



Sagamok Anishnawbek

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RESOLUTION

CHRONOLOGICAL NO. 2005-09-753

THE COUNCIL OF SAGAMOK ANISHNAWBEK

AGENCY: SUDBURY

PROVINCE: ONTARIO

PLACE: SAGAMOK ANISHNAWBEK

DATE: September 6, 2005

BY-LAW FOR THE REGULATION OF DOGS

WHEREAS the Council of Sagamok Anishnawbek believes that the uncontrolled ownership, breeding, and running at large of dogs may be detrimental to the health of the residents on the First Nation and a nuisance to such residents;

WHEREAS Section 81 (1), paragraph 1, (d), (e), (q) and (r) of the *Indian Act* empowers the Council of a First Nation to pass by-laws to provide for the health of residents on the reserve, the prevention of trespass by domestic animals, matters arising out of or ancillary to the exercise of powers under this section and the imposition of a penalty for the violation of any such by-laws.

AND WHEREAS the Sagamok Anishnawbek First Nation asserts its inherent sovereignty which emanates from its people, culture, Treaty and Aboriginal Rights and as a natural corollary thereof, hereby exercises its powers of self-government and self-determination as recognized and affirmed by Section 35 of the *Constitution Act*, 1982.

NOW THEREFORE the Sagamok Anishnawbek Chief and Council enacts the following by-law for the Regulation of Dogs.






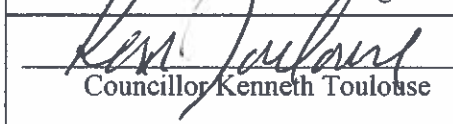
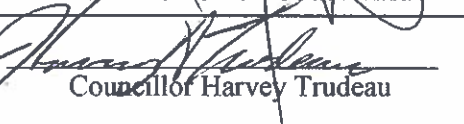
In this by-law;

- (a) "Council" means the duly elected Chief and Council of Sagamok Anishnawbek, Band No. 5, in the Province of Ontario, District of Algoma;
- (b) "Dog" means any domesticated canine, male or female, over the age of two months and includes a cross between a dog and a wolf;
- (c) "Animal Control Officer" means any person designated as such by the Council;
- (d) "Animal Register" means the register kept by the Animal Control Officer for the purpose of the registration of all dogs on the Reserve;
- (e) "Owner" of a dog includes a person who possesses or harbors a dog;
- (f) "Reserve" means all territories of the Sagamok Anishnawbek, Band No. 5, in the Province of Ontario;

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- (g) "At large" or "running at large" shall mean off the premises of the owner of the dog and not under the direct control of the owner or a person appointed by that owner for such purposes;
- (h) "Vicious or cross dog" includes;
 - i) any dog that demonstrates any ferocious, vicious or aggressive behaviour;
 - ii) any dog that the Animal Control Officer, upon reasonable and probable grounds, believes to be a physical threat to others;
 - iii) any dog which has been the cause of a prosecution and conviction under this by-law within the previous six (6) months;
 - iv) any dog which has bitten another animal or human without provocation.
- (i) "Premises" means buildings and structures including accepted yard areas.
- (j) "Public Areas" means public buildings, structures and spaces erected and/or maintained by Sagamok Anishnawbek, including roadways and paths.
- (k) "Responsible Ownership" means acknowledgement of responsible dog ownership to be encouraged by providing incentives for those owners who are able to meet the criteria defined below;
 - a) has been a registered owner in Sagamok Anishnawbek for at least (2) years;
 - b) has never been convicted of an offence under this by-law;
 - c) has not been issued a warning by the Animal Control Officer;
 - d) has never been issued an infringement notice under this by-law;
 - e) has never had a dog impounded;
 - f) has paid registration fees by due date;
 - g) has his or her dog(s) immunized;
 - h) has his or her dog(s) spayed or neutered.
- (l) "Household" means any single house or apartment.
- (m) "Guide Dog" means a dog being utilized by a visually impaired individual for the purpose of safe mobility.

Chief Angus Toulouse

Councillor Anna Marie Abitong	 Councillor Russell Abitong	 Councillor Mark Eshkakogan
Councillor Jessie Hardisty	 Councillor Peter (Owl) Kokoko	Councillor Raymond Owl
Councillor Benedict Segó	 Councillor Orion Southwind	 Councillor Felix Stonepoint
 Councillor Kenneth Toulouse	 Councillor Harvey Trudeau	Councillor Mary Anne Trudeau