



P.O. BOX 5000

OHSWEKEN, ONTARIO

CANADA N0A 1M0

Office: (519) 445-2201
Public Works: 445-4242Research: 445-2053
Welfare: 445-2084
Fax: (519) 445-4208Economic Development: 445-0093
Housing: 445-2235

**The Six Nations of the Grand River
A By-Law for the Control And Registration Of Dogs**

or

**By-Law No. 1996.1 Being A By-Law to Repeal And Replace By-Laws
1-76 And 1-76-A89**

WHEREAS the Council of the Six Nations of the Grand River desires to make a By-Law for the control and registration of Dogs and with respect to any matters ancillary to the exercise of powers under section 81, and for the impositions of penalties for the violation thereof;

AND WHEREAS paragraphs (a), (e), (q) and (r) of Section 81 of the Indian Act empower the Council of a Band to make such a by-law;

AND WHEREAS it is deemed to be expedient to establish a method of impounding and distraining Dogs running at large on the Six Nations Indian Reserve No. 40 and 40b for the benefit and safety of the residents of the Reserve;

AND WHEREAS the Council of the Band did enact By-Law No. 1-76 on the 18th day of August, 1976 and By-Law No. 1-76-A89 on the 13th day of February 1989, and wishes to repeal said By-Laws No. 1-76 and 1-76-A89 and replace it with this By-Law;

NOW THEREFORE the Council of the Six Nations of the Grand River Band makes the following by-law:

Short Title

1. This By-Law may be cited as the "Dog Control By-Law".

Interpretations:

2. In this By-law: -

"Animal Control officer", means authority designated by Council

"By-law Enforcement Officer" may mean "Peace Officer", Animal Control officer or authority designated by and for Council.

"Cat" shall mean any cat male or female.

"Council or Band Council" means the duly elected council of the Six Nations of the Grand River reserve as defined in the Indian Act.

"Dog" means any dog, male or female.

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

"Health Department" means authority designated by council.

"Kennel" means:

- (a) a place or confine where dogs are bred and raised and registered in the Register of the Canadian Kennel Club Incorporated: or, held for a designated period.

"License Issuer" means the appointee of the Six Nations Council."

"Muzzle" or "Muzzled" means to secure a dogs mouth where they are not able to bite anyone.

"Owner" includes any person who possesses or harbours a dog and cat and "owns" and "owned" shall have corresponding meaning.

"Reserve" means that tract of land set apart for the use and benefit of the Six Nations of the Grand River Band of Indians and known as the Six Nations Indian Reserve No. 40 and 40b.

"Run at large" or "Running at large" means off the premises of the owner and not muzzled or under the control of any person.

"Villainous dog" includes:

- (a) a dog that demonstrates ferocious, viscous or aggressive behaviour.
- (b) any dog that a By-Law enforcement officer, upon reasonable and probable grounds believes to be villainous.
- (c) any dog that has been the cause of a prosecution under this By-Law within the previous six months where a conviction against had been entered concerning that specific dog.
- (d) any dog that has bitten a human without provocation.

Licensing:

- 3. (1) Every owner of a dog or cat shall, on or before the 15th day of February in each and every year, or upon becoming the owner of a dog or cat after the 15th day of February register such a dog or cat with the Animal control officer and procure a license for each dog or cat owned by him/her and every person so licensed shall be subject to the provisions of this by-law:
- (2) Every license issued under this By-law shall be for a maximum of one (1) year and shall expire in each year on the 31st day of December.
- (3) No kennel license shall be issued within any area of the Reserve, except as otherwise permitted by written Band Council Resolution.
- (4) No person may establish, own or operate an establishment or facility for the boarding or treatment of animals within the limits of the reserve, without express written authorization to that effect from council, by way of band council resolution.

- (5) No person shall keep, harbour or possess a wild animal on the reserve that may pose a danger to the health and safety of reserve residents without the express written consent of the council by band council resolution.
4. (1) The annual license fee shall be paid to the License issuer at the time the license is issued as follows:
- (2) For tags and kennel licenses purchased prior to February 15th of each and every year:
- \$10.00 - spayed or neutered dog or cat\certificate required
 - \$15.00 - not spayed or neutered
 - \$25.00 - kennel
- (3) For tags and kennel licenses purchased after February 15th of each and every year:
- \$15.00 - spayed or neutered dog or cat\certificate required
 - \$20.00 - not spayed or neutered
 - \$30.00 - kennel
- (4) Fee for the replacement of a lost tag is \$2.00.
- (5) Upon the registration of such dog or cat, as provided by this By-law, and upon payment of the prescribed fee, every owner shall be furnished, with a tag.
- (6) Every owner on the Reserve of a dog or cat shall cause such dog or cat to wear around its neck a collar to which is attached a tag for the then current year, issued in respect of such a dog or cat under the provisions of this By-law.
- (7) Every license is personal to the holder thereof, and no tag is transferable.
- (8) The application for registration and tag shall be filed with the license issuer and include:
- (a) the dog or cat owners name if not applicant;
 - (b) The dog or cat owners address, lot and concession number;
 - (c) A description of the dog or cat including age, name, sex and breed, if known;
 - (d) the number of animals in the household;
 - (e) Upon application for a tag the applicant shall produce a certificate recording that the dog or cat has been inoculated with an anti-rabies vaccine within a period of 24 months of the date of application for the tag.
 - (f) any other information deemed by the licensor to be necessary for the proper administration of the By-Law.
5. (1) All dogs and cats in the reserve must be immunized in accordance with generally accepted veterinary standards.
- (2) Section 5(1) does not apply to dogs or or cats under four months old.

6. The owner of any animal exposed to rabies shall report to band council and, on demand, surrender such animal to the band council to be held by the animal control officer in quarantine for a period of 14 days and such animal shall not be released from such quarantine without the written permission of the Health department.
7. An owner upon demand made by the band council shall forthwith surrender to the band council any animal which has bitten any person or which has been exposed to rabies to be held in quarantine at the discretion of the Health department.
8. Any animal found to be infected with rabies shall be destroyed by its owner or by the animal control officer at the expense of the owner.
9. Every dog and cat shall bear the serial number and the year which it was issued and a record kept by the By-law enforcement officer or dog control officer showing the name and address of the owner and the serial number of the tag.
10. The owner shall keep the tag securely fixed on the dog or cat at all times.

Prohibition of animals within specific areas

11. (1) The Council may at any time prohibit the keeping of animals within any area of the reserve.
- (2) Notice of any prohibition made by Council pursuant to this section shall be posted in the band administration building and after the date of posting such notice, no person shall keep or have an animal within the prohibited area.

Dogs Running at Large:

12. (1) No person shall suffer, allow or permit any dog of which he is the owner to run at large on the Reserve.
- (2) For the purpose of this By-law, a dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not under the control of any person.
- (3) For the purposes of this By-law, a dog shall be deemed not to be under the control of any person when the dog is not on a leash, held by a person, or is not on a leash which is securely affixed to some permanent structure from which the dog cannot escape.
- (4) No person shall suffer, allow, or permit a dog under his control to trespass on private property, whether on a leash or not, unless permission for the said trespass is first obtained from the property owner.

Seizure and Impounding

- (5) The By-law Enforcement Officer of the Reserve shall, and any Police officer may, seize any dog found running at large or any animal without a tag contrary to this By-law.
- (6) Every animal seized shall forthwith be delivered to the Animal Control Officer of the Reserve.
- (7) The Animal Control Officer shall impound any dog found to be running at large, seized by him/her or delivered to him/her.

12. (8) The owner of a dog or cat impounded shall claim the dog or cat within seventy-two hours (exclusive of statutory holidays, Sundays and the day on which it was impounded), after that dog or cat has been impounded, on application to the By-law Enforcement Officer.
- (9) Where an owner claims a dog or cat, he shall:
- a) Provide proof of ownership of the dog or cat and;
 - b) pay to the By-law Enforcement Officer all expenses incurred in securing , caring for and feeding the dog or cat as listed in schedule "A" hereto attached; and
 - c) pay for the license and registration of the dog or cat, if not currently licensed.
- (10) Where the dog or cat impounded is not claimed by the owner, within the time limited in sub-section 8, the By-law Enforcement Officer may retain the dog or cat for such further time as he may consider proper and during that time, the By-law Enforcement Officer may: -
- a) sell the dog or cat for such price as he may consider proper: or
 - b) kill the dog or cat in a humane manner or otherwise sell or dispose of the dog or cat as set out in the Animal for Research Act.
- (11) A dog shall not be considered running at large and need not be on a leash if not a villainous dog and the dog:
- a) is being used by a person for hunting; or
 - b) is being used by a person to work in a lawful manner with sheep or cattle.
 - c) used by a visually impaired person as a guide dog.
13. (1) Notwithstanding Section 12(8), a By-law enforcement Officer may destroy immediately, in a humane manner, any dog or cat found in the following circumstances:
- (a) Where a dog or cat is considered a threat to public health or safety or has attacked and seriously injured someone; or
 - (b) where the dog or cat is injured or should be destroyed without delay for humane reasons.
- (2) No damages or compensations shall be recovered on account of any dog or cat being killed under sections 12 and 13.
- (3) A written report of each such incident described in this section shall be made to Council within thirty (30) days of the event.
14. No person shall allow a dog which they own, harbour or possess or have control of to defecate anywhere within the Reserve other than on the land of the owner unless they immediately remove and dispose of the excrement of the said dog in a sanitary manner, except the excrement from a guide dog while under the control of a blind person.

Limit on number of animals per dwelling

15. (1) No more than three (3) animals consisting of dogs and cats shall be kept, harboured or possessed in any dwelling.

- (2) The provisions of subsection 15(1) do not apply to dog or cat litters, where the pups or kittens are less than 4 months old.
16. No owner shall allow a female dog in heat to remain in any public place unless such a female dog is attached to a leash and is accompanied by and is under the observation and control of the owner or their agent.
- 17.(1) The owner of a dog who fails to take all necessary measures to ensure that such dogs do not enter upon property without being under control or in possession of the owner, is guilty of an offense.
- (2) The owner of a dog which causes damage to any property including moveable property, lawns, flower gardens, flower beds, bushes or plants, or other parts of property, is guilty of an offense.

Abuse of Animals

18. No person shall punish, shoot at or abuse any animal in a manner or to an extent that is cruel and unnecessary.
19. No owner shall neglect to feed their dogs or allow their animals to remain unfed or without water as sufficiently long either to amount to cruelty or to cause their animals to become a nuisance.
20. No owner shall permit a dog to bark, yelp, growl to such an extent as to annoy or disturb the peace of residents of the reserve.

Villainous Dogs

21. Anyone owning a villainous dog must post a clearly visible, large, legible sign on their property in a conspicuous place notifying the public.
22. A villainous dog must be muzzled and on a leash or in a cage whenever it is in a public place.
23. On private property a villainous dog shall be kept on a secure leash or in a restricted area that shall be constructed so as to prevent any escape by the dog

Penalty:

24. Every person who contravenes any provision of this By-law is guilty of an offence and is liable upon summary conviction to pay a fine of up to one hundred dollars (\$100) exclusive of costs.

SCHEDULE "A" - Dog-Bylaw No.1996.1

Shelter & Care Expenses:

Lodging - \$9.00 per day
Rabies shot- \$30.00 per shot
Quarantine - \$6.00 per day

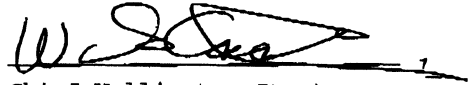
Securing Animals:

Pick-up on regular hours	-	\$15.00
After hours and weekend pick-up	-	\$25.00

Whereas By-law No. 1-76 enacted on 18th day of August, 1976 and By-law No. 1-76-A89 enacted on the 13th day of February 1989 and being By-laws to regulate and control dogs running at large;

AND WHEREAS the said Council is of the opinion that such by-laws are not required at this time are hereby repealed and;

This By-law is hereby enacted this 24 day of JUNE 1996 by the Chief and Council of the Six Nations of the Grand River at a duly convened meeting of the Chief and Council.

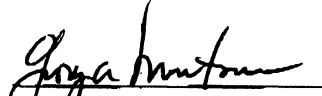

Chief Wellington Staats

Voting in favour of the By-law are the following members of Council.

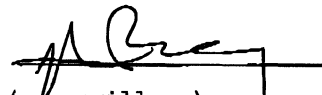
(councillor)


(councillor)


(councillor)

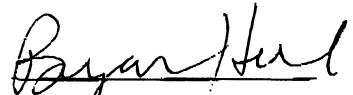

(councillor)


(councillor)


(councillor)



(councillor)


(councillor)


(councillor)


(councillor)

(councillor)


(councillor)

The quorum is set at 5.

The number of councillors who voted in favour: 7 .