

SISSETON-WAHPETON SIOUX TRIBE

CHAPTER 54

CONTROL OF DOGS

W.S.T. CODE
 Amendment
 New Adoption
Judicial Approved
04-05-77
Council Adopted
04-05-77

54-01-01 APPLICATION

Any Indian on the Lake Traverse Reservation desiring to keep, maintain, or have in his/her custody or control, a dog(s) shall make application, EACH YEAR, to the Tribal Police for a license to keep each dog.

54-01-02 The application shall be in writing stating:

1. Name of dog
2. Sex
3. Color
4. Other Distinguishing characteristics of Dog
5. Statement that this dog has no vicious propensities as far as known to applicant/owner
6. Address of applicant/owner
7. Statement that dog has a current rabies vaccination.

54-01-03 Five (5) days after making application, a license shall be issued to the applicant/owner, signed by the Tribal Police, which shall authorized the applicant/owner to keep the dog for a period of one year. However, if there should be good reason to believe that the dog is vicious or dangerous, the license shall be withheld until the Tribal Police is satisfied that a license should be issued.

54-01-04 If the Tribal Police are NOT satisfied and a license is NOT issued, the dog shall be detained by the Tribal Police for a period of ten (10) days for observation, and possible disposition according to 54-03-02.

54-02-01 FEE TAG

At the time of application for the license, the following fee shall be paid for each dog:

\$3.00 - - Female Dog
\$1.00 - - Male Dog

54-02-02 It shall be the duty of the Tribal Police to furnish and deliver to the applicant/owner a metallic a tag for each dog for which a license is issued. The metallic tag shall be stamped or engraved with a number for each dog.

54-02-03 It shall be the duty of the owner of the dog to securely fasten the metallic tag to a collar to be worn by the dog at all times. In case of the loss of any tag issued, the Tribal Police is authorized to issued a new tag the at the same price upon satisfactory proof that the tag has been lost.

54-03-01 **VICIOUS OR DANGEROUS DOG**

It shall be unlawful for any Indian to keep or maintain on his/her premises or on premises occupied by him/her within the boundaries of the Lake Traverse Reservation, any dog of a ferocious, vicious, or dangerous habit or disposition.

54-03-02 Any Police Officer, Housing Security Guard, or other person under proper authority is hereby empowered to pick up and detain any dog found to be of a ferocious, vicious, or dangerous disposition or habit and owner promptly notified. In the event the dog is found to be too ferocious, vicious, or in a dangerous disposition, the said proper authorities may destroy the dog.

54-03-03 It shall be lawful for any person to capture, detain, and deliver to, or notify the proper authorities of any untagged dog or properly tagged dog found running at large on the Lake Traverse Reservation.

54-04-01 **DOGS OF DESTRUCTIVE HABITS**

Any Indian who permits any dog to run at large within the Lake Traverse Reservation, and which dog is found to be in the habit of destroying personal property, and after being notified that the dog possesses such habits, shall be:

1. Required to pay damages to the injured party - said damages to be determined by the Tribal Court.

2. Required to pay the following fines:

First Offense : Class D at the discretion of the Judgement.

Second Offense: Maximum Class D, which is a \$60.00 fine; 30 days in jail.

Third Offense : Cause to destroy the dog.

54-05-01 **DOGS WITHOUT TAGS**

It shall be the duty of any Police Officer, Housing Security Guard, or person of proper authority to pick up and detain any dog without a proper tag that is running at large within the confines of the Lake Traverse Reservation.

54-05-02 A description of the dogs without tags that are being detained shall be posted in the appropriate District Center, Police Station, Public Hospital, Tribal Building, and B.I.A. Building for a period of ten (10) days.

54-05-03 If within those ten (10) days, the owner of the dog claims the untagged dog, and before the untagged dog is released, the owner shall:

1. Obtain a license from the Tribal Police according to 54-01-01.
2. Pay to the Tribal Police a fee of five dollars (5.00) per day for the maintenance of the dog for the number of days said dog was detained.

54-05-04 If at the end of the ten (10) days, no one has claimed the untagged dog, said dog shall be destroyed by the Tribal Police.

54-06-01 DOGS WITH TAGS RUNNING AT LARGE

It shall be the duty of any Police Officer, Housing Security Guard, or person or proper authority to pick up and detain any dog with a proper tag that is running at large within the confines of the Lake Traverse Reservation.

54-06-02 The properly tagged dog running at large shall be detained and the owner promptly notified.

1. The owner shall have ten (10) days to claim his/her dog.

54-06-03 If the owner claims the tagged dog within that time, the owner shall pay to the Tribal Police a fee of five dollars (\$5.00) per day for the maintenance of the dog for whatever number of days it was detained.

54-06-04 If the owner does not claim the tagged dog within ten (10) days, the Tribal Police shall destroy the dog.

54-07-01 LIABILITY OF OWNER

Any person owning, keeping, or harboring a dog, cat, reptile, bird, or domesticated furbearing animal shall be held liable for any injuries or damages incurred to persons or property or to other animals and may be charged with an offense and shall be sentenced to not more than a Class D Misdemeanor which shall carry a penalty of a \$60.00 fine, 30 days in jail, or both, and may be ordered to make restitution or to pay damages.

54-07-02 Any animal which bites a person shall be kept under observation by the Tribal Police for ten (10) days, and disposed of according to 54-07-01 or destroyed by the Tribal Police.

54-07-03 Any domesticated furbearing animal inflicting injuries upon any person or animal shall be picked up and detained by the proper authorities for ten (10) days and disposed of according to 54-07-01 or destroyed by the Tribal Police.

54-08-01 DOGS RUNNING AT LARGE

Any person who willfully permits their licensed dog to run at large without proper adult supervision shall be guilty of an offense and upon conviction thereof, shall be sentenced to a fine not to exceed twenty-five dollars (\$25.00) and court costs. Failure to comply by the owner will result in the termination of the license.

54-09-01 DOGS WITH, OR SUSPECTED OF, RABIES

After ten (10) days detention for observation and the dog is found to have rabies, it will be destroyed by the Tribal Police. If found that the dog does not have rabies, it shall be returned to its owner.

54-10-01 DISPOSITION OF ANIMAL REMAINS

Dogs or any furbearing animals which have been destroyed by the Tribal Police shall be incinerated.

54-11-01 SEVERABILITY

If any clause, sentence, paragraph, section, or part of this code shall, for any reason be adjudicated by any Court of competent jurisdiction, to be invalid or unconstitutional, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which the judgement shall have been rendered.

S. W. S. I. CODE

Amendment

New Adoption

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