



Dokis Indian Reserve No. 9

DOKIS BAY
 MONETVILLE, ONTARIO P0M 2K0
 763-2200

THE DOKIS BAND
 BY-LAW #1996.10
 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 empower the Council to pass by-laws, (a), to provide for the health of residents on the reserve, (d), the prevention of nuisances, (e), the protection against and prevention of trespass by domestic animals, (q), matters arising out of or ancillary to the exercise of such powers under this section, and (r), 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 same residents;

AND WHEREAS the Council of the Dokis First Nation did enact by-law No. 9 on the 13th day of August, 1996;

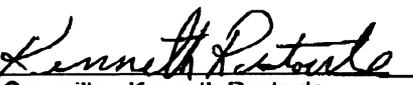
NOW THEREFORE, the Council of the Dokis First Nation Band enacts as a by-law thereof the following:

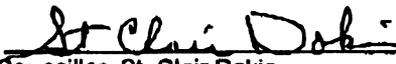
1. By-law No. 9 enacted on the 13th day of August, 1996 and being a By-law Respecting the Control of Dogs on the Dokis First Nation be and the same is hereby repealed.

Approved and passed at a duly convened meeting of the council this 10th day of September, 1996.


 Councillor, Charlie Restoule


 Councillor, Eugene Restoule

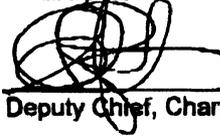

 Councillor, Kenneth Restoule


 Councillor, St. Clair Dokis


 Councillor, Lindsay Dokis

The quorum is set at four (4).

I, CHARLES RESTOULE, Deputy Chief of the Dokis Band of Indians do hereby certify that a true and exact copy of the foregoing By-law #1996.10 was mailed to the Minister of Indian Affairs pursuant to section 82, ss (i) of the Indian Act, this 11th day of September, 1996.



Deputy Chief, Charlie Restoule



Witness



Dokis Indian Reserve No. 9

DOKIS BAY

MONETVILLE, ONTARIO P0M 2K0

763-2200

THE DOKIS BAND
BY-LAW #1996.11
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 empower the Council to pass by-laws, (a), to provide for the health of residents on the reserve, (d), the prevention of nuisances, (e), the protection against and prevention of trespass by domestic animals, (q), matters arising out of or ancillary to the exercise of such powers under this section, and (r), 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 same residents;

AND WHEREAS the Council of the Dokis First Nation did enact by-law No. 11 on the 10th day of September, 1996;

NOW THEREFORE, the Council of the Dokis First Nation Band enacts as a by-law thereof the following:

Short Title

1. This by-law may be cited as the "Dokis First Nation 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 dog's 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 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 dog's 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 owner's 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 Dokis Band Office and after the date of such 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), and notification has been given to the owner, 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,

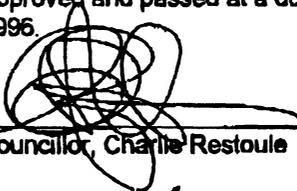
(2) any person who must kill a vicious dog pursuant to section 6.(1) shall immediately inform Council and notify the dog's owner.

(3) 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 up to but not more than five hundred dollars (\$500.00) or to imprisonment of not more than thirty days, or both.

Approved and passed at a duly convened meeting of the council this 10th day of September, 1996.



Councillor, Charles Restoule



Councillor, Eugene Restoule



Councillor, Kenneth Restoule



Councillor, St. Clair Dokis



Councillor, Lindsay Dokis

The quorum is set at four (4).