

OFFICERS

3. The Public Safety Officer of the Eastmain Band shall be responsible for carrying out the provisions of this By-Law. In the absence of such a person, the Council of the Eastmain Band shall appoint a person to be an officer for the purposes of this By-Law.

REGISTRATION AND LICENCES

4.(1) Any person who owns, possesses or keeps a dog shall register the dog with the Public Safety Officer of the Band in order to establish its identity and ownership and shall obtain an annual licence thereafter, in the form of a dog tag, from the Public Safety Officer.

4.(2) The annual fee for a licence shall be \$10.00 plus and shall be payable on the first day of the month of June.

4.(3) Every dog that has been registered and licensed shall carry a tag affixed to the collar of the dog and indicating the name of the community of Eastmain, the year for which the licence is issued and a number corresponding to that entered into the dog register kept by the Public Safety Officer or any other person duly authorized by the Band.

4.(4) A duplicate of a lost or destroyed tag shall be obtained from the Public Safety Officer at a cost of \$5.00.

GENERAL PROVISIONS

5. No owner shall allow a dog to remain unfed or unwatered so as to amount to cruelty to the animal or so as to cause the dog to become a nuisance.

6. No person shall punish or abuse a dog in a manner or to an extent that is cruel or unnecessary.

7. No owner shall permit a dog to run at large, as defined in Section 1(4), within the area to which this By-Law applies.

8. No owner shall have a dog on his premises outside his dwelling house or unit unless the dog is either muzzled or under the control of any person or is tethered within the confines of such premises.

9. No owner shall permit a dog to bark, yelp, or growl so as to annoy or disturb the peace of the residents of Eastmain.

10. No owner may permit a female dog in heat to be off his premises.

SEIZURE

11.(1) An officer may seize a dog from a person whom he finds violating this By-Law or whom he has good cause to suspect of having violated or being about to violate this By-Law.

11.(2) Subject to Section 11(4), an officer who has seized a dog under Section 11(1) may, in his discretion, restore possession of the dog to its owner where:

- a) the owner claims possession of the dog within five days of the date of seizure, and
- b) the owner pays to the officer all expenses incurred in securing, caring for and feeding the dog.

11.(3) Where a dog has not been reclaimed within five days of the date of the seizure, the officer may destroy or dispose of the dog as he sees fit, by sale or adoption, and no damages or compensation may be recovered on account of its destruction or disposal by the officer.

11.(4) Where, in the opinion of the officer, a dog seized under Section 11(1) is injured or should be destroyed without delay for humane reasons or for the safety of the public, the officer may destroy the dog as soon after seizure as he deems necessary without permitting any person to reclaim the dog and no damages or compensation may be recovered on account of its destruction by the officer.

DESTRUCTION WHERE UNABLE TO SEIZE

12.(1) Where an officer is unable to seize a dog that is running at large contrary to the provisions of this By-Law, he may destroy the dog.

12.(2) No damages or compensation may be recovered on account of the destruction of a dog by an officer under this section.

ESTABLISHMENT OF POUND

13.(1) A pound for the keeping of dogs seized pursuant to this By-Law shall be established under the supervision of the Public Safety Officer.

13.(2) The Public Safety Officer shall establish, subject to approval by the Eastmain Band, rules and regulations for the maintenance and operation of the dog pound.

13.(3) A budget for the operation of the dog pound shall be submitted to the Council for approval at the same time as the annual operation budget of the Band.

PROTECTION FROM DOGS

14.(1) Any one may destroy any dog that is running at large and in the act of pursuing, attacking, injuring, damaging, killing or destroying another person, property, or another dog which is tethered and no damages or compensation may be recovered on account of the destruction of such a dog.

14.(2) The Public Safety Officer may compel the owner of a dog to have it vaccinated, sprayed, neutered or spayed, as the case may be.

14.(3) Every dead dog must be disposed of in one of the two following manners:

- (a) if the dog was infected with rabies or another contagious disease, it must completely destroyed by fire;
- (b) in all other cases, the dog must be buried under at least three feet of earth.

OFFENCES AND PENALTIES

15.(1) Every person who contravenes the provisions of this by-law shall be guilty of an offence and shall be liable, upon summary conviction, to a fine of not more than \$100.00 or to imprisonment for a term not exceeding 30 days, or to both.

15.(2) Where a person is convicted of an offence under this By-Law, the Court may order, on the grounds of public safety or humanity, the destruction of any dog belonging to such person.

PREVIOUS DOGS BY-LAWS REPLACED

16. This By-Law shall, on the date of its coming into force, repeal and replace all previous Dogs By-Laws enacted by the Eastmain Band.

IN WITNESS THEREOF, WE HAVE SIGNED, IN EASTMAIN, QUÉBEC, THIS 29th DAY OF OCTOBER, 2009.




Chairman


Secretary