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SOR/77-1053
eff - Nov 25, 1977

C O P Y

DOG REGULATIONS

"The Council of the Caughnawaga Band of Indians in the Caughnawaga Indian Agency, in the Province of Quebec at a meeting held at the K. of C. Hall this 17 seventeenth day of September A.D., 1964

DO HEREBY RESOLVE:

Under the authority of Section 80 Eighty (E) (R). The Council hereby makes the following Bylaw, repealing all previous bylaws concerning regulations of dogs, (R) five dollars minimum fine, not to exceed one hundred dollars. or thirty days or both.

Proposed by assistant grand chief Ronald Kirby and seconded by chieftess Mary Cross. that a bylaw be passed to regulate dogs on the Caughnawaga Indian Reserve.

(1) That such dogs, male or female, shall be kept and owned one dog per family except in cases where there is breeding of such dogs for resale.

The owners of such dogs that are being bred shall keep such dogs under lock and chain, or in an enclosed area.

(2) That all dogs are to be kept under control by their owners.

(3) Any dog found by the council of the band to be a nuisance shall be reported to the R.C.M. Police or dog control officer, who may enter upon the premises where the dog may be and may destroy such dog.

Original Signed By: Andrew Delisle,
Peter S. White
Ronald Kirby
Frank Marquis
Mitchell Thomas
F. Goodleaf "

BY-LAW RESPECTING THE PROTECTION AGAINST AND PREVENTION OF TRESPASS BY DOGS. THE ESTABLISHMENT OF POUNDS, THE APPOINTMENT OF POUND-KEEPERS, THE REGULATION OF THEIR DUTIES AND THE PROVISION FOR FEES AND CHARGES FOR THEIR SERVICES UNDER SECTION 81 (E), (D), (Q) AND (R) OF THE INDIAN ACT

ARTICLE 1 - DEFINITIONS

For the purpose of the present by-law

- a) the word "dog" includes any dog, male or female, and any canine animal;
- b) the word "guardian" includes any person who owns, possesses, cares for or maintains a dog, as well as the proprietor, possessor, lessee or occupant of a building or structure where a dog dwells or is being kept, cared for, maintained or sheltered;
- c) the word "Police officer" includes any special constable appointed under the Police Act of the Province of Quebec having jurisdiction on the Caughnawaga Indian Reserve and any member of the Caughnawaga Police Force; or the Amerindian Police Force.
- d) the word "property" includes all property, moveable and immovable, real and personal, dwellings, buildings, residences, and premises situated within the Caughnawaga Indian Reserve of which a person or the band has the possession, use, occupation, lease enjoyment or exercise of rights in respect thereto;
- e) the word "council" means the Council of the Iroquois of Caughnawaga Indian Band:
- f) establishment of Pound Keeper and Dog Pound denotes an organization or a service designated by the Band council for the picking-up of stray dogs and the proper disposition under existing laws

PROPOSED BY: Chief Ronald Kirby

SECONDED BY: Chief Angus Marquis

At a duly Convened

meeting of the Band

Council on July 25, 1977

held at the Band Office

ARTICLE 2 - APPLICATION AND ENFORCEMENT

This by-law shall apply to all dogs physically within the limits of the Caughnawaga Indian Reserve as well as to all guardians in or on the Caughnawaga Indian Reserve; and enforced by the Caughnawaga Iroquois Police Department having jurisdiction on the reserve.

ARTICLE 3 - CONFINEMENT OF DOGS

Every guardian of a dog who fails to take all necessary measures to ensure that such dog does not enter upon property not under the control or in the possession of such guardian shall be guilty of an offence and shall be liable to the penalties herein provided.

ARTICLE 4 - DOGS IN HEAT

Without restricting the generality of the foregoing, no guardian shall allow a female dog in heat to remain in any public place unless such female dog is attached to a leash and is accompanied by and is under the observation and control of its guardian or a responsible person designated by him.

ARTICLE 5 - PROHIBITED ENTRY OF DOGS

Any dog which enters upon property, not under the control or in the possession of such guardian, contrary to the provisions of Article 3 hereof may be seized and placed in the pound herein established or summarily destroyed by a police officer or by the pound-keeper mentioned herein.

ARTICLE 6 - IMMEDIATE DESTRUCTION FOR BITING

Any dog which bites any person may be summarily destroyed by any police officer or by the pound-keeper. If a dog commits an act prohibited under this Article of the present by-law and if a complaint has been made subsequently under the same article against the guardian or a person responsible for the same animal, the Court, by conviction of the guardian or the person in charge, can order the destruction of the animal after it has been quarantined for 14 days (for prevention of rabies) and it will be the responsibility of the Chief of Police to destroy the animal or to place it for adoption in the country. If a dog dies during the quarantined period described in this article, it will be the responsibility of the Chief of Police to preserve the cadaver of the animal and to submit an immediate report to the local veterinary of the Federal Department of Health

ARTICLE 7 - LOOSE DOGS

Any dog found running at large in the streets or public places of the reserve may be destroyed by any police officer or may be taken to the pound herein established.

ARTICLE 8 - DESTRUCTION OF PROPERTY

The guardian of any dog which causes damages to lawns, flower gardens, flower beds, bushes or plants or other parts of property not under the control or possession of such guardian shall be guilty of an offence and liable to the penalties herein provided, and shall pay for all damages. Cost to be agreed upon or by someone from the Band Council or one designated by the Band Council.

ARTICLE 9 - DISTURBANCE BY NOISE

The guardian of a dog which barks, howls or in any other way or manner disturbs the peace and quiet of any person on the reserve shall be guilty of a contravention of the present by-law and shall be subject to the penalties herein provided.

ARTICLE 10 - BOARDING OF DOGS

No person may establish, own, hold or operate an establishment or facilities for the boarding or treatment of dogs within the village limits of the Caughnawaga Indian Reserve without express written authorization to that effect from the Council by way of resolution.

ARTICLE 11 - MUZZLING OF DOGS

The Council may order the muzzling, detention or isolation of any dog for a period determined by the Council. In the event of the Guardian of said dog failing to comply with such order, he shall be guilty of a contravention of the present by-law and shall be subject to the penalties herein provided.

ARTICLE 12 - MAD DOG

Any police officer may destroy without delay any dog which he has reason to suspect is a mad dog or which is sick or hurt.

ARTICLE 13 - DOG POUND

The Council may by resolution establish a dog pound for the Caughnawaga Indian Reserve and may appoint a pound-keeper for such dog pound.

Any police officer or the pound-keeper may bring to such pound any dog which enters upon property contrary to the provisions of Article 3 hereof or which is found running at large in the streets or public places of the Caughnawaga Indian reserve or which is found causing damage as provided in Article 8 hereof.

ARTICLE 14 - RECOVERY OF DOGS BROUGHT TO POUNDS

No dog which has been brought to a pound in accordance with the present by-law may be claimed by its guardian unless such guardian or a person on his behalf pays to the pound-keeper the cost of boarding and keeping the said dog in the pound. Such cost shall be fixed from time to time by resolution of the Council.

If such dog is not claimed within four (4) days after it has been impounded, it may be summarily disposed of.

The body of any destroyed dog may be disposed of by the pound-keeper, or police officer, as he sees fit.

ARTICLE 15 - SICK OR WOUNDED DOGS

The police officer or the pound-keeper appointed by the Council or any veterinary may order or proceed to the destruction of any wounded or sick dog that has been placed in the pound.

ARTICLE 16 - SUBSEQUENT CONTRAVENTION

If a person is found guilty of an offence under this by-law and there is a subsequent conviction under the present by-law in respect of the same dog, the Court, in addition to any other penalty provided for hereunder, may order the immediate destruction of the dog and it shall then be destroyed forthwith by a police officer.

ARTICLE 17 - PENALTIES FOR CONTRAVENTION

Any person who contravenes any provision of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine of ten dollars (\$10.00) for first offence plus cost, and double for each subsequent offence.

ARTICLE 18 - REGISTRATION CERTIFICATE & IDENTIFICATION TAGS

Every person keeping one or more dogs in the village proper or within the limits of the reserve shall register:

- 1st dog: Free
- 2nd dog: Free
- 3rd dog: \$5.00
- 4th dog: \$6.00 and so forth

also have placed Identification Tag around neck of dog.

Chief:

Joseph T. Delisle

Michael C. St. John

Angus Macginnis

Annice White

James T. ...

Frank Curran

James M. Kane

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Allen R. ...

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