



Oromocto First Nation
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Welamukotuk Animal Control By-Law No. 001-2026

Repealing and Replacing Oromocto First Nation By-Law Revision to By-Law No. 001, 1988

WHEREAS section 81, paragraphs (a), (d), (e), (q) and (r) of the Indian Act empower the Council of a First Nation to pass by-laws to provide for the health of residents on the reserve, the prevention of nuisances, the protection against and 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 Council of The Oromocto First Nation (Welamukotuk) is of the opinion that the uncontrolled ownership, breeding, and running at large of dogs may be detrimental to the health of the residents on the reserve, and a nuisance to such residents;

AND WHEREAS the Council is further of the opinion that the keeping of livestock within residential areas may create health, safety, sanitation, environmental, noise, odour, waste-management, and nuisance concerns for residents;

AND WHEREAS the Council is further of the opinion that the keeping of wild animals as pets may create risks to public health and safety, animal welfare, and the safety of residents and other animals within the Reserve;

THEREFORE, the Council of The Oromocto First Nation (Welamukotuk) enacts a by-law originally enacted on May 18th, 1988, which may be amended from time to time as requested or approved by the Council, and which currently reads as follows:

Short Title

1. This By-Law may be cited as the **“Welamukotuk Animal Control By-Law.”**

Definitions

2. In this By-Law:

- a) “Band” means The Oromocto First Nation (Welamukotuk);
- b) “Council” means the Chief and Council of the Band;
- c) “Dog” means any dog, male or female, and includes an animal that is a cross between a dog and a wolf;
- d) “Muzzle” means a humane fastening or covering device of adequate strength that does not interfere with the breathing, panting, ability to drink, or vision of the dog, placed over the mouth of the animal to prevent it from biting;
- e) “Officer” means any animal protection officer or member of the New Brunswick SPCA or any member of the Royal Canadian Mounted Police;
- f) “Owner” of a dog includes a person who possesses or owns a dog, and “owns” and “owned” have a corresponding meaning;
- g) “At large” or “running at large” means off the premises of the owner and not muzzled or under the control of any person;
- h) “Reserve” means the boundaries of The Oromocto First Nation (Welamukotuk);

i) “Livestock” means animals normally raised, kept, or used for agricultural or farming purposes, including but not limited to chickens and other poultry, goats, pigs, cattle or cows, sheep, horses, and other similar farm animals;

j) “Residential Area” means any area of the Reserve that is primarily used or designated for residential housing, including areas surrounding homes, apartments, multi-unit residential buildings, and other residential dwellings;

k) “Wild Animal” means any animal of a species that is normally found living in a wild or undomesticated state, whether native or non-native, and includes, but is not limited to, raccoons, foxes, coyotes, wolves, bears, skunks, wild cats, and other animals that Council or an Officer reasonably considers to be wild or undomesticated.

Interpretation

3. Let it be known that:

a) Every owner of a dog shall keep the dog safely tethered or penned up at all times.

b) A dog does not need to be tethered or penned up as provided in subsection (a) if the dog:

i. is held on a leash by a person capable of restraining the dog’s movement;

ii. is being used by a person for the purpose of hunting;

iii. is used by a visually impaired person as a guide dog; or

iv. is being used by a person to work in another lawful manner.

c) Furthermore, dog tethering is not permitted for more than 30 minutes between 11 p.m. and 6 a.m., unless the owner or person responsible is outside and within 25 metres of the dog.

d) No owner shall allow their dog to remain without food or water for any period of time which could amount to:

i. the dog’s nutritional needs not being met;

ii. cruelty; or

iii. causing the dog to become a nuisance.

e) No person shall punish or physically harm a dog in a manner or to an extent that is cruel, abusive, or unnecessary.

f) No owner shall permit a dog to excessively bark, yelp, growl, annoy, or disturb the peace of residents of the Reserve.

g) No owner shall permit a female dog in heat to be off the owner’s premises.

h) The Council may at any time prohibit the keeping of dogs within any area of the Reserve.

i) Notice of any prohibition made by Council pursuant to paragraph (h) shall be posted in the Band Office and, after thirty (30) days from the date of posting such notice, no person shall keep or have a dog within the prohibited area.

Livestock in Residential Areas

4.

a) No person shall own, keep, harbour, house, raise, breed, or maintain livestock within a Residential Area of the Reserve unless specifically authorized in writing by Council.

b) For greater certainty, livestock prohibited within Residential Areas includes, but is not limited to, chickens and other poultry, goats, pigs, cattle or cows, sheep, horses, and other animals normally associated with farming or agricultural use.

c) The prohibition under this section is intended to protect the health and safety of residents and to prevent or reduce concerns associated with animal waste, odour, noise, insects, rodents, disease transmission, contamination, property damage, animal escape, and other environmental, sanitation, safety, or nuisance concerns that may arise from keeping livestock in a residential setting.

d) Council may designate specific areas of the Reserve where livestock may be permitted and may establish conditions respecting the type and number of livestock, fencing, shelter, sanitation, waste disposal, animal welfare, and any other matter Council considers necessary for the protection of the community.

e) Nothing in this section prevents Council from granting a temporary or specific written authorization for livestock where Council determines that the activity is appropriate and will not create an unreasonable health, safety, environmental, or nuisance concern.

Wild Animals as Pets

5.

a) No person shall capture, own, possess, keep, harbour, house, raise, breed, or maintain a Wild Animal as a pet within the Reserve.

b) No person shall knowingly provide shelter or maintain a Wild Animal in or around a residence in a manner intended to domesticate or keep the animal as a household pet.

c) This prohibition is intended to protect public health and safety, prevent the transmission of diseases, reduce the risk of bites, attacks, or other injuries, protect domestic animals, and ensure the humane treatment and appropriate handling of wildlife.

d) This section does not prohibit the temporary rescue or care of an injured, sick, or orphaned Wild Animal where the animal is being held temporarily for the purpose of transferring it as soon as reasonably possible to an appropriate wildlife rehabilitation facility, animal protection authority, conservation authority, or other person legally authorized to possess the animal.

e) Council may grant written authorization for the temporary possession of a Wild Animal for a legitimate cultural, ceremonial, educational, conservation, rehabilitation, or other community-approved purpose, subject to any conditions Council considers necessary for public health, safety, and animal welfare.

Seizure

6.

a) An Officer may seize any dog from any person that is:

- suspected of having rabies;
- found to be running at large; or
- in any other violation of any provision in this By-Law.

b) An Officer who has seized a dog pursuant to subsection (a) shall restore possession of the dog to its owner where:

- i. the offence does not prohibit the future possession of dogs;
- ii. the owner claims possession of the dog within five (5) days after the date of seizure; and
- iii. the owner pays to the Officer all expenses incurred in securing, caring for, and treating the dog.

c) Where an Officer has reasonable grounds to believe that livestock or a Wild Animal is being kept contrary to Section 4 or Section 5 of this By-Law, the Officer may direct the owner or person responsible to remove the animal from the prohibited area within a reasonable period specified by the Officer or Council.

d) Where there is an immediate threat to public health, public safety, animal welfare, or the safety of other animals, Council or an Officer may take or arrange such lawful measures as are reasonably necessary to secure, remove, or transfer the animal to an appropriate authority or facility.

e) Any reasonable costs incurred by the Band for the capture, removal, transportation, shelter, care, or treatment of an animal kept in violation of this By-Law may be charged to the owner or person responsible for the animal, where permitted by law.

Registration of Dogs

7. The Officer responsible may keep an Animal Register (DocuPet) in which shall be recorded:

- a) a description of the dog or other domestic animal sought to be registered, including age, sex, name, and breed, if known;
- b) the name, address, and telephone number of the owner;
- c) the date and the amount of licence fees paid for the registration and tagging of the dog;
- d) a record that the dog is immunized against rabies and canine parvovirus, noting the date of such immunization; and
- e) any other information deemed by the Officer or DocuPet to be necessary for the proper administration of this By-Law.

Penalty

8.

Anyone who violates any of the provisions of Section 3, subsections (a), (c), (f), or (g), of this By-Law is guilty of a punishable offence and is liable on summary conviction to a fine of:

- a) no less than one hundred dollars (\$100); and
- b) no more than five hundred dollars (\$500).

Anyone who violates any of the provisions of Section 3, subsections (d) or (e), of this By-Law is guilty of a punishable offence and is liable on summary conviction to:

- a) a fine of:
 - i. no less than two hundred fifty dollars (\$250); and
 - ii. no more than five hundred dollars (\$500); or
- b) imprisonment for a term not exceeding thirty (30) days; or
- c) any combination of both.

Anyone who violates Section 4 respecting livestock in Residential Areas or Section 5 respecting the keeping of Wild Animals as pets, or who fails to comply with a lawful direction issued pursuant to Section 6, is guilty of an offence and is liable on summary conviction to:

- a) a fine of:
 - i. no less than two hundred fifty dollars (\$250); and
 - ii. no more than five hundred dollars (\$500);
- b) an order requiring the removal of the animal from the Residential Area or Reserve, as applicable; and
- c) any reasonable costs associated with the lawful seizure, removal, transportation, shelter, care, or treatment of the animal, where permitted by law.

Each day that a person continues to keep an animal in violation of Section 4 or Section 5 after receiving written notice of the violation may constitute a separate offence.

Repeal and Replacement

9. This By-Law hereby repeals and replaces the former Oromocto First Nation By-Law No. 001 respecting Dog Control, enacted May 18, 1988, and all amendments thereto.

Coming Into Force

10. This By-Law shall come into force on the date it is approved by the Council of The Oromocto First Nation (Welamukotuk) and shall remain in force until amended or repealed by Council.

Certification

ENACTED by the Council of The Oromocto First Nation (Welamukotuk) at a duly convened meeting held on the 28 day of July, 2026.

We, the undersigned Councillors of The Oromocto First Nation (Welamukotuk), hereby certify that the foregoing By-Law Revision to By-Law No. 001 was duly considered and approved by resolution of Council on the date noted above.



Chief Scott Paul



Councillor David Verner



Councillor Jason Buchanan



Councillor Megan Chambers



Councillor Trisha Sabattis



Councillor James Garrett



Councillor Dymond Stevens



Councillor Stefan Saulis



Councillor Aspen Bear



Councillor Ryan Atwin