

ANISHINAABEG OF NAONGASHIING

**RESOLUTION
OF THE
COUNCIL OF THE ANISHINAABEG OF NAONGASHIING**

BY-LAW NO: 002-05

A BY-LAW TO CONTROL THE DOG POPULATION

ENACTED THIS 7th DAY OF JUNE, 2005

WHEREAS:

1. subsection 81(1)(c), (d), (q) and (r) of the Indian Act, R.S., 1985, c. I-5, empower the Council of a First Nation to make by-laws for the observance of law and order, the prevention of disorderly conduct, matter ancillary to the exercise of these powers, and penalties for violation of these by-laws;
2. The Council of the Anishinaabeg of Naongashiing is of the opinion that for the welfare and safety of all members of the community, dogs should not be left unattended to roam freely throughout the community as well as breed uncontrollably.

NOW THEREFORE the Council of the Anishinaabeg of Naongashiing enacts the following by-law:

1. Short Title

This by-law may be cited as the Anishinaabeg of Naongashiing "Dog By-Law".

2. Interpretation

In this by-law:

- a) "dog" means a canine animal over three (3) months of age and includes both male and female species
- b) "Council" means the Council of the Anishinaabeg of Naongashiing
- c) "peace officer" means a peace officer as defined in section 2 of the Criminal Code, R.S.C. 1985, c.C-46
- d) "public place" means any place at the reserve other than a residential dwelling
- e) "reserve" means Saug-A-Gaw-Sing I.R. # 1, and Big Island Mainland #93, Morson, Ontario

3. Prohibition

Each dog owner will abide by the following dog containment measures as well as abide by the following dog population control measures:

- a) keep ownership of only one dog per household
- b) have every female dog spayed and every male dog neutered
- c) if the resident wishes to keep a dog that is not spayed or neutered, the dog owner must purchase a special permit from the First Nation in the amount of \$500.00.
- d) no dog will be permitted to roam throughout the community unless they are accompanied by their owner or designate and controlled with a leash
- e) all dog owners must keep their dog tied up in their yards
- f) all dog owners must clean up after their dogs' waste, failure to comply with cleaning up their waste will result in a \$50.00 fine
- g) all dog owners must purchase a dog license for a fee of \$100.00 payable to the First Nation and complete a registration card, detailing the dogs breed and identifiable characteristics and fit their dog with identification tags.
- h) Dangerous dogs such as pit bulls, rottweilers or Dobermans and half breeds of the above mixes of these breeds are prohibited
- i) If a dog has bitten a person, the dog will be kept under observation for 10 days and destroyed if there are clinical signs of rabies.

4. Powers of the Peace Officer

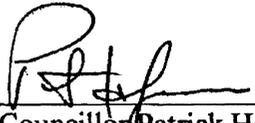
- a) A peace officer who finds a dog unattended in public place will use any necessary means to capture the dog in order to establish its identity and return it to its owner
- b) A peace officer will issue a notice of offence to the owner of the dog, on the second and each subsequent occasion that the dog is found unattended in a public place.

5. Penalty

Any dog owner who fails to contain his/her dog or fails to abide by the dog population regulations has committed an offence under this By-Law and is liable upon summary conviction to a fine of not greater than one thousand (\$1000.00) dollars on the second offence, and on subsequent offence the dog will be destroyed by a peace officer.

THIS BY-LAW IS HEREBY ADOPTED AND APPROVED by Resolution of the Council of the Anishinaabeg of Naongashiing this 7th day of June 2005.


Chief Albert Handorgan


Councillor Patrick Handorgan


Councillor Carl Big George



ANISHINAABEG OF NAONGASHIING

WHEREAS: The Anishinaabeg of Naongashiing is committed to promoting healthy living and protecting the health and safety of its members and;

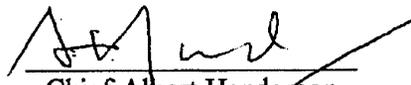
WHEREAS: In recent months, the Anishinaabeg of Naongashiing has seen an increase in the dog population, with many dogs roaming the community uncontrolled and;

WHEREAS: These uncontrolled dogs pose a health and safety hazard to our community members, in particular our young children;

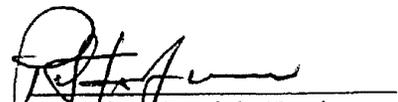
WHEREAS: The Chief and Council of the Anishinaabeg of Naongashiing is greatly concerned for the safety of children and all community members..

THEREFORE IT BE RESOLVED: That the Anishinaabeg of Naongashiing pass by-law 002-05 titled "A By-Law To Control the Dog Population," in order to ensure the safety and well-being of children and all members in the community and to prevent an uncontrollable increase in the dog population.

Dated this 7th day of June 2005 at Saug-A-Gaw-Sing I.R. # 1


Chief Alpert Handorgan


Councillor Carl Big George


Councillor Patrick Handorgan