

**KATZIE FIRST NATION
ENFORCEMENT AND TICKETING LAW**

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PREAMBLE

WHEREAS:

- A. Katzie First Nation has an inherent right to self-government that emanates from our people, culture and land and that is recognized and affirmed by section 35 of the *Constitution Act, 1982*;
- B. Katzie First Nation chose to assume control of its reserve lands and resources pursuant to the *First Nation Land Management Act, S.C. 1999, c. 24* by entering into the Individual Agreement on First Nation Land Management between Katzie First Nation and Her Majesty the Queen in Right of Canada, and by adopting the Land Code that took effect March 29, 2017;
- C. Under section 6 of the Land Code, Council is authorized to enact various laws relating to the development, conservation, protection, management, use and possession of the Nation's Land and any matter necessary or ancillary to a Law respecting the Nation's Land, including the enforcement of the Laws of the Nation.

NOW THEREFORE this *Katzie First Nation Enforcement and Ticketing Law* is hereby enacted as a Law of the Katzie First Nation.

PART 1 - TITLE

Title

- 1.1 This Law may be cited as the *Katzie First Nation Enforcement and Ticketing Law*.

PART 2 - PURPOSE

Purpose

- 2.1 The purpose of this Law is to promote fair, effective and efficient enforcement of the Laws of the Nation on the Nation's Land.

PART 3 - INTERPRETATION

Definitions

3.1 For the purposes of this Law, the following definitions apply:

“Administrator” means the Administrator appointed under section 6.1 of this Law and, in relation to a power, duty or function of the Administrator given to an employee referred to in section 6.2 or delegated to a Person under that section, includes that employee or Person;

“Affidavit of Service” means an affidavit of service referred to in section 9.10;

“Compliance Notice” means a notice issued in accordance with Part 9;

“Compliance Agreement” means an agreement under subsection 10.7(c);

“Discounted Fine” means the amount of the fine prescribed by regulation that is payable if payment is received on or before the 14th day after the date a Ticket was served;

“Enforcement Agreement” means an agreement that may be entered into by the Nation and British Columbia and/or Canada authorizing a police force or federal or provincial enforcement officials to enforce the Laws of the Nation.

“Government Body” means a federal, provincial, or municipal body, including an agency or ministry of the Crown in right of Canada or British Columbia;

“Land Steward” means a land steward designated under section 7.1;

“Motor Vehicle Act” means the *Motor Vehicle Act*, RSBC 1996, c. 318 or any successor legislation;

“Named Person” means a Person to whom a Compliance Notice or Ticket is issued;

“Notice of Hearing” means the notice issued under section 10.24;

“Person” includes any individual, corporation or other legal entity;

“Regulation” means a regulation enacted by the Nation;

“Surcharge” means the amount prescribed in Schedule 2 or by Resolution that is payable if payment for a fine is received after the 30th day after the date a Ticket was served; and

“Ticket” means a ticket issued in accordance with Part 9.

Interpretation Provisions of Land Code Apply

3.2 The interpretation provisions in section 2 of the Land Code apply to this Law.

Land Code Definitions

3.3 For greater certainty, definitions in the Land Code apply to capitalized terms in this Law.

Calculation of Time

3.4 Unless otherwise provided in this Act, a reference to “day” or “days” means calendar days.

3.5 If the time for doing an act under this Law falls on a Saturday, Sunday or other federal or provincial holiday, the act can be done on the next day that is not a holiday.

Validity

3.6 Nothing under this Law must be rendered void or invalid by

- (a) an error or omission in a notice or other document given or authorized under this Law; or
- (b) a failure of Katzie First Nation, a Katzie First Nation official or their delegate to do something within the required time.

PART 4 - APPLICATION

Law Applies to the Nation’s Land

4.1 This Law applies to the Nation’s Land.

PART 5 - GENERAL PROVISIONS

Severability

5.1 In the event that all or any part of any Part, section or paragraph of this Law are found by a court of competent jurisdiction to be invalid or inapplicable, such sections are severable, and the remaining portions or sections remain in full force and effect.

Internal References

- 5.2 Internal references refer to this Law, references to a Part (e.g. Part 1), section (e.g. section 1.1), subsection (e.g. subsection 1.1(1)), paragraph (e.g. paragraph 3.4(a)) is a reference to the specified Part, section, subsection or paragraph of this Law, except where otherwise stated.

PART 6 - ADMINISTRATIVE PROVISIONS

Administrator

- 6.1 Council shall appoint an Administrator for the purpose of carrying out the administrative, implementation and decision-making functions under this Law.

Delegation

- 6.2 Council may authorize the Administrator by Resolution to assign the performance of any duties of the Administrator under this Law to any Katzie First Nation officer, employee, contractor or agent.

Enforcement Agreements and other Arrangements

- 6.3 Council may negotiate and enter into:
- (a) Enforcement Agreements with the federal or provincial government; and
 - (b) Enforcement arrangements with any government, First Nation, municipality, corporation, contractor, or entity including arrangements with municipalities for use of municipal ticketing systems, prosecutions, appeals and collection processes.

PART 7– APPOINTMENT AND AUTHORITY OF LAND STEWARDS

Appointment of Land Stewards

- 7.1 The Nation designates the following as Land Stewards:
- (a) any RCMP officer;
 - (b) any peace officer; and
 - (c) any Person designated by Council by Resolution or by Law to enforce the Laws of the Nation.

7.2 Council may by regulation or Resolution establish the qualifications required for a Person to be designated by Council under subsection 7.1(c).

General Authority of Land Stewards

- 7.3 Subject to any Resolution that addresses the enforcement powers of individuals appointed as Land Stewards, and without limiting a Land Steward's powers at law, a Land Steward is authorized to do the following for the purpose of ensuring compliance with the Laws of the Nation:
- (a) issue Compliance Notices;
 - (b) issue Tickets;
 - (c) laying of informations and serving summonses pursuant to the summary conviction process in the *Criminal Code of Canada*;
 - (d) provide to an authorized prosecutor information sufficient to initiate the prosecution of an offence;
 - (e) order a Person to do or not do anything that the Land Steward reasonably believes is necessary to bring the Person into compliance with the Laws of the Nation; and
 - (f) any other duties assigned or delegated to the Land Steward under this Law or by Council.

Power of Entry and Inspection

- 7.4 At any reasonable time, a Land Steward may enter
- (a) land;
 - (b) unoccupied premises;
 - (c) business premises; or
 - (d) a dwelling or vehicle
 - (i) with the consent of the occupier, or
 - (ii) if authorized by a law or a warrant issued by a court of competent jurisdiction.
- 7.5 In a manner that is consistent with enforcement measures under federal legislation and subject to sections 7.9 and 7.10, a Land Steward may make any

reasonable inspection, investigation or inquiry necessary to determine if the Laws of the Nation, or a Compliance Notice, Ticket, order or other instrument issued under a Law, are being complied with or contravened, or an offence is being committed or has been committed.

7.6 Without limiting the interpretation of section 7.5, and subject to sections 7.9 and 7.10, a Land Steward may do one or more of the following for the purposes of an inspection:

- (a) be accompanied or assisted by a Person who has special, expert or professional knowledge of a matter relevant to the inspection;
- (b) inspect, analyze, measure, sample or test land, and any article or substance located on or in the land;
- (c) take away samples of land, articles or substances located on or in the land;
- (d) require a Person to produce relevant records or things in the Person's possession or control;
- (e) examine documents, records or things;
- (f) take away copies of documents, records or things;
- (g) take photographs or make audio records;
- (h) require that a place or thing not be altered or disturbed for a reasonable period of time;
- (i) question a Person whom the Land Steward reasonably believes to have relevant information; and
- (j) with the consent of the occupier or if authorized by a Law or warrant
 - (i) inspect, analyze, sample or test anything located in a dwelling;
 - (ii) seize or remove anything that the Land Steward believes on reasonable grounds is evidence of an offence; and
 - (iii) take other actions as consented to by the occupier or authorized in a law or warrant.

7.7 (1) For certainty, a Land Steward, acting in the performance of a duty or in the exercise of a power under this Law, may enter and pass over any of the Nation's Land without being liable for trespass but is liable for damages to the land resulting from his or her activities.

(2) Subsection (1) applies to any Person who is assisting a Land Steward.

Stop Work Orders

7.8 (1) Without limiting the generality of section 7.2, a Land Steward may issue a stop work order to order any Person who has not received full and proper authorization under the Laws of the Nation to cease carrying out any prohibited activity.

(2) A stop work order imposed under subsection (1) may be registered in court and enforced as a court order and continues in force until the condition that led to it is remediated or until the activity that is the subject of the stop work order receives an authorization under the Laws of the Nation.

Warrants

7.9 (1) On a Land Steward's application made without notice, a justice may issue a warrant authorizing a Land Steward to enter and search a premises and examine anything that is relevant to determining compliance with this Law if the justice is satisfied that the Land Steward has been properly appointed and that there are reasonable and probable grounds for believing that something relevant to the investigation is at the premises.

(2) A warrant issued under subsection (1) does not authorize an entry or search after sunset or before sunrise unless it is expressly stated in the warrant.

(3) A Land Steward entering and searching a premises under the authority of a warrant issued under subsection(1) may be assisted by a peace officer and may enter a place by force.

Copying and Removal of Documents and Objects

7.10 (1) A Land Steward may copy or, subject to subsection (2), remove a document, record or thing examined under section 7.6 or under the authority of a warrant under section 7.9 at the Nation's expense.

(2) A Land Steward may only remove a document, record or thing under subsection (1) if

- (a) it is not practicable to copy it in the premises where it is examined; or
- (b) a copy of it is not sufficient for the purposes of the investigation.

(3) In order to examine or produce a document or record in readable form, a Land Steward may use data storage, information processing or retrieval devices or systems that are normally used in carrying on business in the premises in which they are conducting the investigation.

(4) If it is practicable to copy a document, record or thing removed under subsection (1), the Land Steward must

- (a) if it was removed under subsection 2(a), return the document, record or thing within a reasonable time; or
- (b) if it was removed under subsection (2)(b), provide the Person who was in possession of the document, record or thing with a copy of it within a reasonable time.

(5) A copy of a document, record or thing certified by a Land Steward to be a true copy must be received in evidence in any proceeding to the same extent and shall have the same evidentiary value as the document, record or thing itself.

No Obstruction of Land Stewards

7.11 No Person may interfere with or obstruct a Land Steward exercising their powers under this Law or fail to comply with an order enforcing the Laws of the Nation.

Identification

7.12 On request, and in the course of performing their duties, a Land Steward must show their identification if requested.

No Compensation Payable

7.13 No compensation is payable by the Nation or any agent, employee or contractor of the Nation in respect of anything lawfully seized, detained or destroyed under this Law.

PART 8 - OFFENCES

Offences Generally

8.1 (1) A Person commits an offence against a Law of the Nation by:

- (a) contravening a provision of a Law of the Nation;
- (b) consenting to, allowing, permitting or doing anything prohibited under a Law of the Nation; or
- (c) omitting to do anything required under a Law of the Nation.

(2) Where a Person commits an offence for more than one day, it constitutes a separate offence for each day on which the Person commits or continues the offence.

PART 9 - COMPLIANCE NOTICES AND TICKETS

Compliance Notices and Tickets

- 9.1 For any violation of the Laws set out in Schedule 1 to this Law, or any Law designated by Council by Resolution, a Land Steward may issue a Compliance Notice or Ticket for offences under the Law.
- 9.2 (1) Unless otherwise set out in more specific provisions of a Law, Regulation or Resolution, the fines, Discounted Fines and Surcharges apply as set out in Schedule 2 to this Law.
- (2) The fines, Discounted Fines and Surcharges apply as set out in Schedule 2 to this Law despite the fact that the Laws of the Nation may set out different fines or procedures for summary convictions.
- 9.3 If a Law, including any Law that is designated by Resolution under section 9.1, does not specify a fine for an offence, Council must establish by Resolution or Regulation for each offence the amount of
- (a) the fine, up to a maximum of \$2,000;
 - (b) the Discounted Fine; and
 - (c) the Surcharge.
- 9.4 Nothing in this Law precludes the Nation from pursuing any other enforcement action or remedy provided for in any other Law of the Nation.

Issuing a Compliance Notice or a Ticket

- 9.5 (1) If a Land Steward has reasonable grounds to believe that a Person is committing an offence or has committed an offence, the Land Steward may issue a Compliance Notice or a Ticket in the prescribed form to that Person.
- (2) A Compliance Notice or a Ticket must be issued to a Named Person unless it is issued for an offence involving a vehicle, in which case it must also be issued to:
- (a) the vehicle's licence plate; or
 - (b) the vehicle's identification number, temporary operation permit or interim permit under the *Motor Vehicle Act* or other applicable law.
- (3) If a Compliance Notice or a Ticket is issued under subsection (2), the Compliance Notice or the Ticket is deemed to have been issued to each

registered owner of the vehicle as contained in the records of the applicable Government Body.

(4) Each registered owner of a vehicle referred to in subsection (2) is deemed to be a Named Person.

Contents of a Compliance Notice or a Ticket

9.6 (1) A Compliance Notice and a Ticket must be in the form set out in Schedule 3 to this Law, and must contain the following information:

- (a) the particulars of the alleged offence in sufficient detail to permit the Named Person to identify it;
- (b) how to dispute the alleged offence;
- (c) the date the Compliance Notice or Ticket is issued;
- (d) the name and signature of the Land Steward who issued the Compliance Notice or Ticket;
- (e) in the case of a Compliance Notice,
 - (i) sufficient information to notify the Named Person to do whatever is necessary to stop or rectify the offence,
 - (ii) the date or time period within which the Named Person must comply with the requirements provided under subparagraph (i),
 - (iii) a provision that if the Compliance Notice is not disputed within the time provided,
 - (A) the Compliance Notice will be treated as undisputed, and
 - (B) the Named Person will be deemed to have pleaded guilty to the alleged offence;
 - (i) a provision that if the Named Person does not comply with the requirements set out in the Compliance Notice and rectify the offence, the Named Person may be subject to a Ticket and the Nation or a Person authorized by Council may take action to rectify the offence at the expense of the Named Person.
- (f) in the case of a Ticket,
 - (i) the fine, Discounted Fine and Surcharge,
 - (ii) a provision that if the Ticket is not disputed within the time provided,

- (A) the Ticket will be treated as undisputed,
 - (B) the Named Person will be deemed to have pleaded guilty to the alleged offence,
 - (C) the fine will be immediately payable to the Nation, and
 - (D) the methods of paying the fine; and
- (g) any other information prescribed by Council.

Serving a Compliance Notice or a Ticket

9.7 (1) Unless otherwise provided in a Law of the Nation, a Compliance Notice or Ticket must be served by:

- (a) personally giving the Compliance Notice or Ticket to the Named Person;
- (b) verbally delivering the Compliance Notice or Ticket to the Named Person if the offence is, or may be, a nuisance, trespass, danger to public health or threat to public order, peace or safety that requires immediate compliance;
- (c) mailing the Compliance Notice or Ticket by registered mail to the Named Person to the last known address for the Named Person;
- (d) if the Compliance Notice or Ticket is in respect of a contravention involving a vehicle, by mailing a copy of the Compliance Notice or Ticket by registered mail to the address for each registered owner of the vehicle involved as contained in the records of the responsible Government Body;
- (e) if the Compliance Notice or Ticket is in respect of a parking contravention, by leaving the Compliance Notice or Ticket on the vehicle involved; or
- (f) if the Person is unknown, affixing the Compliance Notice or Ticket in a conspicuous location where the undertaking or activity of concern is occurring.

(2) If the Ticket or Compliance Notice is verbally served under paragraph 9.7(1)(b), the Ticket or Compliance must be recorded in writing and sent to the Named Person by registered mail to the last known address for the Named Person as soon as practicable after the verbal delivery.

9.8 (1) Subject to subsection (2) if the Named Person is a corporation, the Compliance Notice or Ticket must be served

- (a) by delivering it to a director, manager, secretary or other executive officer of the corporation or of a branch of it, or on the attorney of an extraprovincial company; or

- (b) by leaving it at, or mailing it by registered post addressed to, the registered or principal office of the corporation.

(2) If the Named Person is a municipality or regional district, the Compliance Notice and Ticket must be served by delivering by registered mail

- (a) in the case of a municipality, to the mayor or corporate officer; or
- (b) in the case of a regional district, to the chair of the regional district or corporate officer.

9.9 A Compliance Notice or Ticket is presumed to have been delivered:

- (a) under paragraph 9.7(1)(a), (b), (e), (f), and 9.8(1)(a) on the day that it is delivered or left; and
- (b) under paragraph 9.7(1)(c), (d), 9.8(1)(a), 9.8(2)(a) and (b) on the 7th day after mailing.

Proof of Service

9.10 Service of a Compliance Notice or Ticket may be proved by

- (a) oral evidence given under oath of a Person who served it, or
- (b) an Affidavit of Service.

9.11 An Affidavit of Service must include

- (a) the method of service;
- (b) date of service; and
- (c) identify the Person on which the Compliance Notice or Ticket was served.

When Failure to Serve a Document does not Invalidate Proceeding

9.12 (1) If a Compliance Notice or Ticket is not served in accordance with sections 9.7 or 9.8, a proceeding or an action in relation to the Compliance Notice or Ticket is not invalidated if:

- (a) the content of the Compliance Notice or Ticket was known by the Named Person within the time allowed for issuance;
- (b) the Named Person consents; or
- (c) the failure to serve in accordance with sections 9.7 or 9.8 does not result in any substantial injustice.

(2) If a Compliance Notice or Ticket relates to an offence involving a vehicle, that Compliance Notice or Ticket must be delivered to the address of each registered owner of the vehicle as shown in the records of the applicable Government Body.

Electronic Form of Compliance Notice or Ticket

- 9.13 A Compliance Notice or a Ticket may be completed, recorded, issued and stored:
- (a) in electronic format by electronic means; or
 - (b) by another means that allows the Compliance Notice or the Ticket to be reproduced in an understandable form.

Complying with or disputing a Compliance Notice

- 9.14 (1) Subject to the period of time specified in the Compliance Notice, a Named Person must, within 14 days after service of a Compliance Notice:
- (a) comply with the requirements in the Compliance Notice in the manner stated in the Compliance Notice; or
 - (b) dispute the allegation contained in the Compliance Notice in accordance with section 10.1.
- (2) If A Named Person does not comply with the requirements set out in the Compliance Notice and rectify the offence or dispute the allegation, the Named Person may be subject to a Ticket and the Nation or a Person authorized by Council may take action to rectify the offence at the expense of the Named Person.

Paying or disputing a Ticket

- 9.15 (1) A Named Person must, within 14 days after service of a Ticket:
- (a) pay the fine stated in the Ticket to the Nation in the manner stated in the Ticket; or
 - (b) dispute the allegation contained in the Ticket in accordance with section 10.1.
- (2) If a Named Person fails to comply with subsection (1), the Named Person is deemed to have pleaded guilty to the alleged offence and the fine set out in the Ticket is immediately payable to the Nation in the manner indicated in the Ticket.
- 9.16 A Person may pay the fine after 14 days of receiving a Ticket, subject to the Surcharge, but no Person may dispute a Ticket after 14 days of receiving the Ticket, unless an extension of time is granted under section 9.17.

The Administrator may extend time limit

9.17 (1) The Administrator may extend the time limit for disputing a Ticket or Compliance Notice established under section 9.13 or 9.14 upon written request by the Named Person or his or her authorized representative, for:

- (a) a period up to 30 days; or
- (b) upon the approval of Council, a period longer than 30 days,

if satisfied that

- (a) the Named Person through no fault of the Named Person was unable to respond to the Compliance Notice or the Ticket in accordance with sections 9.13 or 9.14;
- (b) no harm or undue prejudice will result from the extension, and
- (c) it is in the interests of justice to allow the extension.

(2) The Administrator may grant an extension of the time limit after the time limit in section 9.13 or 9.14 has expired if an extension is applied for within 30 days of the time limit expiring.

Authorizing measures to rectify an offence

9.18 Council or the Administrator may direct or authorize whatever action or measures are necessary to stop or rectify an offence or to prevent a re-occurrence of that offence if:

- (a) the Named Person has been served with the Compliance Notice in accordance with section 9.7 or 9.8;
- (b) the Compliance Notice included a description of the action or measures a Person authorized by Council or the Administrator would take if the Compliance Notice was not followed;
- (c) the Named Person has not complied with the requirements of the Compliance Notice in the time specified in the Compliance Notice;
- (d) the Named Person has not applied for a review of the Compliance Notice in accordance with section 10.1; or
- (e) the Compliance Notice has been reviewed under Part 10 and after completing the review, the Administrator or the Appeals Committee has not reversed the Compliance Notice.

9.19 Without limiting section 9.18, if a Named Person under section 9.14 has not put or maintained premises in a clean, uncontaminated or safe condition as required in a Compliance Notice, Council or the Administrator may, by order, require the remediation, clean-up, or closure of the premises.

Debt owing to the Nation

9.20 (1) A fine, or part of a fine, is a debt owing by the Named Person to the Nation.

(2) The expenses of an action or the measures authorized by Council under sections 9.18 and 9.19 are a debt owing by the Named Person to the Nation.

9.21 The Nation may collect a debt owing to the Nation in accordance with any relevant law.

9.22 The Administrator may send any debt owed to the Nation to a collection agency.

Joint and several liability

9.23 The obligations arising from a Compliance Notice and a Ticket are joint and several as between the Named Persons.

Limitation period for a Compliance Notice and a Ticket

9.24 A Compliance Notice and a Ticket must not be issued more than twelve months after the offence in relation to which the Compliance Notice or the Ticket is issued is alleged to have been committed.

PART 10 – APPEAL PROCESS FOR COMPLIANCE NOTICE OR TICKET

10.1 Within 14 days of being served, a Named Person may apply to the Administrator to dispute a Compliance Notice or Ticket, as the case may be, by filing a Notice of Appeal with the Administrator.

10.2 A Notice of Appeal must be in the form set out in Schedule 3 and include:

- (a) the appellant's legal name and address to which documents may be delivered to the appellant;
- (b) the Compliance Notice or Ticket that is the subject of the Notice of Appeal;
- (c) the reason(s) for challenging the Compliance Notice or Ticket; and
- (d) the relief sought by the appellant.

- 10.3 (1) Upon receipt of the Notice of Appeal, the Administrator will review the Notice of Appeal for completeness and notify the appellant at the address provided in the Notice of Appeal in writing of any deficiencies and set a reasonable timeframe for the appellant to correct the deficiencies.
- (2) If the appellant does not correct the deficiencies in the Notice of Appeal within the timeframe provided in subsection (1), the appeal shall be deemed to be withdrawn.
- 10.4 Within 5 working days after receiving a complete Notice of Appeal, the Administrator must deliver a copy of the Notice of Appeal to any other Named Person at their last known address and to the Land Steward that issued the Compliance Notice or Ticket that is the subject of the Notice of Appeal.
- 10.5 After delivering a copy of the Notice of Appeal to any other Named Person under section 10.4, the Administrator must expeditiously conduct a preliminary review of the Compliance Notice or Ticket and may:
- (a) reverse or modify the Compliance Notice or Ticket on the basis that the Compliance Notice or Ticket was issued to the wrong Person; or
 - (b) confirm the Compliance Notice or Ticket.
- 10.6 As soon as practicable after completion of the preliminary review, the Administrator must deliver to the appellant and any other Named Person written notice of:
- (a) the outcome of the preliminary review under section 10.5;
 - (b) the right to request a Compliance Agreement under section 10.7; and
 - (c) the right to request a hearing of the Notice of Appeal in accordance with section 10.9.
- 10.7 For greater certainty, the powers of the Administrator include the following:
- (a) where requested by the appellant or any other Named Person, the authority to communicate information respecting the nature of the contravention, the facts on which the contravention allegation is based, the fine for a contravention, the opportunity to proceed to a hearing of the appeal and any fees payable in relation to the enforcement process;
 - (b) the authority to communicate with any or all of the following for the purposes of performing their functions under this Law:
 - (i) the appellant or his or her representative;

- (ii) any Named Person;
 - (iii) the Land Steward that issued the Compliance Notice or Ticket; and
 - (iv) the Nation's employees regarding the appellant's history of compliance with the Nation's Laws; and
- (c) prepare and enter into Compliance Agreements with an appellant, including establishing terms and conditions for compliance that the Administrator considers necessary or advisable, including time periods for payment of fines and compliance with the Law of the Nation.

10.8 The maximum term of a Compliance Agreement is one year.

Hearing of an Appeal

10.9 Within 5 working days after receipt of the written notice under section 10.6, the appellant or any other Named Person may request a hearing before the Appeals Committee by filing an Application for Hearing in the form set out in Schedule 3 to this Law with the Administrator.

10.10 Upon the receipt of a complete Application for Hearing, the Administrator shall provide a copy of the Application for Hearing and a copy of the Compliance Notice or Ticket to:

- (a) any other Named Person,
- (b) the Land Steward that issued the Compliance Notice or Ticket, and
- (c) the Appeals Committee.

10.11 Within 10 working days of the receipt of the Application for Hearing in section 10.10, the Land Steward may provide a written response to the appeal by filing a Response to Appeal in the form set out in Schedule 3 to this Law with the Administrator.

10.12 Within 5 working days of the receipt of the Response to the Appeal, the Administrator shall forward the Response to the Appeal to:

- (a) the appellant;
- (b) any other Named Person; and
- (c) the Appeals Committee.

10.13 After the time for filing a Response to the Appeal has past, the Administrator will refer the matter to the Appeals Committee for hearing.

Form of the Hearing

- 10.14 In the Application for Hearing, the appellant or any other Named Person may request that the form of the hearing be:
- (a) in writing only; or
 - (b) an oral hearing.
- 10.15 If a hearing based on written submissions only is requested, the Person that filed the Application for Hearing must include in the Application for Hearing:
- (a) a statement that he or she does not want to appear in Person for a hearing of the dispute; and
 - (b) written reasons for requesting that the Compliance Notice or Ticket be reversed or modified.
- 10.16 The Appeals Committee has full discretion to determine the form of the hearing, but must take into account the request of the appellant.

Appeals Committee

- 10.17 The function of the Appeals Committee is to determine the validity of any dispute in relation to a Compliance Notice or Ticket.
- 10.18 Council must appoint the Appeals Committee, which will be composed of at least five Persons and must include the following:
- (a) one Member of Council (but not the Member who holds the Lands Portfolio);
 - (b) a member of the Lands Advisory Committee;
 - (c) an Elder; and
 - (d) an independent third party with relevant expertise.
- 10.19 Council may appoint the Appeals Committee on an as-needed basis and dissolve the Appeals Committee when the appeal has been completed.
- 10.20 If any Person is prevented from sitting on the Appeals Committee due to a conflict of interest, that Person must recuse himself/herself from the Appeals Committee and must be replaced by an alternate, who will be appointed by Council in accordance with section 10.18.

- 10.21 The Appeals Committee has sole jurisdiction to try, determine and adjudge appeals with respect to Compliance Notices and Tickets.
- 10.22 The Appeals Committee has all the powers, rights and privileges that are vested in a superior court of record that are necessary or proper for the exercise of its jurisdiction.
- 10.23 Without limiting section 10.22, the Appeals Committee has the authority to:
- (a) decide preliminary matters, including whether the appeal shall proceed;
 - (b) summon and examine witnesses;
 - (c) make orders to ensure the just, speedy and inexpensive determination of every appeal on its merits;
 - (d) require the production and inspection of documents by the parties or by others; and
 - (e) waive or extend any time periods set out in these appeal procedures.

Hearing Process

- 10.24 (1) The Appeals Committee shall determine the date, time, length, procedure and form of the hearing.
- (2) At least 5 working days before the hearing, the Appeals Committee shall send a Notice of Hearing to the:
- (i) the appellant at the address in the Notice of Appeal;
 - (ii) any other Named Person at their last known address; and
 - (iii) the Land Steward that issued the Ticket or the Compliance Notice.
- 10.25 A Notice of Hearing shall include
- (a) the date of the hearing,
 - (b) the time and length of the hearing, and
 - (c) the procedure for the hearing.
- 10.26 Subject to section 10.29, the Appeals Committee has discretion to determine the procedure for the hearing.

- 10.27 The Appeals Committee may receive and accept any evidence, including oral history, and other information, whether on oath or by affidavit or otherwise, that it sees fit, whether or not that evidence or information is or would be admissible in a court of law, unless it would be inadmissible in a court by reason of any privilege under the law of evidence.
- 10.28 The parties to an appeal shall bear the burden of contacting their witnesses and arranging for them to attend the hearing.
- 10.29 At a minimum, all hearings before the Appeals Committee shall comply with the rules of procedural fairness and the principles of natural justice and shall provide each party with the opportunity to make oral or written submissions and to know and respond to the case against them.
- 10.30 After the hearing, the Appeals Committee will deliberate in closed session and will reach a decision on the Appeal.
- 10.31 If the Appeals Committee cannot reach a consensus decision, the appeal will be decided by a majority vote of the Appeals Committee.
- 10.32 The Appeals Committee may
- (a) reverse or modify the Compliance Notice or Ticket with or without conditions; or
 - (b) confirm the Compliance Notice or Ticket.
- 10.33 In determining whether to modify a Ticket, the Appeals Committee may consider the means and ability of the appellant to pay the fine, and, if the Appeals Committee is of the opinion that the appellant is unable to pay the amount of the fine on the Ticket, the Appeals Committee may impose a fine in a lesser amount.
- 10.34 Within 5 working days of the hearing, the Appeals Committee will provide written reasons for its decision to the Administrator, and the Administrator will distribute copies of the decision to all parties, and to such other individuals as the Appeals Committee deems appropriate and/or necessary.

Failure to Appear

- 10.35 (1) If an appellant fails to appear before the Appeals Committee at the hearing on the date set out in the Notice of Hearing,
- (a) the Compliance Notice or Ticket is deemed not to be disputed,
 - (b) the Appeals Committee must not try, determine or adjudge the appeal,
 - (c) the appellant is deemed to have pleaded guilty to the alleged offence, and

(d) the amount of any Ticket is immediately payable to the Nation or the Compliance Notice must be immediately complied with.

(2) If an appellant that does not appear under subsection (1) still wishes to dispute the Ticket or Compliance Notice, the appellant can apply to the Appeals Committee and, on being satisfied of the matters in subsection (3), the Appeals Committee may make an order allowing the appeal to proceed and issue a new Notice of Hearing.

(3) Before making an order under subsection (2) allowing an appeal to proceed, the Appeals Committee must be satisfied that

- (a) through no fault of the appellant, the appellant was not able to attend the hearing,
- (b) the appellant has a genuine intention to dispute the Ticket or Compliance Notice,
- (c) no undue prejudice will result from allowing the appeal to proceed,
- (d) the appellant has an arguable defence to the Ticket or Compliance Notice, and
- (e) it is in the interests of justice to allow the appeal to proceed.

PART 11 – IMMUNITY

No Action for Damages

11.1 No action for damages lies or may be instituted against present or past Council, the Administrator, employees, servants or agents of either the Nation or its Council:

- (a) for anything said or done or omitted to be said or done by that Person in the performance or intended performance of the Person's duty or the exercise of the Person's authority; or
- (b) for any alleged neglect or default in the performance or intended performance of the Person's duty or the exercise of the Person's authority.

11.2 Section 11.1 does not provide a defence if:

- (a) Council, the Administrator, employees, servants or agents have, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or willful misconduct; or
- (b) the cause of action is libel or slander.

No Liability

11.3 The Nation, present or past Council, the Administrator or employees, servants or agents of the Nation or Council are not liable for any damages or other loss, including economic loss, sustained by any Person, or to the property of any Person, as a result of neglect or failure, for any reason, to discover or detect any contravention of any Law of the Nation, or from the neglect or failure, for any reason or in any manner, to enforce this Law or any other Law of the Nation.

PART 12– FEES, FORMS AND REGULATIONS

Fees and Forms

12.1 Council may by Resolution establish, correct, revise or update the terms of any applicable forms, protocols or other related documentation that complement and support this Law, and will make a copy of these available for viewing at the administrative offices of the Nation.

Regulations

12.2 Council may make any regulations it considers necessary or advisable for purposes under this Law.

PART 13- COMING INTO FORCE

Date Law Comes into Force

13.1 This Law will come into force and effect on the date it is enacted by Resolution after complying with the requirements of section 7 of the Land Code.

THIS LAW IS HEREBY ENACTED by Council at a duly convened meeting held on the 15th day of September, 2022 at Bill Meadows, British Columbia.

A quorum consists of **three (3)** Council Members.


Chief Grace George


Councillor Lisa Adams


Councillor Rick Bailey


Councillor David Kenworthy

Katzie First Nation Community Land Disposition Law

SCHEDULE 1 – LAWS

SCHEDULE 2 – FINES

SCHEDULE 3 – FORMS

SCHEDULE 1: LAWS

1. Katzie First Nation Community Quality Law
2. Katzie First Nation Community Land Disposition Law
3. Katzie First Nation Registration Procedures Law
4. Katzie First Nation Subdivision, Development and Servicing Law
5. Katzie First Nation Spousal Property Law
6. Katzie First Nation Soil and Fill Law

SCHEDULE 2: FINES

Section of Law	Offence Summary ¹	Discounted Fine if paid within 14 days	Fine	Surcharge if Fine not paid in 30 days
Katzie First Nation Community Quality Law				
10	Littering	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
11	Derelict material	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
12	Abandonment or storage	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
13	Discarded material	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
14	Invasive plants	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
19	Noise (general prohibition)	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
20	Noise (owner or occupier of premises)	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
21	Noise (animal or bird)	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
22	Night noise	\$50 (first violation notice) or \$100 (second violation notice)	\$100 (first violation notice) or \$200 (second violation notice)	\$200 (first violation notice) or \$250 (second notice violation)
26	Firearms	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
28	Disorderly conduct	\$100 (first	\$200 (first violation	\$250 (first violation

¹ The capitalized terms in the Offence Summary have the same meaning as in the law that is being referenced.

		violation notice) or \$250 (second violation notice)	notice) or \$500 (second violation notice)	notice) or \$550 (second violation notice)
29	Nuisance	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
30	Trespass	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
41	Obstruct Land Steward	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
42	Contravention of enforcement orders	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
51	General offences	\$100 (first violation notice) or \$250 (second violation notice)	\$200 (first violation notice) or \$500 (second violation notice)	\$250 (first violation notice) or \$550 (second violation notice)
Katzie First Nation Community Land Disposition Law				
13.1(a)	Provide false or misleading information to obtain an Interest or License	\$200	\$250	\$300
13.1(b)	Contravention of this Law or an order made by a Court pursuant to this Law	\$100	\$200	\$250
Katzie First Nation Registration Procedures Law				
5.2	Failure to obtain approval of Lands Manager as to form before Registration	\$100	\$200	\$250
9.1	Contravention of this Law or an order made by a court pursuant to this Law	\$100	\$200	\$250
9.2	False representation	\$200	\$250	\$300
9.4	Fraud	\$200	\$250	\$300
Katzie First Nation Subdivision, Development and Servicing Law				
9(1)(a)	Illegal subdivision	\$200	\$250	\$300
9(1)(b)	Illegal construction, alteration, installation, repair, removal, demolition	\$200	\$250	\$300

	or renovation of a building or other structure, including for certainty, signs, trailers, swimming pools, and docks			
9(1)(c)	Illegal installation of a street, intersection, sewer system, water system or other infrastructure	\$200	\$250	\$300
9(1)(d)	Illegal clearing, grading, blasting, excavating or other alteration of Katzie Land, including removing trees	\$200	\$250	\$300
9(1)(e)	Other illegal activities designated by Council in a regulation	\$200	\$250	\$300
30(a)	Provides false or misleading information in order to obtain an Authorization	\$200	\$250	\$300
30(b)	Carries out an activity prohibited under this Law without having first received a valid Authorization	\$200	\$250	\$300
30(c)	Neglects or refrains from doing anything required to be done pursuant to the provisions of this Law	\$200	\$250	\$300
30(d)	Otherwise contravenes this Law	\$200	\$250	\$300
30(e)	Obstructs, interferes with or denies access into any land or into any building to a Land Steward whose entry is authorized under this Law	\$200	\$250	\$300
Katzie First Nation Spousal Property Law				
29(1)	Disposal or sale of	\$200	\$250	\$300

	a Spousal Home contrary to this Law			
34 (2)	Violating an Exclusive Occupation Order	\$200	\$250	\$300
39(1)	Violating an Emergency Protection Order	\$200	\$250	\$300
48	Contravention of an order made by a Court pursuant to this Law	\$200	\$250	\$300
Katzie First Nation Soil and Fill Law				
8(1)(a)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, without an Authorization	\$200	\$250	\$300
8(1)(b)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, in a manner that causes Contamination or contravenes the standards in the <i>Environmental Management Act</i> , SBC 2003, c 53, the <i>Contaminated Sites Regulation</i> and associated technical and administrative guidance, protocols, procedures, bulletins or policies	\$400	\$550	\$600
8(1)(c)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, in a manner that causes or contributes to a safety hazard to a	\$400	\$550	\$600

	Person, domestic animal or wildlife			
8(1)(d)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, in a manner that causes or contributes to the obstruction or impediment of a stream, creek, natural waterway, Watercourse, source of drinking water, waterwork, ditch, dyke, drain or sewer	\$400	\$550	\$600
8(1)(e)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, in a manner that damages, injures, obstructs or impedes any land or structure, including a highway, road, right-of-way, easement, utility or building	\$200	\$250	\$300
8(1)(f)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such activities, in a manner that is not consistent with existing uses of the land	\$200	\$250	\$300
8(1)(g)	Remove Soil from or transport or deposit Soil or Fill over or on Katzie Land, or cause or allow such	\$200	\$250	\$300

	activities, in a manner that does not comply with all applicable Laws, land use plans and environmental management plans			
18(1) and 20, 21, 22, 23	Failure to comply with this Law and any restrictions, requirements and conditions of the Authorization	\$200	\$250	\$300
19(a)	Depositing, causing or permitting to be deposited any Soil or Fill upon any roads not wholly within the parcel to which the Authorization applies, or upon neighbouring properties	\$100	\$200	\$250
19(b)	Failing to take steps to prevent dust from collecting in the air from the permitted activities	\$100	\$200	\$250
19(c)	Depositing, causing or permitting to be deposited any Soil or Fill more than 15 cm deep within the Dripline of trees 15 cm diameter at breast height or more	\$100	\$200	\$250
19(d)	If the Authorization authorizes the removal of Soil or the deposit of Soil or Fill within a Riparian Assessment Area, the Authorization-holder fails to carry out authorized activities in compliance with the Riparian Areas Regulation, BC Reg 376/2004	\$200	\$250	\$300
19(e)	Removing Soil or	\$100	\$200	\$250

	transporting or depositing Soil or Fill outside the hours specified in the Authorization			
32(a)	Provides false or misleading information in order to obtain an Authorization	\$200	\$250	\$300
32(b)	Carries out an activity prohibited under this Law without having first received a valid Authorization	\$200	\$250	\$300
32(c)	Neglects or refrains from doing anything required to be done pursuant to the provisions of this Law	\$200	\$250	\$300
32(d)	Otherwise contravenes this Law	\$200	\$250	\$300
32(e)	Obstructs, interferes with or denies access onto any land or into any building to a Land Steward whose entry is authorized under this Law	\$200	\$250	\$300
Katzie First Nation Animal Control Law				
3.1(a)	Violating or failing to comply with any provision of this Law.	\$200	\$250	\$300
3.1(b)	Consenting to, allowing, or permitting any action or thing contrary to or prohibited under this Law.	\$200	\$250	\$300
3.1(c)	Neglecting or refraining from doing anything required by this Law.	\$200	\$250	\$300
4.1	Own or keep any Dog that is over the age of six (6) months within the Nation's Land that is not licensed.	\$200	\$250	\$300
4.2	Own or keep more than one licensed dog per household without written approval of	\$200	\$250	\$300

	the Animal Control Officer.			
4.3	Own or keep any Dog that is over the age of six (6) months within the Nation's Land that is not spayed or neutered without written approval of the Animal Control Officer.	\$200	\$250	\$300
4.4	Own or keep any Dog that has not been immunized in accordance with accepted veterinary practices.	\$200	\$250	\$300
4.5	Own or keep any Dog for the purposes of security or protection	\$200	\$250	\$300
4.6	The Owner allows the Dog off the property of the Owner without wearing current License Tag issued for that Dog.	\$200	\$250	\$300
4.8(c)	The Owner fails to obtain a Dog License where the Dog is found Running at Large regardless of the age of the Dog.	\$200	\$250	\$300
5.2	A person owns or keeps any Dangerous Dog on the Nation's Land that is not licensed as provided in this Law.	\$200	\$250	\$300
5.7(a)	The Owner fails to have a licensed veterinarian tattoo or implant an electronic identification microchip within ten (10) days after the Dog has been designated a Dangerous Dog.	\$200	\$250	\$300
5.7(b)	The Owner fails to provide the information contained in the Dangerous Dog's tattoo or microchip to the Animal Control Officer within ten (10) days after the Dog has been designated a Dangerous Dog.	\$200	\$250	\$300
5.7(c)	The Owner fails to have an unaltered	\$200	\$250	\$300

	Dangerous Dog neutered or spayed within ten (10) days after the Dog has been designated a Dangerous Dog.			
5.8(a)	The Owner fails to notify the Animal Control Officer if the Dangerous Dog is sold, gifted, or transferred to another person or dies.	\$200	\$250	\$300
5.9	The Owner fails to ensure the Dangerous Dog does not engage in Threatening Behavior.	\$200	\$250	\$300
5.10	The Owner fails to ensure that the Dangerous Dog is not Running at Large.	\$200	\$250	\$300
5.11	The Owner fails to immediately notify the Animal Control Officer if the Dangerous Dog is Running at Large.	\$200	\$250	\$300
5.12(1)(a)	The Owner fails to ensure that when the Dangerous Dog is on the property of the Owner the Dangerous Dog is confined indoors and under control.	\$200	\$250	\$300
5.12(1)(b)	The Owner fails to ensure that when the Dangerous Dog is on the property of the Owner, the Dangerous Dog when outdoors is secured in an enclosure capable of preventing the escape of the Dangerous Dog and the entry of any person not in control of the Dangerous Dog.	\$200	\$250	\$300
5.12(2)	The Owner of a Dangerous Dog fails to ensure that an outdoor enclosure meets the minimum dimensions of one and one-half (1.5) metres in width, by three (3) metres in length, and by one	\$200	\$250	\$300

	and one-half (1.5) metres in height.			
5.13(a)	When off the property of the Owner, the Owner of a Dangerous Dog fails to ensure that at all times the Dangerous Dog is securely muzzled.	\$200	\$250	\$300
5.13(b)	When off the property of the Owner, the Owner of a Dangerous Dog fails to ensure that at all times the Dangerous Dog is held on a leash of less than one (1) metre in a manner that prevents that Dangerous Dog from engaging in Threatening Behaviour.	\$200	\$250	\$300
5.14	The Owner of a Dangerous Dog fails to, within ten (10) days of their Dog being designated a Dangerous Dog, display a sign, capable of being seen by any person accessing the premises where the Dangerous Dog is kept, warning of the presence of the Dangerous Dog.	\$200	\$250	\$300
6.3	A person gives false information when applying for any licence pursuant to this Law.	\$200	\$250	\$300
6.4	An Owner fails to forthwith notify the Animal Control Officer of any change with respect to any information provided in an application for a licence under this Law.	\$100	\$150	\$200
9.1	The Owner of a Dog fails to ensure that such Dog is not Running at Large	\$200	\$250	\$300
9.2	The Owner of a Dog installs an enclosure on their property to ensure that their Dog	\$200	\$250	\$300

	does not Run at Large without Council's approval.			
10.1	The Owner of a Dog suspected of having rabies or any other communicable disease fails to immediately report the matter to the Animal Control Officer.	\$200	\$250	\$300
10.2	The Owner of a Dog suspected of having rabies or any other communicable disease fails to confine or isolate the Dog in such a manner as may be prescribed by the Animal Control Officer so as to prevent further spread of the disease.	\$200	\$250	\$300
11.1	The Owner of a Dog fails to ensure that the Dog shall not upset any waste receptacles or scatter the contents thereof.	\$200	\$250	\$300
11.2	The Owner of a Dog fails to immediately remove any such feces after the Dog defecates on any public or private property other than the property of its Owner.	\$100	\$150	\$200
11.4	The Owner of a Dog fails to ensure that Dog feces on the Owner's property does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to any other person.	\$200	\$250	\$300
11.5	The Owner of a Dog fails to ensure that the Dog shall not bark, howl, or otherwise make or cause any noise that disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of any resident of the	\$200	\$250	\$300

	Nation's Land			
12.1	The Owner of a Dog fails to, whether on the property of the Owner or not, ensure that the Dog shall not engage in any Threatening Behavior.	\$250	\$300	\$350
12.3	Using or Directing a Dog to engage in Threatening Behavior.	\$250	\$300	\$350
13.3	The Owner of a Dangerous Dog fails to surrender the Dangerous Dog to the Animal Control Officer where deemed necessary by the Animal Control Officer.	\$200	\$250	\$300
14.1	Any person Abuses an Animal and fails to find an appropriate home for any Animal in their possession or care.	\$200	\$250	\$300
14.2(a)	Keeping any Animal on the Nation's Land without providing the Animal with clean potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the Animal's normal growth and the maintenance of the Animal's normal body weight.	\$200	\$250	\$300
14.2(b)	Keeping any Animal on the Nation's Land without providing the Animal with clean food and water receptacles.	\$200	\$250	\$300
14.2(c)	Keeping any Animal on the Nation's Land without providing the Animal with the opportunity for regular exercise and interaction sufficient to maintain the Animal's good health, including daily opportunities for social contact with people.	\$200	\$250	\$300

14.2(d)	Keeping any Animal on the Nation's Land without providing the Animal with necessary veterinary care to maintain the Animal's good health and to treat the Animal when the Animal exhibits signs of pain, injury, illness, suffering, or disease.	\$200	\$250	\$300
14.3(a)	Cause, permit or allow an Animal to be tethered without ensuring the collar and tether is properly fitted to the Animal and attached in a manner that will not injure the Animal or enable the Animal to injure itself by pulling on the tether.	\$200	\$250	\$300
14.3(b)	Cause, permit or allow an Animal to be tethered without ensuring the tether is of sufficient length to enable the full and unrestricted movement of the Animal.	\$200	\$250	\$300
14.3(c)	Cause, permit or allow an Animal to be tethered without providing the Animal with sufficient access to food and water.	\$200	\$250	\$300
14.3(d)	Cause, permit or allow an Animal to be tethered where the tether does not prevent the Animal from leaving the boundaries of the Owner's property.	\$200	\$250	\$300
14.3(e)	Cause, permit or allow an Animal to be tethered for a period of time greater than three (3) hours each day.	\$200	\$250	\$300
14.4(1)(a)	Keeping an Animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the Animal from suffering	\$200	\$250	\$300

	discomfort or heat or cold-related injury.			
14.4(1)(b)	Keeping an Animal confined in an enclosed space, including a motor vehicle, for an unreasonable period of time.	\$200	\$250	\$300
14.4(2)	Keeping an Animal confined in an enclosed space, including a stationary motor vehicle, in an area without sufficient shade to protect the Animal from the direct rays of the sun at all times.	\$200	\$250	\$300
14.5	Transporting an Animal in a vehicle outside of the passenger compartment of the vehicle and not in a safely secured crate.	\$200	\$250	\$300
14.6	Permitting an Animal to suffer from thermal distress, dehydration, discomfort or exertion causing unnecessary pain, suffering or injury.	\$200	\$250	\$300
14.7(a)	Abusing any Animal.	\$250	\$300	\$350
14.7(b)	Abandoning any Animal.	\$200	\$250	\$300
14.7(c)	Using poison or a weapon on any Animal.	\$250	\$300	\$350
14.7(d)	Teasing, tormenting, provoking, punching, kicking, harming or choking any Animal.	\$250	\$300	\$350
14.7(e)	Causing, permitting or allowing any Animal to suffer.	\$250	\$300	\$350
14.7(f)	Training or allowing any Animal to fight.	\$250	\$300	\$350
18.1	Interfering with or obstructing an Animal Control Officer exercising their powers under this Law or failing to comply with an order enforcing this Law.	\$200	\$250	\$300
18.2(a)	Untying, loosening or otherwise freeing an Animal which has been tethered or	\$200	\$250	\$300

	otherwise restrained.			
18.2(b)	Negligently or willfully opening a gate, door or other opening in a fence or enclosure in which an Animal has been confined and thereby allowing an Animal to Run at Large on the Nation's Land.	\$200	\$250	\$300
18.2(c)	Enticing an Animal to Run at Large.	\$200	\$250	\$300
18.2(d)	Teasing an Animal caught in an enclosed space.	\$200	\$250	\$300
18.2(e)	Throwing or poking any object into an enclosed space when an Animal is caught or confined therein.	\$200	\$250	\$300

SCHEDULE 3: FORMS

1. Ticket
2. Compliance Notice
3. Notice of Appeal
4. Application for Hearing
5. Response to Appeal

