

THE BELLA BELLA BAND OF INDIANS

BY-LAW # 0

BEING A BY-LAW RESPECTING THE TAXATION,
CONTROL AND DESTRUCTION OF DOGS.

WHEREAS section 81, paragraphs (a), (d), (e), (g) and (r), of the Indian Act empower the Council of a Band of Indians to pass by-laws to provide for the health of residents on the reserve, the prevention of nuisances, the protection against and prevention of trespass by cattle and other domestic animals, matters arising out of or ancillary to the exercise of powers under this section, and the imposition of a penalty for the violation of any such by-law;

AND WHEREAS the Council of the Bella Bella Band of Indians is of the opinion that the uncontrolled ownership, breeding, and running at large of dogs may be detrimental to the health of the residents on the reserve, and a nuisance to such residents;

NOW THEREFORE the Council of the Bella Bella Band of Indians in the Province of British Columbia makes as a By-law thereof as follows: -

1. In this by-law

- (a) "Council" means the Council, as defined in the Indian Act, of the Bella Bella Band of Indians;
- (b) "dog" means any dog, male or female, over the age of 2 months;
- (c) "dog registration officer" means the person designated as such by resolution of the Council;
- (d) "owner" includes owner, harbinger, or possessor of a dog;

- (e) "Reserve" means the tracts of land set apart by her Majesty for the use and benefit of the Bella Bella Band of Indians and known as Bella Bella Indian Reserve Number 1 in the Province of British Columbia;
- (f) "running at large" or similar words shall mean off the premises of the owner of the dog and not under the control of the owner or a person appointed by the owner for such purposes.
2. (1) The Council by resolution shall appoint a person to be the Dog Registration Officer, and shall fix the terms of employment, duties, and remuneration.
- (2) In the case of absence, illness, or inability to act as the Dog Registration Officer, the Bella Bella RCMP Detachment shall assume all powers and authorities and perform all of the functions of the Dog Registration Officer.
3. (1) The owner of a dog on or before the 15th day of January in each year, or as soon thereafter as the dog shall have attained the age of 2 months, shall cause the same to be licensed and registered with the Dog Registration Officer and shall pay the applicable fee to the Dog Registration Officer.
- (2) The proof of age of every dog rests with the owner and in the event of failure to do so to the satisfaction of the Dog Registration Officer, the dog shall be considered as having reached the age of 2 months and therefore subject to registration and licensing.

4. (1) The Dog Registration Officer shall keep a book, or record, for the registration of all dogs upon the reserve which registration shall show the name of the owner, the name of the dog and its age, sex, and description, and the amount of the fee paid.
 - (2) Upon application of the owner the Dog Registration Officer shall enter the required information in the book and upon payment of the appropriate fee shall issue a dog tag.
 - (3) The owner shall attach the tag to the dog and shall ensure that it remains attached to the dog at all times.
 - (4) (a) A change of ownership of a dog shall be reported to the Dog Registration Officer by the registered owner and the particulars of the change shall be recorded in the registration book.
(b) No charge or fee is applicable to the recording of a change of ownership.
 - (5) A dog tag may not be transferred from one dog to another and applies only to the dog for which it was issued.
5. (a) The fee applicable for the registration of a dog and the issuance of a tag pursuant to sections 3 and 4 is as follows -

(i) For every male dog	\$21.00
(ii) For every neutered male dog	\$ 6.00
(iii) For every female dog	\$21.00
(iv) For every spayed female dog	\$ 6.00
(v) Dogs medically certified as unable to undergo surgery for sterilization	\$ 6.00

- (b) In order to qualify for the lower fee the owner of a neutered male dog and a spayed female dog must produce, at the time of registration, a certificate of a veterinary surgeon to the effect that the dog has been spayed.
 - (c) Upon presenting a certificate in writing from a licenced and qualified veterinarian certifying that a dog is too old or physically unable to undergo the necessary surgery, an applicant for a licence shall be entitled to obtain a licence for the said dog upon payment of the required fee for a spayed or neutered dog notwithstanding that the said dog is not spayed or neutered as the case may be.
 - (d) Every dog tag issued shall expire on the 31st day of December in the year in which it was issued regardless of the date of registration.
 - (e) No fee, or part of a fee, is refundable in the event of the loss, death or transfer of ownership of a dog.
6. No person or household shall own more than two dogs at any one time.
7. No dog shall be allowed to run at large within the Reserve.
8. (1) Any dog found running at large, committing a nuisance, or endangering the health of a resident of the Reserve may be restrained by the Dog Registration Office and may be destroyed.
- (2) No person shall harbour or keep an unregistered dog or a dog without a tag and any such dog may be seized by the Dog Registration Officer and may be destroyed.

9. Any person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding thirty days, or to both a fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Bella Bella Band of Indians this 5th day of February 1981.

Chief

Pat. Housty
Councillor (Pat Housty)

Garney Reid
Councillor (Garney Reid)

Dean Wilson
Councillor (Dean Wilson)

Councillor

Harold Hall
Councillor (Harold Hall)

Councillor

Don Hall
Councillor (Don Hall)

Councillor

Reg. Moody
Councillor (Reg Moody)

Councillor

Councillor