

A BY-LAW TO PROVIDE FOR ANIMAL CONTROL, LICENSING, PROTECTION OF AND PROTECTION FROM DOMESTIC ANIMALS"

1. DEFINITIONS

In this By-law unless the context otherwise requires.

- (a) Animal Shall mean any dog, cat, horse, cow, sheep, mule, goat, pig, rabbit, bee, poultry, bird or any other domesticated wild animal;
- (b) Control Officer Shall mean the person, or persons, or company appointed from time to time by Council to ensure compliance with this By-law;
- (c) Council Shall mean the Kispiox Band Council;
- (d) Dog Shall mean an animal of the canine species apparently over the age of 4 months;
- (e) Highway Shall mean any street, road, avenue, lane, crescent, bridge, alley, via duct, pathway, public parking area or any other way open to the public;
- (f) Owner of Land Shall mean the person or person's shown as the licensed owner on the Band Council record;
- (g) Running at Large Shall mean an animal not under control by being other than;
 - 1) on the property of its owner or if on the property of another person who has the care and control of the animal, or
 - 2) attached directly to a person who is competent to and of sufficient strength to ensure that the animal cannot break free from the leash or other device used to restrain and/or guide the animal; or
 - 3) securely confined within an enclosure; or
 - 4) securely fastened so that it is unable to roam beyond the confines of the owner's property.

2. CONTROL OFFICER

The Council shall appoint from time to time a Control Officer to ensure compliance with this By-law.

3. LICENCES

- (a) No person shall own, possess or harbour any dog within the boundaries of the Kisplox territory unless a valid and subsisting licence has been issued under this By-law for such a dog *(i).
- (b) All dog applications shall have included a description of the property, upon which the animal will be kept and a description of the dog including name, breed and age.
- (c) All Kisplox Band Council dog licenses shall be for the period January one (1) to December thirty one (31) of the year issued or the remaining portion thereof.
- (d) Every licence under this By-law shall be for a specific animal and no person shall place, affix or use a licence issued in respect of one animal on or for another animal.
- (e) Every person who is issued a Dog licence under this By-law shall receive a dog licence tag which shall at all times, be fastened to a collar or harness worn by the dog for which the licence was issued.
- (f) The fees to be paid prior to issuing a dog licence shall be those shown in Schedule "A".

Replacement

- (g) A replacement Dog licence may be issued, upon being satisfied that the original licence issued has been lost, upon payment of the fee shown in Schedule "A".
- (h) No licence shall be issued under this By-law in respect of any animal to any person under the age of nineteen (19) years.

3. LICENCES CONTINUED

- (i) Any dog must be kept with a well fenced area or be chained to a secure structure.
- (j) No person shall own, possess or harbour more than two (2) dogs.

4. (a) Fine

Any animal running at large or violating any portion of this By-law may be fined in accordance with fees shown in Schedule "A".

(b) Payment

The registered owner shall be held responsible for all uncollected fees or costs in respect of complaints and other administration costs incurred. Payment of fees is payable immediately upon receipt of invoice.

(c) Vicious Dog

A dog which is known to attack or viciously pursue a person shall be confined by the owner in a building or secure enclosure and be securely muzzled or caged whenever off the owner's premises.

- (d) If a person permits his/her dog to be in contravention of Section 4 (c) herein, said dog which attacks or viciously pursues a person shall be subject to a fine and the Band Council or Control Officer may, upon being satisfied that the dog has injured or is likely to injure a person or domestic animal, order that the dog be killed in a manner prescribed in the order.

- (e) If a dog bites a person and the dog has not been immunized against rabies the dog shall be quarantined for (10) ten days and kept under observation by the Control Officer at the cost of the owner. If this dog bites a person a second time, the dog will be destroyed.

5. FUND

- (a) All fees required to be paid by any person pursuant to this By-law shall be paid to the Control Officer who shall keep accurate records of the receipts of such funds to the Kispiox Band Council office.

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5. FUND

- (b) There shall be established by the Kispiox Band Council, a fund to be known as the Animal Protection and Correction Fund and all monies received by the Control Officer shall be credited to the fund.

6. PENALTY


For the contravention of any of the provisions of this By-law, a summons maybe issued in accordance with procedure set out:

- (a) The ticket may be composed of any one or more of the following:
- | | | | |
|------|-------------|-------|---------|
| (i) | Information | (iii) | Summons |
| (ii) | Notice | (iv) | Penalty |
- (b) The ticket shall be similar in form to Schedule "B".
- (c) The use of a ticket of any word or expression authorized by Band Council or a general description of an offence shall be deemed sufficient for all purposes to describe the offence designated by such words or expressions.
- (d) The Control Officer or any person employed by the Kispiox Band Council in the enforcement of this By-law shall sign the ticket and shall indicate the offence charged on the ticket by marking the word or expression describing the offence charges as printed on the ticket or if the word is not printed on the ticket he shall write it in the space provided.
- (e) A ticket summons may be delivered by the Control Officer or person employed by the Band Council to enforce this By-law or by registered mail to the person charged with an offence.
- (f) A person may attend voluntarily before agents as appointed from time to time by Band Council as directed on the summons or notice and pay the fine, as per Schedule "A".
- (g) Where the fine is not paid prior to the date indicated on the ticket, as set out in Schedule "B" the present charge shall be subject to the Summary Conviction Procedures as set out in the criminal code.

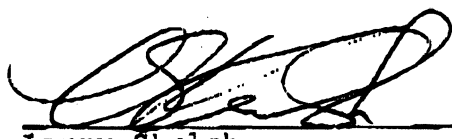
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This By-law is hereby made at a duly convened meeting of the Council of the Kispiox Band this **6TH day of November, 1996/**

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



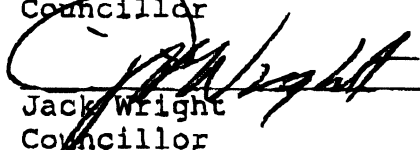
Brian Williams
Chief Councillor



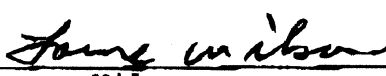
Larry Skulsh
Councillor

Art Wilson
Councillor

Fred Starr
Councillor

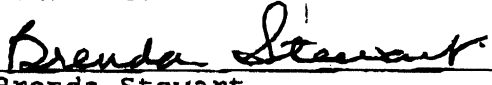


Jack Wright
Councillor



Lorne Wilson
Councillor


Roy Wilson
Councillor



Brenda Stewart
Councillor



Chris Barnes
Councillor




Charlie Hillis
Councillor

being the majority of those members of the Council of the Kispiox Band present at the aforesaid meeting of the Council.

The quorum of the Council is 5 members.
No of members of the Council present at the meeting: 6

I, Brian Williams, Chief Councillor of the Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian Affairs and Northern Development at the Vancouver office of the department pursuant to subsection 82 (1) of the Indian Act, this 13TH day of NOVEMBER, 1996.



Witness



Chief Councillor

SCHEDULE "A"

FEEES

LICENSING

(1) Dogs	(i) male neutered or spayed female	\$15.00
	(ii) male other than (i) above	\$25.00
	(iii) female other than (i) above	\$50.00

DESTRUCTION

(1) All dogs (subject to change without notice)	\$15.00
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FINES

(1) Failure to produce a valid dog licence \$10.00 fine plus cost of licence	\$10.00
(2) For a dog running at large	\$25.00
(3) Domesticated animals other than dogs and cats found running at large	\$50.00/each

SCHEDULE "B"

TICKET INFORMATION AND SUMMONS

ANIMAL CONTROL BY-LAW

The informant states that he/she has reasonable grounds to believe and does believe that _____ did on or about _____ day of _____ (month), 19____, in or near the Kisplox Indian Reserve or Territory, commit the offence indicated hereunder:

_____	Failure to produce a valid dog licence	\$10.00
_____	Dog running at large	\$25.00
_____	Domesticated animals other than dogs or cats found running at large	\$50.00

TO: _____ (owner)

Signature of Informant _____
ANIMAL CONTROL OFFICER

Sworn before me this _____ day of _____, 19____, at Kisplox in the Province of British Columbia.

You may make payment of the fine shown above to the Kisplox Band Office, Kisplox, B.C. before the date shown below. If the penalty is not paid on or before the date indicated the present charge shall be subject to the Summary Conviction Procedures as set out in the criminal code. Please pay the fine on or before the _____ day of _____, 19____.