

Being a by-law to provide for the control of dogs.

RESCINDED
1-5-1975

WHEREAS paragraph (a) of Section 81 of the Indian Act empowers the council of a band to make by-laws respecting the control of domestic animals and the imposition of a penalty for the violation thereof;

AND WHEREAS it is deemed to be expedient for the health and welfare of the inhabitants of the reserve of the Whyccocomagh Band of Indians to control dogs;

NOW THEREFORE the Council of the Whyccocomagh Band of Indians enacts as a by-law thereof the following:

1. In this by-law,

- (a) "Council" means the Council as defined in the Indian Act of the Whyccocomagh 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 Whyccocomagh Band of Indians.

(1) Any person who is the owner of a dog within the Reserve shall annually, pay to the Band Manager of the Whyccocomagh 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

(2) The Whyccocomagh 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.

(3) 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.

- (7) Any owner violating the preceding sections shall be liable upon a summary conviction before a Provincial Judge to a penalty not exceeding \$25.00, and in default of payment thereof shall be imprisoned in the County Jail for a period not exceeding five days.
- (8) Notwithstanding anything to the contrary herein contained, any Band Constable or any other Peace Officer 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 this by-law, or
 - (b) in 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, 1974.

Wayne Googoo

(Chief)

Ben Sylliboy

Councillor

Noel J. Gould

Councillor

Ryan J. Googoo

Councillor