

Naotkamegwanning First Nation
By-law to Regulate Dogs
By-law No. 2004-01

WHEREAS the community members of Naotkamegwanning First Nation have demonstrated a desire to licence, regulate and control dogs on the Reserve;

AND WHEREAS to better maintain law and order on the Reserve, the Chief and Council deem it necessary and desirable to licence, regulate and control dogs;

AND WHEREAS subsections 81(1)(c) of the Indian Act of Canada empowers the Council of a First Nation to make By-laws governing the regulation of Dogs;

NOW THEREFORE the Naotkamegwanning First Nation Chief and Council assembled at the Reserve of Naotkamegwanning First Nation, Ontario, enacts as a By-law the following:

1) PART ONE – PURPOSE

The purpose of this By-law is to licence, regulate, and control dogs.

2) PART TWO – DEFINITIONS

- a) “dog” means any canine- male or female.
- b) “dog control officer” includes any Peace Officer or Band Constable.
- c) “owner” includes the person who possesses or harbours a dog.

3) PART THREE – VACCINATIONS

- (1) All owners are required to have each dog(s) owned by them properly vaccinated against rabies, parvovirus, coronavirus and distemperment.

4) PART FOUR – LICENCE

- (1) No person shall possess or harbour a dog over the age of 3 months on the Reserve unless the dog is licenced in accordance with the provisions of this By-law.
- (2) An owner shall apply to the Administration for a dog licence for the current year and pay a licence fee as set out in the following section, Part Four – Section 3.

(3) The following are yearly fees for dog licencing and registration:

Male Dog(s) (neutered) - \$ 20.00/year
Female Dog(s) (spayed)- \$ 20.00/year
Female Dog(s) (not spayed)- \$ 30.00/year

(4) An application must include the following:

- i) the owner's name and address;
- ii) name and description of dog being licenced;
- iii) a certificate from a licenced veterinarian certifying that the dog being licenced has all proper vaccinations that is valid on the date of the application; and
- iv) such other information as maybe required by the Council.

5) PART FIVE - PROHIBITION

- (1) There must be no more than two dogs per household.

6) PART SIX - DANGEROUS AND VICIOUS DOGS

- (1) Any dog shall be deemed to be dangerous or vicious if it has made an unprovoked attack upon any person or domesticated animal in the course of which the person or animal is injured or where the person suffers damage to clothing or other personal property.
- (2) The Chief and Council may designate certain breeds of dogs to be dangerous or vicious.
- (3) Any dog which is deemed or designated to be dangerous or vicious must be kept chained or in a caged dog run kennel.

7) PART SEVEN -DOG CONTROL OFFICER

- (1) Where a dog control officer has reasonable and probable grounds to believe there has been a contravention of this By-law the dog control officer may seize such wherever it is located.
- (2) A dog control officer may not enter a private residence without the consent of inhabitants in order to seize the dog.
- (3) The dog control officer may kill any dangerous or vicious dog on sight, without notice to or complaint against the owner, where that dog represents a

threat to public safety.

- (4) The dog control officer has discretion to deal with dogs seized under Section 6 (1) in whatever manner he/she deems necessary and desirable.
- (5) No damages or compensation maybe be recovered for a dog destroyed by the dog control officer acting in good faith and with reasonable cause under this By-Law.

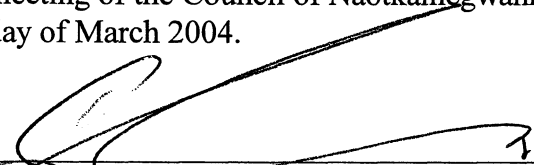
8) PART EIGHT - PENALTY

- (1) Any person contravening any provision of this By-law is guilty of an offence and liable upon *Summary Conviction to a maximum fine of \$ 100.00.*

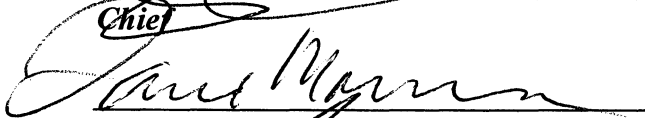
9) PART NINE - AMENDMENTS

- (1) The Chief and Council of Naotkamegwaning Bay First Nation have the discretion to amend this By-law from time to time.


This By-law is hereby made at Naotkamegwaning Bay First Nation, Ontario, at a duly convened meeting of the Council of Naotkamegwaning First Nation called for the purpose, this _____ day of March 2004.




Chief



Councillor




Councillor




Councillor

Councillor



Councillor



Councillor

Councillor

Councillor

Councillor

Being a majority of those members of the Council of Naotkamegwaning Bay First Nation present at the aforesaid meeting of the Council. The quorum of the Council is 5 members. The number of members of the Council present at the meeting was 10.

1442

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

		Cash free balance - Solde disponible	
The council of the Le conseil de Nootkamegwaning First Nation		Capital account Compte capital	\$ _____
Date of duly convened meeting Date de l'assemblée dument convoquée	D-J M Y-A 21/6/03/04	Province	Revenue account Compte revenu
			\$ _____

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

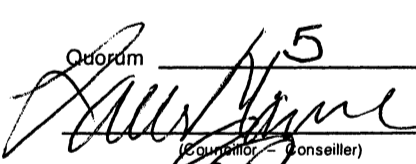
WHEREAS: The Community of Nootkamegwaning First Nation has a high number of dog population, which most of them are abandoned, homeless and not cared for.

WHEREAS: Nootkamegwaning First Nation has had this on-going problem for years.

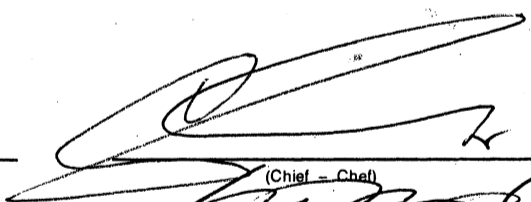
WHEREAS: Nootkamegwaning First Nation community members are afraid for their children and elders, because the dogs are starting to attack humans, due to hunger.

THEREFORE BE IT RESOLVED Nootkamegwaning First Nation Chief and Council has approved to implement and enforce a "Dog By-Law" immediately, once approved and passed by Indian and Northern Affairs.

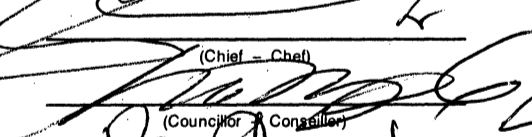
Quorum 5



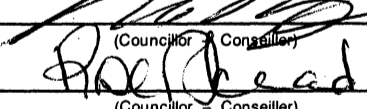
 (Councillor - Conseiller)



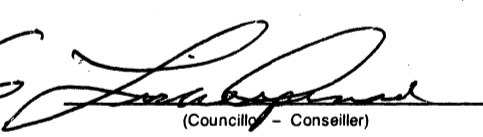
 (Chief - Chef)



 (Councillor - Conseiller)



 (Councillor - Conseiller)



 (Councillor - Conseiller)

 (Councillor - Conseiller)

 (Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Expenditure - Dépenses	Authority (Indian Act Section Autorité (Article de la Loi sur les Indiens)	Source of funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu	Expenditure - Dépenses	Authority (Indian Act Section Autorité (Article de la Loi sur les Indiens)	Source of funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
Recommending officer - Recommandé par			Recommending officer - Recommandé par		
_____ Signature		_____ Date	_____ Signature		_____ Date
Approving officer - Approuvé par			Approving officer - Approuvé par		
_____ Signature		_____ Date	_____ Signature		_____ Date