

REPEALING BY-LAW

By-Law No. 12 RESPECTING ANIMAL CONTROL (DOMESTIC ANIMALS) SAUGEEN INDIAN RESERVE No. 29.

WHEREAS section 81, (1) paragraphs (a), (d), (e), (q), and (r), of the Indian Act empowers 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 the prevention of trespass by domestic animals, matters arising out of ancillary to the exercise of powers under this section, and the imposition of a penalty for the violation of any such By-Law;

WHEREAS the Council of the Saugeen Indian Reserve # 29, did enact By-Law No. 12 on the 3rd day of November, 1975, pursuant to paragraphs 81, (1) (a), (d), (q), and (r), of the Indian Act;

AND WHEREAS the said Council of the Saugeen Indian Reserve # 29, is of the opinion that such a By-Law is not required at this time;

NOW THEREFORE the Council of the Saugeen Indian Reserve # 29, enacts as a By-Law thereof the following;

1. By-Law No. **1996.12**, enacted on the 22nd day of April, 1996, and being a By-Law Respecting Animal Control on the Saugeen Indian Reserve # 29, be and the same is hereby repealed.

Animal Control Bylaw:

A By-Law to control domestic animals on the Saugeen Indian Reserve No. 29. and other areas under Saugeen Band Councils control.

Part I

Definitions:

1. **"Council"** means the Band Council as described by the Indian Act and means the Council of the Saugeen Indian Reserve No. 29. and Chief's Point Indian Reserve No. 28, for the purpose of this By-Law.
2. **"Animal"** means any domestic animal of the family Canine(dogs) and family Felidae(cats) owned by any member of the Band, running wild or owned by any other persons residing or not, on the Saugeen Indian Reserve No. 29. and Chief's Point Indian Reserve No. 28.
3. **"Members of the Band"** means members of the Saugeen Band as prescribed by the Indian Act and means a member of the Saugeen Indian Reserve # 29. and other areas under Saugeen Band Councils control for the purposes of this By-Law.
4. **"Non Members of the Band"** means persons residing on the Saugeen Indian Reserve No. 29 not registered with the Saugeen Band, which will include persons residing on Leased Land, by either leasing property, renting, or have been granted a permit to reside during the period of May 1st to October 31st in any year.
5. **"By-Law Officer"** means a person appointed by the Saugeen Band Council to carry out the terms of this by-law. This person(s) may also be a police officer.
6. **"Register"** means a system of an official written list of names, items for the purpose to carry out the terms of this By-Law.
7. **"Police Officer"** means officers of the law as described by the Indian Act and means the Anishinabek Police Services for the purpose of this By-Law.
8. **"Registration Fee"** means a charge or payment for license for the purpose of this By-Law.
9. **"Others"** means any person other than those described under No.3 of these definitions.

Part II

Section

1. The Council may appoint By-Law Officers for the Saugeen Indian Reserve # 29.
2. The owner of each animal on the Saugeen Indian Reserve and Chief's Point Indian Reserve shall register the animal with the By-law Officer, who shall enter the name of the animal, its age, sex, and description and the name of its owner, in an Animal Registration List.
3. All animals must be registered within three months after they are born or obtained.
4. There shall be a registration fee payable in respect of each animal. This fee shall be in amount set by the Council by resolution, and shall be collected at the time of registration.
5. Registration shall be renewed, once yearly, by notice to the By-Law Officer.
6. Any change in ownership of any registered animal shall be entered in the Register, and any registration fee that might become due shall be collected at that time.
7. Upon registration the By-Law Officer shall issue a registration tag to the owner, which shall be attached to the animal at all times. Cats are exempt, however the owner must keep the tag for inspection upon request of the By-Law Officer.
8. No unregistered animal shall be harboured or kept by any person and any animal not registered may, on one week's notice, to the person keeping or harbouring it, be seized and destroyed humanely by a By-Law Officer or by the Anishinabek Police Services.
9. Any person harbouring or keeping an animal that is not registered shall be liable on summary conviction to a fine not exceeding one hundred dollars, (\$100.00).
10. (1) The owner of any dog must keep that dog chained, or confined to their property or if ordered to do so, by a By-Law Officer or by the Police Anishinabek Services.
(2) A dog need not be chained or confined provided in subsection (1) if the dog:
 - (a) is held on a leash by a person capable of restraining the dog's movement;
 - (b) is being used by a person for the purpose of hunting;
 - (c) is being used by a person to work in a lawful manner with sheep or cattle;
 - (d) is used by a visually impaired person as a guide dog.

11. Any person who does not comply with the terms of Section 10 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).
12. Any animal running free may be seized and destroyed by a By-Law Officer or the Anishinabek Police Services.
13. Any animal, whether registered or not, that is found to be dangerous by a By-Law Officer, may if not removed from the Reserve within one week's notice to the owner of the Animal, may be seized and destroyed by a By-Law Officer or by the Anishinabek Police Services.
14. For greater clarity, this By-Law applies to all animals running wild on the Saugeen Indian Reserve and Chief's Point Indian Reserve whether owned by Band members, or not.
15. This By-Law supersedes all previous By-Laws regarding animals and their control.
16. This By-Law will be in effect 40 days after it has been passed by the Band Council and all animal owners are advised that all animals must be registered after that time, and fines will be in effect at that time.
17. Persons who may be leasing lands from the Saugeen Band Council must be made aware of said By-Law by either mailing of this By-Law to the last known lessee, posted or hand delivered notice.
18. An animal wearing a current registration tag from a neighbouring township or owners permanent address may be exempt from the registration fee depending on the circumstance under which a By-Law Officer or the Anishinabek Police Services find themselves.
19. The Band Council may designate the maximum amount of animals a person may have in a household to ensure that those registered animals are treated humanely.

Approved and passed at a duly convened meeting of the Council,
this 22nd day of April, 1996.

Councillor

Frank Shuckoos
Councillor

Melina [Signature]
Councillor

[Signature]
Councillor

Rita Root
Councillor

[Signature]
Councillor

Councillor

Arnold Solomon
Councillor

Carol Solomon
Councillor

Councillor

Councillor

Councillor

The quorum is set at five.

I, Richard Kahgee, Chief/Acting Chief of the Saugeen Indian Reserve # 29, do hereby certify that a true and exact copy of the foregoing By-Law 1996.12 was mailed to the Minister of Indian Affairs pursuant to Section 82, ss (i) of the Indian Act, this 22nd day of April, 1996.

Darlene Ritchie
Witness

[Signature]
Chief/Acting Chief

CANADA
PROVINCE OF ONTARIO
To Wit:-

I, **MARIE J. JONES** - Lands Officer - residing at Southampton, Ontario, make Oath and Swear that the paper writing to which this Affidavit is attached is a "True Copy" of a document produced and shown to me and purporting to be the original By-Law made pursuant to the Indian Act and signed by the Saugeen Band Council and dated *April 22nd*, 1996, to said copy having been compared by me with the said document.

Sworn before me at
the Saugeen Indian Reserve
Bruce County
this *23rd* day of *April* 1996.)

) *(Mrs) Marie J. Jones*
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Patricia Ann Roote
PATRICIA ANN ROOTE
Commissioner for the taking of Oaths
Pursuant to Section 108(a)
of the Indian Act.