

**Tzeachten First Nation**

**LAW NO. 14-02**

**DOG LICENSING AND ANIMAL MANAGEMENT  
LAW, 2014**



**TZEACHTEN FIRST NATION**  
**DOG LICENSING AND ANIMAL MANAGEMENT LAW, 2014**



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**WHEREAS** Tzeachten First Nation has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

**AND** Tzeachten First Nation has taken over control and management of Tzeachten Reserve lands and resources pursuant to the *Framework Agreement on First Nation Land Management* and has enacted *Tzeachten Land Code* effective the 21st day of August, 2008;

**AND** under *Tzeachten Land Code*, Tzeachten Council is authorized to pass various laws relating to lands including laws relating regulation and use of Tzeachten Lands, laws relating to public or private nuisance, and fees for permits and licences under section 3.3 of the Code;

**AND** Council wishes to implement a dog licensing and animal management law track and regulate animals on Tzeachten Lands and to promote safe and respectful pet ownership;

**NOW THEREFORE** this *Tzeachten Dog Licensing and Animal Management Law, 2014* is hereby enacted at a duly convened meeting as a Law of Tzeachten First Nation.

**PART 1. NAME**

1.1 This Law may be cited as the *Tzeachten Dog Licensing and Animal Management Law, 2014*.

**PART 2. PURPOSE**

2.1 The purpose of this Law is to regulate Pets and potentially dangerous domestic animals on Tzeachten Lands to protect citizens and property and to ensure Members and residents can enjoy their Pets without causing danger or disruption to other Members and residents.

**PART 3. WHERE THIS LAW APPLIES**

3.1 The provisions of this Law apply to the whole area of the Reserve and Tzeachten Lands as defined in *Tzeachten Land Code*.

**PART 4. DEFINITIONS**

4.1 For the purposes of this Law, terms have the same definitions as in the Land Code;

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

“Aggressive Dog” means a Dog that meets any one or more of the following conditions:

- (a) a Dog that has attacked, bitten or caused injury, with or without provocation, to a person or has demonstrated a propensity, tendency or disposition to do so;
- (b) a Dog that, while running at large, has bitten, killed or caused injury to a domestic animal;
- (c) a Dog that, while running at large, has aggressively pursued or harassed a person or domestic animal;
- (d) a Dog with a known propensity to attack or injure a person without provocation;
- (e) a Dog owned or harboured primarily, or in part, for the purpose of Dog fighting or a Dog trained for Dog fighting;
- (f) a Dangerous Dog; and
- (g) a Dog that has been determined to be dangerous or aggressive by the Lands Manager or General Manager under this, or a previous bylaw, by another local government, or by a court;

“Animal Control Officer” means any person appointed by Council as an Animal Control Officer and includes a bylaw enforcement officer or peace officer;

“Breeding Kennel” means a kennel which meets all required health, safety, and zoning standards and requirements under all applicable laws and which may contain up to three (3) adult Dogs for breeding purposes;

“Dangerous Dog” means a Dog that:

- (a) has killed or seriously injured a person;
- (b) has killed or seriously injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog, or
- (c) an Animal Control Officer has reasonable grounds to believe is likely to kill or seriously injure a person.

“Dog” means any animal of the canine species;

“Dog Daycare” means providing Dog walking, Dog sitting, or Dog care services for Dogs owned by other Owners;

“Dog Grooming” means providing grooming, cutting, trimming or other aesthetic services to dogs;

“Dwelling Unit” means one or more habitable rooms or structures intended or used for the residential housing;

“Enclosure” means a structure at least 1.8 metres in height having a solid floor and wire or steel mesh sides and roof, and a locked gate, constructed to prevent the entry of children or the escape of a Dog;

“Exotic Pet” means any animal, other than a cat, Dog, Livestock or Poultry, kept as a Pet or domestic animal that:

- (a) is non-indigenous to the Chilliwack area or would ordinarily be considered a wild animal; and
- (b) is potentially harmful or poisonous (including wolves, tigers, large or venomous snakes, alligators, etc. but not including hamsters, gerbils, rabbits, chinchillas, etc.)

“License Year” means the period between January 1 and December 31 in any year;

“Livestock” means cattle and other animals of the bovine species, horses, donkeys, mules, llamas, ostrich, swine, sheep or goats;

“Nuisance Dog” means a Dog

- (a) that has been impounded 3 times within the previous 24 months;
- (b) for which the Owner has received a ticket for their Dog running at large 3 times within the previous 24 months; or
- (c) for which the total number of impounds and tickets totals 3 within the previous 24 months;

“Owner” means any person:

- (a) to whom a licence for a Dog has been issued pursuant to this Law;
- (b) who owns, is in possession of, or has the care or control of any Pet or animal; or
- (c) who harbours, shelters, permits or allows any Pet or animal to remain on or about the Owner’s land or Premises;

“Pet” means any domesticated animal other than Livestock or Poultry kept within a residence or on real property for other than commercial purposes;

“Poultry” means any fowl including a chicken, turkey, duck, goose, swan or peafowl but excluding a bird commonly kept indoors;

“Pound” means the SPCA, or a facility designated by the City of Chilliwack, Fraser Valley Regional District, the SPCA or Council as a dedicated impoundment facility for Pets or Livestock;

“Premises” means a store, office, shop, building, home, warehouse, factory, structure, Enclosure, temporary or permanent stand, yard or other definite area occupied or capable of being occupied by a Person;

“Public Place” includes any highway and any real property owned, held, operated or administered by Tzeachten or by a school district located within Tzeachten;

“Seize” includes impound and detain;

“Spayed or Neutered” means a Dog that has been spayed or neutered by a Veterinarian to prevent reproduction;

“Unlicensed Dog” means any Dog over the age of six (6) months that is not licensed by Tzeachten or is not wearing a current valid Dog licence tag.

## **PART 5. PROHIBITIONS AND LICENSE REQUIREMENTS**

### **Pets and Numbers of Pets**

- 5.1 No person shall keep or allow to be kept on any real property or in any Dwelling Unit, Premises or Public Place, more than three Pets, except in the lawful operation of a Breeding Kennel, Pet store, veterinary practice or other similar facility, as permitted pursuant to this Law and Tzeachten’s Zoning Law, in force from time to time.
- 5.2 Despite section 5.1:
- (a) any person who, on the date this Law comes into effect is the Owner of more than three Pets, subject to the rest of this Law, is entitled to keep each of these Pets until the Pet passes away or is no longer in the possession of the person;
  - (b) any person may keep up to three (3) adult Dogs and their puppies in a Breeding Kennel provided that:
    - (i) they have a property that is over 1 hectare in size;
    - (ii) they have a valid and subsisting Business License from Tzeachten for a Breeding Kennel;
    - (iii) the property is zoned for Breeding Kennels;
    - (iv) the person complies with all applicable laws and health and safety standards; and
    - (v) the puppies are kept by the Owner for no longer than five (5) months after birth;
  - (c) any person may house up to five (5) Dogs at one time in a Dwelling Unit or Premises for a Dog Grooming business provided that:
    - (i) they have a valid and subsisting Business Licence from Tzeachten;
    - (ii) the property is zoned for Dog Grooming;
    - (iii) the person complies with all applicable laws and health and safety standards; and
    - (iv) the Dogs belong to other Owners;
  - (d) any person may house up to ten (10) Dogs in a Dwelling Unit or Premises for a Dog Daycare business provided that:
    - (i) they have a property that is over 1 hectare for Dog Daycare;
    - (ii) they have a valid and subsisting Business Licence from Tzeachten;
    - (iii) the property is zoned for Dog Daycare;
    - (iv) the person complies with all applicable laws and health and safety standards; and
    - (v) the Dogs belong to other Owners;

5.3 No person shall keep an Exotic Pet on any real property or in any Dwelling Unit, Premises or Public Place.

### **Livestock and Poultry**

5.4 No person shall keep or allow to be kept on any real property or in any Dwelling Unit, Premises or Public Place any Livestock or Poultry, or an aviary, except as permitted under this Law and Tzeachten's Zoning Law, in force from time to time.

### **Other Animals**

5.5 No person shall keep or allow to be kept on any real property or in any Dwelling Unit, Premises or Public Place any bees or apiaries except as permitted under this Law and Tzeachten's Zoning Law, in force from time to time.

## **DOGS**

### **Dog License Required**

5.6 No person shall keep or allow to be kept, on any real property or in any Dwelling Unit, Premises or Public Place, any Dog unless a valid Dog licence for the current License Year has first been obtained for that Dog from Tzeachten.

5.7 Despite section 5.6, a person does not require a license for a puppy until the puppy reaches six (6) months of age.

5.8 Every Owner of a Dog shall make application to Tzeachten for a Dog licence in the form provided by Tzeachten and pay the fee set out in Schedule "A" of this Law and, subject to this Law, upon receipt of the application and payment of the prescribed fee, Tzeachten shall issue a numbered Dog licence tag for the current License Year.

5.9 Every Dog licence and corresponding license tag issued under this Law shall expire on the 31st day of December in the calendar year in which the license was issued.

5.10 Every Dog Owner shall ensure that a valid Dog licence tag is displayed on each of their Dogs at all times by affixing it to the Dog by a collar, harness, or other suitable device.

5.11 Where an Owner of a licensed Dog has a change of address within Tzeachten Lands the Owner shall promptly notify Tzeachten and pay the license transfer fee set out in Schedule "A" of this Law.

5.12 Where a Dog has been duly licensed in a municipality or another jurisdiction, that license shall be valid in Tzeachten upon registration of the Dog with Tzeachten and payment of the license transfer fee set out in Schedule "A" of this Law.

5.13 Where a Dog licence tag is lost, stolen or is otherwise rendered unusable, the Dog Owner shall promptly make application to Tzeachten to replace the licence tag and pay the licence tag replacement fee set out in Schedule "A" of this Law.

5.14 No Dog licence shall be issued to, or in the name of any Owner, under the age of 18 years for their Dog.

5.15 Every Dog licence and corresponding license tag issued under this Law is valid only in respect of the Dog for which it was issued, as described on the licence application, and is not transferable to another Dog.

### **Dog License Fees**

5.16 Where an Owner makes application for a Dog licence, the Owner shall pay the licence fee set out in Schedule “A” to this bylaw.

5.17 Despites section 5.16, no licence fee is payable by an Owner for a Dog licence for the purchase of the first Dog licence for each Dog but the licence fees are payable in each subsequent year for each Dog.

5.18 The Owner of a Dog, that is not an Aggressive Dog or a Nuisance Dog, and who provides a veterinarian's certificate at the time of application certifying that the Dog has been Spayed or Neutered, may pay the discounted licence fee set out in Schedule “A” for Spayed or Neutered Dogs.

### **Kennels**

5.19 A person may keep up to five Dogs or five cats as part of a licensed Breeding Kennel on a property 0.4 hectares or larger, provided that a Breeding Kennel use is permitted, pursuant to Tzeachten’s Zoning Law, in force from time to time.

5.20 In addition to paying for and obtaining individual Dog licences, the operator of a Breeding Kennel permitted pursuant to any Tzeachten zoning Law, in force from time to time, shall obtain a Breeding Kennel Licence at the fee set out in Schedule “A” of this Law.

5.21 No person may keep any Aggressive Dogs or Nuisance Dogs as part of a Breeding Kennel.

5.22 Owners shall ensure that every any Breeding Kennel meets the following requirements:

(a) For indoor kennels:

(i) the building shall be equipped with a heating and cooling system which maintains an indoor temperature between 10 and 25 degrees Celsius;

(ii) every cage or pen shall be of sufficient size and height to permit each Dog to turn about freely, stand, site and lie down in a normal position;

(iii) the building must allow natural light and ventilation to enter by windows, skylights or a combination of them; and

(b) For all kennels, the Owner must meet all of the requirements set out in Part 7;

### **Exemptions**

- 5.23 Any Owner of a Dog used by a government law enforcement agency is exempt from the provisions and licensing requirements of this Law and is exempt from the licensing fees set out in this Law.
- 5.24 Any Owner of a Dog used as a guide animal pursuant to the provincial *Guide Animal Act*, as amended, is exempt from the licensing fees set out in this Law but still requires a Dog licence for their guide Dog.

## **PART 6. DOG CONTROL**

### **Prohibitions**

- 6.1 Subject to any permissions or exemptions for Dog Daycare or Dog Grooming facilities, no Owner of a Dog shall permit or allow the Dog to howl or bark:
- (a) such that the howling or barking unreasonably disturbs persons in the neighbourhood or vicinity;
  - (b) in an outdoor area between the hours of 8:00 p.m. and 8:00 a.m.; or,
  - (c) in an outdoor area for a period of 15 consecutive minutes or more at any time.
- 6.2 No Owner of a Dog shall permit or allow the Dog to:
- (a) trespass on private property;
  - (b) be on private land where the Dog is not contained, either by a fence and gate, a tether, an Enclosure, or other effective containment mechanism, unless the Dog is under the immediate control of a competent person; or
  - (c) be in a Public Place unless the Dog is kept on a leash or tether not exceeding three metres in length and is under the immediate control of a competent person.

### **Seizure of Dogs**

- 6.3 An Animal Control Officer may Seize any Dog that is unlicensed, or that is found at large or on any property contrary to this Law.

### **Female Dog In Heat**

- 6.4 The Owner of a female Dog shall, at all times when that Dog is in heat, keep it securely confined indoors or within a building or Enclosure capable of preventing the escape of that Dog and the entry of other Dogs.

### **AGGRESSIVE DOGS AND DANGEROUS DOGS**

- 6.5 Where, in the opinion of an Animal Control Officer, a Dog has been involved in an incident in which the Dog was an Aggressive Dog or a Dangerous Dog, the Animal Control Officer may submit a written report of the incident to the Lands Manager.
- 6.6 The Tzeachten General Manager or their designate has the authority under this Law to designate a Dog as an Aggressive Dog or a Dangerous Dog.
- 6.7 If, in the reasonable opinion of the General Manager, grounds exist to consider the Dog as an



Aggressive Dog or a Dangerous Dog under this Law, a letter shall be sent to the Owner of the Dog confirming that Tzeachten has designated the Dog to be an Aggressive Dog or a Dangerous Dog and advising the Owner of the requirements for confining, identifying and restraining Aggressive Dogs and Dangerous Dogs under this Law.

- 6.8 Before making a designation under subsection 6.7, the General Manager must consider whether the Dog was acting while in the course of
- (a) attempting to prevent a person from committing an unlawful act,
  - (b) defending or protecting their Owner or family, or
  - (c) performing law enforcement work.
- 6.9 Where a Dog has been designated as an Aggressive Dog or a Dangerous Dog pursuant to subsection 6.7, the Owner of the Dog may appeal the classification, in writing, within 10 days to the Tzeachten Council who will review the Owner's submissions, the written report of the Animal Control Officer, and any other materials deemed relevant, and who will then determine whether Tzeachten will continue the designation of the Dog as an Aggressive Dog or a Dangerous Dog.
- 6.10 Every Owner of an Aggressive Dog, including a Dangerous Dog shall:
- (a) at all times while the Dog is on the Premises owned, used or occupied by the Owner, keep the Dog securely confined indoors or in an Enclosure;
  - (b) at all times while the Dog is off the Premises owned, used or occupied by the Owner, keep the Dog:
    - (i) on a leash or tether not exceeding three metres in length;
    - (ii) under the immediate care and control of a competent person; and
    - (iii) muzzled to prevent it from biting a person or other animal;
  - (c) permit Tzeachten or a veterinarian or professional directed by Tzeachten or any jurisdiction or facility with which Tzeachten has an animal control agreement, to implant a microchip into the shoulder or neck area of the Aggressive Dog; and
  - (d) make available to Tzeachten for tracking and/or identifying purposes, the identifying information provided by the microchip.
- 6.11 Where the Owner of an Aggressive Dog or a Dangerous Dog requests that the Dog be destroyed, the Animal Control Officer may arrange to have the Dog humanely destroyed at the expense of the Owner.

## **IMPOUNDMENT**

- 6.12 For section 6.13 below, the fees payable shall be the fees set out in Schedule "C" or by the authority that is operating the Pound, including penalty fees for unlicensed Dogs, multiple impoundments, Aggressive Dogs, Nuisance Dogs and other infractions.
- 6.13 Where a Dog is impounded pursuant to this Law:
- (a) The Animal Control Officer shall make reasonable effort to determine the Owner of the Dog

and to notify the Owner by telephone of the impoundment and the procedure to recover the Dog;

- (b) The Animal Control Officer shall make reasonable efforts to contact the Owner of a Dog if it is wearing a Dog licence tag by calling the most recent telephone number in the license information for the Dog;
- (c) If the Animal Control Officer is not able to determine the Owner of animal Dog, or contact the Owner of an animal by telephone, the Animal Control Officer must post a notice on the public notice board at Tzeachten's administration office describing the Dog and stating the date of impoundment and the impoundment period;
- (d) If a Dog has no Dog licence tag, the Animal Control Officer has no obligation to notify the Owner of the Dog;
- (e) The Owner must recover the animal, from the Pound, within 96 hours from the time of impoundment by giving evidence of Ownership of the animal, and paying the prescribed fees;
- (f) The impoundment fee for an unlicensed dog shall be double the fees for a licensed dog set out in section 6.12 above, plus the cost of a license for the Dog;
- (g) The impoundment fees set out in section 6.12 above shall increase as prescribed in Schedule "C" for each impoundment of the same dog in a 24-month period;
- (h) Regardless of whether a dog is licensed or unlicensed, the impoundment fee for an Aggressive Dog or Nuisance Dog shall be the fee set out in section 6.12 above; and
- (i) The Owner may sign a surrender or release in the form prescribed by Tzeachten Council or the Pound, and if necessary, pay a surrender fee prescribed by Tzeachten, to give up ownership of the Dog for adoption or destruction by the Pound in accordance with its policies.

6.14 Tzeachten, the Animal Control Officer or a Pound may provide for the adoption or humane destruction of any unclaimed animal after the expiration of 96 hours from the time of impoundment.

6.15 The Animal Control Officer will immediately notify the Tzeachten General Manager in writing of each unclaimed dog that is impounded for a period of longer than 96 hours.

6.16 Where an impounded animal is adopted out pursuant to this Law:

- (a) Any monies received by Tzeachten from the sale of the Dog shall be applied against the fees and cost of impounding, boarding and adopting out the animal and any monies remaining and unclaimed after 30 days shall be credited to the General Revenue account of Tzeachten; and
- (b) It shall be the responsibility of the original Owner of the Dog to claim the proceeds from the sale of the animal, less the fees and cost set out in this section, within 30 days of the adoption of the Dog.

6.17 No person shall take, remove or release, or assist in the taking, removing or releasing, of any animal impounded by Tzeachten, an Animal Control Officer or a Pound without first obtaining the consent of an Animal Control Officer and paying all fees relating to the impound of the animal.

### **Impoundment and Release of Aggressive Dogs and Dangerous Dogs**

6.18 The Owner of an Aggressive Dog that has been impounded, pursuant to this Law, may only reclaim the Dog upon application to the Animal Control Officer with the following:

- (a) proof of Ownership of the Aggressive Dog;
- (b) payment of the fees prescribed by the authority that is operating the place Pound; and
- (c) delivery to the Animal Control Officer of an executed statement in the form prescribed in Schedule “B”.

6.19 Despite section 6.18, where a Dangerous Dog from Tzeachten Lands is seized under Section 49 of the *Community Charter* or a Tzeachten Law, or where Tzeachten is making an application to a justice of the peace or court for an order for the destruction of a Dangerous Dog, the Animal Control Officer or Pound may refuse to release the Dangerous Dog to the Owner in accordance with section 49 of the *Community Charter* as if this section applies to Tzeachten Lands.

### **Destruction of Dangerous Dogs**

6.20 The General Manager, Lands Manager or an Animal Control Officer may make an application at any time to Council, a justice of the peace or to a court for an order to destroy a Dangerous Dog, whether or not the dog has been designated as a Dangerous Dog.

- (a) Any application must include a written report setting out:
  - (i) the reasons for the application;
  - (ii) the dates, details and evidence of any attacks or incidents;
  - (iii) a summary and copies of all communications with the Owner, if known;
  - (iv) where possible, a written opinion or recommendation from the Animal Control Officer based on their professional experience and observations; and
  - (v) any other relevant information.

6.21 Where Council receives an application under subsection 6.20:

- (a) Council shall consider the written report as soon as possible and may order destruction of the Dog; or
- (b) Council may refer the matter to a justice of the peace or to a court.

6.22 Where a Dangerous Dog is Seized, or where Tzeachten or an Animal Control Officer is making application to a justice or a court for an order to destroy a Dangerous Dog, the Animal Control Officer or a Pound may refuse to release the Dangerous Dog to the Owner pending the decision of the justice or the court.

6.23 Despite section 6.21, a Dog that has been seized under this Law for which there is a pending application under section 6.20 may not be impounded and detained for more than 21 days unless court proceedings for a destruction order are commenced within that time.

## **PART 7. ANIMAL CARE AND CONTROL**

### **Animal Defecation**

7.1 Any person having care, control, or custody of the animal that defecates on a Public Place or on private property without the consent of the property Owner, shall immediately remove the

excrement so deposited and dispose of it in a sanitary manner.

### **Contagious disease**

7.2 No person shall keep an animal suffering from an infectious or contagious disease on any parcel of land in Tzeachten unless the animal is kept securely confined within a building or Enclosure, separate from all other animals, and is under veterinary care for that disease.

### **Prohibition of Cruelty to Animals**

- 7.3 No person shall keep any animal on Tzeachten Lands unless the animal is provided with:
- (a) clean, potable drinking water and sufficient and appropriate food on a daily basis;
  - (b) sanitary food and water receptacles;
  - (c) the opportunity for regular exercise sufficient to maintain the animal's good health;
  - (d) if enclosed,
    - (i) a cage, pen or Enclosure of sufficient size and height to permit each animal to turn about freely, stand, sit, and lie in a normal position;
    - (ii) a location near enough to a window or skylight to allow daily exposure to natural light, or an opportunity for daily outings or exercise in natural light out of doors;
    - (iii) sufficient ventilation to ensure circulation of air;
  - (e) clean bedding material and an area maintained at a temperature warm and dry enough to prevent the animal from suffering discomfort; and
  - (f) the necessary veterinarian care when the animal exhibits signs of pain, suffering, or disease.
- 7.4 All Pets must have an opportunity to go outside for exercise and to void their bowels and bladders at least twice daily or for cats or animals smaller than cats, must have appropriate litter boxes or similar facilities that are cleaned and maintained daily.
- 7.5 No person shall cause or permit;
- (a) more than one animal to be kept in a cage or pen unless the cage or pen is of sufficient size and height to permit each animal kept therein to move freely and easily;
  - (b) female animals in heat to be kept in cages or pens with male animals;
  - (c) Aggressive Dogs to be kept with other Dogs or animals; and
  - (d) animals under the age of 4 months of age to be kept with adult animals other than their dams.
- 7.6 No person shall keep any animal outside for extended periods of time unless the animal is provided with shelter capable of protecting the animal from heat, cold, puddles, rain and the direct rays of the sun.
- 7.7 No person shall keep any animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering from the heat.
- 7.8 No person shall keep any animal hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.

- 7.9 No person shall keep any animal hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time, but this does not prevent the use of a safe and appropriate pulley or run-line system where an animal has a safe and suitable collar attached to a lead which is in term attached to a pulley running along a fixed line.
- 7.10 No Owner shall permit or allow any Livestock or Poultry to run at large outside of a suitable Enclosure or off of the Owner's property.

## **PART 8. ENFORCEMENT**

### **Authority of Animal Control Officer**

- 8.1 An Animal Control Officer may Seize:
- (a) any domestic animal or Pet that is unlawfully at large or whose Owner has contravened this Law; and
  - (b) Any Dangerous Dog that is at large.
- 8.2 In order to determine if the provisions of this Law are being observed and, if necessary, to enforce this Law, an Animal Control Officer may:
- (a) in any case, enter onto any real property or into any Dwelling Unit or Premises at any time with the consent of the owner or occupier; and
  - (b) enter any real property or into any Dwelling Unit or Premises on Tzeachten Lands, provided the Animal Control Officer gives 24 hours written notice to the Owner or occupant, except in the case of emergencies.
- 8.3 If satisfied by evidence given under oath or affirmation that there are reasonable grounds to believe that there is potentially a Dangerous Dog on a property or in a Dwelling Unit or Premises for which a justice may, by warrant, authorize an Animal Control Officer to enter and search the property or place and to seize the dog.
- 8.4 If
- (a) it is impracticable for an animal control officer to appear personally before a justice to apply for a warrant in accordance with section 8.3, and
  - (b) the officer believes on reasonable grounds that there is a Dangerous Dog in a Dwelling Unit or Premises,
- the Animal Control Officer may contact the RCMP and seek assistance in gaining entry or securing a warrant.
- 8.5 No person shall obstruct or impede, or refuse or neglect to admit to any property, an Animal Control Officer in the execution of the Animal Control Officer's duties and powers under this Law.
- 8.6 Subject to this Part, an animal control officer may seize a Dog if the officer believes on reasonable

grounds that the animal is a Dangerous Dog that is in a situation where the Dog may cause harm to any people or animals.

- 8.7 Subject to subsection 8.8, an animal control officer may, without a warrant, enter and search any place, except a place that is occupied as a Dwelling Unit, and seize a Dog, if the officer believes on reasonable grounds that
- (a) the Dog is a dangerous Dog,
  - (b) the Dog presents an imminent danger to the public, and
  - (c) the purpose of seizing the Dog cannot reasonably be accomplished if the officer is required to obtain a warrant.
- 8.8 For the purposes of subsection 8.7, an animal control officer who is not a police officer must be accompanied by a police officer.
- 8.9 All Animal Control Officers have the authorities set out in this Law and also are have the same authorities as if they were designated Animal Control Officers under Section 49 of the *Community Charter* and may exercise the powers under section 49 in relation to Dangerous Dogs as if the *Community Charter* applied to Tzeachten Lands.
- 8.10 An Animal Control Officer has the authority to require any person to provide information about any animal under their care or control on Tzeachten Lands in relation to this Law.

### **Offences and Penalty**

- 8.11 Every person who violates any provision of this Law, or who allows or permits any act or thing to be done in violation of any provision of this Law, or who neglects to or refrains from doing anything required to be done by any provision of this Law, is guilty of an offence against this Law and each day that a violation continues to exist is deemed to be a separate offence against the Law.
- 8.12 Every person who commits an offence against this Law shall be liable upon summary conviction to a fine of not less than one thousand dollars (\$1,000.00) and not more than ten thousand dollars (\$10,000.00).

### **Tickets**

- 8.13 Despite sections 8.11 to 8.12, an Animal Control Officer has the authority to issue tickets under the *Tzeachten First Nation Enforcement and Ticketing Law, 2012* to any person who has contravened this Law and any such ticket is separate from and in addition to any other fees or penalties set out in this Law.

## **PART 9. GENERAL AND LEGAL**

### **Severability**

- 9.1 If a Court of competent jurisdiction holds any portion of this Law invalid, such invalidity shall not

affect the remaining portions of the Law.

### Regulations

- 9.2 Council may make regulations or pass Council Resolutions as follows:
- (a) prescribing the form and content of Dog licences to be issued under this Law;
  - (b) prescribing the form and content of surrender documents for Owners of impounded animals and other similar documents;
  - (c) prescribing fees and penalties;
  - (d) prescribing ticketing amounts;
  - (e) designating Animal Control Officers; or
  - (f) setting in place any other matter required to implement this Law.

### PART 10. COMING INTO FORCE

#### *Date Law Comes into Force*

10.1 This Law shall come into force and effect on the date it is passed by Council Resolution after complying with the requirements of the Land Code.

**BE IT KNOWN** that this Law entitled the *Tzeachten Dog Licensing and Animal Management Law, 2014* is hereby enacted by a quorum of Council at a duly convened Council of the Tzeachten First Nation held on JUNE 30, 2014.

  
Chief Glenda Campbell

  
Councillor Lawrence Roberts

  
Councillor Catherine R. Hall

  
Councillor Melvin Williams, Jr.

  
Councillor Leslie Joe

A quorum consists of 3  
Council Members

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**SCHEDULE "A"**

**DOG LICENSE FEES**

<b>Category</b>	<b>Fee</b>
Dog (each)	\$70.00
Spayed or Neutered Dog (each)	\$12.00
Nuisance Dog (each)	\$ 200.00
Aggressive Dog or Dangerous Dog	\$ 200.00
Breeding Kennel	\$80.00
Licence Transfer	\$5.00
Licence Tag Replacement	\$5.00



**SCHEDULE "B"**  
**APPLICATION FOR RELEASE OF AGGRESSIVE OR DANGEROUS DOG**

1. I, \_\_\_\_\_ (name of owner), of \_\_\_\_\_  
\_\_\_\_\_ (address of owner), in the City of Chilliwack, B.C.,  
hereby apply for the release of my \_\_\_\_\_ (colour, breed and  
gender of dog), named \_\_\_\_\_ (name of dog), (the "Dog") which has been  
impounded under the *Tzeachten Dog Licensing and Animal Management Law, 2014* (the "Law").
2. I am the owner of the Dog.
3. I am aware that the Dog has been designated as \_\_\_ an Aggressive Dog/ \_\_\_ a Dangerous Dog under  
the Law and that I am personally responsible and liable for the Dog.
4. In consider of the release of the Dog to me, I hereby acknowledge, covenant and agree with Tzeachten First  
Nation:
- (a) That I have constructed on my property where the Dog will be kept an "Enclosure" within the  
specifications set out in the Law;
  - (b) That I will, at all times when the Dog is not effectively muzzled, on a leash and under the care and  
control of a person who is competent to control the Dog, keep the Dog indoors or within the securely  
closed and locked enclosure;
  - (c) That I will release, save harmless and indemnify the Tzeachten First Nation, its Animal Control Officers  
and any of its other officers, employees, contractors, agents and elected or appointed officials from and  
against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs and  
expenses whatsoever and by whomsoever brought in relation to the Dog or my keeping or harbouring of  
the Dog, and without limiting the generality of the foregoing, for any personal injury or death inflicted on  
any other animal or any person by my Dog or any damage to property caused by my Dog; and
  - (d) That I am aware that if my Dog is ever again found to be at large or not confined as set out herein, that  
Tzeachten or any Animal Control Officer may seize my Dog and I will be liable for the full costs and all  
penalties of impounding an Aggressive Dog or a Dangerous Dog under the Law and that my Dog may be  
ordered to be destroyed.
5. I hereby submit the sum of \$ \_\_\_\_\_ in payment of all licence, impounding, boarding and other fees  
and penalties payable by me under the Law.

\_\_\_\_\_, 201\_\_  
Date

\_\_\_\_\_  
Signature of Owner

**SCHEDULE "C"**  
**IMPOUND AND BOARDING FEES**

**Impound Fees**

Fees based on number of Impoundments of the same dog in a 24-month period

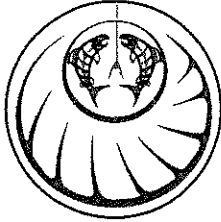
Item	Fee
Licensed Dog – First Impoundment	\$40.00
Licensed Dog – Second Impoundment	\$80.00
Licensed Dog – Third Impoundment	\$140.00

**Fees for Aggressive and Nuisance Dogs**

Item	Fee
Aggressive Dog (not Spayed or Neutered)	\$1000.00
Spayed or Neutered Aggressive Dog	\$600.00
Nuisance Dog	\$500.00

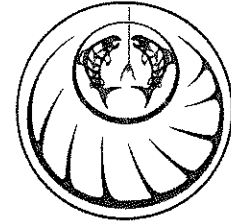
**Daily Boarding Fees**

Item	Fee	
Dogs, small animals or Poultry (first part day and night)	\$10.00	Per animal for first part day and first night
Dogs, small animals or Poultry (each subsequent night)	\$50.00	For each subsequent night beyond the first night
Livestock or large animals		Actual cost plus a 15% administration fee



**Tzeachten First Nation**

29-6014 Vedder Rd, Chilliwack, B.C. V2R 5M4  
Telephone 604.846.4888 Fax 604.846.4889



**TZEACHEN COUNCIL RESOLUTION**

**RES 14-31**

**DOG LICENSING AND ANIMAL MANAGEMENT LAW, 2014**

**WHEREAS** the Tzeachten First Nation has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the Constitution Act, 1982;

**AND** the Tzeachten First Nation has taken over control and management of Tzeachten Reserve lands and resources pursuant to the Framework Agreement on First Nation Land Management and has enacted Tzeachten Land Code effective the 31<sup>st</sup> day of August, 2008;

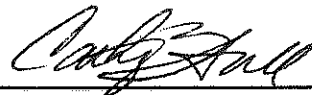
**AND** under the Tzeachten Land Code, Tzeachten Council is authorized to pass various Laws relating to lands including Laws relating to regulation and use of Tzeachten Lands, Laws relating to public or private nuisance and fees for permits and licenses under section 3.3 of the Code;

**AND** Council wishes to implement a Dog Licensing and Animal Management Law to track and regulate animals on Tzeachten Lands and to promote safe and respectful pet ownership;

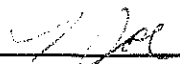
**NOW THEREFORE**, this Tzeachten Dog Licensing and Animal Management Law, 2014 is hereby enacted at a duly convened meeting as a Law of Tzeachten First Nation.

**A QUORUM** for Tzeachten First Nation consists of 3.

**DATED** this 30<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
Councillor Catherine R. Hall

  
\_\_\_\_\_  
Chief Glenda Campbell

  
\_\_\_\_\_  
Councillor Leslie Joe

  
\_\_\_\_\_  
Councillor Lawrence Roberts

  
\_\_\_\_\_  
Councillor Melvin S. Williams Jr.