



THE COUNCIL OF THE CHEAM FIRST NATION

BCR No. 2244

BAND COUNCIL RESOLUTION FOR ANIMAL MANAGEMENT LAW (URGENT) **Under section 3 of the Cheam Land Code**

WHEREAS

- A. Cheam First Nation has taken over control and management of our land and resources on our Reserves by ratifying a Land Code; which came into effect September 1, 2016;
- B. Under our Land Code, Council is authorized to pass laws relating to lands, public and private nuisance, permits and activities;
- C. Council is authorized to enact urgent laws without following the steps outlined in the law-making procedures in our Land Code, if Council is of the opinion that the Cheam Law is needed urgently to protect any portion or Interest in Cheam Lands or any Members, but such a Cheam Law expires 90 days after its enactment, unless re-enacted in accordance with Part 3 of the Code;
- D. Council is concerned about reports and complaints from Members regarding dog attacks and Members who do not feel it is safe to take a walk within the Reserve or let their children play in certain areas due to aggressive dogs and Council is of the opinion that an animal control law is urgently needed to protect Members; and
- E. Lands has contacted the Fraser Valley Regional District to discuss options for professional dog control services; and
- F. Council wishes to implement an Animal Control Law on Cheam Lands to promote safe and respectful pet ownership.

NOW THEREFORE

at a duly convened meeting, WE THE COUNCIL OF THE Cheam First Nation, in Cheam unceded Territory, Province of British Columbia DO HEREBY RESOLVE:

THAT the Cheam Animal Management Law is hereby enacted as a Urgent Cheam law and is in force as of the date of July 1, 2022.

This Band Council Resolution may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument. Delivery of an executed counterpart of this Band Council Resolution by facsimile or other electronic transmission (including in electronic PDF format) shall be equally effective as delivery of a manually executed counterpart thereof, and when so executed and delivered will be deemed to be an original made as of the date written below.

SIGNED THIS DAY:

June 14, 2022 at Cheam First Nation, 52161 Victor Drive, Rosedale, BC V0X 1X1

Quorum for this Council is four (4)

DocuSigned by:



8A6EF934503F4FA...

Chief Andrew Victor

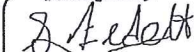
DocuSigned by:



33ED023F552846A...

Councillor Ray Douglas

DocuSigned by:



A9DD8AECC40E4E5...

Councillor Stephanie Fredette

DocuSigned by:



A6E9D18B3CCD451...

Councillor Luke Pike

Councillor Annie Silver

Councillor Melvin Wilson



XWCHÍYÒ:M

CHEAM FIRST NATION

ANIMAL MANAGEMENT LAW (Urgent) July 1, 2022)

TABLE OF CONTENTS

PART 1.	NAME.....	2
PART 2.	PURPOSE.....	2
PART 3.	WHERE THIS LAW APPLIES.....	2
PART 4.	DEFINITIONS.....	2
PART 5.	PROHIBITIONS AND LICENSE REQUIREMENTS	4
PART 6.	DOG CONTROL.....	6
PART 7.	ANIMAL CARE AND CONTROL	8
PART 8.	ENFORCEMENT	9
PART 9.	GENERAL AND LEGAL	11
PART 10.	COMING INTO FORCE.....	11

WHEREAS

A. Cheam has traditional laws and teachings including:

Éy kws hákw'elestset te s'i:wes te siyólexwálh,

Xaxastexw te mekw'stam,

Éwe chexw qelqelit te mekw'stam lóy kw'es li hokwex yexw lamexw kwú:t,

S'ólh téméxw te íkw'élò xólhmet te mekw' stám ít kwelát

B. And these cannot be exactly translated into English but they include the following concepts:

It is good to remember the teachings of our ancestors;

Respect all things;

Don't waste, ruin, destroy everything, only take what you need;

This is our land we have to take care of everything that belongs to us;

C. Cheam First Nation ("CFN") has an inherent right to self-government which emanates from our people, culture and land and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

laws without following the steps outlined in the law-making procedure in the Land Code, if Council is of the opinion that the Cheam Law is needed urgently to protect any portion or Interest in Cheam Lands or any Members but such a Cheam Law expires 90 days after its enactment, unless re-enacted in accordance with section 3.9 of the Code;

- G. Cheam Council is concerned about reports and complaints from Members regarding dog attacks and Members who do not feel it is safe to take a walk within the Reserve or let children play in certain areas due to aggressive dogs and Council is of the opinion that an animal control law is urgently needed to protect Members;
- H. Lands Staff will be contacting the Fraser Valley Regional District to discuss options for professional dog control services;
- I. Council wishes to implement an Urgent Animal Management on Cheam Lands to promote safe and respectful pet ownership;

NOW THEREFORE, this Cheam First Nation Animal Management Law, 2022 is hereby enacted as an URGENT Law at a duly convened meeting.

PART 1. NAME

- 1.1 This Law may be cited as the *Urgent Cheam First Nation Animal Management Law, 2022*.

PART 2. PURPOSE

- 2.1 The purpose of this Law is:

- (a) to regulate Pets and potentially dangerous domestic animals on Cheam Lands;
- (b) to protect citizens and property;
- (c) to ensure Members and residents can enjoy their Pets without causing danger or disruption to other Members and residents;
- (d) to promote responsible Pet ownership; and
- (e) to prevent cruelty to animals.

PART 3. WHERE THIS LAW APPLIES

- 3.1 The provisions of this Law apply to the whole area of the Reserve and Cheam Lands as defined in Cheam First Nation Land Code.

PART 4. DEFINITIONS

- 4.1 For the purposes of this Law, terms have the same definitions as in the Land Code;

- 4.2 For the purposes of this Law, the following definitions apply:

“Aggressive Dog” means a Dog that meets any one or more of the following conditions:

- (a) a Dog that has attacked, bitten or caused injury, with or without provocation, to a person or has demonstrated a propensity, tendency or disposition to do so;
- (b) a Dog that, while running at large, has bitten, killed or caused injury to a domestic animal;
- (c) a Dog that, while running at large, has aggressively Pursued or Harassed a person or domestic animal;
- (d) a Dog with a known propensity to attack or injure a person without provocation;

"Dangerous Dog" means a Dog that:

- (a) has killed or seriously injured a person;
- (b) a dog that has attacked, bitten, or caused injury, with or without provocation, to a person or demonstrated the propensity, tendency, or disposition to do so;
- (c) has killed or seriously injured a domestic animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog, or
- (d) an Animal Control Officer has reasonable grounds to believe is likely to kill or seriously injure a person.

"Dog" means any domestic animal of the canine species;

"Dwelling Unit" means one or more habitable rooms or structures intended or used for the residential housing;

"Enclosure" means a structure that:

- (a) is constructed to prevent the entry of children or the escape of any Dogs,
- (b) has a solid floor or sides embedded no less than 60cm into the ground,
- (c) has wire or steel mesh sides and an attached roof,
- (d) has a self-closing gate that can be locked,
- (e) forms a confined area with no sides in common with a perimeter fence;
- (f) meets any necessary requirements for an accessory structure contained within any applicable zoning law or regulation and,
- (g) for the purpose of this Law, an enclosure also includes a house from which or through which the Dog is not able to escape and or to cause injury to a person or animal located outside of the house;

"Exotic Animal" means any animal, other than a Cat, Dog, Livestock or Poultry, that was born in the wild or was bred or domesticated and that is kept as a Pet or domestic animal that and is:

- (a) is non-indigenous to the Cheam or Rosedale area or would ordinarily be considered a wild animal; or
 - (b) is a hybrid of a non-indigenous animal or wild animal and a domestic animal;
- and
- (c) is potentially harmful or poisonous (including but not limited to, wild canines such as wolves, wild felines such as tigers, large or venomous spiders, large or venomous snakes, and crocodiles and alligators, etc. but not including hamsters, gerbils, rabbits, chinchillas, and similar small rodent-like pets);

"Livestock" means cattle and other animals of the bovine species, horses, donkeys, mules, llamas, ostrich, swine, sheep or goats;

"Nuisance Dog" means a Dog

- (a) that has been impounded 3 times within the previous 24 months;
- (b) for which the Owner has received a ticket for their Dog or Cat running at large 3 times within the previous 24 months; or
- (c) for which the total number of impounds and tickets totals 3 within the previous 24 months;

"Owner" means any person:

"Pound" means the SPCA, or a facility designated by the City of Chilliwack, Fraser Valley Regional District, the SPCA or Council as a dedicated impoundment facility for Pets or Livestock;

"Premises" means a store, office, shop, building, home, warehouse, factory, structure, Enclosure, temporary or permanent stand, yard or other definite area occupied or capable of being occupied by a Person;

"Public Place" includes any highway and any real property owned, held, operated or administered by Cheam or by a school district located within Cheam;

"Pursue or Harass" means to persistently or repeatedly annoy or chase a person, a vehicle, or a domestic animal in what may be reasonably perceived as an aggressive manner or with perceived intent to cause injury;

"Seize" includes impound and detain;

"Spayed or Neutered" means a Dog that has been spayed or neutered by a veterinarian to prevent reproduction;

"Species Individual" in relation to an Exotic Animal, means a single live member of the species at any developmental stage; and

PART 5. PROHIBITIONS AND LICENSE REQUIREMENTS

Pets and Numbers of Pets

- 5.1 No person shall keep or allow to be kept on any real property or in any Dwelling Unit, Premises or Public Place, more than five (5) Pets, except in the lawful operation of a Breeding Kennel, Pet store, veterinary practice or other similar facility, as permitted pursuant to this Law and Cheam's Zoning Law, in force from time to time.
- 5.2 Despite section 5.1:
- (a) The number and type of Pets may be further regulated or limited by:
 - (i) Cheam Housing Policies or agreements;
 - (ii) A Council regulation; or
 - (iii) Court orders, SPCA orders or other orders.
 - (b) any person who, on the date this Law comes into effect is the Owner of more than five (5) Pets, subject to the rest of this Law, is entitled to keep each of these Pets until the Pet passes away or is no longer in the possession of the person;
- 5.3 No person shall possess or keep on any real property or in any Dwelling Unit, Premises or Public Place, temporarily or permanently:
- (a) any Species Individual or Exotic Animal;
 - (b) a pit bull; or
 - (c) any other breeds designated by Council by regulation or Resolution, except in accordance with a special permit granted by Cheam.

- 5.6 Subsections 5.7 to 5.19 do not apply unless and until Cheam implements a process for dog licensing.
- 5.7 No person shall keep or allow to be kept, on any real property or in any Dwelling Unit, Premises or Public Place, any Unlicensed Dog.
- 5.8 Despite section 5.7, a person does not require a license for a puppy until the puppy reaches six (6) months of age.
- 5.9 Once a licensing system is in place, every Owner of a Dog shall make application to Cheam for a license in the form provided by Cheam and pay the fee set out in Schedule "A" of this Law and, subject to this Law, upon receipt of the application and payment of the prescribed fee, Cheam shall issue a numbered Dog license tag.
- 5.10 Every Dog Owner shall ensure that a valid Dog license tag is displayed on each of their Dogs at all times by affixing it to the Dog by a collar, harness, or other suitable device.
- 5.11 Where an Owner of a licensed Dog has a change of address, or where the Dog is transferred to a new Owner, within Cheam Lands the Owner shall promptly notify Cheam and pay the license transfer fee set out in Schedule "A" of this Law.
- 5.12 Where a Dog has been duly licensed in a municipality or another jurisdiction, that license shall be valid in Cheam upon registration of the Dog with Cheam and payment of the license transfer fee set out in Schedule "A" of this Law.
- 5.13 Where a Dog license tag is lost, stolen or is otherwise rendered unusable, the Owner shall promptly make application to Cheam to replace the license tag and pay the license tag replacement fee set out in Schedule "A" of this Law.
- 5.14 No Dog license shall be issued to, or in the name of any Owner, under the age of 18 years for their Dog.
- 5.15 Every Dog license and corresponding license tag issued under this Law is valid only in respect of the Dog for which it was issued, as described on the license application, and is not transferable to another Dog.

Dog License Fees

- 5.16 Where an Owner makes application for a Dog license, the Owner shall pay the one-time license fee set out in Schedule "A" to this bylaw.
- 5.17 Despite section 5.16, no license fee is payable by an Owner for a Dog license for the purchase of the first license for each Dog but the license fees are payable in each subsequent year for each Dog.
- 5.18 The Owner of a Dog, that is not an Aggressive Dog or a Nuisance Dog, and who provides a veterinarian's certificate, letter, receipt or other acceptable confirmation from a veterinarian, at the time of application certifying or confirming that the Dog has been Spayed or Neutered, may pay the discounted license fee set out in Schedule "A" for Spayed or Neutered Dogs or Cats.
- 5.19 Subject to available time and resources, Cheam shall make reasonable efforts to work with veterinarians, the SPCA and other appropriate organizations to try and arrange for discounted

PART 6. DOG AND CAT CONTROL

Prohibitions

- 6.1 Subject to any permissions or exemptions, no Owner of a Dog shall permit or allow the Dog to howl or bark:
- (a) such that the howling or barking unreasonably disturbs persons in the neighborhood or vicinity;
 - (b) in an outdoor area between the hours of 7:00 p.m. and 11:00 a.m.; or,
 - (c) in an outdoor area for a period of 15 consecutive minutes or more at any time.
- 6.2 No Owner of a Dog or Cat shall permit or allow the Dog or Cat to:
- (a) trespass on private property;
 - (b) be on private land where the Dog or Cat is not contained, either by a fence and gate, a tether, an Enclosure, or other effective containment mechanism, unless the Dog or Cat is under the immediate control of a competent person;
 - (c) be in a Public Place unless the Dog or Cat is kept on a leash or tether not exceeding three meters in length and is under the immediate control of a competent person; or
 - (d) be in a place that is designated as a No Dog or No Cat area or zone by a Cheam law or Council Resolution.

Female Dogs and Cats In Heat

- 6.3 The Owner of a female Dog or Cat shall, at all times when that Dog or Cat is in heat, keep it securely confined indoors or within a building or Enclosure capable of preventing the escape of that Dog or Cat and the entry of other Dogs or Cats.

AGGRESSIVE DOGS AND DANGEROUS DOGS

- 6.4 Where, in the opinion of an Animal Control Officer, a Dog has been involved in an incident in which the Dog was an Aggressive Dog or a Dangerous Dog, the Animal Control Officer may submit a written report of the incident to the Chief Administrator Officer (CAO) or their designate.
- 6.5 The CAO or their designate has the authority under this Law to designate a Dog as an Aggressive Dog or a Dangerous Dog.
- 6.6 Except in emergency situations, before making a decision to designate a Dog as an Aggressive Dog or Dangerous Dog, the CAO or their designate shall send a letter to the Owner of the Dog including the written report and the proposal to designate the Dog and providing the Owner at least seven days to provide comments or questions.
- 6.7 If, in the reasonable opinion of the CAO or their designate, based on a written report or incident report, grounds exist to consider the Dog as an Aggressive Dog or a Dangerous Dog under this Law, a letter shall be sent to the Owner of the Dog confirming that Cheam has designated the Dog to be an Aggressive Dog or a Dangerous Dog and advising the Owner of the requirements for confining, identifying and restraining Aggressive Dogs and Dangerous Dogs under this Law.
- 6.8 Before making a designation under subsection 6.6, the CAO or their designate must consider whether the Dog was acting while in the course of
- (a) attempting to prevent a person from committing an unlawful act,
 - (b) defending or protecting their Owner or family or their property, or

- (i) on a leash or tether not exceeding six (6) meters in length;
- (ii) under the immediate care and control of a competent person; and
- (iii) muzzled to prevent it from biting a person or other animal;
- (b) shall pay all fees and charges associated with keeping the Dog;
- (c) shall, at the discretion of the Cheam Council, remove the dog from any Cheam Lands;
- (d) shall accept full responsibility and liability for any loss, claims or damages relating to the Dog;
- (e) permit Cheam or a veterinarian or professional as directed by Cheam Council or any jurisdiction or facility with which Cheam has an animal control agreement, to implant a microchip into the shoulder or neck area of the Aggressive Dog at the cost of the Owner; and
- (f) make available to Cheam for tracking and/or identifying purposes, the identifying information provided by the microchip.

6.11 Every Owner of a Dangerous Dog shall:

- (a) shall pay all fees and charges associated with keeping the Dog;
- (b) shall, at the discretion of the Cheam Council, remove the dog from any Cheam Lands or at the discretion of Cheam Council shall have the dog destroyed in accordance with sections 6.22 to 6.24;
- (c) shall accept full responsibility and liability for any loss, claims or damages relating to the Dog

6.12 Where the Owner of an Aggressive Dog or a Dangerous Dog request that the Dog be destroyed, the Animal Control Officer may arrange to have the Dog humanely destroyed at the expense of the Owner.

SEIZURE AND IMPOUNDMENT

6.13 The Animal Control Officer, or any Enforcement Officer or Peace Officer may seize any animal found:

- (a) running at large; and
- (b) with respect to a Dog, elsewhere than on the premises of the owner and not wearing a license tag as herein provided;

6.14 For section 6.15 below, the fees payable shall be the fees set out in Schedule "C" or by the authority that is operating the Pound, including penalty fees for Unlicensed Dogs, multiple impoundments, Aggressive Dogs, Nuisance Dogs and other infractions.

6.15 Where a Dog is impounded pursuant to this Law:

- (a) The Animal Control Officer shall make reasonable effort to determine the Owner of the Dog and to notify the Owner by telephone of the impoundment and the procedure to recover the Dog;
- (b) The Animal Control Officer shall make reasonable efforts to contact the Owner of a Dog if it is wearing a Dog license tag by calling the most recent telephone number in the license information for the Dog;
- (c) If the Animal Control Officer is not able to determine the Owner of a Dog, or contact the Owner of an animal by telephone, the Animal Control Officer must post a notice on the public notice board at Cheam's administration office describing the Dog and stating the date of impoundment and the impoundment period;
- (d) If a Dog has no license tag, the Animal Control Officer has no obligation to notify the Owner of the Dog;
- (e) The Owner must recover the animal, from the Pound, within 96 hours from the time of

- 6.16 Cheam, the Animal Control Officer or a Pound may provide for the adoption or humane destruction of any unclaimed animal after the expiration of 96 hours from the time of impoundment.
- 6.17 The Animal Control Officer will immediately notify the Cheam CAO or their designate in writing of each unclaimed dog that is impounded for a period of longer than 96 hours.
- 6.18 Where an impounded animal is adopted out pursuant to this Law:
- (a) Any monies received by Cheam from the sale of the Dog shall be applied against the fees and cost of impounding, boarding and adopting out the animal and any monies remaining and unclaimed after 30 days shall be credited to the account of the Cheam department that is administering this, Law; and
 - (b) It shall be the responsibility of the original Owner of the Dog to claim the proceeds from the sale of the animal, less the fees and cost set out in this section, within 30 days of the adoption of the Dog.
- 6.19 No person shall take, remove or release, or assist in the taking, removing or releasing, of any animal impounded by Cheam, an Animal Control Officer or a Pound without first obtaining the consent of an Animal Control Officer and paying all fees relating to the impound of the animal.

Impoundment and Release of Aggressive Dogs and Dangerous Dogs

- 6.20 The Owner of an Aggressive Dog that has been impounded, pursuant to this Law, may only reclaim the Dog upon application to the Animal Control Officer with the following:
- (a) proof of Ownership of the Aggressive Dog;
 - (b) payment of the fees prescribed by the authority that is operating the Pound; and
 - (c) delivery to the Animal Control Officer of an executed statement in the form prescribed in Schedule "B".
- 6.21 Despite section 6.20, where a Dangerous Dog is seized and where Cheam is making an application to a justice of the peace or court for an order for the destruction of a Dangerous Dog, the Animal Control Officer or Pound may refuse to release the Dangerous Dog to the Owner.

Destruction of Dangerous Dogs

- 6.22 Cheam or an Animal Control Officer may make a recommendation at any time to Council for an order to destroy a Dangerous Dog, whether or not the dog has been designated as a Dangerous Dog.
- 6.23 Any recommendation in subsection 6.22 must be supported by an incident report or other written report.
- 6.24 After reviewing the information in subsection 6.23, Council may designate a Dog as a Dangerous Dog and order its destruction.

PART 7. ANIMAL CARE AND CONTROL

Owners Responsible

- 7.1 Every Owner:
- (a) shall pay all fees and charges associated with keeping their Pet; and
 - (b) shall accept full responsibility and liability for any loss, claims or damages relating to their Pet.

from all other animals, and is under veterinary care for that disease.

Prohibition of Animal Abuse or Cruelty to Animals

- 7.4 No person shall keep any animal on Cheam Lands unless the animal is provided with:
- (a) clean, potable drinking water and sufficient and appropriate food on a daily basis;
 - (b) sanitary food and water receptacles;
 - (c) the opportunity for regular exercise sufficient to maintain the animal's good health;
 - (d) if enclosed,
 - (i) a cage, pen or Enclosure of sufficient size and height to permit each animal to turn about freely, stand, sit, and lie in a normal position and that is regularly cleaned;
 - (ii) a location near enough to a window or skylight to allow daily exposure to natural light, or an opportunity for daily outings or exercise in natural light out of doors;
 - (iii) sufficient ventilation to ensure circulation of air;
 - (e) clean bedding material and an area maintained at a temperature warm and dry enough to prevent the animal from suffering discomfort; and
 - (f) the necessary veterinarian care when the animal exhibits signs of pain, suffering, or disease.
- 7.5 All Pets must have an opportunity to go outside for exercise and to void their bowels and bladders at least twice daily or for cats or animals smaller than cats, must have appropriate litter boxes or similar facilities that are cleaned and maintained daily.
- 7.6 No person shall cause or permit:
- (a) more than one animal to be kept in a cage or pen unless the cage or pen is of sufficient size and height to permit each animal kept therein to move freely and easily;
 - (b) female animals in heat to be kept in cages or pens with unaltered male animals;
 - (c) puppy mills, kitten mills, or any forced breeding process which causes female animals to be overburdened with unnatural birthing cycles;
 - (d) Aggressive Dogs to be kept with other Dogs or animals; and
 - (e) animals under the age of 4 months of age to be kept with adult animals other than their dams.
- 7.7 No person shall keep any animal outside for extended periods of time unless the animal is provided with shelter capable of protecting the animal from heat, cold, puddles, rain and the direct rays of the sun.
- 7.8 No person shall keep any animal confined in an enclosed space, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering from the heat.
- 7.9 No person shall keep any animal hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.
- 7.10 No person shall keep any animal hitched, tied, tethered or fastened to a fixed object as the primary means of confinement for an extended period of time, but this does not prevent the use of a safe and appropriate pulley or run-line system where an animal has a safe and suitable collar attached to a lead which is in turn attached to a pulley running along a fixed line.
- 7.11 No Owner shall permit or allow any Livestock or Poultry to run at large outside of a suitable Enclosure or off the Owner's property.

Authority of Animal Control Officer

8.1 An Animal Control Officer may Seize:

- (a) any domestic animal or Pet that is unlawfully at large or whose Owner has contravened this Law; and
- (b) Any Dangerous Dog that is at large.

8.2 In order to determine if the provisions of this Law are being observed and, if necessary, to enforce this Law, an Animal Control Officer may:

- (a) in any case, enter onto any real property or into any Dwelling Unit or Premises at any time with the consent of the owner or occupier; and
- (b) enter any real property or into any Dwelling Unit or Premises on Cheam Lands, provided the Animal Control Officer gives 24 hours written notice to the Owner or occupant, except in the case of emergencies.

8.3 If satisfied by evidence given under oath or affirmation that there are reasonable grounds to believe that there is potentially a Dangerous Dog on a property or in a Dwelling Unit or Premises for which a justice may, by warrant, authorize an Animal Control Officer to enter and search the property or place and to seize the dog.

8.4 If:

- (a) it is impracticable for an animal control officer to appear personally before a justice to apply for a warrant in accordance with section 8.3, and
- (b) the officer believes on reasonable grounds that there is a Dangerous Dog in a Dwelling Unit or Premises,

the Animal Control Officer may contact the RCMP and seek assistance in gaining entry or securing a warrant.

8.5 No person shall obstruct or impede, or refuse or neglect to admit to any property, an Animal Control Officer in the execution of the Animal Control Officer's duties and powers under this Law.

8.6 Subject to this Part, an animal control officer may seize a Dog if the officer believes on reasonable grounds that the animal is a Dangerous Dog that is in a situation where the Dog may cause harm to any people or animals.

8.7 Subject to subsection 8.8, an Animal Control Officer may, without a warrant, enter and search any place, and seize a Dog, if the officer believes on reasonable grounds that

- (a) the Dog is a Dangerous Dog,
- (b) the Dog presents an imminent danger to the public, and
- (c) the purpose of seizing the Dog cannot reasonably be accomplished if the officer is required to obtain a warrant.

8.8 For the purposes of subsection 8.7, an animal control officer who is not a peace officer must be accompanied by a peace officer.

8.9 All Animal Control Officers have the authorities:

- (a) set out in this Law; and
- (b) also, without limiting any of their authorities under this Law, the same authorities as if they were designated Animal Control Officers under Section 49 of the *Community Charter* and may exercise the powers under section 49 in relation to Dangerous Dogs as if the *Community*

and each day that a violation continues to exist is deemed to be a separate offence against the Law.

8.12 Every person who commits an offence against this Law shall be liable upon summary conviction to a fine of not less than one thousand dollars (\$1,000.00) and not more than five thousand dollars (\$5,000.00).

8.13 Despite subsection 8.12, the fines and penalties set out in the *Prevention of Cruelty to Animals Act* [RSBC 1996] Chapter 372, apply to any person convicted of cruelty to animals under this Law or that Act.

Tickets

8.14 Any Animal Control Officer has the authority to issue tickets to any person who has contravened this Law and any such ticket is separate from and in addition to any other fees or penalties set out in this Law.

Collection

8.15 Outstanding fines, penalties or fees levied under this Law may be collected:

- (a) By sending the matter to a collection agency;
- (b) By requiring community service; and/ or
- (c) As a last resort, by withholding distributions or other benefits from Cheam First Nation to Members.

PART 9. GENERAL AND LEGAL

Severability

9.1 If a Court of competent jurisdiction holds any portion of this Law invalid, such invalidity shall not affect the remaining portions of the Law.

Delegations and Agreements

9.2 Council, the Chief, or a staff member or contractor authorized by Council by Council Resolution is authorized to enter into any necessary agreements or arrangements to implement and enforce this Law including agreements or arrangements with the RCMP, private law enforcement, the Fraser Valley Regional District or other entities.

9.3 Any arrangements or agreements in subsection 9.2 must either fit within existing program or other budgets approved by Council or be approved by Council for any expenditures outside of approved budgets.

Regulations

9.4 Council may make regulations or pass Council Resolutions as follows:

- (a) prescribing the form and content of Dog licenses to be issued under this Law;
- (b) prescribing the form and content of surrender documents for Owners of impounded animals and other similar documents;
- (c) prescribing fees and penalties;
- (d) prescribing ticketing amounts;
- (e) arranging for liability insurance for Animal Control Officers in the performance of their duties under any Agreement related to enforcement of this Law;
- (f) designating no-Dog or no-Cat zones or areas within Cheam Lands;
- (g) designating Animal Control Officers; or

with the requirements of the Land Code.

BE IT KNOWN that this Law entitled the Cheam First Nation *Animal Management Law, 2022* is hereby enacted by a quorum of Council at a duly convened Council of the Cheam First Nation held on June 14, 2022.

quorum consists of
Council Members 4

DocuSigned by:



A66FE334503E4EA

Chief Andrew Victor

DocuSigned by:



E6436DDF1BF34CB...

Councillor Annie Silver

Councillor Melvin Wilson

Councillor Stephanie Fredette

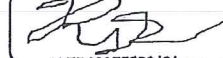
DocuSigned by:



A6E9DD3B3CCD451...

Councillor Luke Pike

DocuSigned by:



33ED623F552846A...

Councillor Ray Douglas

SCHEDULE "A"

DOG LICENSE FEES

Category

Fee

Nuisance Dog (each, per year)

\$ 100.00

Aggressive Dog or Dangerous Dog (each, per year)

\$ 200.00

SCHEDULE "B"
APPLICATION FOR RELEASE OF AGGRESSIVE OR DANGEROUS DOG

1. I, _____ (name of owner), of _____
_____ (address of owner), in _____, B.C.,
hereby apply for the release of my _____ (colour, breed and
gender of dog), named _____ (name of dog), (the "Dog") which has been
impounded under the *Cheam Animal Management Law, 2022* (the "Law").
2. I am the owner of the Dog.
3. I am aware that the Dog has been designated as _____ an Aggressive Dog/ _____ a Dangerous Dog under
the Law and that I am personally responsible and liable for the Dog.
4. In consider of the release of the Dog to me, I hereby acknowledge, covenant and agree with Cheam First Nation
:
(a) That I have constructed on my property where the Dog will be kept an "Enclosure" within the
specifications set out in the Law;
(b) That I will, at all times when the Dog is not effectively muzzled, on a leash and under the care and
control of a person who is competent to control the Dog, keep the Dog indoors or within the securely
closed and locked enclosure;
(c) That I will release, save harmless and indemnify the Cheam First Nation , its Animal Control Officers
and any of its other officers, employees, contractors, agents and elected or appointed officials from and
against any and all actions, causes of action, proceedings, claims, demands, losses, damages, costs and
expenses whatsoever and by whomsoever brought in relation to the Dog or my keeping or harbouring of
the Dog, and without limiting the generality of the foregoing, for any personal injury or death inflicted on
any other animal or any person by my Dog or any damage to property caused by my Dog; and
(d) That I am aware that if my Dog is ever again found to be at large or not confined as set out herein, that
Cheam or any Animal Control Officer may seize my Dog and I will be liable for the full costs and all
penalties of impounding an Aggressive Dog or a Dangerous Dog under the Law and that my Dog may be
ordered to be destroyed.
5. I hereby submit the sum of \$ _____ in payment of all license, impounding, boarding and other fees
and penalties payable by me under the Law.

_____, 202____
Date

Signature of Owner

SCHEDULE "C"
IMPOUND AND BOARDING FEES

Impound Fees

Fees based on number of Impoundments of the same dog in a 24-month period

Item	Fee
Licensed Dog – First Impoundment	\$40.00
Licensed Dog – Second Impoundment	\$80.00
Licensed Dog – Third Impoundment	\$140.00

Fees for Aggressive and Nuisance Dogs

Item	Fee
Aggressive Dog (not Spayed or Neutered)	\$1000.00
Spayed or Neutered Aggressive Dog	\$600.00
Nuisance Dog	\$500.00

Daily Boarding Fees

Item	Fee	
Dogs, small animals or Poultry (first part day and night)	\$10.00	Per animal for first part day and first night
Dogs, small animals or Poultry (each subsequent night)	\$50.00	For each subsequent night beyond the first night
Livestock or large animals		Actual cost plus a 15% administration fee

