

POUND BY-LAW

SOR/77-1013
November 22, 1977

The Council of the Birdtail Sioux Band of Indians at a meeting held this 22nd day of August, 1977 hereby enacts by-law number 10-77 to provide for the regulation of domestic animals within the boundaries of the Birdtail Sioux Indian reserve.

Whereas; paragraphs (e) and (r) of section 81 of the Indian Act empowers the Council of a Band to make by-laws to provide for the protection against and prevention of trespass by cattle and other domestic animals, the establishment of pounds, the appointment of pound-keepers, the regulations of their duties and the provision for fees and charges for their services and the imposition of a penalty for a violation thereof, and

Whereas; it is deemed to be expedient to provide for the regulation of cows or other domestic animals for the protection of property and the safety of the inhabitants of the Indian reserve.

Now therefore the Council of the Band of Indians enacts as a by-law the following:

1. In this by-law:
 - (a) "Council" means the Council as defined in the Indian Act of the Birdtail Sioux Band of Indians.
 - (b) "Reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the Birdtail Sioux Band of Indians known as the Birdtail Sioux Reserve.
 - (c) "Animal" means a domestic animal and includes any horse, cow, pig, ass, goat, sheep, calf, bullock, mule, stallion, bull, boar, or jackass.
 - (d) "Fence" means any enclosure made of wire, wood, stone, or earth to keep animals in or out.
 - (e) "Pound" means an enclosure for the detention of stray animals or of distressed animals till redeemed.
 - (f) "Pound-keeper" means any person appointed by the Chief and Council for the purpose of this by-law.
 - (g) "Run at large" or "running at large" means an animal that is off the premises of its owner and is not under effective control of some person or fence.
 - (h) "Road" means highway, route, alley, path, causeway, street, thoroughfare, or avenue.
 - (i) "Crop" means wheat, oats, barley, rape, flax, millet or any domestic plants special or otherwise.
2. The Council shall appoint a pound-keeper for the Reserve who shall hold office during the term of the Council.
3. The Council shall establish a pound book which shall contain all pertinent information pertaining to the impoundment of animals and shall be kept by the pound-keeper which will at all times be open for inspection of the Council or any member thereof.
4. The Council shall establish a policy manual containing the rules and regulations to be enforced by the pound-keeper and the said manual shall come under the jurisdiction of this by-law.
5. No person shall allow his animals to run at large on roads, crops, gardens or in other peoples property.
6. Every owner of an animal shall erect or cause to be erected a fence to control his/her animal and the said owner shall be responsible to maintain that fence to protect his/her property and the property of others.
7. No person shall destroy or damage or attempt to destroy or damage a pound.
8. No person shall interfere or attempt to interfere with a pound-keeper in the performance of his duties.
9. No person shall rescue or attempt to rescue any animal from the impounder or from the pound.

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10. Any person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on a summary conviction of a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Birdtail Sioux Band of Indians this 22nd day of August, 1977.

CHIEF Jack Kasto

COUNCILLOR Godfrey Bearbull COUNCILLOR Richard Benn



BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro consécutif
File Reference - N° de réf. du dossier

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever 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

THE COUNCIL OF THE
LE CONSEIL DE LA BANDE INDIENNE Birdtail Sioux Band
AGENCY
DISTRICT Brandon
PROVINCE Manitoba
PLACE
NOM DE L'ENDROIT Birdtail Sioux Band Office
DATE 22nd August AD 1977
DAY - JOUR MONTH - MOIS YEAR - ANNÉE

Current Capital Balance
Solde de capital \$
Committed - Engagé \$
Current Revenue balance
Solde de revenu \$
Committed - Engagé \$

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

That the by-law entitled "Pound By-Law" be and the same is hereby approved, and enacted as a by-law 10-77 of the Council of the Birdtail Sioux Band of Indians, and further that the Chief and each member of Council be authorized to sign the same."

A quorum for this Band
Pour cette bande le quorum est
consists of
fixé à 2
Council Members
Membres du Conseil

Godfrey Bearbull (Councillor - conseiller)
Jack Kasto (Chief - Chef)
Richard Benn (Councillor - conseiller)
(Councillor - conseiller)
(Councillor - conseiller)
(Councillor - conseiller)
(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE
1. Band Fund Code
2. COMPUTER BALANCES - SOLDES D'ORDINATEUR
3. Expenditure
4. Authority - Autorité
5. Source of Funds
6. Recommended - Recommendable
Approved - Approuvable
Date
Recommending Officer - Recommandé par
Date
Approving Officer - Approuvé par

I Jack Kasto Chief of Birdtail Sioux Band of Indians, do hereby certify that a true copy of the foregoing by-law is being forwarded to the Minister of Indian Affairs and Northern Development pursuant to Sec. 82 Ss. (1) of the Indian Act this 22nd day of August 1977.

Rufus Prince

Witness

Jack Kasto

Chief