

K'ASHO GOTINE CHARTERED COMMUNITY GOVERNMENT OF FORT GOOD HOPE

BY- LAW NO. 206-18

BEING A BYLAW OF THE K'ASHO GOTINE CHARTERED COMMUNITY GOVERNMENT OF FORT GOOD HOPE (KGCCG) IN THE NORTHWEST TERRITORIES TO PROVIDE FOR THE CONTROL, LICENSING AND PREVENTION OF CRUELTY TO DOGS.

PURSUANT TO the Chartered Community Government Act.

NOW THEREFORE BE IT RESOLVED that the Council of the KGCCG in session duly assembled, enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "Dog Control By-law".

INTERPRETATION

2. In this By-law:
 - a) "at large" means off the premises of the owner of the dog when not under the immediate physical control of a competent and responsible person;
 - b) "Council" means the elected Council of the KGCCG;
 - c) "dog license" means a license issued pursuant to the provisions of this By-law to the owner of a dog;
 - d) "dog" includes a male or female dog and an animal which is a cross between a dog and a wolf;
 - e) "KGCCG" means the K'asho Gotine Chartered Community Government of Fort Good Hope;
 - f) "Officer" means a constable appointed by the KGCCG to enforce the KGCCG's By-laws;
 - g) "owner" means a person who owns, harbors, possesses or has control or custody of a dog;
 - h) "pound" means such a place or places established by Council for the impoundment of dogs seized pursuant to the provisions of this By-law;
 - i) "Senior Administrative Officer" means the Senior Administrative Officer for the KGCCG, or in his or her absence, the Assistant Administrative Officer;

- j) "working day" means a day on which the KGCCG's offices are open for business;
- k) "working dog" means a seeing eye dog or sled dog used in the performance of a livelihood for their owners.

LICENSES

3. No person shall own a dog, except a working dog within the KGCCG unless the dog is licensed in accordance with the provisions of this By-law;
 - a) No more than 2 dog shall be owned or harbored by an individual household or individual property.
4. Every owner of a dog shall make application to the Senior Administrative Officer for a dog licence in each year;
 - a) On or before January 31st for each dog which has attained at age of six (6) months on or before December 31st of the previous year;
 - b) On or before the last day of the month in which a dog has attained the age of six (6) months.
5. Every owner making application for a dog license shall provide the following information to the Senior Administrative Officer:
 - a) The name, street address, postal address, and telephone number of the owner;
 - b) The name, age, sex and a description of the dog to be licensed; and
 - c) In the case of a first application for a dog license for a dog as a spayed bitch or neutered male, a certificate from a licensed veterinarian or such other proof as may be considered satisfactory to the Senior Administrative Officer, certifying the dog has been spayed or neutered as the case may be.
6. Every application for a dog license shall be accompanied by a fee in accordance with Schedule "A" attached to and forming part of this By-law.
7. Every owner who by reason of impairment of their sight requires the assistance of a guide dog may, upon application to the Senior Administrative Officer, obtain a license and no fee shall be charged for such a license.
8. Where application is made for a dog license in accordance with the provisions of this By-law and the appropriate fee is paid the Finance Officer shall issue a dog license to the

applicant, in the form of a numbered metal tag, and the Senior Administrative Officer shall record in a ledger kept for that purpose:

- a) The name and address of the owner;
 - b) The date of issuance of the dog license;
 - c) The number of the dog license issued;
 - d) The fee paid for the license; and
 - e) A brief description of the dog licensed.
9. Every dog license issued pursuant to the provisions of this By-law shall be effective from the date of issuance until January 31st of the next year and no refund of any license fee paid or any portion thereof shall be made in the event of the death, destruction or removal from the KGCCG of a dog before the expiration of the license period.
10. Where a dog license is lost or stolen, the Senior Administrative Officer, upon application by the owner and payment of a fee of \$2.00, shall issue a replacement dog license.
11. No dog license shall be transferred from one dog to another.
12. Every person who becomes the owner of a dog for which a subsisting license has been obtained by the former owner shall notify the Senior Administrative Officer of his or her name, street address, postal address and telephone number and the number of the subsisting dog license within fifteen (15) days of becoming the owner.
13. Every owner to whom a dog license is issued shall ensure that the dog license is securely affixed, at all times, to the collar, choke or harness of the licensed dog, failing which the dog shall be deemed to be unlicensed for the purposes of subsection 22(a) of this By-law.
14. Notwithstanding any other provisions of this By-law the Senior Administrative Officer may refuse to issue a dog license for a dog which is known to be vicious or a public nuisance.

SEIZURE AND IMPOUNDMENT

- 15.1) An Officer may seize and impound any dog found to be at large.
- 15.2) An Officer may destroy any dog, without first seizing and impounding it, which:
- a) While at large has, is or is about to attack, kill, injure, menace, damage or destroy, as the case may be:

- a. Any person;
 - b. Another animal; or,
 - c. Personal property; or
 - b) The Officer is unable to seize after making reasonable attempts to do so.
16. An Officer who seizes and impounds a dog shall make reasonable efforts to locate the owner of the dog and inform the owner of the seizure and impoundment.
17. Where a dog for whom a subsisting dog license has been issued is seized and impounded, the owner may reclaim the dog within three (3) working days after the date of seizure, upon payment to the KGCCG with Schedule "B" attached and forming part of this By-law.
18. Where a dog for which a subsisting dog license has not been issued is seized and impounded the owner may reclaim the dog within two (2) working days after the date of seizure upon:
- a) Payment to the KGCCG of a seizure fee of \$25.00;
 - b) Payment to the KGCCG of an impoundment fee of \$10.00 for each day or part of a day that the dog is impounded; and,
 - c) Obtaining a dog license for the dog in accordance with the provisions of this By-law.
19. Where a dog has not been reclaimed by its owner in accordance with this provisions of subsections 17 or 18 of this By-law an Officer may:
- a) Dispose of the dog by selling it to any person interested in purchasing it for a sum to be fixed by the Senior Administrative Officer at the Senior Administrative Officer's discretion; or,
 - b) Destroy the dog.
20. a) Notwithstanding any other provisions of this By-law where, in the opinion of an Officer, a dog which has been seized should be destroyed for human reasons or reasons of public safety, the Officer may destroy the dog as soon after seizure as the Officer thinks fit without first permitting the owner to reclaim the dog.
- b) Notwithstanding any other provisions of this By-law, the By-law Officer or Council, may implement an emergency dog control program whereby any dogs running at large will be immediately destroyed. No impound time will be granted.

- c) When an emergency dog control program is called, public notice shall be given at least one week in advance. Public notice shall mean the distribution of Public Notice posters and or newspaper ads identifying the dates of the program.
21. No damages or compensation may be recovered from the KGCCG or an Officer arising from the disposal or destruction of a dog in accordance with the provisions of this By-law.
22. The by-law officer shall use a long stick with noose for approaching and catching stray dogs. The by-law officer shall ensure we have on hand at all times four cages of standard size. Further, stray dogs the by-law officer shall keep copies of when they the dogs have gone to the veterinarian and kennel.

OFFENCES

22. Every person commits an offence who:
- a) Owns a dog which is not licensed in accordance with the provisions of this By-law;
 - b) Owns a bitch which is not confined during the whole of those periods when she is in heat;
 - c) Owns a dog which is found to be running at large;
 - d) Owns a dog which causes a nuisance by persistently barking or howling in such a manner as to disturb the peace and quiet of inhabitants of the KGCCG;
 - e) Owns a dog which attacks, kills, injures, menaces, damages or destroys or attempts to attack, kill, injure, menace, damage or destroy, as the case may be:
 - a. Any person;
 - b. Another animal; or
 - c. Personal property;
 - f) Interferes with, obstructs or attempts to interfere with or obstruct an Officer lawfully engaged in the performance of the Officer's duties under this By-law.
 - g) Unlocks, unlatches or otherwise open a vehicle in which dogs seized by an Officer have or are being placed;
 - h) Remove or attempts to remove from the pound a dog which has been impounded; and
 - i) Punishes, abuses or neglects a dog in any manner to an extent that is cruel or unnecessary;
 - j) Owns or harbors more than 2 dogs per household or individual property.
23. Every person who is convicted of an offence under section 22 is liable on summary conviction top pay a fine or not more than \$2,000.00.

- 24.1) An Officer who has reasonable and probable grounds to believe a person has committed an offence under Section 22 may, in lieu of prosecution for such an offence, serve on the person a written notice of intention to prosecute in a form as approved by Council.
- 24.2) Every person served with a written notice in accordance with subsection 24.1 may, within fourteen (14) days after the date of service, pay to the Senior Administrative Officer a sum calculated as follows, in lieu of prosecution:
 - a) \$25.00 for a first offence committed within a period of three (3) calendar years;
 - b) \$50.00 for a second offence committed within a period of three (3) calendar years; and
 - c) \$100.00 for a third and subsequent offence committed within a period of three (3) calendar years.
- 24.3) Every person served with a written notice of intention to prosecute in accordance with subsection 24.1 who fails to make payment to the Senior Administrative Officer in accordance with subsection 24.2 shall be prosecuted.

POUNDS

- 25. For the purpose of this By-law Council may establish a pound or pounds for the impoundment of dogs seized by an Officer pursuant to the provision of this By-law and may establish, from time to time, such rules and regulations as it shall consider necessary for the operation and regulation of such pound and pounds.

REPEAL

READ A FIRST TIME this _____ day of _____, 2018.

READ A SECOND TIME this _____ day of _____, 2018.

READ A THIRD TIME AND FINALLY PASSED by a majority of the Members of Council present this _____ day of _____, 2018.

Chief

Senior Administrative Officer

SCHEDULE "A"
TO
BY-LAW NO. 206-18

1. Every application for a dog license shall be accompanied by a fee as follows:
 - a) For each bitch over the age of six (6) months \$50.00;
 - b) For each male over the age of six (6) months \$50.00;
 - c) For each spayed bitch \$10.00; and,
 - d) For each neutered male \$10.00.

2. Where an application for a dog license is made after June 30th the fees set forth in paragraph one (1) shall be reduced by one-half (1/2).

SCHEDULE "B"
TO
BY-LAW NO. 206-18

1. A seizure fee of:
 - a) \$25.00 on the first occasion of seizure of the dog in any calendar year;
 - b) \$50.00 on the second occasion of seizure of the dog in any calendar year;
 - c) \$75.00 on each occasion of seizure of the dog subsequent to the second occasion in any calendar year; and,
 - d) An impoundment fee of \$10.00 for each day or part of a day that the dog is impounded.

EXHIBIT "C"
BY-LAW NO. 206-18

THIS CONTRACT AGREEMENT IS MADE IN DUPLICAT THIS _____ DAY OF _____, 201 .

BETWEEN: K'asho Gotine Chartered Community Government
Fort Good Hope, NT

AND:

(Here forthwith described and known as the Contractor of a Dog Catcher).

Contractor must be 18 years of age or older with a valid driver's license.

CONDITIONS OF THE CONTRACT:

The following conditions shall be carried out by the Dog Catcher:

- 1. To make non-scheduled tours of the KGCCG. Day and time is discretionary.**
- 2. To catch and secure any dogs running at large or dogs attacking a person, an animal or destroying property within KGCCG's boundaries.**
- 3. To provide destruction of the dogs that have not been claimed according to By-law 206-18.**
- 4. To act on any complaints received by the public or the KGCCG regarding dogs running at large or dogs attacking a person, an animal or destroying property.**
- 5. To enforce the Community By-law 206-18, known as the KGCCG's By-law to provide for the control, licensing and prevention of cruelty to dogs.**
- 6. With the permission of the owner, the Contractor may destroy an owner's dog at the owner's request.**
- 7. To assist the KGCCG's By-law Officer when requested in the catching, securing and destruction of any dogs running at large or dogs attacking a person, an animal or destroying property.**



CONDITIONS OF THE TCGW:

The following conditions shall be carried out by the KGCCG:

- 1. Provide the dog catcher with a portable kennel;**
- 2. Provide the dog catcher with bite proof gloves;**
- 3. Provide the dog catcher with muzzle pole;**
- 4. Provide a holding cell for all dogs impounded;**
- 5. Provide food and water for all dogs impounded; and**
- 6. Provide a vehicle, if available, for the use of providing dog patrol for the enforcement of the By-law 206-18.**

COMPENSATION OF PAY



The following rates will apply:

- | | |
|---|----------------|
| 1. Catch, secure and impound a dog | \$75.00 |
| 2. Receive and satisfactory conclude a dog complaint | \$75.00 |

THE CONTRACTOR SHALL:

- 1. Provide his/her own disability and life insurance.**
- 2. Be responsible to follow all Revenue Canada regulations.**

TCGW SHALL:

- 1. Provide Worker's Compensation of the Northwest Territories.**
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The contract shall be at the discretion of Council.

CONTRACTOR

KGCCG