



BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever 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 paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

Table with columns for THE COUNCIL OF THE BAND, AGENCY, DISTRICT, PROVINCE, PLACE, DATE, and financial details like Current Capital Balance, Committed, Current Revenue balance, and Committed.

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

Let it be resolved that the Band of Constance Lake Reserve hereby enacts a By-Law #7. "Being a By-Law for licencing and requiring the registration of Dogs and for the Control of Dogs within The Constance Lake Reserve" This supercedes By-Law #4 Dog Control

Furthermore let it be resolved that the By-Law be effective from the date of the Approval of the Minister or in forty (40) days after date of forwarded as per Section 82 (2) of the Indian Act.

A quorum for this Band
Pour cette bande le quorum est
consists of
fixé à
Council Members
Membres du Conseil

Chief Bentley Cheechoo
(Chief - Chef)

(Councillor - conseiller)

Albert Sutherland
(Councillor - conseiller)

James Sutherland
(Councillor - conseiller)

(Councillor - conseiller)

Jane Mattinas
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

Stanley Stephen
(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

Jimmy Stephens
(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE. Table with columns for Band Fund Code, COMPUTER BALANCES (A. Capital, B. Revenue), Expenditure, Authority, Source of Funds, and Recommended/Approved status.

BYLAW NUMBER SEVEN

BEING A BY-LAW FOR LICENCING AND REQUIRING
THE REGISTRATION OF DOGS AND FOR THE CONTROL
OF DOGS WITHIN THE Constance Lake Reserve

THE COUNCIL OF Corporation of the Constance Lake Indian Band
ENACTS AS FOLLOWS: Number 92

1. (1) "Animal Control Officer" includes the person or Association who has entered into a contract with the Constance Lake Indian Band to control dogs and to operate a dog pound and any servants of such person or Association and all servants thereof are hereby appointed Municipal Law Enforcement Officers;
 - (2) "Dog" means a male or female dog;
 - (3) "Licence Issuer" means the Clerk of the Constance Lake Reserve.
 - (4) "Licence Agent" means the Sudbury and District Society for Prevention of Cruelty to Animals and its Subsidiary the Northern Ontario Animal Control Service;
 - (5) "Owner" of a dog includes a person who possesses or harbours a dog and "owns" and "owner" have a corresponding meaning. A registered owner of a dog shall be sixteen (16) years of age or over;
 - (6) "Pure-Bred" Meand
 - (i) registered or eligible for registration in the register of The Canadian Kennel Club, Incorporated, or
 - (ii) of a class designated as pure-bred in the regulations made under the Dog Licensing and Live Stock and Poultry Protection Act and all amendments made thereto from time to time.
 - (7) "Treasury" means the treasurer of the corporation of the Constance Lake Reserve.
2. No person in the Constance Lake Reserve shall own, harbour or possess a dog unless or until he has procured a licence so to do as herein provided, and every owner of a dog shall be subject to the provisions of this by-law.
 3. The Sudbury & District Society for the Prevention of Cruelty to Animals and its Subsidiary the Northern Ontario Animal Control Service, are hereby appointed Licence Agent and authorized to issue licences under this by-law, and every such licence shall be issued for an on behalf of the Constance Lake Reserve and on behalf of the Licence Issuer by the Licence Agent.
 4. A licence shall be procured and renewed pursuant to this by-law by applying to the Licence Agent for said licence or renewed licence as the case may be and by paying the Licence Agent the fee prescribed in Section 9 or Section 10, as the case may be, of this by-law.

5. Any licence procured, issued or renewed pursuant to this by-law shall be in the form of a dog tag or renewal sticker.
6.
 - (1) Every dog tag shall bear a serial number and where applicable a renewal sticker for the current year.
 - (2) Where renewal stickers are not used the dog tag must bear a serial number, year of issue and the name of the Licence Issuer or Licence Agent.
 - (3) A record shall be kept by the Licence Agent showing the name and address of the owner and the serial number of the tag.
7.
 - (1) The owner shall keep the dog tag securely fixed on the dog at all times until the tag is renewed or replaced, but the tag may be removed while the dog is within the premises of the owner.
 - (2) No owner of a dog shall use a tag on a dog other than that for which it was issued unless it has been transferred as provided for in subsection (2) of Section 8.
8.
 - (1) The fee charged for the replacement of lost dog tags shall be two (2) dollars for each tag.
 - (2) If there is a change of ownership of a dog during the licence year, the Licence holder shall notify the Licence Agent immediately of the change of ownership and the new owner must pay a two (2) dollar licence transfer fee for this service. Failure to do so constitutes a breach of this by-law.
9.
 - (1) Every licence issued pursuant to this by-law shall expire on the 31st day of December of the year in respect of which it was issued.
 - (2) The licence fee to be paid to the Licence Agent at the time of the issuing of the licence shall be as follows:
 - (a) For each dog \$10.00
 - (b) For old age pensioners for each dog \$5.00
10. Every licence shall be renewed yearly on or before the 15th day of February and the fee to be apid to the Licence Agent at the time of the issuance of the renewed licence shall be as follows:
 - (a) For each dog \$10.00
 - (b) For old age pensioners for each dog \$5.00
11.
 - (1) Notwithstanding the provisions of Section 9 and 10 above, the owner of a kennel of dogs that are pure-bred shall pay an annual licence fee of twenty-five dollars (\$25.00) to the Treasurer as a licence fee for the kennel and he is not liable to pay in respect of such pure-bred dogs any licence fee under this by-law.
 - (2) That one-half the licence fees authorized in paragraph 9 (1)(2) be charged to any person who acquires a dog after August the First, during any year.

12. (1) No person shall suffer, allow or permit any dog of which he is the owner to run at large within the limits of Constance Lake Reserve.
 - (2) For the purpose of this by-law a dog shall be deemed to be running at large when 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 purpose 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 of a maximum length of two (2) meters 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 or of which he is the registered owner to trespass on private property whether on a leash or not unless permission for said trespass is first obtained from the property owner.
13. (1) Subject to subsection (vi) of this section, a Peace Officer or Animal Control Officer may
 - (a) Seize and impound any dog found running at large, and
 - (b) Restore possession of the dog to the owner thereof where
 - the owner claims possession of the dog within 3 days (exclusive of the day of its impounding and of statutory holidays) after the date of seizure, and
 - the owner pays to the Peace Officer or Animal Control Officer a pound fee of ten dollars (\$10.00) for a dog seized and impounded plus a maintenance sum of two dollars and fifty cents (\$2.50) for each day subsequent to the day of seizure that the dog remains impounded
 - (2) Subject to subsection (6) of this section, any female dog found to be running at large in heat shall be held at the pound until no longer in heat, but in any case no longer than 21 days.
 - (3) Where a dog is seized and impounded under subsection (1) of this section, the owner, if known and whether the dog is claimed from the pound or not, shall be liable for the pound and maintenance fees prescribed and shall pay all fees on demand by the Animal Control Officer or Licence Agent.
 - (4) Where, at the end of the three days mentioned in subsection (1) (b) of this section the dog has not been restored to the owner, the Animal Control Officer may sell the dog for such price as he deems reasonable.

- (5) Where the owner of a dog, has not claimed the dog within three days after its seizure under subsection (1) above, or where the dog under subsection (1) of this section was found to be running at large and was a female dog in heat and is either no longer in heat or has been held at the pound for 21 days, and where the dog has not been sold, the Animal Control Officer may kill the dog in a humane manner or otherwise dispose of the dog as he sees fit in accordance with the provisions of the Province of Ontario Animals for Research Act as it relates to pounds and no damage or compensation shall be recovered by the dog owner on account of its killing or other disposition.
- (6) Where a dog seized under subsection (1) of this section is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Peace Officer or Animal Control Officer may kill the dog in a humane manner as soon after the seizure as he thinks fit without permitting any person to reclaim the dog or without offering it for sale and no damages or compensation shall be recovered by the owner on account of its killing.
14. (1) Every person who contravenes any of the provisions of this by-law is guilty of an offence and on summary conviction is liable to a fine of not less than twenty (\$20.00) dollars and not more than fifty dollars (\$50.00) exclusive of costs, and every such fine shall be recoverable under the Summary Convictions Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, any person may, upon presentation of a violation tag pursuant to this by-law alleging commission of an offence under this by-law, pay out of court within 5 days from the date of the said tag (exclusive of Saturday, Sunday and holidays) the sum of twenty (\$20.00) dollars and upon such payment no further proceedings are to be taken under this by-law in respect of the said offence alleged in the violation tag.
15. By-law number Four shall be and are hereby repealed.
16. That this by-law shall come into force from and after the final passing thereof.
17. Read a First and Second time in open Council on November 14th, 1979

18. Read a Third time and finally enacted and passed this January 10th, 1980

Chief Bentley Cheechoo

CHIEF

Albert Sutherland

COUNCILLOR

David Paul Achneepineskum

WITNESS

Jane Mattinas

COUNCILLOR

Stanley Stephens

COUNCILLOR

Jimmy Stephen

COUNCILLOR

James Sutherland

COUNCILLOR