass by cattle and other domestic animals, 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-laws;

AND WHEREAS The Council of the Serpent River First Nation is of the opinion that the uncontrolled ownership, breeding, and running at large of dogs may be detrimental to the health of the residents on the reserve, and a nuisance to such residents;

NOW THEREFORE, The Council of the Serpent River First Nation in the Province of Ontario repeals By-Law No. 00-1 and substitutes therefore the following:

1. In this by-law:
 - (a) " Council " means the Council as defined in the Indian Act, of the Serpent River First Nation;
 - (b) " dog " means any dog, male or female, over the age of 2 months; and includes the plural;
 - (c) "dog control officer" means that person designated as such by the Council;
 - (d) "owner" includes owner, harbourer, or possessor of a dog;

- (e) "Reserve" means that tract of land set apart by Her Majesty for the use and benefit of the Serpent River First Nation and known as Serpent River Indian Reserve number seven (7) in the Province of Ontario and includes any portion or portions of that Reserve surrendered for lease or leased;
 - (f) "running at large" shall mean off the premises of the owner of the dog and not under the direct control of the owner or a person appointed by that owner for such purposes.
2. (i) The Council shall appoint a person to be the Dog Control Officer, and shall fix the terms of employment, duties, and remuneration, and such an appointment may include the SPECIAL CONSTABLE;
- (ii) The Dog Control Officer shall maintain a record of the registration of the owner, the name of the dog and its age, sex, breed, and description, the number of the issued dog tag, the date of registration; and the amount of the fee paid.
 - (iii) All monies received by the Dog Control Officer in the pursuance of his duties shall be paid over to the Finance Office of the First Nation.
 - (iv) Monthly and such other times as the Council may direct, the Dog Control Officer shall report to the Council on all activities coming within his appointment during the period.
3. (i) The owner of a dog on or before the 1st day of April in each year, or as soon thereafter as the dog shall have attained the age of 2 months, shall cause the same to be licensed and registered with the Dog Control Officer.
- (ii) The owner of a female dog, once the dog has attained the age of 6 $\frac{1}{2}$ months, shall produce to the Dog Control Officer, a certificate of a veterinary surgeon to the effect that the dog has been spayed.
 - (iii) Where an owner acquires a dog after the 15th day of April in any year, the owner shall immediately comply with all of the requirements of this by-law.

4. (i) Upon application of the owner the Dog Control officer shall enter the required information in the record and upon payment of the appropriate fee shall issue a dog tag.
 - (ii) The owner shall attach the tag to the dog and shall ensure that it remains attached to the dog at all times.
 - (iii) A dog tag may be transferred from one dog to another.
 - (iv) Every dog tag issued shall expire on the 31st day of March in the year in which it was issued regardless of the date of registration.
 - (v) In the event that a dog tag is lost the Dog control Officer, upon application of the owner, shall issue a replacement tag upon payment of a fee of two dollars (\$2.00).
5. (i) The fee applicable for the registration of a dog and the issuance of a tag pursuant to Section 3 and 4 is as follows:
 - a) for each male or spayed female dog \$10.00
 - b) for each female dog (unspayed) \$40.00
 - (ii) In order to qualify for the fee for a spayed female dog the owner shall produce, at the time of registration, a certificate of a veterinary surgeon to the effect that the dog has been spayed.
 - (iii) No fee, or part of a fee, is refundable in the event of the loss, death or transfer of ownership of a dog.
6. No dog shall be allowed to run at large within the reserve.
 7. Any dog found running at large, committing a nuisance, or endangering the health of residents of the Reserve shall be impounded.
 8. Complaints of a cross dog shall be directed to the Dog Control Officer, the Dog Control Officer shall by written notification inform the dog owner, that the dog will be destroyed, should the owner fail to discipline or restrain the dog.

9. (i) Dogs that bite are to be tied up for fourteen (14) days by the dog owner or the Dog Control Officer, and the appropriate Federal Veterinarian is to be notified immediately to determine whether or not the dog had rabies.
- (ii) Dogs that bite may be destroyed in a humane manner by the Dog Control Officer after fourteen days or within a shorter period on the advise of a veterinarian.
10. (i) No person shall own, harbour, or keep any unregistered dog, or a dog without a tag, any such dog may be seized by the Dog Control Officer and impounded.
- (ii) For the purpose of enforcing compliance with Section 10 (i), the Dog Control Officer may enter upon the premises where a dog is kept and demand from the owner, proof that the dog is licensed.
11. (i) The Dog Control Officer shall maintain an animal shelter in which an impounded dog shall be placed.
- (ii) Every animal shelter shall be open to the public for the purposes of claiming an impounded dog.
- (iii) The Dog Control Officer shall ensure that each impounded dog is housed under sanitary conditions and receives food, water and shelter to the extent necessary to maintain good health.
- (iv) The Dog Control Officer shall maintain a record of each dog impounded including a general description, sex, apparent age, date, place and the basis for impounding, and tag number if known.
- (v) Any dog impounded pursuant to Section 11. shall be confined for a period of at least 3 days excluding Saturdays, Sundays and Statutory Holidays.
12. i) Upon impounding a dog, the Dog control Officer shall;
 - ii) Notify the owner, in writing;
 - iii) The notification must be hand delivered to the owner;
 - iv) The notification shall advise of the impounding of the dog, the hours during which the shelter is open, the fee necessary to reclaim the dog, the possible disposition of the dog in the event it is not claimed, and the date by which the dog must be claimed.

- v) If an impounded dog is not claimed within 3 clear days, of the giving of the notification in Section 12.(1), the Dog Control Officer shall dispose of the dog.
- vi) The owner may claim an impounded dog within the time periods noted above upon payment of the pound fees and if applicable, the payment of the registration and dog tag fees.

The pound fees applicable to an impounded dog are:

\$20.00 per day.

- 13. Any person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable, on summary conviction to a fine not exceeding One Hundred Dollars (\$100.00) or to imprisonment for a term not exceeding thirty (30) days, or to both a fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the SERPENT RIVER FIRST NATION This 9th day of January 1995.

BAND COUNCIL RESOLUTION
RESOLUTION DE CONSEIL DE BANDE

Chronological no. - N° consécutif
94-052

File reference no. - N° de référence au dossier
4216-201

NOTE: The words from our Band Funds "capital" or "revenue" whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent apparaître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

The council of the Le conseil de		Cash free balance - Solde disponible	
SERPENT RIVER FIRST NATION		Capital account Compte capital	\$ _____
Date of duly convened meeting Date de l'assemblée dûment convoquée	J M Y A 0 9 0 1 9 5	Province ONTARIO	Revenue account Compte revenu
			\$ _____

DO HEREBY RESOLVE:
DECIDE, PAR LES PRESENTES:

THAT By-Law No. 001 be repealed and replaced by By-Law No.09-01-95 being a By-Law respecting the care and control of dogs on the Serpent River First Nation.

INDIAN AFFAIRS
SUDBURY DISTRICT
JAN 16 1995

Quorum 5

Paul L...
(Chief - Chef)

(Councillor - Conseiller)

(Councillor - Conseiller)

M.H. M...
(Councillor - Conseiller)

Bernard J...
(Councillor - Conseiller)

[Signature]
(Councillor - Conseiller)

[Signature]
(Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu	Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu
Recommending officer - Recommandé par			Recommending officer - Recommandé par		
Signature _____ Date _____			Signature _____ Date _____		
Approving officer - Approuvé par			Approving officer - Approuvé par		
Signature _____ Date _____			Signature _____ Date _____		