

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

3.5 No owner shall permit a dog to bark, yelp, growl, or otherwise annoy or disturb the peace or residents of the reserve

3.6 No owner shall permit a female dog in heat to be off the owner's premises.

3.7 (a) The Council may at any time prohibit the keeping of dogs within any area of the reserve. (b) Notice of any prohibition made by Council pursuant to par.(a) shall be posted in the Band office and after the date of the posting of such notice, no person shall keep or have a dog within the prohibited area.

Seizure

4.1 An officer may seize a dog from any person whom the officer has reasonable cause to believe is violating or has violated or is about to violate any of the provisions of this by-law.

4.2 Subject to subsection (4), an officer who has seized a dog pursuant to subsection(1) shall restore possession of the dog to its owner where: (a) the owner claims possession of the dog within five(5) days after the date of seizure, and; (b) the owner pays to the officer all expenses incurred in securing, caring for and feeding the dog,

4.3 Where a dog has not been reclaimed within five(5) days after seizure pursuant to subsection(2), the officer may destroy or dispose of the dog as he sees fit and no damages or compensation may be recovered as a result of the destruction or disposal of a dog by the officer.

4.4 Where, in the opinion of the officer, a dog seized under this section is injured, diseased, or should be destroyed without delay for humane reasons or for reasons of health or safety, the officer shall destroy the dog as soon after seizure as he thinks fit and no damages or compensation may be recovered as a result of the destruction of the dog by the officer.

Destruction where unable to seize

5.1 Where an officer, after reasonable effort, is unable to seize a dog that is running at large contrary to the provisions of this by-law, he may destroy the dog.

5.2 No damages or compensation may be recovered as a result of the destruction of a dog by an officer pursuant to subsection(1).

Protection from dogs

6.1 Any person may kill a dog that is running at large and is in the act of pursuing, attacking, injuring, damaging, killing or destroying: (a) a person, (b) another dog that is tethered; or (c) a good cache, harness or other equipment.

6.2 No damages or compensation may be recovered as a result of the killing of a dog by any person pursuant to subsection (1).

Penalty

7.1 Every person who contravenes any of the provisions of this by-law is guilty of an offense and is liable on summary conviction to a fine of not more than five hundred dollars (\$500) or to imprisonment for a term not exceeding thirty (30) days, or both.

Repeal

8.1 Bylaw number 1995.01 enacted on the 1st day of August, 1995, and being a By-law to regulate the control of dogs on the reserve, be and is hereby repealed.

THIS BY-LAW IS HEREBY enacted by the Council of the Nanaimo Band at a duly convened meeting of the Council dated on the 17th day of June, 1997.

✓oting in favour of the by-law are the following members of the Council: