

**FISHING LAKE METIS SETTLEMENT IN THE PROVINCE
OF ALBERTA
DOG CONTROL**

BYLAW #2006 - 0166

**A BY-LAW PROVIDING FOR THE LICENSING AND REGULATION OF DOGS
IN THE FISHING LAKE METIS SETTLEMENT.**

WHEREAS Section 8 OF SCHEDULE 1 OF THE METIS SETTLEMENTS ACT,
S.A. 1990, c. M-14.3 AUTHORIZES A SETTLEMENT COUNCIL TO MAKE A
BY-LAW PROVIDING FOR THE LICENSING AND REGULATION OF DOGS;

AS SECTION 42 OF THE PROVINCIAL OFFENCES PROCEDURES ACT,
1988, c. P-21.5 AUTHORIZES A SETTLEMENT COUNCIL TO MAKE A BY-
LAW PRESCRIBING THE AMOUNTS OF THE SPECIFIED PENALTIES
PAYABLE AND THE OFFENCES FOR WHICH A VOLUNTARY PAYMENT MAY
BE MADE;

NOW THEREFORE the Council and members of the Fishing Lake Metis
Settlement enact as follows:

Definitions

1. In this by-law,

"animal control officer" means a person hired by the Settlement
Administrator to control animals;

"Council" means the elected council of the Fishing Lake Metis
Settlement.

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"dog" means a canine animal commonly known as a dog that is three months of age or older;

"hamlet" means that portion of the Fishing Lake Metis Settlement in the S ½ of section 17, township 57, range 2, west of the 4th meridian.

"license" means a metal or plastic tag issued pursuant to section 6 (3);

"owner" means a person who has legal title to a dog, or who possesses or shelters a dog, or who allows a dog to remain about their residence or premises;

"run at large" means off the premises of the owner and not under the immediate and effective control of a person;

"Settlement Administrator" means the person appointed by the Settlement Council as the Settlement Administrator of the Fishing Lake Metis Settlement Office and

all other words defined in the Metis Settlements Act have the same meaning in this by-law.

Registration

2. (1) A person shall not possess or shelter a dog unless there has been a license issued for the dog for the current year.
- (2) Subsection (1) does not apply to (a) a dog that does not run at large in the Settlement area and that is brought into the Settlement for a period of less than 48 hours, or (b) a dog trained and used as a guide dog for a visually impaired person.

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Running at Large

3.

The owner of a dog shall not permit the dog to run at large in the Settlement area.

Housing and Confinement

4.

The owner of a female dog that is in cycle shall keep the dog confined or tethered so that the dog does not become a source of attraction for male dogs.

Prohibitions

5. (1) The owner of a dog shall not permit the dog to

- a) harass, attack, or bite a person
- b) harass, attack, or bite another dog or livestock
- c) harass, attack, or bite a horse being ridden by a person,
- d) harass, attack, or bite any other animals
- e) cause damage to property
- f) deposit body wastes on premises other than premises lawfully occupied by the owner,
- g) chase a vehicle
- h) create disturbance, or
- i) be in a swimming, bathing, or wading pool provided for use by the public

(2) Except for the owner, a person shall not remove a collar or licence from a dog.

(3) A person shall not

- (a) release a dog that is tied up or otherwise restrained, or
- (b) open a gate, door, or other opening of an enclosure in which a dog is confined and allow the dog to run at large.

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Licensing

6. (1) The applicant for a licence shall provide the following information:
 - (a) name, location of residence, mailing address and telephone number of the owner of the dog;
 - (b) description of the dog including, breed, sex, and age;
 - (c) proof of rabies vaccination within 36 weeks of the date of application;
 - (d) other relevant information requested by the Settlement Administrator
- (2) The fee payable for a licence is set out in Schedule 1.
- (3) Upon receipt of the licence fee, a licence inscribed with the year the licence is valid for and a registration number are issued to the applicant.
- (4) If a licence is lost or destroyed, a duplicate licence may be issued.
- (5) The Settlement Administrator maintains a record of the licences issued.
- (6) No person is entitled to a refund or rebate for a licence.
- (7) If a licence fee has been paid by cheque, the licence is
 - (a) issued subject to the cheque being honoured by the financial institution against which it is drawn, and
 - (b) automatically suspended if the cheque is not honoured, until the fee is paid in cash.

Authority

7. (1) An animal control officer, or any person acting under the direction and supervision of an animal officer may
 - (a) capture a dog found running at large in the Settlement area, and
 - (b) destroy an unclaimed dog according to the policies and

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procedures set out by Council.

- (2) A dog captured as set out in subsection (1) may be impounded at the Settlement kennels.
- (3) A dog that has been impounded may be returned to its owner according to the policies and procedures set out by Council.

Impoundment and Registry

8. The animal control officer maintains a written record of the following for each impounded dog;
 - (1) date of impoundment;
 - (2) description of the dog, and
 - (3) licence number, if the dog is licenced.

Penalties

9. (1) A person who violates a provision of this by-law is guilty of an offence and is subject to a fine of not more than \$2500.00, or, imprisonment for a period up to 6 months if a fine is not paid.
 - (2) If a person is issued a violation ticket for a contravention of a provision of this by-law listed in Schedule 2, that person may plead guilty and make a voluntary payment in accordance with the Provincial Offences Procedure Act.

Repeal

10. The Dog Bylaw No. FLMS 9400^{af}~~53~~^{af} is repealed.

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Effective Date

11. This by-law comes into effect the day after it is given third reading.

READ a first time this 3rd day of October, 2006 at a Council meeting in Fishing Lake Metis Settlement Office at which 4 Council members were present and voted as follows;

3 for 0 against

READ a second time this 3rd day of October, 2006 at a Council meeting in Fishing Lake Metis Settlement Office at which 4 Council members were present and voted as follows;

3 for 0 against

APPROVED secret ballot vote scheduled at a Settlement General Meeting on the 18 day of October, 2006 in Fishing Lake Metis Settlement at which 20 members were present and voted as follows voted to schedule a ballot vote on November 2nd, 2006 which resulted in the following;

14 for 0 against

READ a third time this 7 day of November, 2006 at a Council meeting in Fishing Lake Metis Settlement Office at which 5 Council members were present and voted as follows;

4 for 0 against



Settlement Administrator

(SEALED)

Effective Date:
Nov. 8, 2006.

SCHEDULE 1

DOG CONTROL BYLAW NO. FLMS 2006-0170

DOG LICENCE FEES

Condition	Fee
1. Owner of dog is a senior citizen or on some type of assistance	\$3.00
2. Owner of dog is not a senior citizen or on any type of assistance	\$5.00

SCHEDULE 2

The specified penalty payable in respect of a contravention of a provision of this bylaw shown in column 1 for a particular item is the amount shown in column 2 for the same item.

Column 1 Section contravened	Column 2 penalty
3	\$10.00
5(1)	\$25.00
5(2)	\$25.00
5(3)	\$25.00
5(4)	\$10.00
2(1)	\$10.00
4	\$10.00