

ANIMAL CONTROL BY-LAW
of the
MUSQUEAM INDIAN BAND

The Council of the Musqueam Indian Band at a meeting held this 26TH day of May, 1987 make the following by-law pursuant to Section 81 of the Indian Act.

Section 1 - Responsibility for Animals

Any person who owns or has under his control any animal shall be responsible for:

- a) Damage to persons or property caused by the animal; and
- b) Providing proper medical care, vaccinations, food, water and reasonable supervision and care for the animal.

Section 2 - Definitions

As used in this by-law the following terms shall have the following meanings:

- a) "Animal Owner" means an owner of any animal and any person with control over an animal;
- b) "At large" shall mean in any public place or on private property not owned or occupied by the owner of the dog unless the permission of the owner of the property has been obtained;
- c) "Pack" of dogs shall mean three or more dogs;
- d) "Pit bull" shall include mixed breed dogs with pit bull ancestry. The owner shall have the burden to prove pedigree;
- e) "Reserve" means the Musqueam Indian Reserve.

Section 3 - Dog Control

No person shall cause, permit, or allow any dog he or she owns or which is under his or her control to:

- a) Roam, stray, run in packs, or run at large within the Reserve;
- b) Cause physical damage to the property of another person;
- c) Chase any vehicle, including bicycles;

- d) Harass livestock;
- e) Jump at or on any person in any public or private place not the property of the owner;
- f) Bark or make other noise which disturbs the peace or any person;
- g) Defecate on any property which does not belong to the dog's owner;
- h) Scatter garbage;
- i) Hamper traffic;
- j) Dig holes; or
- k) Bite or claw any person.

Section 4 - Leash Required

All dogs shall be physically restrained by means of a leash of not more than ten (10) feet in length when not on the property of the dog's owner.

Section 5 - Pit Bulls Banned

No person shall allow any pit bull dog to be present within the Reserve. A narrow exception to this rule shall be recognized for persons who own a pit bull dog on the date this by-law is made provided the owner complies with the following requirements:

- a) The animal shall be kept at all times within a secure, fenced kennel equipped with a concrete pad sufficient to prevent escape by any means including digging; and
- b) The animal must be registered with the Band Administrator within thirty (30) days of the date this by-law is adopted. The owner must provide proof of an adequate kennel at the time of registration.

Section 6 - Dogs in Heat

Any person who owns or is in control of a female dog shall keep the dog in confinement during any time period in which the dog is in heat. Confinement shall mean keeping the dog indoors or in an enclosure which prevents access by other dogs by any means including digging.

Section 7 - Punishment for Offences

Anyone who violates any provision of this By-law by committing an offence shall be liable on summary conviction to a fine not exceeding ONE THOUSAND DOLLARS (\$1,000) or imprisonment for a term of not exceeding thirty (30) days or both.

Section 8 - Impoundment of Dogs Allowed

Any dog found in violation of this by-law may be seized or impounded by any person employed or appointed by Musqueam Band Council to perform this duty including officials of the City of Vancouver. If the dog is not claimed within seven (7) days it may be placed for adoption or humanely destroyed.

Section 9 - Severability

Should any provision of this by-law be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any other part of this by-law. This by-law is subject to the Indian Reserve Dog Regulations.