

The Whycomomagh Indian Band

By-law 11-75

Being a by-law to provide for the control of dogs (rescinding by-law 7-74)

WHEREAS paragraphs (a), (d), (e), (g) and (r) of Section 81 of the Indian Act R.S.C. 1970 C.I. - 6;

AND WHEREAS the Council of the Whycomomagh Indian Band did enact by-law 7-74 respecting the control of dogs;

AND WHEREAS the said Council deems it to be expedient and in the best interests of the residents of the Whycomomagh Indian Band to rescind and replace the said by-law;

NOW THEREFORE the Council of the Whycomomagh Indian Band enacts a by-law thereof rescinding and replacing by-law 7-74, registration number SOR/74-378, with the following:

1. In this by-law,

- (a) "Council" means the Council as defined in the Indian Act of the Whycomomagh Band of Indians;
- (b) "Dog" shall include bitch, and the word "owner" shall mean and include a person who owns, keeps, harbors, or possesses a dog;
- (c) "Reserve" means the tract of land set apart by Her Majesty, pursuant to the Indian Act, for the use and benefit of the Whycomomagh Band of Indians.
- (d) "Owner" shall mean and include a person who owns, keeps, harbors or possesses a dog.
- (e) "Kennel" means a group of 4 or more dogs owned by one person which are purebred, registered, and kept in an enclosure;
- (f) "Registered Kennel" is a licensed kennel which is a member of the Canadian Kennel Society.
- (g) "Dog Controller" means the individual designated as Band Constable of the Whycomomagh Indian Reserve.

2. Any person who is the owner of a dog within the Reserve shall annually, pay to the Band Administrator of the Whycomomagh Band a license fee as follows:

Male Dog	\$ 5.00
Female Dog	\$10.00
Female (spayed)	\$ 5.00
Registered Kennel	\$10.00
Other Kennels	\$25.00

3. The Whycomagh Band Council shall issue to each owner who has paid the dog license fee, at the time of such payment, a tag for the identification of such dog as one in respect of which the license fee has been paid, the shape of such tags to be varied from year to year, and such owner shall hang such tag from a collar about the neck of such dog.

4. (1) No owner of a dog shall allow such dog to run at large in the Reserve unaccompanied by some person in charge thereof, (and the fact that a dog is found running at large in the Reserve shall be prima facie proof that such running at large was allowed by the owner of such dog).

(2) Every fierce, vicious or dangerous dog within the Reserve shall be kept chained or muzzled by its owner, and shall not be permitted to go at large.

5. Any owner violating the preceding sections shall be liable upon summary conviction before a Provincial Judge to a penalty not exceeding \$10.00, and in default of payment thereof shall be imprisoned in the County Jail for a period not exceeding five days.

6. Control of dogs shall be carried out by the individual designated by the Council as "Dog Controller".

7. Notwithstanding anything to the contrary herein contained, the Dog Controller is hereby authorized to impound and kill, or kill on sight without impounding, without notice to or complaint against the owner of any dog:

- (a) which is running at large contrary to the provisions of the by-law, or
- (b) in the respect of which the license fee imposed by this by-law has not been paid, or
- (c) which is fierce, or dangerous, wherever such dog may be found.

Approved and passed at a duly convened meeting of the Council this

1st day of May, 1975.

Wayne Googoo
(Chief)

Annie Googoo
(Councillor)

Ben Sylliboy
(Councillor)

Ryan J. Googoo
(Councillor)