

**THE DOKIS FIRST NATION  
BY-LAW # 9  
BEING A BY-LAW RESPECTING THE  
CONTROL OF DOGS ON  
THE DOKIS FIRST NATION**

Whereas section 81, paragraph (a),(d),(e),(q) and (r), of the Indian Act empowers the Council 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 domestic animals, matters arising out of or ancillary to the exercise of such powers under this section, and the imposition of a penalty for the violation of any such by-law;

And Whereas the Council of the Dokis 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 and a nuisance to the residents of the Dokis First Nation;

And Whereas the Council of the Dokis First Nation did enact by-law # 9 on this 13<sup>th</sup> day of August 1996;

Therefore, the Council of the Dokis First Nation enacts a by-law as follows:

**Short Title**

1. This by-law may be cited as the "Dokis Dog By-Law".

**Interpretation**

2. In this by-law:

"council" means the Council of the Dokis First Nation;

"dog" means any dog, male or female, more than four months old and includes an animal that is a cross between a wolf and a dog;

"muzzle" means to secure a dogs mouth in such a fashion that it cannot bite anything and restricts barking;

"officer" means a Band Constable as appointed by the Council of the Dokis First Nation or any duly appointed dog catcher;

"owner" of a dog includes a person who possesses a dog, and "owns" and "owned" have a corresponding meaning;

"at large" or "running at large" means off the premises of the owner and not muzzled or under control of any person;

"reserve" means the lands of the Dokis First Nation # 9.

3. (1) Subject to section (2), every owner of a dog shall keep the dog chained, tied or penned up at all times.

(2) A dog need not be chained, tied or penned up as provided in subsection (1) if the dog:

(a) is held on a leash by a person capable of restraining the dogs movements;

(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 being used by a visually impaired person as a guide dog.

(3) No owner shall allow his dog to remain without food or water as sufficiently long either to amount to cruelty or to cause the dog to become a nuisance.

(4) No person shall punish or abuse a dog in a manner or to an extent that is cruel or unnecessary.

(5) No owner shall permit a dog to bark, yelp, growl or otherwise annoy or disturb the peace of the residents of the reserve.

(6) No owner shall permit a female dog in heat to be off the owners premises.

(7) (a) The Council of the Dokis First Nation may at any time prohibit the keeping of dogs within any area of the reserve.

(b) Notice of any prohibition made by the Council pursuant to paragraph (a) shall be posted in the band office and after the date of such a notice, no person shall keep or have a dog within the prohibited area.

### Seizure

4.(1) An officer may seize a dog from any person whom the officer has reasonable cause to believe is violating or is about to violate any of the provisions of this by-law.

(2) Subject to section (4), an officer who has seized a dog pursuant to subsection (1) shall restore possession of the dog to its owner where:

(a) the owner claims possession of the dog within five (5) days after the date of the seizure, and;

(b) the owner pays to the office all expenses incurred in securing, caring for and feeding the dog.

(3) Where a dog has not been reclaimed within five (5) days after seizure pursuant to subsection (2), the officer may destroy or dispose of the dog as he sees fit and no damages or compensation may be recovered as a result of the destruction or disposal of a dog by the officer.

(4) Where, in the opinion of the officer, a dog seized under this section is injured, diseased, or should be destroyed without delay for humane reasons or for reasons of health or safety, the officer shall destroy the dog as soon after seizure as he sees fit and no damages or compensation may be recovered as a result of the destruction of the dog by the officer.

### Destruction where unable to seize

5.(1) Where an officer, after reasonable effort, is unable to seize a dog that is running at large contrary to the provisions of this by-law, he may destroy the dog.

(2) No damages or compensation shall be recovered as a result of the destruction of a dog by an officer pursuant to subsection (1).

Protection from dogs

6.(1) Any person may kill a dog that is running at large and is in the act of pursuing, attacking, injuring, damaging, killing or destroying:

- (a) a person;
- (b) another dog that is chained or tied; or
- (c) a food cache, harness or other equipment,


This section is by no means at all to be perceived as an open season on dogs on the lands governed by the Dokis First nation Council.

(2) No damages or compensation may be recovered as a result of the killing of a dog by any person pursuant to subsection (1).

Penalty

7. Every person who contravenes the provisions of this by-law is guilty of an offense and is liable on summary conviction to a fine of a minimum of one hundred dollars (\$100.00) and up to but not more than five hundred dollars (\$500.00) or to imprisonment of not more than thirty (30) days, or both.

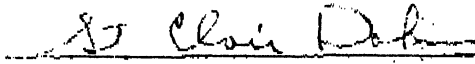
This By-Law has been enacted by the Council of the Dokis First Nation at a duly convened public band meeting this thirteenth day of August in the year of our Lord nineteen hundred and ninety six.

  
\_\_\_\_\_  
Chief Jack Restoule

  
\_\_\_\_\_  
Deputy Chief Charles Restoule

\_\_\_\_\_  
Councillor Eugene Restoule

  
\_\_\_\_\_  
Councillor Kenneth Restoule

  
\_\_\_\_\_  
Councillor St. Clair Dokis

  
\_\_\_\_\_  
Councillor Lindsay Dokis