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FOREWORD
FIRST NATIONS GAZETTE
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The inaugural issue of the *First Nations Gazette* was published in 1997, under the joint auspices of the Indian Taxation Advisory Board and the Native Law Centre. The vision for the *Gazette* was to provide official notice of and access to First Nation laws, particularly those dealing with property taxation matters. Over the past number of years, the *First Nations Gazette* has ensured that all those engaged with reserve lands are aware of the First Nation's governance over those lands.

The *First Nations Gazette* is published by the First Nations Tax Commission in conjunction with the Native Law Centre. The publication of the *First Nations Gazette* is governed by an Editorial Board.

In 2014, the *First Nations Gazette* transitioned to an exclusively electronic publication. While the *Gazette* is no longer being printed or distributed in hard copy format, it can be accessed, free of charge, on the *First Nations Gazette* website at fng.ca.

Part II of the digital *Gazette*, which is a register of First Nation legislation, is consolidated monthly, with the specific content of each volume listed in a hyperlinked table of contents. The First Nation legislation contained in Part II include laws required by federal statute to be published in the *First Nations Gazette*, and any other laws, by-laws and codes enacted by First Nations and submitted to the *Gazette* for publication.

The following laws are required by federal statute to be published in the *First Nations Gazette*:

- Local revenue laws enacted under the *First Nations Fiscal Management Act* and approved by the First Nations Tax Commission;
- Financial administration laws enacted under the *First Nations Fiscal Management Act* and approved by the First Nations Financial Management Board;
- Laws enacted under the *First Nations Goods and Services Tax Act*; and

First Nations may submit other laws, by-laws and codes for publication, such as

- By-laws enacted under sections 81 and 85.1 of the *Indian Act*;
- By-laws enacted under section 83 of the *Indian Act* and approved by the Minister of Indigenous and Northern Affairs;
- Land management codes adopted in accordance with the *First Nations Land Management Act*; and
- Election codes enacted under the *First Nations Elections Act*.

Format

As of July 2015, the *Gazette* reproduces all laws, by-laws and codes in the exact form in which they were submitted to the *Gazette*, including any errors or omissions. This process preserves the authenticity of the legislation in the form submitted to the *Gazette*. Although legislation is reproduced in its original form using a digital imaging process, the *Gazette* reserves the right to alter the layout of these documents for compilation and publication purposes. These alterations may include, but are not limited to, altering the page sizing and orientation, and the addition of page numbering, headers and footers. Laws, by-laws, and codes enacted by First Nations are published in the language in which they were approved.

Citation of Laws, By-laws, and Codes

Any law, by-law, or code published in the digital *First Nations Gazette* may be cited to the annual volume in which it is contained, for example, Kanaka Bar Indian Band Property Assessment Law, 2015, F.N. Gaz. 2016.20. The citation, as shown in the example, includes the following elements: Title, Gazette abbreviation, year, volume.



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PRÉFACE
GAZETTE DES PREMIÈRES NATIONS
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La première édition de la *Gazette des premières nations* a été publiée en 1997 sous les auspices de la Commission consultative de la fiscalité indienne et du Native Law Centre. La *Gazette* a été conçue pour donner la notification officielle des textes législatifs des premières nations, en particulier ceux portant sur les questions d'imposition foncière, ainsi que pour assurer l'accès à ces textes. Au cours des dernières années, la *Gazette des premières nations* a permis d'informer tous les intervenants concernés de l'exercice par des premières nations de leur gouvernance sur les terres de réserve.

À l'heure actuelle, la *Gazette des premières nations* est publiée par la Commission de la fiscalité des premières nations en collaboration avec le Native Law Centre. La publication de la *Gazette des premières nations* relève d'un Comité de rédaction.

En 2014, le passage de la *Gazette des premières nations* à une publication exclusivement électronique s'est fait avec succès. Bien qu'elle ne soit plus imprimée ou distribuée en format papier, vous pouvez continuer d'y accéder, gratuitement, sur le site Web de la *Gazette des premières nations* à l'adresse fng.ca.

La partie II de la *Gazette* numérique, qui consiste en un registre des lois des Premières nations, est consolidée chaque mois, et le contenu particulier de chaque volume est énuméré dans une table des matières hyperliée. Les lois des Premières nations qui se trouvent dans la partie II comprennent les lois qui doivent être publiées dans la *Gazette des premières nations* en vertu d'une loi fédérale, et tous autres lois, règlements administratifs et codes adoptés par les Premières nations et soumis à la *Gazette* aux fins de publication.

Les lois ci-dessous doivent être publiées dans la *Gazette des premières nations* en vertu d'une loi fédérale :

- les lois sur les recettes locales adoptées sous le régime de la *Loi sur la gestion financière des premières nations* et approuvées par la Commission de la fiscalité des premières nations;
- les lois sur l'administration financière adoptées sous le régime de la *Loi sur la gestion financière des premières nations* et approuvées par le Conseil de gestion financière des Premières Nations;
- les lois adoptées sous le régime de la *Loi sur la taxe sur les produits et services des premières nations*.

Les Premières nations peuvent soumettre d'autres lois, règlements administratifs et codes aux fins de publication, comme les suivants :

- les règlements administratifs adoptés en vertu de l'article 81 ou 85.1 de la *Loi sur les Indiens*;
- les règlements administratifs adoptés en vertu de l'article 83 de la *Loi sur les Indiens* et approuvés par la ministre des Affaires autochtones et du Nord;
- les codes de gestion des terres adoptés en vertu de la *Loi sur la gestion des terres des premières nations*;
- les codes électoraux adoptés en vertu de la *Loi sur les élections au sein de premières nations*.

Format

En date de juillet 2015, la *Gazette* reproduit tous les lois, règlements administratifs et codes dans la forme exacte où ils lui sont soumis, y compris toute erreur ou omission. Ce processus permet de préserver l'authenticité des lois dans la forme où elles sont soumises à la *Gazette*. Bien que les lois soient reproduites dans leur forme originale à l'aide d'un processus d'imagerie numérique, la *Gazette* se réserve le droit de modifier la présentation de ces documents aux fins de compilation et de publication. Ces modifications peuvent comprendre, sans s'y limiter, la modification de la taille et de l'orientation des pages et l'ajout de



numéros de page, d'en-têtes et de titres de bas de page. Les lois, les règlements administratifs et les codes adoptés par les Premières nations sont publiés dans la langue où ils ont été approuvés.

Renvois aux lois, règlements administratifs et codes

Les renvois aux lois, règlements administratifs ou codes publiés dans la *Gazette* numérique se font par indication du volume annuel où ils sont publiés, par exemple, *Kanaka Bar Indian Band Property Assessment Law, 2015*, F.N. Gaz. 2016.20. La référence contenue dans cet exemple comporte les éléments suivants : Titre, abréviation de la Gazette, année, volume.

Stipulation d'exonération de garanties et limitation de responsabilité

Les lois, les règlements administratifs et les codes adoptés par les Premières nations sont reproduits dans la *Gazette des premières nations* dans la forme exacte où ils lui ont été soumis. La *Gazette* est offerte à titre de service public. Tout le contenu est fourni « tel quel », et l'éditeur décline expressément toute responsabilité à l'égard de toute garantie, déclaration ou condition de quelque nature que ce soit se rapportant au contenu de la *Gazette*, qu'elle soit expresse, tacite ou légale, y compris, sans limitation, concernant la validité, l'exactitude ou la fiabilité de tout contenu de la *Gazette*. Toutes conditions ou garanties implicites, y compris, sans limitation, les garanties implicites de commercialité, d'adaptation à un usage particulier, de propriété ou de non contrefaçon, ou découlant d'une transaction, d'un emploi ou d'une pratique commerciale, sont expressément rejetées.

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British Columbia



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TSARTLIP FIRST NATION
ANIMAL CONTROL BYLAW, NO. 2021-01

A BYLAW RESPECTING THE CONTROL OF ANIMALS
FOR THE
TSARTLIP FIRST NATION

WHEREAS:

The Tsartlip First Nation Council deems it advisable, necessary, expedient and in the best interests of Tsartlip and all residents and occupants of the Reserve to establish a bylaw concerning the control of Dogs and Animals and to provide for the health and safety of all residents of Tsartlip Lands.

The Tsartlip First Nation Council has deemed it necessary to regulate the care and control of Dogs and Animals, to prevent nuisance and trespass by Dogs and Animals on Tsartlip Lands.

The Tsartlip First Nation Council has authority to regulate the care and control of Dogs and Animals, and provide for the health and safety of all residents of Tsartlip Lands pursuant to section 81(1)(e) of the *Indian Act* (Canada).

The Tsartlip First Nation Council is of the opinion that the uncontrolled ownership and running at large of Dogs and Animals may be detrimental to the health and safety and a nuisance to the residents of Tsartlip Lands.

NOW THEREFORE the Tsartlip First Nation Council enacts as a bylaw the following:

1 SHORT TITLE

1.1 This Bylaw may be cited as the "Animal Control Bylaw No. 2021-01".

2 DEFINITIONS

2.1 In this Bylaw, including the recitals, unless the content otherwise requires:

- (a) **"Aggressive Behavior"** means any behavior by a dog that demonstrates a threat or harm directed at a person or Animal and includes snarling, barking, biting, chasing, snapping, and attacking behavior;
- (b) **"Aggressive Dog"** means a dog that:
 - i) has without justifiable provocation displayed Aggressive Behavior toward a person or Animal; or



- ii) has without justifiable provocation caused injury to a person or Animal;
- (c) "**Animal**" means an animal, other than a Dog that is tame or kept, or that has been and is being sufficiently tamed or kept, to serve some purpose for the use of humans;
- (d) "**Animal Control Officer**" means the Person appointed by or contracted by Council from time to time for the purpose of administering, applying, and enforcing this Bylaw, and includes any person that may be delegated such responsibilities;
- (e) "**at large**" means any Dog or Animal being elsewhere other than on the premises of a person owning or having custody, care or control of such Dog or Animal and not being under the direct charge and effective control of a responsible and competent person;
- (f) "**Council**" means the governing Council of the Tsartlip First Nation elected pursuant to section 74 of the Indian Act;
- (g) "**Dog**" means both male and female of the species *Canis domesticus* apparently over the age of four months and includes Aggressive Dogs;
- (h) "**Enclosure**" means any fence, pen, run or other structure suitable to prevent the entry of young children, and suitable to confine a Dog or Animal, in conjunction with any other measures necessary to prevent a Dog or Animal from escaping, such as tethering;
- (i) "**Impounded**" means seized, delivered, received, or taken into the Pound, or into the custody of the Animal Control Officer or Pound keeper as provided in this Bylaw;
- (j) "**Muzzle**" means a humane basket-style fastening or covering device that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or with the dog's ability to drink;
- (k) "**Owner**" when used in relation to the ownership of a Dog or Animal, includes a person owning, possessing, having custody, care and control of a Dog or Animal, or permitting the Dog or Animal to remain about the person's parcel of land, building, dwelling, mobile home or premises and, where the Owner is under 18 years of age, the person responsible for the custody of the person under 18 years of age;
- (l) "**Pound**" means any premises maintained and operated for the purpose of keeping Dogs or Animals Impounded under this Bylaw;
- (m) "**Pound keeper**" means the individual or authorized agent of any corporation, society, governmental body, or other organization with whom Council has an agreement to perform any of the following tasks in accordance with this Bylaw:
 - i) the maintenance and operations of a Pound;
 - ii) to seize, keep or destroy Dogs or Animals;
- (n) "**Public Notice**" means written notice posted on the Tsartlip First Nation website and at the main administration office of the Tsartlip First Nation;
- (o) "**Tsartlip First Nation**" means the body of people formerly known as a "Band" under section 2 of the Indian Act and for whose use and benefit in common Tsartlip Lands have been set apart by Her Majesty the Queen; and
- (p) "**Tsartlip Lands**" as it relates to this Bylaw means West Saanich Indian Reserve No. 1.



3 ANIMAL CONTROL

- 3.1 The Council may appoint a person to act as an Animal Control Officer and any assistants to the Animal Control Officer as the Council deems necessary.
- 3.2 The Animal Control Officer is authorized and directed to administer and enforce this Bylaw. The Animal Control Officer may delegate the performance of his or her duties under this Bylaw.
- 3.3 Council may from time to time enter into agreement with an individual or an authorized agent of any corporation, society, governmental body, or other such organization to:
 - a) Carry out the provisions set in the Bylaw;
 - b) Enforce the provisions set in this Bylaw;
 - c) Act as a Pound keeper; and
 - d) Maintain and operate a Pound.
- 3.4 Council may, by a resolution, establish a charge or fees payable in respect of any matter administered under this Bylaw.

4 DOGS

- 4.1 Every Owner of a Dog is responsible for the care and control of the Dog and must:
 - a) Provide sufficient food and water for the Dog's humane survival;
 - b) Provide a clean and sanitary living environment for the Dog;
 - c) Refrain from punishing or abusing the Dog unnecessarily, or in a manner that amounts to cruelty; and
 - d) Ensure that the Dog does not become a nuisance.
- 4.2 No Owner of a Dog shall allow or permit a Dog to bark, yelp or howl or otherwise disturb the peace and quiet of other residents on Tsartlip Lands.
- 4.3 No Owner of a Dog shall allow or permit the Dog to be at large or to be elsewhere other than the premises of the Owner unless the Dog is under direct control of the Owner.
- 4.4 A Dog need not be confined as required in subsection 5.3, if the Dog is:
 - a) On a leash less than two meters long and held by a person capable of restraining the dog's mobility;
 - b) Used as a guide assistance dog; or
 - c) Being used by a person in aid of hunting activities.
- 4.5 The Owner of a Dog is responsible and liable for all damages caused by that Dog to any person, or personal or real property.
- 4.6 The Owner of a dog shall, when the dog is on public property or private property belonging to another person, immediately pick up and thereafter dispose of, any feces, vomit, or any other waste left by the Dog on the said property.



- 4.7 No person shall own, possess, or have care and control of more than six animals of which a maximum of four (4) can be Dogs at any time or in any place or premises on Tsartlip Lands.
- 4.8 If a person wishes to own, possess or have care and control of more than six animals for farm or agricultural purposes (e.g., raising chickens or cows), that person may apply in writing to Council for approval to have more than six animals. Notwithstanding sections 4.7 and 6.4 of this Bylaw, Council may grant exemptions to sections 4.7 and 6.4 on a case-by-case basis. Any exemption granted by Council under this section will be made by resolution and may be subject to conditions.
- 4.9 Every Owner of a female Dog which is in heat shall not permit the Dog to interact with intact Dogs (regardless of sex or age) and shall always have the Dog on a leash within control of Owner for the time in which the Dog is in heat.

5 - AGGRESSIVE DOGS

- 5.1 If an Animal Control Officer receives a credible complaint that a Dog has exhibited Aggressive Behavior, the Animal Control Officer may issue the Owner of the Dog written notice of that complaint, such written notice to include the following:
- a) The date, place and circumstances of the events alleged;
 - b) A written warning that either:
 - i. if the Dog that is the subject of the complaint is found to have exhibited Aggressive Behavior more than once, the Dog could be deemed to be an Aggressive Dog; or
 - ii. notwithstanding paragraph b) above, if a Dog exhibits serious aggressive behavior at first instance, including, but not limited to, causing injury to another person or Animal, an Animal Control Officer may immediately deem the Dog to be an Aggressive Dog without any prior warning and provide written notice thereof to the Owner; and
 - c) A copy of this Bylaw.
- 5.2 Where the Owner of a Dog has received a notice in the form set out in section 5.1(b)(i) above and an Animal Control Officer receives more than one credible complaint that the Dog has exhibited Aggressive Behavior, the Dog may be deemed to be an Aggressive Dog. If an Animal Control Officer deems a Dog to be an Aggressive Dog, the Animal Control Officer will issue a written notice to the Owner of that Dog advising the Owner that their Dog has been deemed an Aggressive Dog and of the requirements of this bylaw.
- 5.3 In addition to the general requirements that apply to Dogs under this Bylaw, any Owner of an Aggressive Dog must:
- a) Clearly post signs to that effect at any premises where the Aggressive Dog regularly resides;
 - b) Keep the Aggressive Dog in an Enclosure; and
 - c) If walking the dog, keep the Aggressive Dog on a secure leash and wearing a muzzle if it is not confined in an Enclosure.



- 5.4 Any person is permitted to destroy a Dog or Animal that is at large and in the act of pursuing, attacking, injuring, damaging, killing, or destroying a person, or another Dog or Animal.
- 5.5 A person or Animal Control Officer who kills a Dog or Animal pursuant to section 5.4, shall immediately report the incident to Council or the Animal Control Officer and notify the Dog or Animal's Owner.

6. CARE AND CONTROL OF ANIMALS

- 6.1 Every Owner of an Animal is responsible for the care and control of the Animal and must:
 - a) Provide sufficient food and water for the Animal's humane survival;
 - b) Refrain from punishing or abusing the Animal unnecessarily or in a manner that amounts to cruelty;
 - c) Provide a clean and sanitary living environment for the Animal; and
 - d) Ensure that the Animal does not become a nuisance.
- 6.2 No Owner of an Animal shall allow or permit the Animal to be at large, or elsewhere other than the premises of the Owner unless the Animal is under direct control of the Owner.
- 6.3 The Owner of an Animal is responsible and liable for all damages caused by that Animal to any other person, personal or real property.
- 6.4 No person shall own, possess, or have care and control of more than six animals of which four (4) can be Dogs at any time or in any place or premises on Tsartlip Lands
- 6.5 The Council may prohibit the keeping of an Animal on any area of Tsartlip Lands for health and safety reasons, provided it gives Public Notice of such prohibition.

7. SEIZURE AND RELEASE OF ANIMALS

- 7.1 The Animal Control Officer may seize and impound any Dog or Animal at large on Tsartlip Lands.
- 7.2 If reasonably possible, the Animal Control Officer will, in a timely manner, notify the Owner, of the impoundment of the Dog or the Animal.
- 7.3 If, in the view of the Animal Control Officer or Pound keeper, a Dog or Animal is suffering from an illness, injury, or for any other valid reason as deemed necessary by the Animal Control Officer or the Pound keeper, acting in good faith, the Animal Control Officer or the Pound-keeper may request the attendance of a veterinarian to the Pound. The Owner will be responsible for all costs of the Veterinarian. If Tsartlip First Nation pays for any veterinarian costs, Tsartlip First Nation may recover these costs from the Owner.
- 7.4 If, in the reasonable opinion of the Animal Control Officer or the Pound keeper, a Dog or Animal seized under this Bylaw is so severely injured or diseased, that the Dog or Animal needs to be destroyed for humane or health and safety reasons, then the Animal Control Officer or Pound keeper may cause the Dog or Animal to be destroyed.



- 7.5 An Owner has seven business days from the date they are provided notice that their Dog or Animal has been seized, to reclaim his or her Dog or Animal from an Animal Control Officer or the Pound.
- 7.6 If seven business days after the Animal Control Officer or Pound keeper has notified an Owner that his or her Dog or Animal has been seized and the Owner has not reclaimed the Dog or Animal, the Animal Control Officer or Pound keeper, may:
- a) Surrender the Dog or Animal to the BC SPCA or
 - b) Have the Dog or Animal destroyed in a humane manner.
- 7.7 The Animal Control Officer or Pound keeper may detain any Dog or Animal seized on Tsartlip Lands until the following amounts are paid to Tsartlip First Nation:
- a) All actual costs incurred by Tsartlip First Nation in administering this Bylaw with respect to the Dog or Animal, including costs for impounding, boarding, and transporting the Dog or Animal seized from Tsartlip Lands;
 - b) Any veterinarian fees incurred by Tsartlip First Nation under section 7.3; and
 - c) Any penalties or fees established under this Bylaw by Tsartlip Council from time to time.
- 7.8 An Owner must sign a receipt for any Dog or Animal prior to the release of the Dog or Animal from the Pound.

8 DISPOSAL OF ANIMALS

- 8.1 No damages or compensation are recoverable against the Tsartlip First Nation, or any member, contractor, agent, or employee of the Tsartlip First Nation, as a result of a Dog or Animal being destroyed under provisions of the Bylaw.
- 8.2 No Owner or person will be allowed to reclaim, purchase, or adopt a Dog or Animal that has been determined under this Bylaw to need to be destroyed.

9 OFFENCES AND PENALTIES

- 9.1 Every person who contravenes any part of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not more than one thousand dollars or to imprisonment of a term not exceeding thirty days pursuant to s.81(1)(r) of the *Indian Act*.

10 FEES, FORMS AND REGULATIONS

- 10.1 Council may by resolution establish, correct, revise or update the terms of any applicable fee schedules, forms, protocols or other related documentation that complement and support this Bylaw, and will make a copy of these available for viewing at the administrative offices of Tsartlip First Nation.



11. NOTICES

- 11.1 Any notice to the Tsartlip First Nation shall be made in writing to the Tsartlip First Nation and emailed to admin@tsartlip.com, or mailed, postage pre-paid or personally delivered to:
- Tsartlip First Nation
PO Box 70, #1 Boat Ramp Rd
Brentwood Bay, BC V8M 1R3
- 11.2 Notice from the Tsartlip First Nation to an Owner shall be in writing and mailed postage pre-paid or personally delivered to the last known address of the owner.

12. GENERAL

- 12.1 Words within this Bylaw importing the male gender include the female gender and vice versa, and words importing the singular number include the plural number and vice versa
- 12.2 This Bylaw shall be given such fair, large, and liberal construction and interpretation as best ensures the attainment of its objectives.
- 12.3 Head notes, marginal notes and provision headings form no part of this Bylaw but shall be construed as being inserted for convenience of reference only.
- 12.4 A finding by a court of competent jurisdiction that a section or provision of this Bylaw is ultra vires, void, or invalid, shall not affect or bear upon the validity or invalidity of any other section or part of this Bylaw, or this Bylaw as a whole.
- 12.5 Where a provision in this Bylaw is expressed in the present tense, future tense or in the past tense, the provision applies to the circumstances as they arise.
- 12.6 Any section of this Bylaw, including any schedules, may be amended by a Bylaw adopted by Council, and approved in accordance with the Indian Act.
- 12.7 Tsartlip First Nation, present or past Council, the Animal Control Officer or employees, servants or agents of the Tsartlip First Nation or Council are not liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this Bylaw or any other law, or from the neglect or failure, for any reason or in any manner, to enforce this Bylaw or any other law.

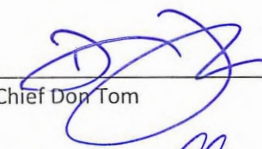
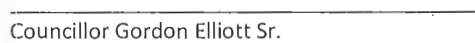
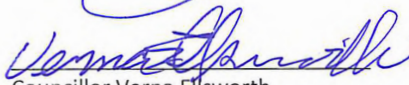
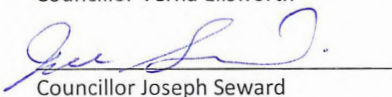

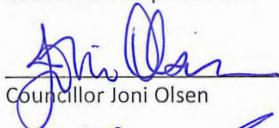

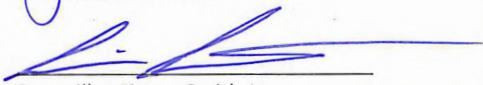



12.8 This Bylaw comes into force on the date it is passed by band council resolution.

THE ABOVE BYLAW IS HEREBY APPROVED AND PASSED by a majority of the Tsartlip First Nation Council at a duly convened meeting of the Tsartlip First Nation held at the Tsartlip Administration Office at

#1 Boat Ramp Road, Brentwood Bay, BC, this 16th day of November, 2021.

A QUORUM of COUNCIL consists of FIVE (5) Council members.

 _____ Chief Don Tom	 _____ Councillor Gordon Elliott Sr.
 _____ Councillor Verna Ellsworth	 _____ Councillor Howard Morris
 _____ Councillor Joseph Seward	 _____ Councillor Curtis Olsen
 _____ Councillor Joni Olsen	 _____ Councillor Paul Sam
 _____ Councillor Simon Smith Jr.	 _____ Councillor Philip Tom



Manitoba



Manto Sipi Cree Nation COVID-19 Health Protection By-law

By-law No. 2021-12-01 of the Manto Sipi Cree Nation

Being a By-law providing for special measures to respond to the serious and immediate threat to public health existing as a result of the COVID-19 pandemic

Enacted on the 06 day of December, 2021

WHEREAS:

The Manto Sipi Cree Nation (hereafter "the First Nation") has and exercises an inherent, Aboriginal and Treaty Right of self-determination that is recognized and affirmed by Articles 3, 4, 5, 34 and 35 of the United Nations Declaration on the Rights of Indigenous Peoples, Section 35 of the *Constitution Act, 1982* and is recognized, affirmed and protected by the terms of Treaty Number 5;

Whereas under section 81(1) of the *Indian Act, RSC 1985, c. I-5*, the First Nation as represented by the Council may make By-laws, not inconsistent with the *Indian Act* or with any regulation made by the Governor in Council or the Minister, for any or all of the following purposes:

- (a) to provide for the health of Residents on the Reserve and to prevent the spreading of contagious and infectious diseases;
- (b) the regulation of traffic;
- (c) the observance of law and order;
- (d) the prevention of disorderly conduct and nuisances;
- (n) the regulation of the conduct and activities of hawkers, peddlers or others who enter the Reserve to buy, sell or otherwise deal in wares or merchandise;
- (p) the removal and punishment of persons trespassing on the Reserve or frequenting the Reserve for prohibited purposes;
- (q) with respect to any matter arising out of or ancillary to the exercise of powers under this section; and
- (r) the imposition on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both, for violation of a By-law made under this section;

Whereas a contagious and infectious disease known as COVID-19 has been declared by the World Health Organization to be a global pandemic and has arrived in Manitoba;

Whereas the Chief Provincial Public Health Officer of Manitoba (CPHOM) has concluded that special measures are required to respond to the serious and immediate threat to public health existing as a result of the COVID-19 pandemic;

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Whereas the Members, Residents and non-residents at the First Nation have been disproportionately impacted by past pandemics;

Whereas the Members, Residents and non-residents at the First Nation are disproportionately vulnerable to the impacts of COVID-19 as they are living or working in conditions which put them at an elevated risk of infection with COVID-19 disease, experience crowded multi-generational living which makes segregation of at-risk groups challenging, are subject to precarious supply chain, infrastructure, and health systems which are vulnerable to critical disruption, have widespread and high levels of underlying and existing health conditions, have low incomes in many households and have limited access to medical services which result in the First Nation being peculiarly and particularly vulnerable to an outbreak of COVID-19 disease;

Whereas COVID-19 poses a serious and immediate threat to the health, safety and lives of the people of the First Nation, and especially to Elders, people with underlying health conditions; and other vulnerable community members, and requires the urgent coordination of action and special regulation of persons, property and infrastructure to protect the health, safety, well-being and lives of Members, Residents and non-residents on the First Nation;

Whereas First Nations are experiencing outbreaks of COVID-19 on Reserve, including among Members and Residents who are fully vaccinated against COVID-19;

Whereas public health officials strongly recommend that COVID-19 testing occur before travel to First Nations and before someone returns to a community if a resident has been away for more than 48 hours;

Whereas public health officials also acknowledge that individual First Nations may have further testing guidance in place that should be followed for all people travelling into those communities, including those who are fully immunized;

Whereas Provincial health orders including but not limited to the Order Prohibiting Travel to Northern Manitoba and Remote Communities provide that no person shall travel into northern Manitoba or a remote community unless they meet certain exceptions under the Order and do not display any symptoms of COVID-19;

Whereas Provincial health orders including but not limited to the Order Prohibiting Travel to Northern Manitoba and Remote Communities prohibit a person who is required to self-isolate under the Self-Isolation Order for Persons Entering Manitoba from travelling into northern Manitoba or a remote community unless they have completed the required period of self-isolation;

Whereas certain Provincial health orders have prohibited travel by residents of a specific First Nation to that specific First Nation if they are displaying any symptoms of COVID-19;



Whereas the Keewatinohk Inniniw Minoayawin Inc. (KIM) and the First Nations Health and Social Secretariat of Manitoba (FNHSSM) have made recommendations to respond to the potential effect of the COVID-19 pandemic on First Nations in Manitoba, including on the First Nation, and Canada's Chief Public Health Officer (CPHOC) and the CPHOM have made recommendations and issued orders designed to prevent and reduce the spread of COVID-19 disease, including orders prohibiting travel into northern Manitoba and remote communities, requiring social (physical) distancing, the wearing of masks, limiting the size of gatherings and other measures;

Whereas the First Nation as represented by Chief and Council has an obligation to protect the Members of the First Nation, Residents and non-residents and particularly Elders, children, those Members and Residents with underlying health conditions and other vulnerable community members and must take urgent action to protect the First Nation from an outbreak of COVID-19 and to be prepared to respond should any outbreak of COVID-19 occur;

Whereas the First Nation as represented by Chief and Council conclude that the urgent measures of a temporary nature as set out in this By-law minimally impair the rights and freedoms of Members and Residents in a manner that is necessary and in proportion to the threat and consequences to the public health and safety of Members and Residents represented by a potential outbreak COVID-19 and are reasonably linked to the obligation, goal and authority of Council to control the spread of contagious and infectious diseases and to provide for the observance of law and order on the Reserve(s) of the First Nation so long as a serious and immediate threat to public health exists is in effect; and

Whereas the First Nation as represented by Chief and Council recognize that the nature and effective period of any urgent measure of a temporary nature as set out in this By-law may be varied through a duly enacted By-law to reflect, be in accordance with or be harmonized with the medical evidence available and with any Public Health Order in effect at the time of the implementation, variation or effective period of any measure under this By-law.

Now Therefore the Council of the First Nation at a duly convened meeting enacts the following By-law.

Part 1: Name

1.1 This By-law may be cited as the Manto Sipi Cree Nation COVID-19 Health Protection By-law;

Part 2: Publication

2.1 Upon enacting this By-law, Council shall:

(a) Publish this By-law in the *First Nations Gazette*;



2.2 Upon enacting this By-law, Council may:

- (a) Post this By-law on an Internet site maintained by the First Nation, to remain at least until such date that it expires or is repealed;
- (b) Post this By-law in a public area in the First Nation Administration Building including a notice containing:
 - i. The date on which this By-law is in force;
 - ii. The time period in which this By-law will remain in force; and
 - iii. A summary of this By-law
- (c) Provide a copy of this By-law as soon as reasonably possible to the Peace Officers, First Nation Safety Officers and By-law Enforcement Officers who are enforcing this By-law, to Public Prosecutions of Canada (Manitoba Regional Office), and to common carriers serving the First Nation, as well as to the Pandemic Coordinator, the Nursing Station and the Health Centre.

Part 3: Interpretation

"Business" means:

- a) a retail store or other commercial establishment;
- b) an office building;
- c) a day care centre or nursery;
- d) a restaurant; and
- e) any other analogous establishments.

"Council" means the Council of the First Nation;

"COVID-19 Disease" means infection of persons with the SARS-CoV-2 virus;

"Curfew Hours" means the time period that all Residents must be inside their residence or other indoor location as may be designated and approved in advance by the Council through this By-law as it may be amended;

"Emergency" means for the purpose of s. 6.14 of this By-law, a serious and immediate threat to public health because of an epidemic or threatened epidemic of a communicable disease in circumstances where the threat to public health cannot be prevented, reduced or eliminated without taking special measures;

"Essential Service" means those services and functions considered essential to preserving life, health, law and order, and basic functioning of society, including but not limited to, the functions performed by the emergency and first responders, health care workers, critical infrastructure workers, transportation and utilities workers, and workers essential to supply critical goods such as food and medicines;



“First Nation By-law Enforcement Officer” means a person appointed by the Council under section 81(1)(c) and 81(1)(q) of the *Indian Act*;

“First Nation Organization” means the Keewatinohk Inniniw Minoayawin Inc, the First Nations Health and Social Secretariat of Manitoba, Inc., the Manitoba Keewatinowi Okimakanak, Inc., the Keewatin Tribal Council and the Assembly of Manitoba Chiefs;

“First Nation Safety Officer” means a First Nation Safety Officer within the meaning of *The Police Services Act*, C.C.S.M. c. P94.5, part 7.2, as amended, and appointed by the First Nation further to a First Nation Safety Officer Operating Agreement.

“First Nation Safety Officer Operating Agreement” means the Operating Agreement for a First Nation Safety Officer Program between The Government of Manitoba, as represented by the Minister of Justice and Attorney General of Manitoba, the Royal Canadian Mounted Police (RCMP) and the First Nation in accordance with Part 7.2 of *The Police Services Act*, as amended or extended;

“Fully Vaccinated Against COVID-19” means a person who:

(a) has received two doses of the Pfizer-BioNTech, Moderna or AstraZeneca/COVISHIELD vaccine for COVID-19 disease or two doses of any combination of those vaccines within a 16-week period and at least 14 days have passed since they received their last vaccine dose; or

(b) has received the Janssen COVID-19 vaccine and at least 14 days have passed since they were vaccinated;

“Gathering” means a grouping of persons in general proximity to each other who have assembled for a common purpose or reason and includes a wedding, funeral, reception or banquet, but does not include:

(a) a gathering in which all persons reside at the same private residence; and

(b) a gathering of employees at a business or facility or persons who are working at a worksite.

“Indoor Public Place” means any of the following:

- a) common areas of a residential building;
- b) a health care facility;
- c) an educational institution or facility;
- d) an enclosed place, other than a private residence, in which a private function is being held;
- e) a private club to which a member or invited person has access;
- f) a community centre;
- g) an indoor arena or hockey rink;
- h) a motor vehicle used for the public transportation of persons or property such as a bus, taxi or other vehicle for hire; or
- i) any other analogous indoor public places.



“Lockdown” means a declaration issued by the Council through a Schedule enacted as an amendment to and which forms a part of this By-law which requires all persons on the Reserve, except for those providing Essential Services as designated by Council in the Schedule, to remain inside their own residence or inside another indoor location designated and approved in advance by the Council during all hours of the day and during which Lockdown no persons, including Members and Residents, shall be permitted to enter the Reserve except for those persons and for such purposes as are expressly identified by Council in a Schedule forming part of this By-law;

“Member” means a person whose name appears on the membership list of the First Nation or who is entitled to have their name appear on the membership list of the First Nation;

“MKO First Nations Justice Strategy Program” means the Program established through the Contribution Agreement for the MKO First Nations Justice Strategy Program (2021-2022) between The Government of Manitoba, as represented by the Minister of Justice and Attorney General of Manitoba and the Manitoba Keewatinowi Okimakanak Inc.;

“Pandemic Coordinator” means the person or persons designated by Council to provide forms, receive and provide reports of persons who are self-isolating and report persons who are suspected, have self-reported or are confirmed to be infectious with COVID-19 disease in a manner consistent with their obligation to respect, protect and maintain the confidentiality of personal health information;

“Peace Officer” means the Royal Canadian Mounted Police (RCMP), a First Nation Safety Officer within the meaning of *The Police Services Act*, part 7.2, as amended, and appointed by the First Nation further to a First Nation Safety Officer Operating Agreement including but not limited to s. 19 and 22, and any officer or person appointed or recognized as have the powers and protections of a Peace Officer under the common law, an act of Parliament or an act of the Legislative Assembly of Manitoba;

“Permitted Person” for the purpose of access and travel to the Reserve within the meaning of sections 6.1(a) and 6.5(a) means:

(a) a Member;

(b) a Resident of the Reserve;

(c) a person who is travelling to the First Nation in order to establish their permanent residence, if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(d) a person travelling into the First Nation in the course of their duties with, or while providing services to or on behalf of,

(i) a First Nation Organization providing health services to First Nations in Manitoba or other essential services at the request of the First Nation;

(ii) the Government of Canada;



- (iii) the Government of Manitoba; or
- (iv) a Crown corporation or other government agency

if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(e) a health care provider who is travelling to the First Nation to provide health care services, if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(f) a person who is travelling into the First Nation to conduct or assist the conduct of a ceremonial or religious practice or event consistent with 6.9 of this By-law, if the person is not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(g) a professor, teacher or other educational professional who is travelling into the First Nation to teach, train or otherwise provide education programming or work at a post-secondary educational institution or a school, if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(h) a person who is travelling to the First Nation to attend classes or obtain instruction or training at a post-secondary educational institution or a school, if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(i) a person who owns, operates or is employed by a business who is travelling to the First Nation

- (i) to deliver goods or provide services normally provided by that business, or
- (ii) to engage in activities that the business normally conducts in the First Nation; and
- (iii) to operate a common carrier service;

if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;

(j) a person who is travelling into the First Nation

- (i) to facilitate shared parenting arrangements under a custody order or agreement; or
- (ii) in the course of their duties with a child and family services authority, along with any child travelling with the person;

if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;



- (k) a person who is travelling into the First Nation for an emergency medical purpose;
- (l) a person who is travelling into the First Nation for the purpose of participating in a trial or other judicial proceeding, if they are not displaying any Signs and Symptoms of COVID-19 or they provide a medical certificate certifying that their Signs and Symptoms are not related to COVID-19;
- (m) a person who is travelling into the First Nation to perform an essential service as defined in this By-law and who is not displaying any Signs and Symptoms of COVID-19 or provides a medical certificate certifying their Signs and Symptoms are not related to COVID-19;
- (n) a person who is travelling to the First Nation to visit a family member or friend who is in a health care facility with a life-threatening illness or injury if the health care facility and Council have authorized the visit and who is not displaying any Signs and Symptoms of COVID-19 or provides a medical certificate certifying their Signs and Symptoms are not related to COVID-19;
- (o) a person who is travelling to the First Nation to provide care to a family member or friend who is seriously ill but is not in a health care facility if Council has authorized the visit and who is not displaying any Signs and Symptoms of COVID-19 or provides a medical certificate certifying their Signs and Symptoms are not related to COVID-19;
and
- (p) any other persons in a special circumstance analogous to (c)-(o) who are not displaying any Signs and Symptoms of COVID-19 or who provides a medical certificate certifying their Signs and Symptoms are not related to COVID-19.

“Rapid COVID-19 Test” means

- (a) the Abbott PanBio COVID-19 antigen test;
- (b) the BD Veritor COVID-19 antigen test;
- (c) the Lucira Check it COVID-19 Test Kit; and
- (d) any other test for COVID-19 approved by the Chief Provincial Public Health Officer of Manitoba, the Governor in Council or included in a Schedule duly enacted and which forms a part of this By-law;

“Reserve” means all those lands set apart by Canada for the use and benefit of the First Nation in accordance with the terms of Treaty No. 5;

“Resident” means those persons living on Reserve, or entitled to live on the Reserve, including a Member, their spouse or common law partner and dependent children or any other person authorized by Council to live on the Reserve;

“Self-isolation” means a requirement for a person to remain in their residence or a location approved by Council except to attend an appointment with a health care



provider if it cannot be postponed or conducted remotely or to receive urgent or emergency care;

"Signs and Symptoms of COVID-19" means fever, sore throat, coughing and sneezing, a fever and a cough, or a fever and difficulty breathing, as and may include any other condition identified as a sign or symptom of COVID-19 by the Chief Provincial Public Health Officer of Manitoba and any order issued by the Governor and Council;

"Trespass" means the entry onto, or the presence on, the reserve by a person without lawful justification.

Part 4: Authorization and Application

4.1 Pursuant to its inherent Indigenous and Treaty Right of self-determination and to the authority pursuant to sections 81(1)(a)(b)(c)(d)(n)(p)(q)(r) of the *Indian Act*, the First Nation hereby enacts this Manto Sipi Cree Nation COVID-19 Health Protection By-law.

4.2 This By-law applies to the Reserves of the First Nation.

4.3 This By-law applies to all persons on the Reserve, including Members, Residents and non-residents of the Reserve.

Part 5 Enforcement

5.1 Pursuant to section 81(1)(a)(b)(c)(d)(p) and (q) and 103(1) of the *Indian Act*, a Peace Officer or a First Nation Safety Officer may:

- a) where they have reasonable grounds to believe an offence has been or is being committed, stop a person or vehicle for the purposes of monitoring, confirming and enforcing compliance with this By-law;
- b) where they have reasonable grounds to believe that a gathering is occurring at a residence in violation of sections 6.7(a), (b), 6.9(a)-(d) or 6.10(a)-(d) of this By-law, warn all persons attending the gathering to comply with section 6.7(a), (b), 6.9(a)-(d), or 6.10(a)-(d) of this By-law;
- c) where persons attending a gathering refuse to comply with a warning under section 5.1(b), search a residence for the purposes of monitoring, confirming, and enforcing compliance with gathering restrictions in section 6.7(a), (b), 6.9(a)-(d), or 6.10(a)-(d);
- d) attend a residence for the purposes of monitoring, confirming and enforcing compliance with:
 - (i) curfew requirements in section 6.13(a) of this By-law; and self-isolation and Rapid COVID-19 Test requirements in sections 6.3(b)(i) and (ii) and 6.15(a)(ii) of this By-law;
 - (ii) the requirements of a Lockdown under 6.14(a)(i) and (ii);
- e) where they have reasonable grounds to believe that an offence has been or is being committed, attend and enter a business for the purposes of monitoring, confirming and enforcing compliance with:



- (i) the occupancy restrictions in section 6.12(a); and
- (ii) the social distancing restrictions in 6.12(b);
- e) attend a business for the purposes of monitoring, confirming, and enforcing compliance with
 - (i) the hours of operation in section 6.11(a); and
 - (ii) the requirements of a Lockdown under 6.14(a)(i); and
- f) where they have reasonable grounds to believe that an offence has been or is being committed, arrest a person to ensure the health of residents on the reserve, to prevent the spread of contagious and infectious diseases, and maintain the observance of law and order.

5.2 A Pandemic Coordinator who has been designated and appointed by Council may provide forms for the purposes of this By-law, receive and provide to the Nursing Station, the Health Centre, Peace Officers, First Nation Safety Officers and By-Law Enforcement Officers information about and reports of persons who are self-isolating, have self-reported or are suspected or confirmed to have contracted COVID-19 disease in a manner consistent with their obligation to respect, protect and maintain the confidentiality of personal health information.

Part 6: Requirements and Offences

Travel to the Reserve:

6.1 Pursuant to Section 81(1)(a), (b), (c), (n), (p), (q), and (r) of the *Indian Act*:

- a) Subject to the requirements of this By-law, only a Permitted Person shall enter the Reserves of the First Nation while this By-law is in effect; and
- b) Every person who is on the Reserve without lawful justification in accordance with section 6.1(a) is deemed to be trespassing and guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Leaving the Reserve

6.2 Pursuant to Section 81(1)(a), (b), (c), (q), and (r) of the *Indian Act* a Member or Resident that leaves the Reserve may be refused re-entry to the Reserve pursuant to section 6.4.

- a) Council may amend section 6.2 through a Schedule duly enacted as an amendment to and which forms a part of this By-law.

Members and Residents Returning to the Reserve and not displaying Signs and Symptoms of COVID-19

6.3 Pursuant to Section 81(1)(a), (b), (c), (p), (q), and (r) of the *Indian Act*:



- a) A Member or Resident shall return to the Reserve only as permitted in this By-law.
- b) A Member or Resident returning to the Reserve and not displaying Signs and Symptoms of COVID-19, must
 - (i) Self-isolate for at least 14 days; or
 - (ii) Take a Rapid COVID-19 test at a nursing station or health centre to confirm that the Member or Resident is negative for COVID-19; or
 - (iii) Demonstrate they have taken a Rapid COVID-19 test within the previous 72 hours confirming the Member or Resident is negative for COVID-19; and
- c) Every person who returns to the Reserve in violation of s. 6.3(a) or (b) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Members and Residents displaying Signs and Symptoms of COVID-19 seeking to access the Reserve

6.4 Pursuant to Section 81(1)(a), (b), (c), (q), and (r) of the *Indian Act*:

- a) A Member or Resident shall not return to the Reserve if displaying Signs and Symptoms of COVID-19;
- b) For the purpose of 6.4(a), Member or Resident can access the Reserve if they can demonstrate they have taken a Rapid COVID-19 test within the previous 72 hours confirming the Member or Resident is negative for COVID-19 or they provide a medical certificate certifying their Signs and Symptoms are not related to COVID-19;
- c) Where a Member or Resident is unable to comply with section 6.4(b), the Pandemic Coordinator will facilitate access by a Resident seeking to return to the Reserve and who is displaying Signs and Symptoms of COVID-19 to an alternative isolation facility operated by a public health authority; and
- d) Every person who returns to the Reserve or comes onto the Reserve in violation of s. 6.4(a) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Masks

6.5 Pursuant to Section 81(1)(a), (c), (q), and (r) of the *Indian Act*:

- a) All Members, Residents, non-residents and Permitted Persons must wear a mask in an Indoor Public Place or a Business except where a person is:
 - (i) unable to put on or take off the mask without assistance due to age, ability or developmental status;
 - (ii) actively having breathing difficulties;



- (iii) a child under the age of five; or,
- (iv) needs to temporarily remove their mask while in the indoor public place for the purpose of (i) receiving a service that requires the removal of their mask, (ii) consuming food or drink, (iii) an emergency or medical purpose, or (iv) establishing their identity; and

b) Every person who fails to wear a mask in accordance with s. 6.5(a) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Social Distancing

6.6 Pursuant to Section 81(1)(a), (c), (d), (q), and (r) of the *Indian Act*:

- a) All Members, Residents, non-resident persons and Permitted Persons must maintain a separation of at least two metres from other persons whenever possible, unless:
 - (i) The Member, Resident or non-resident person requires assistance from a family member or care-giver;
 - (ii) The Member, Resident or non-resident person are travelling in a vehicle; or
 - (iii) The Member, Resident or non-resident ordinarily reside in the same household;
- b) As otherwise authorized by Council or a person designated by Council in a Schedule duly enacted to and which forms a part of this By-law; and
- c) Every person who fails to maintain social distancing measures in accordance with section 6.6(a) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Gatherings in Residences

6.7 Pursuant to Section 81(1)(a), (c), (d), (q), and (r) of the *Indian Act*,

- a) A person who resides in a private household must not permit any person who does not ordinarily reside in that household to enter or remain in the household unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- b) An outdoor gathering may be held on the property on which a private residence is located that involves occupants of that residence and no more than 10 other persons unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- c) Sections 6.7(a) and 6.7(b) do not apply to the Permitted Persons (c), (d), (e), (j), (m) and (o);



- d) Sections 6.7(a) or (b) do not apply to persons who have taken a Rapid COVID-19 test within 72 hours;
- e) Council may designate persons or numbers of persons to which sections 6.7(a) or (b) do not apply through a Schedule duly enacted as an amendment to and which forms a part of this By-law; and
- f) Every person who gathers in a private residence in violation of sections 6.7(a) or (b), as may be varied through an amendment to this By-law, is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Gatherings in Public

6.8 Pursuant to Section 81(1)(a), (c), (d), (q) and (r) of the *Indian Act*:

- a) Persons are prohibited from assembling at a gathering involving more than 25 persons or 25% of the usual capacity of the premises including as determined by *The National Fire Code*, whichever is lower, at any Indoor Public Place,
- b) Persons from different households are prohibited from assembling at a gathering involving more than 50 persons at an outdoor place;
- c) Council may vary sections 6.8(a) or (b) and designate the number of persons who may gather in a group at any Indoor Public Place or outdoor place through a Schedule duly enacted as an amendment to and which forms a part of this By-law; and
- d) Every person who gathers in public in violation of sections 6.8(a) or (b), as they may be varied, is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Ceremonial and Religious Gatherings

6.9 Pursuant to Section 81(1)(a), (c), (d), (q), and (r) of the *Indian Act*:

- a) A person other than a resident of a private residence must not gather for ceremonial or religious ceremony inside a private residence unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- b) A ceremonial or religious ceremony on the property of a private residence may involve the occupants of that residence and no more than 10 other persons unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- c) A ceremonial or religious gather at an Indoor Public Place may involve up to 25 persons or 25% of the usual capacity of premises including as determined by *The National Fire Code*, whichever is lower, so long as measures are implemented to ensure that all persons attending are reasonably able to maintain a separation of at least two meters from other persons at the ceremonial or religious gathering and so long as no person is displaying Signs and Symptoms



- of COVID-19, or a person has taken a Rapid COVID-19 test as may be required by Council in accordance with 6.9(e);
- d) A ceremonial or religious gathering at an outdoor place may involve no more than 50 persons so long as no person is displaying Signs and Symptoms of COVID-19, or a person has taken a Rapid COVID-19 test as may be required by Council in accordance with 6.9 (e);
 - e) Council may vary sections 6.9(a)-(d) and designate the number of persons which may gather at a ceremonial or religious gathering as well as measures to prevent the spread of COVID-19 disease through a Schedule duly enacted as an amendment which shall form a part of this By-law; and
 - f) Every person who attends a ceremonial or religious gathering in violation of sections 6(9)(a)-(d) as they may be varied), is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Funerals

6.10 Pursuant to Section 81(1)(a), (c), (d), (q), and (r) of the *Indian Act*:

- a) A person other than a resident of a private residence must not gather for a funeral ceremony inside a private residence unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- b) A funeral on the property of a private residence may involve the occupants of that residence and no more than 10 other persons unless otherwise provided in a Schedule duly enacted and which forms part of this By-law;
- c) A funeral at an Indoor Public Place may involve up to 25 persons or 25% of the usual capacity of premises including as determined by *The National Fire Code*, whichever is lower, so long as measures are implemented to ensure that all person attending are reasonably able to maintain a separation of at least two meters from other persons at the funeral and so long as no person is displaying Signs and Symptoms of COVID-19, or a person has taken a Rapid COVID-19 test as may be required by Council under 6.10(e);
- d) A funeral at an outdoor place may involve no more than 50 persons so long as no person is displaying Signs and Symptoms of COVID-19, or a person has taken a Rapid COVID-19 test as may be required by Council in accordance with 6.10(e);
- e) Council may vary sections 6.10(a)-(d) and designate the number of persons which may gather at a funeral as well as measures to prevent the spread of COVID-19 disease through a Schedule duly enacted as an amendment to and which forms a part of this By-law; and
- f) Every person who gathers at a funeral in violation of sections 6.10(a)-(d), as may be varied, is guilty of an offence punishable on summary conviction of a fine not



exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Hours of Business

6.11 Pursuant to Section 81(1)(a), (c), (n), (q), and (r) of the *Indian Act*:

- a) A business on the Reserve may be open for business between the hours designated by Council through a Schedule duly enacted as an amendment to and which forms a part of this By-law setting out the hours of the day that a business may be open; and
- b) Every owner of a business who violates s 6.11(a) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Occupancy of Business

6.12 Pursuant to Section 81(1)(a), (c), (n), (q), and (r) of the *Indian Act*:

- a) The Council may designate the occupancy of a business through a Schedule duly enacted as an amendment to and which forms a part of this By-law setting out either or both of the percentage of the usual capacity of the business or an absolute maximum number of persons permitted to attend the business, as Council determines are appropriate in the circumstances;
- b) A business may be open during the hours of the day designated by Council under section 6.11(a) if the operator of the business:
 - (i) limits the number of members of the public at the business to the occupancy of the business identified by Council in a Schedule duly enacted as an amendment to and which forms a part of this By-law; and
 - (ii) implements measures to ensure that members of the public at the business are reasonably able to maintain a separation of at least two metres from other members of the public;
- c) Every business owner that exceeds the occupancy restrictions under sections 6.12(b)(i) or the social distancing requirements under 6.12(b)(ii) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Curfew Hours

6.13 Pursuant to Section 81(1)(a), (b), (c), (d), (n), (p), (q), and (r) of the *Indian Act*:

- a) The Council may designate and enact through a Schedule duly enacted as an amendment to and which forms a part of this By-law the hours of the day in which every person on the Reserve, other than those persons providing Essential Services as designated by Council in the Schedule, shall be and remain inside



their own residence or inside another indoor location designated and approved in advance by the Council;

- b) Every person on the Reserve shall be and remain inside their own Residence or inside another indoor location designated and approved in advance by the Council during the hours of the day identified in the Schedule; and
- c) A Resident or non-resident who violates s. 6.13(a) or (b) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Lockdown

6.14 Pursuant to Section 81(1)(a), (b), (c), (d), (n), (p), (q), and (r) of the *Indian Act*:

- a) In the event of the determination by Council that an emergency exists or may exist in relation to an outbreak or a potential outbreak of COVID-19 disease on the Reserve, the Council may enact as a Schedule duly enacted as an amendment to and which forms a part of this By-law a declaration of a Lockdown which, when declared:
 - (i) requires all persons, other than those persons providing Essential Services as designated by Council in the Schedule, to remain inside their own Residence or inside another indoor location designated and approved in advance by the Council during all hours of the day until such time as the declaration of a Lockdown expires as set out in any Schedule to this By-law, or is rescinded in an amended Schedule to this By-law;
 - (ii) Prohibits every person, including Residents, from entering and coming onto the Reserve except for those persons expressly identified by Council in a Schedule enacted as an amendment to and which forms a part of this By-law as being permitted to enter and come onto the Reserve;
- b) Any person who violates section 6.1(a)(i) or (ii) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both.

Non-residents on the Reserve in Contravention of this By-law

6.15 Pursuant to section 81(1)(p), (q) and (r) of *The Indian Act*:

- a) non-residents of the Reserve who are determined by a First Nation Safety Officer or a Peace Officer to be in contravention of this By-law may be deemed to be trespassing and shall be ordered by the First Nation Safety Officer or the Peace Officer to leave the Reserve immediately, in addition to being subject to the applicable penalty for the contravention and offence; and
- b) Should the person so ordered in accordance with section 6.15 (a) fail to leave the Reserve, then the First Nation Safety Officer or the Peace Officer shall



immediately take steps to remove the person from the Reserve, in addition to the person being subject to the applicable penalty for the contravention and offence.

Persons with Signs and Symptoms of COVID-19

6.16 Pursuant to Section 81(1)(a), (c), (q), and (r) of the *Indian Act*:

- a) Persons with Signs and Symptoms of COVID-19 must report themselves to the Nursing Station or Health Centre and Pandemic Coordinator if they experience Signs and Symptoms of COVID-19 where they will be offered a Rapid COVID-19 test;
- b) If the person displaying Signs and Symptoms tests positive for COVID-19 or refuses to undertake a Rapid COVID-19 test, they:
 - (i) Must return to their Residence and remain there except to attend an appointment with a health care provider if it cannot be postponed or conducted remotely and for urgent or emergency care;
 - (ii) Must Self-Isolate for 14 days, or 24 hours after their Signs and Symptoms of COVID-19 have fully resolved, whichever is longer;
 - (iii) Must not leave their Residence for food, essential supplies or medicines as Council, the Pandemic Coordinator, or a person designated by the Council will make arrangements with the person for delivery to the Residence of the person of food, essential supplies and medicines;
 - (iv) Must be isolated from others within a Residence to the greatest extent possible; and
 - (v) Must wear protective hand and face coverings (i.e.: gloves, scarves, and/or face masks) if required to leave the Residence for emergency care, testing or assessment.
- c) A First Nation Safety Officer or Peace Officer or the Pandemic Coordinator may advise a person displaying signs and symptoms of COVID-19 to:
 - (i) maintain a distance of at least two (2) meters from other individuals in a residence where possible;
 - (ii) maintain regular electronic communication with the Pandemic Coordinator or other Public Health Officials designated in this By-law or a Public Health Order regarding the status and progress of any Signs and Symptoms of COVID-19 and if means of electronic communication are not available, by such other means as are identified in a Schedule duly enacted by an amendment to and which forms a part of this By-law;
 - (iii) wash their hands regularly with hot, soapy water for at least 20 seconds, and immediately whenever returning to a Residence; and
 - (iv) sanitize and disinfect common areas as recommended and as necessary;



- d) The Pandemic Coordinator must make arrangements for the person to attend the Nursing Station or nearest emergency service provider if their Signs and Symptoms of COVID-19 are worsening to a point where they cannot remain safely at home;
- e) Every person who contravenes s. 6.16(b)(i), (ii), (iii), (iv), or (v) is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both; and
- f) Sections 6.16(b) and(c) do not apply to persons with signs and symptoms of COVID-19 if the person can demonstrate they have taken a Rapid COVID-19 test within the previous 72 hours confirming the person is negative for COVID-19.

Restorative Justice

7.1 Pursuant to Section 81(1)(a), (c), (r) and (q) of the *Indian Act* and in keeping with the principles and objectives of the MKO First Nations Justice Strategy Program which provides the MKO First Nation communities with an alternative program that supports court diversions from the traditional court system for youth and adults facing criminal charges:

- (a) all offences by a Member under this By-law shall be examined in accordance with the principles and objectives of the MKO First Nations Justice Strategy Program regarding the appropriate penalties for the offence and to determine whether to:
 - (i) undertake restorative justice measures consistent with the MKO First Nations Justice Strategy Program; or
 - (ii) pursue a summary conviction and impose penalties in accordance with the applicable provision of this By-law.

Amendment and Extension

8.1 This By-law may be amended, including, without limitation, to extend the effective period of this By-law and to vary any restrictions and requirements in this By-law, by a quorum of Council at a duly convened meeting of Council. Council will promptly post and distribute the amended By-law in accordance with s. 2.1 of this By-Law.

Conflict of Laws

9.1 To the extent of any inconsistencies with previously enacted By-laws of the First Nation or provincial laws of general application, this Manto Sipi Cree Nation COVID-19 Health Protection By-law shall prevail.

9.2 Should a court determine that a provision of this By-Law is invalid for any reason, the provision shall be severed from the By-Law and the validity of the rest of the By-Law shall not be affected.




Effective Date and Term

10.1 This Manto Sipi Cree Nation COVID-19 Health Protection By-law comes into force on the day on which it is first published in the First Nations Gazette and shall remain in force for 120 days, unless this By-law is terminated or the term of this By-law is reduced or extended by Council through the repeal of or an amendment to this By-law including by a Schedule duly enacted as an amendment to and which forms a part of this Bylaw.


THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the First Nation this 06 day of December, 2021.

Voting in favour of the By-law are the following members of the Council:


Chief
(Member of the Council)


(Member of the Council)


(Member of the Council)


(Member of the Council)

(Member of the Council)

(Member of the Council)

(Member of the Council)

(Member of the Council)

being the majority of those members of the Council of the Manto Sipi Cree Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 3 members.

Number of members of the Council present at the meeting: 3





I, Chief John Ross of the Manto Sipi Cree Nation, do hereby certify that a copy of the foregoing By-law was published on the *First Nations Gazette*, pursuant to subsection 86(1) of the *Indian Act*, on the 06 day of December, 2021.

(Witness)

(Chief/Councillor)

(Print name)

(Print name)



Manto Sipi Cree Nation

God's River, Manitoba • ROB ONO • Canada

Bus. Phone: (204) 366-2011
Fax: (204) 366-2282

SCHEDULE TO THE MSCN COVID-19 HEALTH PROTECTION BYLAW

WHEREAS Chief and Council of the Manto Sipi Cree Nation declares that an emergency exists in relation to an outbreak of COVID-19 Reserve.

AND WHEREAS Chief and Council may enact as a Schedule duly enacted as an amendment to and which forms a part of the COVID-19 Health Protection Bylaw a declaration of a Lockdown which, when declared:

- (i) requires all persons, other than those persons providing Essential Services as designated by Council in the Schedule, to remain inside their own Residence during all hours of the day until such time as the declaration of a Lockdown expires as set out in any Schedule to this By-law; and
- (ii) prohibits every person, including Residents, from entering and coming onto the Reserve except for those persons expressly identified by Council in a Schedule enacted as an amendment to and which forms a part of this Bylaw as being permitted to enter and come onto the Reserve;

AND WHEREAS any person who violates Lockdown provisions of the COVID-19 Health Protection Bylaw is guilty of an offence punishable on summary conviction of a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both, pursuant to Article 6 of the COVID-19 Health Protection Bylaw;

NOW THEREFORE Chief and Council of the Manto Sipi Cree Nation declares a Lockdown whereby the following must be observed, pursuant to the COVID-19 Health Protection Bylaw:

- Persons providing Essential Services include medical professionals, law enforcement professionals, certain Band Office Employees, and service providers with prior approval from Chief and Council;
- All persons other than those persons providing Essential Services as designated by Council must remain inside their own Residence during all hours of the day until such time as the declaration of the Lockdown expires;
- The Lockdown will last until January 21, 2022 at midnight, unless amended by Council;
- All public, outdoor, and social gatherings are cancelled and shall not be attended by persons residing in the MSCN community until the Lockdown has ended;
- All persons subject to the Lockdown are required to abide by s. 6.1 – 6.16 of the COVID-19 Health Protection Bylaw; and
- All persons subject to the Lockdown are subject to the penalties stated in s. 6.1-6.16 of the COVID-19 Health Protection Bylaw.

This Schedule to amend the COVID-19 Health Protection Bylaw is hereby passed at a duly convened meeting of Chief and Council of MSCN on the MSCN reserve at God's River on January 14, 2022. (A Quorum of the Council is 3).


Chief John Ross


Councillor Dennis McKay







Quebec

RÈGLEMENT N^o 02-2021

RÈGLEMENT SUR LES ANIMAUX

CONSIDÉRANT QUE la *Loi sur les indiens* (chap. 1-5) confère aux conseils de bande le pouvoir de réglementer, sur leur territoire, quant à l'observation de la loi et au maintien de l'ordre, de même que relativement à la protection et les précautions à prendre contre les empiètements des bestiaux et autres animaux domestiques, l'établissement de fourrières, la nomination de gardes-fourrières, la réglementation de leurs fonctions et la constitution de droits et redevances pour leurs services;

CONSIDÉRANT QU'il y a lieu de réviser l'ensemble de la réglementation applicable sur le territoire de la communauté relative aux animaux et notamment d'y prescrire certaines mesures visant à responsabiliser le gardien d'un animal, à préserver l'hygiène et la santé publique, à limiter l'éventualité de dommages aux personnes, aux animaux et aux biens causés par un animal et à circonscrire le risque pour la sécurité publique que représente la présence, sur le territoire de la communauté, d'un animal potentiellement dangereux ou considéré dangereux;

CHAPITRE 1 : PRÉAMBULE

ARTICLE 1.

Le préambule ci-dessus fait partie intégrante du présent règlement.

CHAPITRE 11 - DÉFINITIONS

ARTICLE 2.

Dans le présent règlement, à moins que le contexte n'indique un sens différent, on entend par:

- Animal sauvage . Un animal qui, de par sa nature, vit habituellement dans les bois, les steppes, les déserts, la toundra, les zones arctiques, subarctiques et les marais à l'exception des oiseaux domestiques normalement vendus dans une cage par une animalerie. Comprend notamment les animaux indiqués à l'annexe « A » qui fait partie intégrante du présent règlement.
- Animal de compagnie : Animal qui vit près de l'homme pour l'aider ou le distraire et dont l'espèce est domestiquée, notamment : chien, chat, poissons d'aquarium, hamster, gerbille, gerboise, cochon d'Inde, furet ou lapin nain, etc. De plus, est considéré comme tel tout animal répondant à la définition d'un animal sauvage mais dont le poids normal à l'âge adulte ne peut excéder 15 kilogrammes et qui ne présente pas de risques de traumatismes, d'attaques ou de blessures pour la population de par sa nature ou sa réputation.
- Gardien: Être propriétaire, avoir la garde ou donner refuge, nourrir, entretenir un animal, le tolérer sur sa propriété ou l'accompagner, ou agir comme en être le maître. Agir à titre de père, mère, tuteur ou de répondant chez qui réside une personne mineure qui en est propriétaire ou qui en a la garde ou qui lui donne refuge, ou qui le nourrit ou entretient un animal ou l'accompagne ou agit comme si elle en était le maître.
- Place publique : Tout lieu à caractère public tels que chemin public, rue, ruelle, stationnement public ou ouvert au public, passage, trottoir, escalier, place, jardin, parc, promenade, quai, terrain de jeu, belvédère, voie cyclable ou piétonnière, stade, tout lieu de rassemblement extérieur où le public a accès, tout terrain appartenant à la communauté de Uashat mak Mani-Utenam et destiné à l'usage du public en général.
- Unité d'habitation: Pièce ou groupe d'au moins deux pièces destiné à servir à un particulier ou à une famille, pourvu d'installations de cuisson et sanitaires réservées à l'usage exclusif de ce particulier ou de cette famille et disposant d'une entrée privée de l'extérieur du bâtiment ou d'un couloir ou escalier commun à l'intérieur du bâtiment. N'y sont pas assimilés les hôtels, motels, pensions, maisons de chambres, maisons d'hébergement, véhicules de plaisance ou maisons mobiles.
- Unité d'occupation : Lot réservé grevé d'une unité d'habitation.



CHAPITRE 111- DISPOSITIONS ADMINISTRATIVES

ARTICLE 3.

Le présent règlement s'applique à l'ensemble du territoire de la communauté de Uashat mak Mani-Utenam.

ARTICLE 4.

Le conseil de bande est autorisé à conclure une entente avec toute personne ou organisme autorisant telle personne ou organisme à appliquer en tout ou en partie le présent règlement, notamment à percevoir le coût des licences et à les émettre. La personne ou l'organisme ainsi autorisé est également désigné pour les fins du présent règlement comme étant le contrôleur.

De plus et même si le conseil de bande se prévaut du paragraphe précédent, tout policier membre de la Sécurité publique de Uashat mak Mani-Utenam (ci-après appelée SPUM) a pleine autorité pour appliquer et faire respecter le présent règlement. Tout policier de la SPUM est donc également désigné pour les fins du présent règlement comme étant le contrôleur.

ARTICLE 5.

Le conseil de bande autorise de façon générale le contrôleur ou son représentant à entreprendre des procédures pénales contre tout contrevenant à toute disposition du présent règlement et en conséquence, autorise généralement ces personnes à délivrer des constats d'infraction utiles à cette fin.

ARTICLE 6.

Nul ne peut nuire au travail du représentant du contrôleur, l'empêcher de visiter et d'examiner un immeuble ou de faire respecter une disposition du présent règlement.

CHAPITRE IV - DISPOSITIONS GÉNÉRALES

1. GARDE DES ANIMAUX

ARTICLE 7.

Il est interdit de garder des animaux sauvages sauf, dans les cas suivants :

- 1) pour fins d'élevage et seulement dans la mesure où un tel usage est spécifiquement autorisé par la réglementation applicable sur le territoire de la communauté de Uashat mak Mani-Utenam;
- 2) pour fins de spectacles, de circulation ou d'exhibition avec l'autorisation préalable du conseil de bande et aux conditions prescrites;
- 3) dans la mesure permise par l'article 7 du présent règlement.

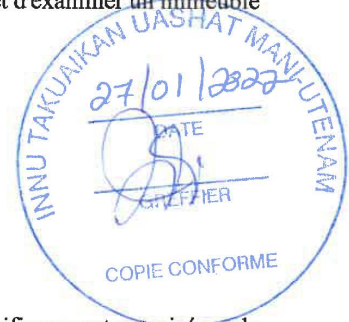
ARTICLE 8.

Il est interdit de procéder à l'élevage ou à la garde de volailles, lapins, animaux à fourrure, abeilles, bestiaux, chevaux ou autres animaux de ferme, sauf pour fins d'élevage et dans la mesure où un tel usage est spécifiquement autorisé par la réglementation applicable sur le territoire de la communauté de Uashat mak Mani-Utenam ou pour fins de spectacles, de circulation ou d'exhibition, mais dans ces trois derniers cas, avec autorisation préalable du conseil de bande et aux conditions prescrites.

ARTICLE 9.

Il est interdit de garder en liberté des animaux de compagnie sauf à l'intérieur des limites de l'unité d'occupation de son gardien ou ses dépendances ou à l'intérieur de toute autre unité d'occupation privée où il se trouve avec l'autorisation du propriétaire ou de l'occupant de cette unité d'occupation. Dans ces cas, l'article 58 du présent règlement s'applique mutatis mutandis.

Ailleurs qu'à ces endroits, l'animal de compagnie autre que le chat ou le chien doit être gardé en tout temps dans une cage, dont il ne peut par lui-même s'échapper.





ARTICLE 10.

Il est interdit d'élever ou de garder, de nourrir ou d'attirer à l'aide de nourriture des pigeons, goélands ou corbeaux sur l'ensemble du territoire de la communauté de Uashat mak Mani-Utenam.

ARTICLE 11.

Il est interdit d'avoir en sa possession sur une place publique, un rat, une souris ou tout autre rongeur.

ARTICLE 11.1

Il est interdit de procéder à l'élevage des rongeurs sur l'ensemble du territoire de la communauté de Uashat mak Mani-utenam. En conséquence, le gardien d'un rongeur doit prendre les mesures propres à limiter l'accouplement et la prolifération des rongeurs domestiques sous sa garde.

ARTICLE 12.

Il est interdit pour un gardien d'organiser ou de permettre que son animal participe à un combat avec un autre animal dans le but d'un pari ou pour fins de simple distraction ou de jeux.

ARTICLE 13.

Le propriétaire d'une animalerie opérant sur le territoire de la communauté de Uashat mak Mani-Utenam est tenu de remettre ou faire remettre à chaque personne qui acquiert un animal à son animalerie, copie du présent règlement.

2. DES ANIMAUX MALADES ET CONTAGIEUX

ARTICLE 14.

Tout propriétaire ou gardien d'un animal dont la garde est permise sur le territoire de la communauté devra le garder en bonne santé afin d'éviter la propagation de virus ou autre maladie contagieuse. Le conseil de bande autorise le contrôleur à faire procéder à une vérification médicale périodique des animaux.

ARTICLE 15.

Le contrôleur est autorisé à faire isoler jusqu'à guérison ou à faire procéder à l'euthanasie de tout animal atteint d'une maladie contagieuse, sur certificat médical d'un médecin vétérinaire et sous réserve des autres lois et règlements applicables.

ARTICLE 16.

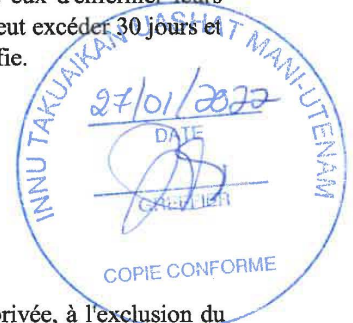
Lorsqu'il y a des motifs de croire qu'une épidémie met en danger la santé publique, le contrôleur peut donner un avis public enjoignant à tout membre de la communauté ou à certains d'entre eux d'enfermer leurs animaux et de les museler pour la période déterminée par le contrôleur, laquelle ne peut excéder 30 jours et doit, à l'expiration de ce délai, faire l'objet d'un renouvellement, si la situation le justifie.

Toute personne visée par cet avis public est tenue de s'y conformer.

3. DE L'HYGIÈNE PUBLIQUE CONCERNANT LES ANIMAUX

ARTICLE 17.

Le gardien d'un animal qui se trouve sur une place publique ou sur une propriété privée, à l'exclusion du terrain sur lequel est situé le bâtiment qu'il habite, doit avoir en sa possession des instruments nécessaires à l'enlèvement et à la disposition des excréments qui sont susceptibles d'être produits par son animal, soit au moins une pelle ou l'équivalent et un contenant ou un sac fait de matière plastique étanche.





ARTICLE 18.

Le gardien d'un animal doit prendre les moyens nécessaires pour enlever sans délai et de façon adéquate les excréments produits par son animal, tant sur une place publique que sur une propriété privée et doit les déposer dans un contenant ou un sac fait de matière plastique étanche et disposer de ce contenant ou de ce sac soit en le déposant à même ses ordures ménagères ou dans une poubelle publique, le cas échéant.

4. DES ANIMAUX ERRANTS ET DES ANIMAUX CONFIÉS EN GARDE ET PENSION À LA FOURRIÈRE

ARTICLE 19.

Nul ne peut, en tout temps, laisser errer un animal dont la garde est permise sur le territoire de la communauté et dont il est le gardien, sur une place publique ou une propriété privée autre que l'unité d'occupation et les dépendances du gardien de l'animal.

Le gardien doit prendre les mesures nécessaires pour l'empêcher d'errer, soit en l'attachant, en l'enclavant ou de toute autre manière.

Est considéré comme errant, aux fins d'application du présent règlement, tout animal qui, n'étant pas sur la surveillance directe et immédiate de son gardien, est trouvé ailleurs que sur l'unité d'occupation et les dépendances de ce dernier.

Plus particulièrement, est considéré comme errant, tout animal se trouvant à l'extérieur d'un véhicule ou dans la partie extérieure d'un véhicule sans être attaché au moyen d'une laisse suffisamment courte pour empêcher l'animal d'atteindre l'extérieur de la surface occupée par le véhicule lorsqu'il n'est pas en mouvement.

ARTICLE 20.

Le conseil de bande autorise le contrôleur à capturer tout animal trouvé errant et à l'amener à la fourrière.

ARTICLE 21.

Si l'animal capturé porte à son collier la licence requise par le présent règlement, le contrôleur tente de rejoindre le propriétaire enregistré de l'animal par téléphone, à défaut, lui envoie un avis, par courrier recommandé ou certifié, à l'effet qu'il le détient et qu'il en sera disposé après les trois (3) jours de la réception de l'avis.

ARTICLE 22.

Les frais de capture, de garde et de pension, de soins vétérinaires, de même que ceux d'une expertise prescrite par le présent règlement, de tout animal amené ou confié à la fourrière, en application du présent règlement, sont à la charge du gardien de l'animal.

ARTICLE 23.

Les frais, en cas de capture ou lorsqu'un animal est amené à la fourrière par le contrôleur, sont fixés comme suit :

1. Capture : 50 \$
2. Garde et pension : 8 \$/jour

Toute fraction de journée sera comptée comme une journée entière.

ARTICLE 24.

Les frais de soins vétérinaires ou d'expertises sont ceux qui ont été réellement encourus.

ARTICLE 25.

Lorsque le gardien d'un animal qui a été capturé ou amené à la fourrière par le contrôleur ou confié en garde et pension le réclame, il doit, au préalable payer, s'il y a lieu, le coût de la licence de l'animal et selon le cas, acquitter les frais de capture, de garde ou de pension ainsi que les frais de soins vétérinaire ou d'expertise réellement encourus pour l'animal et tous autres frais imposés par le présent règlement, le tout sans préjudice aux poursuites pouvant survenir pour les infractions au présent règlement qui ont pu être commises.





ARTICLE 26. (Article modifiée par# 21/22/82, adoptée le 1^{er} décembre 2021)

L'animal munie d'une licence valide, capturé ou amené à la fourrière par le contrôleur est gardé pendant sept (7) jours, durant lesquels son gardien peut en reprendre possession, après avoir satisfait aux conditions énoncées à l'article 25. Au terme de ce délai, le gardien est présumé avoir abandonné son animal. Le directeur de la SPCA ou son représentant, peut disposer de l'animal, soit par vente, donation, ou autrement.

ARTICLE 26.1 (Article ajoutée par# 21/22/82, adoptée le 1^{er} décembre 2021)

L'animal non-munie d'une licence valide, capturé ou amené à la fourrière par le contrôleur est gardé pendant trois (3) jours, durant lesquels son gardien peut en reprendre possession, après avoir satisfait aux conditions énoncées à l'article 25.

Au terme de ce délai, le gardien est présumé avoir abandonné son animal. Le directeur de la SPCA ou son représentant, est autorisé à disposer de l'animal, soit par vente, donation, ou autrement.

ARTICLE 26.2 (Article ajoutée par# 21/22/82, adoptée le 1^{er} décembre 2021)

Lorsque le gardien d'un animal qui a été capturé ou amené à la fourrière par le contrôleur une seconde fois ou plus, à l'intérieur d'un délai de trente (30) jours, le gardien est réputé avoir abandonné son animal. Le directeur de la SPCA ou son représentant est autorisé à disposer de l'animal sans délai, soit par vente, donation ou autrement.

ARTICLE 27.

Si un animal capturé, amené ou confié en garde et en pension n'est pas réclamé dans les délais mentionnés aux articles précédents, ou si les frais mentionnés à l'article 22 ne sont pas acquittés à l'intérieur des délais prévus au présent règlement, le contrôleur est autorisé à disposer de l'animal par vente ou par euthanasie.

Malgré le premier alinéa, tout animal capturé ou amené, tout animal confié en garde et pension qui est malade ou blessé, lorsqu'il est incurable et qu'il souffre, peut être, sur avis d'un médecin vétérinaire, éliminé par euthanasie, sans délai.

ARTICLE 28.

Lors de la saisie ou de la capture d'un animal, le contrôleur peut prendre tous les moyens requis pour assurer la sécurité des personnes ou des autres animaux.

ARTICLE 29.

Le contrôleur peut ramasser tout animal mort et en disposer. De même, il peut disposer du corps d'un animal qui meurt à la fourrière ou qui est éliminé conformément à l'une des dispositions du présent règlement, lorsque l'identité de son gardien est inconnue ou lorsque celui-ci refuse ou omet d'en disposer, dans un délai raisonnable.

CHAPITRE V - NUISANCE

ARTICLE 30.

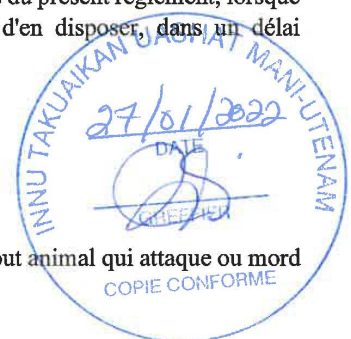
Constitue une nuisance et est prohibé, sur tout le territoire de la communauté, tout animal qui attaque ou mord une personne ou un autre animal.

ARTICLE 31.

Constitue une nuisance et est prohibé, sur tout le territoire de la communauté, tout animal qui cause un dommage à la propriété d'autrui.

ARTICLE 32.

Constitue une nuisance et est prohibé, sur tout le territoire de la communauté, tout animal qui aboie, miaule, hurle, gémit, grogne ou émet des sons de façon à troubler la paix, la tranquillité ou le repos d'une ou des personnes qui résident, travaillent ou se trouvent dans le voisinage ou est une source d'ennui pour ceux-ci.



CHAPITRE VI - DISPOSITIONS CONCERNANT LES CHIENS ET LES CHATS

1. DES CHIENS ET DES CHATS EN RUT

ARTICLE 33.

Le gardien d'une chienne ou d'une chatte en rut doit, durant cette période, enfermer adéquatement celle-ci afin d'éviter l'attroupement d'autres chats ou chiens.

2. NOMBRE DE CHATS ET DE CHIENS AUTORISÉS PAR UNITÉ D'HABITATION

ARTICLE 34.

La garde de plus de deux chiens et de plus de deux chats par unité d'habitation est interdite.

En conséquence, le gardien d'une chienne ou d'une chatte qui met bas doit, dans les quatre-vingt-dix (90) jour de mise bas, disposer des chiots ou des chatons.

Nonobstant ce qui précède, l'élevage de chiens de traîneau est permis dans les limites de la communauté, en autant que cet élevage soit fait aux endroits prescrits et en conformité avec l'ensemble de la réglementation applicable sur le territoire de la communauté.

Le présent article ne s'applique pas à un chien gardé dans un chenil ou à un chat gardé dans une chatterie, à un établissement vétérinaire et aux établissements commerciaux où se trouvent des animaux domestiques en vue de la vente, de la garde ou de l'entretien hygiénique ou esthétique de ces animaux.

3. DE LA LICENCE POUR LES CHIENS ET LES CHATS

ARTICLE 35.

Nul ne peut garder un chien ou un chat à l'intérieur des limites de la communauté, à moins d'avoir obtenu au préalable une licence conformément aux dispositions du présent règlement.

Le présent article ne s'applique pas à un chien gardé dans un chenil, ou à un chat gardé dans une chatterie et aux établissements commerciaux où se trouvent des animaux domestiques en vue de la vente de ces animaux, ni aux chiots ou chatons d'une femelle gardée dans une unité d'occupation ou ses dépendances avec la mère jusqu'à ce qu'ils aient atteint l'âge de quatre-vingt-dix (90) jours.

ARTICLE 36.

L'obligation prévue à l'article précédent d'obtenir une licence s'applique également aux chiens et aux chats ne vivant pas habituellement à l'intérieur des limites de la communauté, mais qui y sont amenés et qui sont gardés pour une période excédant trente (30) jours.

ARTICLE 37.

Toute demande de licence doit être présentée sur la formule fournie par le contrôleur.

ARTICLE 38.

La demande doit indiquer les noms, prénoms, adresses et numéros de téléphone du requérant de même que ceux du propriétaire de l'animal, s'ils sont différents, ainsi que la race, le sexe, l'âge, la date de naissance, la couleur de l'animal, de même que tous les autres indications utiles pour établir l'identité de l'animal incluant ses traits particuliers, le cas échéant.

ARTICLE 39.

Lorsque le requérant ou le propriétaire de l'animal est une personne mineure, le père, la mère, le tuteur ou le représentant de la personne mineure doit consentir à la demande au moyen d'un écrit produit avec celle-ci.





ARTICLE 40.

La licence, sous forme de médaillon, est valide pour une période d'une année à compter de son émission. Elle est incessible. Cette licence est renouvelable annuellement.

ARTICLE 41.

Le coût de la licence est indivisible et non remboursable.

ARTICLE 42.

Contre paiement du prix, le contrôleur remet au requérant un reçu et une licence sous forme d'un médaillon, indiquant un numéro d'immatriculation et ce médaillon est valide pour chaque renouvellement de la licence.

ARTICLE 43.

Pour assurer l'application du présent règlement, les tarifs suivants sont décrétés :

- | | |
|-------------------------------------|--|
| a. Euthanasie d'un animal : | 35 \$ |
| b. Licence pour chaque chien: | 20 \$/année |
| c. Licence pour chien de traîneau : | 20 \$/année pour chacun des 3 premiers chiens
10 \$/année pour chaque chien additionnel |
| d. Licence pour chaque chat : | 15 \$/année |



ARTICLE 44.

Le contrôleur tient un registre où sont inscrits les renseignements faisant l'objet de l'obtention d'une licence.

ARTICLE 45.

Advenant la perte ou la destruction du médaillon, le propriétaire d'un chien ou d'un chat à qui il a été délivré peut obtenir un médaillon de remplacement pour la somme de cinq dollars (5 \$).

ARTICLE 46.

Le médaillon remis en vertu de l'article 42 ou celui de remplacement en vertu de l'article 45 doit être attaché, en tout temps, au cou du chien ou du chat pour lequel la licence est émise sauf prescription médicale contraire d'un vétérinaire.

4. CHIENS D'ATTAQUE OU DE PROTECTION

ARTICLE 47.

Tout chien d'attaque ou de protection doit être gardé dans un chenil. En l'absence du gardien, un tel chien doit être gardé dans ce chenil sous verrou ou à l'intérieur d'un bâtiment fermé.

En plus, le gardien d'un tel chien doit identifier l'animal comme étant un chien dangereux à l'aide d'une affiche placée à proximité du chenil.

5. CHIENS ET CHATS DANGEREUX

ARTICLE 48.

Constitue une nuisance sur tout le territoire de la communauté de Uashat mak Mani-Utenam, tout chien ou chat dangereux. Aux fins du présent règlement, est réputé dangereux tout chien ou chat qui :

- Mord ou attaque une personne ou un autre animal ou manifeste autrement de l'agressivité à l'endroit d'une personne en grondant, en montrant les crocs, en aboyant férocement ou en agissant de toute autre manière qui indique que l'animal pourrait mordre ou attaquer une personne.



ARTICLE 49.

Le contrôleur, peut saisir et mettre à la fourrière un chien ou un chat réputé dangereux afin de le soumettre à l'examen d'un médecin vétérinaire désigné par le conseil de bande, lequel doit évaluer son état de santé, estimer sa dangerosité et lui faire ses recommandations sur les mesures à prendre concernant l'animal.

ARTICLE 50.

Le contrôleur doit informer le gardien de l'animal, lorsque ce dernier est connu, de la date, de l'heure et du lieu où il sera procédé à l'examen de l'animal.

ARTICLE 51.

Sur recommandation du médecin vétérinaire, le contrôleur peut ordonner les mesures suivantes à l'égard de l'animal, à savoir :

1. L'élimination par euthanasie;
2. Le muselage de l'animal pour la période qu'il détermine;
3. L'obligation pour l'animal d'être sous le contrôle constant de son gardien jusqu'à guérison complète ou jusqu'à ce que l'animal ne constitue plus un risque pour la sécurité des personnes ou des autres animaux;
4. Exiger de son gardien que l'animal porte une muselière lorsqu'il se trouve à l'extérieur de l'unité d'habitation ou les dépendances de son gardien;
5. Exiger de son gardien que l'animal soit rendu stérile;
6. Exiger de son gardien que l'animal soit immunisé contre la rage ou tout autre maladie contagieuse;
7. Exiger l'identification permanente de l'animal comme étant un chien dangereux;
8. Exiger de son gardien toute autre mesure jugée nécessaire et visant à réduire le risque que constitue l'animal pour la santé ou la sécurité publique.

ARTICLE 52.

Lorsque le gardien du chien ou du chat néglige ou refuse de se conformer aux mesures prescrites conformément à l'article précédent, l'animal peut être, le cas échéant, saisi à nouveau et éliminé par euthanasie.

Pour les fins de l'application du présent article, le contrôleur doit garder un dossier pour chaque animal qui fait l'objet des mesures visées à l'article 51.

ARTICLE 53.

Constitue une nuisance et est prohibé, sur tout le territoire de la communauté de Uashat mak Mani-Utenam:

1. Tout chien bull-terrier, staffordshire bull-terrier, american bull-terrier ou american staffordshire terrier,
2. Tout chien issu d'un chien de la race mentionnée au premier sous-paragraphe précédent et d'un chien d'une autre race;
3. Tout chien de races croisées possédant les caractéristiques substantielles d'un chien de race mentionné au premier sous-paragraphe.

ARTICLE 54.

Le contrôleur peut saisir et mettre à la fourrière un chien qui constitue une nuisance au sens de l'article 53 ou encore tout animal visé par les articles 51 et 52.



ARTICLE 55.

Le contrôleur doit informer par courrier recommandé ou certifié le gardien de l'animal qui constitue une nuisance, lorsque ce dernier est connu, qu'il peut récupérer son animal dans un délai de 3 jours, après le paiement des frais mentionnés aux articles 24 et 25, pour évacuation permanente et immédiate à l'extérieur du territoire de la communauté de Uashat mak Mani-Utenam.

Après ce délai ou à défaut par le gardien de procéder à l'évacuation immédiate et permanente de son chien, le contrôleur peut ordonner l'euthanasie de l'animal, sans autre avis au gardien de l'animal, le tout sans préjudice aux droits du conseil de bande de poursuivre pour les infractions au présent règlement qui ont pu être commises et sans préjudice aux poursuites pouvant survenir pour les infractions au présent règlement qui ont pu être commises et réclamer la totalité des frais de garde et de pension de l'animal ainsi que tous les autres frais encourus pour l'animal.

Si l'animal est retrouvé à nouveau sur le territoire de la communauté après son évacuation, le contrôleur peut ordonner l'euthanasie de l'animal, sans autre avis au gardien de l'animal, le tout sans préjudice aux droits de la communauté de Uashat mak Mani-Utenam de poursuivre pour les infractions au présent règlement qui ont pu être commises.

ARTICLE 56.

Tous les frais engendrés par l'application de la présente sous-section sont à la charge du gardien de l'animal.

5. COMPORTEMENTS À RESPECTER

ARTICLE 57.

Tout chien ou chat qui se trouve à l'extérieur des limites de l'unité d'occupation de son gardien ou ses dépendances ou à l'extérieur de toute autre unité d'occupation privée où il se trouve avec l'autorisation du propriétaire ou de l'occupant de cette unité d'occupation doit être tenu au moyen d'une laisse dont la longueur ne peut excéder deux (2) mètres. Cette laisse et son attache doivent être d'un matériau suffisamment résistant, compte tenu de la taille du chien ou du chat, pour permettre à son gardien d'avoir une maîtrise constante sur l'animal.

ARTICLE 58.

Lorsqu'il se trouve à l'intérieur des limites de l'unité d'occupation de son gardien ou ses dépendances ou sur toute autre unité d'occupation privée où il se trouve avec l'autorisation du propriétaire ou de l'occupant de cette unité d'occupation, tout chien ou chat doit être gardé selon le cas :

1. Sous la surveillance directe et immédiate de son gardien;
2. Dans un bâtiment d'où il ne peut sortir,
3. Sur un terrain clôturé de tous ses côtés. La clôture doit être d'une hauteur suffisante, compte tenu de la taille de l'animal, pour l'empêcher de sortir du terrain où il se trouve. La clôture doit être dégagée de toute accumulation de neige ou autre élément de manière à ce que les hauteurs prescrites soient respectées;
4. Tenu au moyen d'une laisse. Cette laisse et son attache doivent être d'un matériau suffisamment résistant, compte tenu de la taille de l'animal, pour permettre à son gardien d'avoir une maîtrise constante de l'animal;
5. Sur un terrain qui n'est pas clôturé de tous ses côtés, attaché à un poteau métallique ou l'équivalent, au moyen d'une chaîne ou d'une corde de fibre métallique ou synthétique. Le poteau, la chaîne ou la corde et l'attache doivent être d'une taille et d'une résistance suffisante pour empêcher le chien de s'en libérer. La longueur de la chaîne ou de la corde ne doit pas permettre au chien de s'approcher à moins de deux (2) mètres d'une limite du terrain qui n'est pas séparée du terrain adjacent par une clôture d'une hauteur suffisante, compte tenu de la taille de l'animal, pour l'empêcher de sortir du terrain où il se trouve.

ARTICLE 59.

Aucun chien ou chat ne peut se trouver sur une place publique, à moins qu'il ne soit contrôlé et tenu en laisse par son gardien.



6. AMENDES

ARTICLE 60.

Toute personne, propriétaire ou gardien d'un animal, qui enfreint ou laisse un animal enfreindre l'un des articles du présent règlement commet une infraction et encourt une amende de 100 \$ par infraction.

Toute personne, propriétaire ou gardien d'un animal, qui enfreint ou laisse un animal enfreindre le même article du présent règlement plus d'une fois à l'intérieur d'une période de douze (12) mois consécutifs commet une récidive et encourt une amende de 300\$ par infraction.

ARTICLE 61.

Si l'infraction est continue, cette continuité constitue jour par jour une infraction séparée et la pénalité édictée pour cette infraction peut être infligée pour chaque jour que dure l'infraction.

7. TRIBUNAL COMPÉTENT

ARTICLE 62.

La Cour du Québec est compétente pour entendre toute poursuite pénale intentée pour une infraction au présent règlement.

CHAPITRE VIII - DISPOSITIONS TRANSITOIRES ET FINALES

ARTICLE 63.

Le présent règlement est décrété, tant dans son ensemble, article par article et paragraphe par paragraphe, de manière à ce que si un article ou un paragraphe était ou devait être déclaré nul, les autres dispositions du présent règlement continueraient de s'appliquer en autant que cela soit possible.

ARTICLE 64.

Le présent règlement entre en vigueur conformément à la loi.



ANNEXE « A »

ANIMAUX SAUVAGES

- Tous les marsupiaux (exemple : kangourou, koala);
- Tous les siméens et les lémuriens (exemple : chimpanzé, etc.);
- Tous les arthropodes vénimeux (exemple : tarentule, scorpion);
- Tous les rapaces (exemple : faucon);
- Tous les édentés (exemple : tatous);
- Toutes les chauves-souris;
- Toutes les ratites (exemple : autruche).

CARNIVORES

- Tous canidés excluant le chien domestique (exemple : loup);
- Tous félidés excluant le chat domestique (exemple : lynx);
- Tous les mustélidés excluant le furet domestique (exemple : mouffette);
- Tous les ursidés (exemple : ours);
- Tous les hyénidés (exemple : hyène);
- Tous les pinnipèdes (exemple : phoque);
- Tous les procyonidés (exemple : raton-laveur).

ONGULÉS

- Tous les périssodactyles incluant le cheval domestique (exemple : rhinocéros);
- Tous les artiodactyles incluant la chèvre domestique, le mouton, le porc et le bovin (exemple : buffle, antilope);
- Tous les proboscidiens (exemple : éléphant).

REPTILES

- Tous les lacertiliens (exemple : iguane);
- Tous les ophidiens (exemple : python royal, couleuvre rayée); • Tous les crocodiles (exemple : alligator).





Innu TakuaiKAN
Uashat mak Mani Utenam

Résolution

N° consécutif

21/22/82

Date de l'assemblée
dûment convoquée :

1^{er} décembre 2021

Province
Québec

N° de référence
du dossier :

**MODIFICATION AU RÈGLEMENT SUR LES ANIMAUX 02-2010
ET ABROGATION DE LA RÉOLUTION PORTANT
LE NUMÉRO CONSÉCUTIF #10/11/08**

ATTENDU QU' : Il y a lieu d'abroger la résolution portant le numéro consécutif #10/11/08 adopté le 5 mai 2010 portant sur l'adoption du *Règlement sur les animaux* afin d'adopter la présente résolution;

ATTENDU QUE : Le 5 mai 2010, le règlement no 01-2010, a été adopté par ITUM et que ce règlement concerne la protection et les précautions à prendre contre les empiètements des bestiaux et autres animaux domestiques, l'établissement de fourrière, de garde-fourrières, la réglementation de leurs fonctions et la contribution de droits et devances pour leurs services le tout en vertu des alinéas e), q) et r) de l'article 81 de la *Loi sur les indiens*;

ATTENDU QU' : Il est nécessaire que ce règlement soit révisé par ITUM et qu'il est nécessaire de prendre certaines mesures afin de responsabiliser le gardien d'un animal, de préserver l'hygiène et la santé publique, de limiter les dommages aux personnes, aux animaux et aux biens causés par un animal et à circonscrire le risque pour sécurité publique que représente la présence d'un animal potentiellement dangereux;

ATTENDU QU' : ITUM entend modifier le règlement no 01-2010 *RÈGLEMENT SUR LES ANIMAUX* par le règlement 02-2021 *RÈGLEMENT SUR LES ANIMAUX* tel que présenté lors de la réunion du 1^{er} décembre 2021.

Kenny Régis

IL EST PROPOSÉ PAR :

Dave Vollant

APPUYÉ PAR :

IL EST RÉSOLU :

- D'abroger la résolution portant le numéro consécutif #10/11/08 adoptée le 5 mai 2010;
- De modifier le règlement no 01-2010 dès l'entrée en vigueur du règlement No 02-2021 *Règlement sur les animaux*;
- D'adopter les modifications au règlement No 02-2021 *Règlement sur les animaux*;

Quorum : 4

NORMAN D'AMBROISE | Conseiller

MIKE MCKENZIE | Chef

ANTOINE GRÉGOIRE | Vice-chef

JONATHAN ST-ONGE | Conseiller

DAVE VOLLANT | Conseiller

ZACHARIE VOLLANT | Conseiller



265, BOUL. DES MONTAGNAIS, C.P. 8000, SEPT-ÎLES QC G4R 4L9 - TÉL. : 418 962-0327 - FAX : 418 968-0937



**BY-LAW NO 04
of Kebaowek First Nation**

A By-law respecting the care and
control of animals on the reserve of Kebaowek First Nation

Enacted on the 23 day of May 2018

WHEREAS Kebaowek First Nation was formerly known as Eagle Village First Nation-Kipawa;

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected Council;

WHEREAS section 81, paragraph (a), (d), (e), (q) and (r), of the *Indian Act*, R.S.C., 1985, c. I-5 (“*Indian Act*”) empowers the Council of Kebaowek First Nation to pass by-laws to provide for the health of residents on the reserve, the prevention of nuisances, the protection against and the prevention of trespass by domestic animals, and matters arising out of or ancillary to the exercise of powers under this section, and the imposition of a penalty for the violation of any such by-law;

WHEREAS the Council of Kebaowek First Nation is of the opinion that the uncontrolled ownership, breeding, and running at large of animals may be detrimental to the health and safety of the residents on the reserve, and a nuisance to such residents;

WHEREAS the Council of Kebaowek First Nation has consulted with the Témiscamingue Regional County Municipality in an effort to adopt, where possible and beneficial for Kebaowek First Nation, harmonised rules that facilitate enforcement while responding the specific needs of Kebaowek First Nation;

THEREFORE, the Council of Kebaowek First Nation enacts this Animal Control Bylaw, Number ___, as follows:

Short title

1. This by-law may be cited as the “Animal Control By-law.”

Interpretation

2. In this by-law

“animal” means a dog, a cat, or any other animal kept, possessed or harboured by a person or persons on the reserve; (“*animal*”)



“officer” means a police officer, police constable, public security officer; (“*agent*”)

“band” means Kebaowek First Nation (formerly Eagle Village First Nation – Kipawa), which is a band defined by Section 2 of the *Indian Act*; (“*bande*”)

“cat” means any cat, male or female; (“*chat*”)

“Council” means the Council of Kebaowek First Nation (formerly Council of Eagle Village First Nation – Kipawa), including its Chief, which is a band council as defined in the *Indian Act*; (“*Conseil*”)

“dog” means any dog, male or female and includes an animal that is a cross between a dog and a wolf; (“*chien*”)

“dog catcher” means a person employed by Kebaowek First Nation for the purpose of removing animals from the reserve; (“*ramasseur de chiens*”)

“dwelling” means each single unit home being a fully or semi-detached building, a multiple unit dwelling, an apartment home or any building used or intended to be used for human habitation and in which normal domestic functions may be carried on; (“*logement*”)

“minor” means a person not yet 18 years of age; (“*mineur*”)

“owner” of an animal includes a person who possesses or harbours an animal, and a person who is temporarily charged with control of an animal in the absence of the original owner; the terms “owns” and “owned” have a corresponding meaning; (“*propriétaire*”)

“at large” or “running at large” means off the premises of the owner or not under the control of any person; (“*en liberté*” ou “*courir en liberté*”)

“reserve” means Kebaowek First Nation (formerly known as Eagle Village First Nation – Kipawa), which is a reserve as defined by the *Indian Act*; (“*réserve*”)

“vicious dog” includes

- a) any dog that demonstrates any ferocious, vicious, or aggressive behaviour;
- b) any dog that an officer or dog catcher, upon reasonable and probable grounds, believes to be a vicious dog;
- c) any dog which has bitten another animal or human without provocation. (“*chien méchant*”)

Application

3. This by-law applies to all owners of animals residing in or visiting Kebaowek First Nation.



4. Each adult owner is responsible for his or her own conduct and the conduct of any minor child whom the owner allows to take charge of the animal.
5. If the owner of an animal is a minor, the adult who has custody of the minor owner is responsible for the conduct the child.
6. If a child commits an infraction in accordance with the present by-law, any adult who has care of the child can be held responsible for the infraction.
7. New residents to Kebaowek First Nation shall comply with the present by-law even if their animal is registered with a municipal corporation, another First Nation or other public entity.

Limitations on animals per dwelling

8. (1) It is prohibited to keep, harbour or possess more than three (3) animals per dwelling, subject to the further restrictions in subsection (2);
 - (2) It is prohibited to keep, harbour or possess more than two dogs or two cats per dwelling.
 - (3) The owner or, if the owner is a minor, the parent of the minor owner of a dog or cat has 90 days after the dog or cat gives birth to comply with subsections (1) and (2).
 - (4) The provisions of subsection (1) shall not apply to fish and other aquatic vertebrae.

General Prohibitions

9. (1) Subject to subsection (2), every owner of a dog shall keep the dog safely tethered or penned up at all times.
 - (2) A dog need not be tethered or penned up as provided in subsection 9(1) if the dog:
 - a) is held on a leash of a maximum of 2 metres long by a person capable of restraining the dog's movements; or
 - b) is used by a visually impaired person as a guide dog.
 - (3) No owner shall allow a female dog in heat to remain in any public place unless the animal is attached to a leash and is accompanied by and is under the observation and control of the owner or his agent.
 - (4) The owner who fails to take all necessary measures to ensure that his or her dog is under control or supervision or in the possession of the owner at all times, upon any property on the reserve, is guilty of an offence.



- (5) The owner of a dog shall, when the dog is on public property or private property belonging to another person, immediately pick up and thereafter dispose of, in a hygienic manner, any feces, vomit, or any other waste left by the dog on the said property.
- (6) No owner shall permit a dog to bark, yelp, growl or otherwise annoy or disturb the peace of residents on the reserve.
- (7) Any owner of a dog who has bitten someone shall inform the police services within 24 hours of the incident.
10. The owner of an animal which causes damage, other than the damage referred to in subsection 9(5), to any property including moveable property, lawns, flower gardens, flower beds, bushes or plants, garbage or other parts of property, is guilty of an offence.
11. No one shall allow an animal under his or her care to remain unfed or without water whereby it either amounts to cruelty or causes the dog to become a nuisance.
12. No person shall punish or abuse an animal in a manner which is cruel or unnecessary, including by unnecessarily hitting the animal, by overloading it, or by keeping it in a way that could cause harm to the animal.
13. No owner shall abandon an animal in an effort to dispose of it.

Prohibitions within Specific Areas of the Reserve

14. (1) The Council may at any time prohibit the keeping of animals within any area of the reserve.
 - (2) Notice of any prohibition made by council pursuant to subsection (1) shall be posted in the band office and after the date of the posting of such notice, no person shall keep or have an animal within the prohibited area.
15. (1) Subject to subsection (2), an animal is not permitted in an establishment that serves food to the public or in a public building, except for a guide dog used by a visually impaired person.
 - (2) Police dogs or other animals used by security forces for professional safety and security reasons may enter an establishment open to the public provided that the animal remains at all times under the control of its handler.
16. No person may establish, own or operate an establishment or facility for the boarding or treatment of animals within the limits of the reserve, without express written authorization to that effect from council.



17. No person shall feed seagulls, pigeons or other birds in a manner or location that could encourage these birds to assemble in sufficient numbers to cause inconvenience to neighbours, damage a neighbouring building disturb garbage or otherwise make a mess of the premises.

Vicious Dogs

18. It is prohibited and constitutes a danger to public safety to keep anywhere on the reserve a dog that is:
- a) vicious, dangerous, has rabies or has previously attacked another domestic animal or a person;
 - b) of the Bull Terrier, Staffordshire Bull Terrier, American Bull Terrier or American Staffordshire Terrier breeds or a hybrid of one of these breeds (commonly known as “Pit Bulls”);
 - c) of the Rottweiler or Doberman Pinscher breeds or a hybrid of one of these breeds.
19. Residents of Kebaowek First Nation who already possess a prohibited breed or hybrid of the dogs listed in paragraphs 18(b) and (c) upon the adoption of this by-law may continue to keep the otherwise prohibited dog in a manner that complies with the other provisions of this by-law. However, these same residents shall not keep any off-springs of the prohibited dog nor acquire new prohibited dogs following the adoption of this by-law.
20. Residents who wish to avail themselves of section 19 of the present by-law must be able to provide proof that this section applies to them, upon request by Council.

Wild and Exotic Animals

21. It is prohibited to keep, possess or harbour a wild animal.
22. No person may keep, possess, harbour or traffic in big cats, poisonous animals or predatory reptiles, such as pythons, except if the animal in question is part of an event or activity presented by a zoo, circus or nature exhibition, in which case all required safety measures to protect the public should be taken by the event organiser, circus owner or zoo owner, as the case may be.

Removal of Animals from Reserve

23. An officer may visit and examine, between 7 a.m. and 7 p.m., all property both inside and outside of any house, structure or building, to determine whether the present by-law is being complied with. Any owner, tenant or occupant of the house, structure or building in question shall permit entry to the officer and answer all questions asked pertaining to compliance with this by-law.



24. Any dog found at large on the reserve may be removed from the reserve by an officer or dog catcher.
25. The dog shall be taken to the North Bay and District Humane Society or to an equivalent service provider with whom Kebaowek First Nation may, from time to time, establish a partnership for the purpose of animal control.
26. The owner, if known, will be informed of the whereabouts of their dog. Conditions for the retrieval of the dog depend on the procedure established by the organization housing the removed dog and are not the responsibility of council.
27. (1) An officer or dog catcher may seize a dog from any person whom he has reasonable cause to believe is violating or has violated or is about to violate any of the provisions of this by-law.

(2) Whereby, a dog is seized and should be destroyed without delay for humane reasons or for reasons of health or safety to persons or animals, a police officer shall destroy the dog as soon after the seizure as the officer or dog catcher thinks fit without permitting any person to reclaim the animals and no damages or compensation may be recovered on account of such action.

Dangerous Animals Destroyed if Unable to be Seized

28. (1) Where a police officer or dog catcher, after reasonable effort, is unable to seize an animal that is running at large, contrary to the provisions of this by-law, and the police officer or dog catcher has a reasonable belief that the animal poses a danger to the safety of a person or another animal on the reserve, a police officer may destroy the dangerous animal.

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

Protection from Vicious Dogs

29. (1) A person or officer may kill, if necessary, a vicious dog which 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 harness or other equipment meant to control the vicious dog.
- (2) A person or officer who must kill a vicious dog, pursuant to subsection (1), shall immediately report the incident to the Council or officer and notify the dogs' owner.
- (3) No damages or compensation may be recovered as a result of killing a dog by a person or officer who is required to do so pursuant to subsection (1).



Penalty

30. (1) Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable on summary conviction to a fine of not more than \$1,000 or to imprisonment for a term of no more than 30 days, or to both a fine and imprisonment.
- (2) Police officers may administer fines to any person who contravenes this by-law as well as take all reasonable measures necessary to prevent further offences from occurring.
- (3) Except in exceptional circumstances, an offence related to sections 9(1), 9(3), 9(4), 9(7), 11, 12, 13, 18, 21, 22 may incur a fine of \$100 for a first offence and \$200 for all subsequent offences.
- (4) For all other offences of this by-law, a fine of \$75 may be incurred for the first offence and \$150 for all subsequent offences.
- (5) Notwithstanding paragraphs (2), (3) and (4), if a fine remains unpaid for more than 30 days, Kebaowek First Nation reserves the right to increase the amount of the fine owing to account for the cost of prosecuting the offence.

General

31. The present by-law is adopted in English and the French version is a translation.
32. Should a court determine that a provision of this by-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.
33. Kebaowek First Nation may charge a person who requests a paper copy of this by-law the reasonable cost of printing incurred by such a request.
34. Following its adoption by Council, this by-law comes into force upon publication on the website of Kebaowek First Nation pursuant to s. 86(5) of the *Indian Act*.



THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of Kebaowek First Nation this ___ day of _____, 20__ .

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

(Member of the Council, Chief)

(Member of the Council)

(Member of the Council)

being the majority of those members of the Council of Kebaowek First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 3 members.

Number of members of the Council present at the meeting: ____ .



Chronological no.	1585
File reference no.	

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the Kebaowek First Nation		Cash free balance	
		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$ _____
2018-05-23	Quebec		

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected council

WHEREAS Kebaowek First Nation deems it necessary to regulate and adopt by-laws for the benefit, enjoyment and safety of its members residing within the community.

WHEREAS Kebaowek First Nation with its values entrenched with protecting mother earth needs to adopt by-laws that limit the environmental footprint and potential hazards to its lands within the reserve boundaries.

BE IT THEREFORE RESOLVED that Kebaowek First Nation adopts the following by-laws for the benefit, safety and security of its members;

- By-law # 02 respecting the regulation of traffic on the reserve of Kebaowek First Nation
- By-law # 03 respecting noise and other nuisances in Kebaowek First Nation
- By-law # 04 respecting the care and control of animals on the reserve of Kebaowek First Nation

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

[Signature]

 (Chief)
[Signature]

 (Councillor)
[Signature]

 (Councillor)

 (Councillor)

 (Councillor)

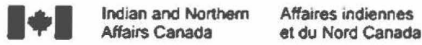
 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
_____ Signature		_____ Date	_____ Signature		_____ Date
Approving officer - Approuvé par			Approving officer		
_____ Signature		_____ Date	_____ Signature		_____ Date

INTER 80-005 E 2007-03-01





Chronological no.
 1717 page 1 of 8

File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the
 Kebaowek First Nation

Cash free balance

Capital account \$

Date of duly convened meeting (YYYY-MM-DD)

Province

Revenue account \$

2021-12-20

Quebec

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation has the inherent right to govern its own affairs and also exercises the powers of a "band council" under the Indian Act, including the power to make by-laws pursuant to section 81 of that Act;

WHEREAS section 81 recognizes the right of Kebaowek First Nation to make by-laws for any of the following purposes:

- to provide for the health of residents;
- the observance of law and order;
- the prevention of disorderly conduct and nuisances;
- the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes; and
- any matter arising out of or ancillary to the exercise of powers cited above.

WHEREAS Kebaowek First Nation hereby chooses to exercise its rights and law-making powers over the reserve lands which have been set apart part for the use and benefit of Kebaowek First Nation and its members;

Quorum 3

(Councillor)

(Councillor)

(Councillor)

[Signature]
 (Chief)
[Signature]
 (Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature _____ Date _____			Signature _____ Date _____		
Approving officer - Approuvé par			Approving officer		
Signature _____ Date _____			Signature _____ Date _____		

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Chronological no.
1717 page 2 of 8

BAND COUNCIL RESOLUTION

File reference no.

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The council of the
Kebaowek First Nation

Cash free balance

Capital account \$

Date of duly convened meeting (YYYY-MM-DD)

Province

Revenue account \$

2021-12-20

Quebec

DO HEREBY RESOLVE:

NOW THEREFORE the Council of Kebaowek First Nation enacts this Covid-19 Mandatory Employee Vaccination Policy By-law:

1. POLICY STATEMENT

The Kebaowek First Nation, (the "Employer") is committed to the health and safety of its employees and the members of the community we serve. This COVID-19 Vaccination Policy (this "Policy") has been developed and implemented in accordance with applicable Provincial and Federal legislation and Public Health directives and recommendations.

The objective of this Policy is to reduce the transmission of COVID-19 to protect the health and safety of all employees, staff, volunteers, contractors, students, and community members.

This Policy will be interpreted and applied in a manner consistent with the Canadian Human Rights Act (the "CHRA") and the Canada Labour Code (the "CLC").

This Policy was adopted by Band Council Resolution October 29th, 2021 and comes into effect as of December 1, 2021.

Quorum 3

(Councillor)

(Councillor)

(Councillor)

James Raymond
(Chief)
Seal of Cheyenne

(Councillor)

(Councillor)

(Councillor)

(Councillor)

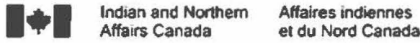
(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
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Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

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Chronological no.
 1717 page 3 of 8
 File reference no.

BAND COUNCIL RESOLUTION

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The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the
 Kebaowek First Nation

Date of duly convened meeting (YYYY-MM-DD) Province
 2021-12-20 Quebec

Cash free balance	
Capital account	\$
Revenue account	\$

DO HEREBY RESOLVE:
 2. PREAMBLE

COVID-19 is defined as the SARS-CoV-2 virus (severe acute respiratory syndrome coronavirus 2). As COVID-19 has spread, mutations have occurred in the virus' s genetic code, resulting in several new variants of COVID-19. In this Policy, COVID-19 refers to both the initial COVID-19 virus and all of its mutations/variants.

COVID-19' s incubation period is usually five to seven days but can range from one to fourteen days. Individuals may spread COVID-19 within fourteen days of contracting the virus and may develop symptoms any time within those fourteen days. Although some people may not develop symptoms (i.e., are asymptomatic), they may still spread the virus. Common symptoms of COVID-19 include the sudden onset of a high fever, chills, sore throat, fatigue, and a dry cough. These symptoms may be accompanied by other symptoms such as body aches, loss of taste and smell, and diarrhea. More serious symptoms include difficulty breathing or shortness of breath, chest pain, and loss of speech or movement. In some cases, COVID-19 can be fatal.

The COVID-19 vaccine is one of the most effective ways to prevent transmission of and infection by COVID-19. Canadian public health authorities have stated that vaccines are safe, have few side effects, and have a high rate of effectiveness. For more information on COVID-19 vaccines, please see the Government of Canada' s website.

Quorum 3
 (Councillor)
 (Councillor)
 (Councillor)

James Raymond
 (Chief)
Renee Cheyette
 (Councillor)
 (Councillor)
 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

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 File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the		Capital account	\$
Kebaowek First Nation			
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$
2021-12-20	Quebec		

DO HEREBY RESOLVE:
 3. DEFINITIONS

Fully vaccinated or protected means having received 2 doses of a Covid-19 viral vector-base vaccine, or 2 doses of the covid -19 messenger RNA vaccine or a combination of either COVID-19 vaccines approved by Health Canada and recommended by the applicable local public health unit, including any booster shots recommended, approved, and/or required from time to time (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and having received the final dose of the COVID-19 vaccine at least fourteen days ago. Fully protected can also be people who have had COVID-19 confirmed by a nucleic acid amplification test (NAAT), and single dose of either approved vaccine.

Employee means, for the purposes of this Policy only, all employees, staff, contractors, students, and volunteers of the Employer.

4. SCOPE

This Policy applies to all employees, regardless of their role whether unionized or not.

5. POLICY

In accordance with Part II of the Canada Labour Code the "CLC"), the Employer will take all reasonable steps to ensure that the health and safety at work of every employee is protected.

Quorum 3

(Councillor) *Renée Doyon* (Chief) (Councillor) *Renald Cheyut* (Councillor) _____ (Councillor) _____ (Councillor) _____ (Councillor) *Vern Polin* (Councillor) _____ (Councillor) _____

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
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Signature		Date	Signature		Date
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Signature		Date	Signature		Date

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 File reference no.

BAND COUNCIL RESOLUTION

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		Cash free balance	
The council of the		Capital account	\$
Kebaowek First Nation			
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$
2021-12-20	Quebec		

DO HEREBY RESOLVE:

i. Proof of Vaccination

a) On or before December 1, 2021, all employees of the Employer must provide:

1. proof of COVID-19 vaccine administration as per the following requirements:

- i. if the employee has received the first dose of a two-dose vaccine series approved by Health Canada, proof that the first dose was administered and, as soon as reasonably possible, proof of the administration of the second dose; or
- ii. proof of all required doses of a COVID-19 vaccine approved by Health Canada (i.e., proof that the employee is fully vaccinated); or

2. written proof of a medical reason, provided by a physician that sets out:

- i. a documented medical reason that the employee cannot be vaccinated against COVID-19; and
- ii. the effective time-period for the medical reason (i.e. permanent or time-limited).

3. written proof provided by a religious leader, outlining the reason(s) related to religion that preclude the employee from being vaccinated against COVID-19.

b) Proof that an employee is fully vaccinated must be provided to their manager in the form of the electronic or paper receipt provided to the employee at the time of vaccination. An employee who has not provided proof satisfactory to the Employer that they are fully vaccinated is considered to be "not fully vaccinated" for the purposes of this Policy.

Quorum 3

(Councillor)

(Councillor)

(Councillor)

George Howard
 (Chief)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
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Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





Chronological no.
 1717 page 6 of 8
 File reference no.

BAND COUNCIL RESOLUTION

NOTE:

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The council of the		Cash free balance	
Kebaowek First Nation		Capital account	\$
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$
2021-12-20	Quebec		

DO HEREBY RESOLVE:

ii. Accommodation

a) The Employer will assess any request for accommodation related to this Policy in accordance with its obligations pursuant to the CHRA. The Employer reserves the right to request such information as it deems necessary for such purposes. Accommodation requests will be assessed on a case-by-case basis.

b) Employees requesting accommodation in relation to this Policy must:

- a. Disclose to their Manager Supervisor their need for accommodation;
- b. Provide the required supporting information/documentation to substantiate the reason(s) that they are unable to receive a COVID-19 vaccine; and
- c. Cooperate and participate in the Employer's efforts to accommodate, including by accepting reasonable accommodation.

c) Any information or documentation provided in the course of the accommodation process be held in the strictest confidence, to be shared only on a "need to know" basis to facilitate the accommodation process.

iii. Privacy and Confidentiality

a) The Employer shall ensure that all information collected pursuant to this Policy is used only for the purposes of this Policy, shared on a need-to-know basis only, stored securely, and securely deleted when no longer required. Information gathered will be dealt with in accordance with the Employer's Privacy Policy.

Quorum 3

(Councillor)

(Councillor)

(Councillor)

Donna Raymond
 (Chief)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

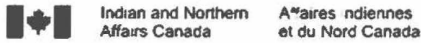
(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





Chronological no.
 1717 page 7 of 8

BAND COUNCIL RESOLUTION

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The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the		Capital account	\$
Kebaowek First Nation			
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$
2021-12-20	Quebec		

DO HEREBY RESOLVE:

iv. Protective Measures

a) Employees must at all times continue to adhere to the infection prevention and control measures put in place in response to the COVID-19 pandemic, which include, but are not limited to, the following:

1. Enhanced hand hygiene, including washing one's hands with soap and water for at least 20 seconds (or using alcohol-based hand sanitizer if soap and water are not available) often throughout the day while at work;
2. Avoiding touching one's eyes, nose or mouth while at work, unless one has just washed one's hands;
3. Maintaining a distance of at least one metre from others while at work, even when a face mask is worn;
4. Wearing a face mask in any area where one might encounter another individual while at work (unless they are unable to do so for a medical reason or other reason protected by the CHRA, in which case accommodation must be requested in accordance with this Policy);
5. Completing a COVID-19 self-screening daily prior to commencing work;
6. Self-monitoring, and reporting exposures to, symptoms of, or a positive test result for COVID-19 to one's supervisor; and
7. Following all relevant public health guidance relating to quarantining self-isolation and staying home when sick.

Quorum 3

(Councillor)

(Councillor)

(Councillor)

Royce Raymond
 (Chief)
Ronald Chaput
 (Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

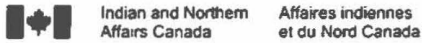
(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





Chronological no.
 1717 page 8 of 8
 File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the		Capital account	\$
Kebaowek First Nation			
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$
2021-12-20	Quebec		

DO HEREBY RESOLVE:

6. ADMINISTRATIVE and DISCIPLINARY MEASURES

- a) Any employee, other than those with a valid exemption related to a protected ground under the CHRA, who is not fully vaccinated will be in breach of this Policy will be subject to administrative and/or disciplinary measures up to and including dismissal from employment.
- b) Failure to be in compliance with this policy starting on December 1st, 2021, will result in the employee being placed on unpaid leave
- c) Upon employees not being in compliance with this policy and being put on unpaid leave, the employee will have 60 days to become compliant with the policy. Failure to do so in 60 days, will result in the termination of the employee for failure to be in compliance with the policy.

7. REVIEW AND MODIFICATION OF POLICY

- a) The Employer will review this Policy on a regular basis and reserves the right to modify its contents at any time, based on current available public health information and recommendations, any further legislative amendments, and operational requirements.
- b) KFN reserves the right to do more or different measures other than that of the provincial or federal public health departments to keep their employees and members safe.

Quorum	3		
		(Chief)	
(Councillor)			(Councillor)
(Councillor)			(Councillor)
(Councillor)			(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
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Signature		Date	Signature		Date
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Chronological no.

1717 page 8 of 8

File reference no.

BAND COUNCIL RESOLUTION

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The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the
Kebaowek First Nation

Date of duly convened meeting (YYYY-MM-DD) Province
 2021-12-20 Quebec

Cash free balance

Capital account \$

Revenue account \$

DO HEREBY RESOLVE:

6. ADMINISTRATIVE and DISCIPLINARY MEASURES

- a) Any employee, other than those with a valid exemption related to a protected ground under the CHRA, who is not fully vaccinated will be in breach of this Policy will be subject to administrative and/or disciplinary measures up to and including dismissal from employment.
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7. REVIEW AND MODIFICATION OF POLICY

- a) The Employer will review this Policy on a regular basis and reserves the right to modify its contents at any time, based on current available public health information and recommendations, any further legislative amendments, and operational requirements.
- b) KFN reserves the right to do more or different measures other than that of the provincial or federal public health departments to keep their employees and members safe.

8. COMING INTO FORCE

THIS POLICY IS HEREBY adopted at a duly convened meeting of the Council of Kebaowek First Nation.

Quorum 3

(Councillor)

(Councillor)

(Councillor)

James Raymond
 (Chief)
Benoit Chaput

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue	Expenditure	Authority (Indian Act Section)	Source of funds Capital Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





**BY-LAW NO. 03
of Kebaowek First Nation**

A By-law respecting noise and other nuisances in Kebaowek First Nation

Enacted on the 24th day of May 2018

WHEREAS Kebaowek First Nation has formerly been known as Eagle Village First Nation-Kipawa;

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected Council;

WHEREAS the Council of Kebaowek First Nation deems it necessary to adopt a by-law to ensure peace, order, good government and the general well-being of its residents;

WHEREAS the Council of Kebaowek First Nation considers it to be expedient and necessary for the benefit, comfort and safety of the inhabitants of Kebaowek First Nation to provide for the prevention of nuisances and disorderly conduct on the reserve, with respect to any matter arising out of or ancillary to the exercise of powers under section 81, and for the imposition of a penalty for a violation thereof;

WHEREAS the Council of Kebaowek First Nation is empowered to make such by-law pursuant to paragraphs 81(1)(c),(d),(q) and (r) of the *Indian Act*, R.S.C., 1985, c. I-5 ("*Indian Act*");

WHEREAS the Council of Kebaowek First Nation has consulted with the Témiscamingue Regional County Municipality in an effort to adopt, where possible and beneficial for Kebaowek First Nation, harmonised rules that facilitate enforcement while responding the specific needs of Kebaowek First Nation;

WHEREAS the Council of Kebaowek First Nation did enact By-law No. 1.79 on June 30, 1977 and By-law No. 02 on September 19, 2002, and wishes to repeal said By-laws Nos. 1.79 and 02 and replace them with this by-law;

NOW THEREFORE the Council of Kebaowek First Nation hereby makes the following by-law:

Short Title

1. This by-law may be cited as the "Noise and Nuisance By-law".



Interpretation

2. In this by-law,

“cannon” means a device that shoots any projectile by means of compressed air, other gas or explosives; (“*canon*”)

“band” means Kebaowek First Nation (formerly Eagle Village First Nation – Kipawa), which is a band defined by Section 2 of the *Indian Act*; (“*bande*”)

“Council” means the Council of Kebaowek First Nation (formerly Council of Eagle Village First Nation – Kipawa), including its Chief, which is a band council as defined in the *Indian Act*; (“*Conseil*”)

“minor” mean a person who is younger than 18 years old; (“*mineur*”)

“nuisance” means any act, activity or condition that materially impairs, otherwise than by direct physical interference, the use and enjoyment of a person's property, or that prejudicially affects a person's health, comfort or convenience or the public health, safety or welfare of the reserve community, but does not include any act, activity or condition to the extent it is unavoidably necessary for carrying on any business or other means of livelihood authorized by the Council; (“*nuisance*”)

“officer” means any police officer, police constable or public security; (“*agent*”)

“person” includes any individual, partnership, corporation, unincorporated organization, government or agency thereof, trustee, executor, administrator or other legal representative; (“*personne*”)

“reserve” means the reserve of Kebaowek First Nation (formerly known as Eagle Village First Nation-Kipawa, which is a reserve as defined by the *Indian Act*; (“*réserve*”)

“vehicle” means any means of transport, or equipment that attaches to a means of transport primarily adapted for the transportation of persons or property, including a motor vehicle, off-road vehicle, trailer, semi-trailer, boat or aircraft. For further certainty, this term includes all recreational vehicles. (“*véhicule*”)

Nuisance

3. (1) Everyone who creates or causes a nuisance is guilty of an offence.
- (2) An officer may order any person who is causing or who threatens to cause a nuisance on the reserve to refrain from causing the nuisance or to stop the nuisance within such period as is reasonable in the circumstances.



- (3) In determining whether a period fixed under subsection (2) was reasonable in the circumstances, the officer shall take into account:
- a. the nature and extent of the nuisance;
 - b. the methods available to stop the nuisance;
 - c. the approximate time required to stop the nuisance; and
 - d. the effect of the order on any business or means of livelihood of the person who is the subject of an order if that business or means of livelihood has been authorized by the Council.
4. For greater certainty, the following conduct constitutes a nuisance and is prohibited under this by-law:
- a. making, provoking or encouraging to make, by whatever means, noise which may disturb the peace and general well-being of the neighbourhood within a 25-metre radius;
 - b. using or permitting the use of cannons;
 - c. the use and operation of a lawnmower, a chainsaw, a brush cutter or any power tool between 10:00 pm and 7:00am;
 - d. noise which may disturb the peace, quietness and general well-being of the neighbourhood within a 25-metre radius by construction, demolition, maintenance or repair activities on a building, vehicle or infrastructure, between 10:00 pm and 7:00 am, with the exception of emergency work to ensure the protection and security of persons and property;
 - e. failing to take indoors an animal in one's care who persistently barks, howls or makes other noise that disturbs the peace between 10:00 pm and 7:00am;
 - f. producing or permitting the production of music, entertainment sounds or voices when the sound may be heard outside a radius of 25 metres from the point of transmission or production of the sound;



- g. projecting or permitting the projection of a direct light outside a lot from which it is projected if such light is likely to cause a danger to the public or an inconvenience to individuals;
- h. knocking on a door, ringing a door bell or buzzer, knocking on windows or other parts of a private property, dwelling or building, with no reasonable justification;
- i. any defacement of another person's property, including graffiti, egging and similar misconduct;
- j. indecently exposing oneself in a public place;
- k. possessing an open container of alcohol on a public road, vacant lot or in front of a public building;
- l. using part of the lot of a private residence, business or an office belonging to Kebaowek First Nation for skateboarding or other leisure or entertainment purposes without the consent of the home-owner, buyer, business owner or office administrator, as the case may be;
- m. the abandonment of cars, household appliances or furniture, or parts of cars, household appliances or furniture;
- n. the storage of abandoned cars, household appliances or furniture, or parts of cars, household appliances or furniture;
- o. the dumping or storage of tires, garbage or other refuse;
- p. the burning of any substance other than natural wood;
- q. the use of a fire pit that exceeds 3 feet (0.91 metres);
- r. abandoning a fire or leaving it unattended;
- s. dumping or shovelling snow or ice from a private residence or business onto a road, sidewalk or alleyway;



5. The use of fireworks and firecrackers constitute an offence under this by-law, except on the following days:
- a. National Aboriginal Day (June 21st);
 - b. Canada Day (July 1st);
 - c. St-Jean Baptiste Day (June 24th);
 - d. New Year's Eve and New Year's Day (December 31st and January 1st);
 - e. Labour Day weekend (including on the first Monday in September);
 - f. Thanksgiving Day (second Monday in October);
 - g. Christmas Day (December 25th);
 - h. Victoria Day;
 - i. All statutory holidays as fixed by proclamation of the Lieutenant-Governor in Council of the Province of Quebec;

Enforcement

6. (1) Where a person who has been ordered to refrain from causing a nuisance or to end a nuisance within a specified period, fails or refuses to comply with the order, an officer may take such reasonable measures as are necessary to prevent or to end the nuisance, including fining the offender.
- (2) A person who fails or refuses to comply with an order made under subsection 3(2) or who resists or interferes with an officer acting under subsection 6(1), commits an offence and may be fined.
7. (1) Each individual adult is liable for an offence committed contrary to this by-law with respect to his or her own conduct on reserve and can be held responsible for the conduct of any adult permitted to commit an offence on the individual adult's premise on reserve.
- (2) If a child commits an infraction in accordance with the present by-law, any adult who has custody of the child can be held responsible for the infraction.

Penalty

8. (1) A person who commits an offence under this by-law is liable on summary conviction for a fine not exceeding \$1000 or to imprisonment for a term not exceeding thirty days, or to both.
- (2) Unless the circumstances requires otherwise, a first offence under this by-law may incur a fine of \$150, a second offence may incur a fine of \$250 and a third offence may incur a fine of \$350.



- (3) Officers may administer fines to any person who contravenes this by-law as well as take all reasonable measures necessary to prevent further offences from occurring.
- (4) If a fine remains unpaid for more than 30 days, Kebaowek First Nation reserves the right to increase the amount of the fine owing to account for the cost of prosecuting the offence.

General

9. The present by-law is adopted in English and the French version is a translation.
10. Should a court determine that a provision of this by-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.
11. Kebaowek First Nation may charge a person who requests a paper copy of this by-law the reasonable cost of printing incurred by such a request.
12. Following its adoption by Council, this by-law comes into force upon publication on the website of Kebaowek First Nation pursuant to s. 86(5) of the *Indian Act*.



THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of Kebaowek First Nation this ____ day of ____, 20____ .

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

(Member of the Council)

(Member of the Council)

(Member of the Council)

being the majority of those members of the Council of Kebaowek First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 3 members.

Number of members of the Council present at the meeting: _____.



Chronological no.	1585
File reference no.	

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the Kebaowek First Nation		Cash free balance	
		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$ _____
2018-05-23	Quebec		

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected council

WHEREAS Kebaowek First Nation deems it necessary to regulate and adopt by-laws for the benefit, enjoyment and safety of its members residing within the community.

WHEREAS Kebaowek First Nation with its values entrenched with protecting mother earth needs to adopt by-laws that limit the environmental footprint and potential hazards to its lands within the reserve boundaries.

BE IT THEREFORE RESOLVED that Kebaowek First Nation adopts the following by-laws for the benefit, safety and security of its members;

- By-law # 02 respecting the regulation of traffic on the reserve of Kebaowek First Nation
- By-law # 03 respecting noise and other nuisances in Kebaowek First Nation
- By-law # 04 respecting the care and control of animals on the reserve of Kebaowek First Nation

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

[Signature]

 (Chief)
[Signature]

 (Councillor)
[Signature]

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





**BY-LAW NO. 02
of Kebaowek First Nation**

By-law respecting the regulation of traffic on the reserve of Kebaowek First Nation

Enacted on the 24th day of May 2018

WHEREAS Kebaowek First Nation was formerly known as Eagle Village First Nation-Kipawa;

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected Council;

WHEREAS sub-sections 81(1)(b), (c), (d), (q) and (r) of the *Indian Act*, R.S.C. 1-5 (“*Indian Act*”), empower the Council of Kebaowek First Nation to make a by-law for the purpose of the regulation of traffic on the reserve, law and order, disorderly conduct and nuisance, the imposition of penalties on summary conviction and any matter arising out of or ancillary to the exercise of these powers;

WHEREAS the Council of Kebaowek First Nation is of the opinion that for the welfare and safety of the members of the Kebaowek First Nation, traffic should be regulated on the reserve;

WHEREAS the Council of Kebaowek First Nation did enact By-law No. 01 on September 4, 1997 and wishes now to repeal said By-laws No. 01 and replace it with the present by-law;

THEREFORE the Council of Kebaowek First Nation enacts the following as By-Law **No.02**

SHORT TITLE

1. This by-law may be cited as the “Traffic By-Law.”



PART I

INTERPRETATIONS

2. In this by-law

“accident”	means an event whereby injury or damage is caused by one or more moving road vehicles whether the event occurs on the road or on land; (“ <i>accident</i> ”)
“bicycle”	is a type of vehicle and includes a tricycle and unicycle but does not include a motor assisted bicycle; (“ <i>vélo</i> ”)
“bus”	means a motorized road vehicle, other than a minibus, designed for carrying ten or more passengers and mainly used for the purpose of their transportation, or equipped with devices to secure wheelchairs against movement; (“ <i>autobus</i> ”)
“Council”	means the Council of Kebaowek First Nation (formerly Council of Eagle Village First Nation – Kipawa), including its Chief, which is a band council as defined in the <i>Indian Act</i> ; (“ <i>Conseil</i> ”)
“driver”	means a person who drives a vehicle on a road; (“ <i>conducteur</i> ”)
“driver’s licence”	means the driving permit issued by the Société de L'Assurance Automobile du Quebec or equivalent; (“ <i>permis de conduire</i> ”)
“emergency vehicle”	means a road vehicle used as police car, an ambulance, a fire safety vehicle, or any other vehicle recognized as an emergency vehicle by the S.A.A.Q.; (“ <i>véhicule d’urgence</i> ”)
“learner’s licence”	means the licence used by the S.A.A.Q. for the purposes of learning to drive a road vehicle; (“ <i>permis d’apprenti-conducteur</i> ”)
“minibus”	means a motorized road vehicle having two axles with single wheels and equipped with not more than five rows of seats for the transportation of more than nine occupants at a time, or equipped with devices to secure wheelchairs against movement; (“ <i>minibus</i> ”)
“moped”	means a passenger vehicle having two or three wheels and a maximum speed of 70 km/h, equipped with an electric motor or a motor having a piston displacement of not more than 50 cm ³ and with an automatic transmission; (“ <i>cyclomoteur</i> ”)



“motorcycle”	means a passenger vehicle, other than a power-assisted bicycle, having two or three wheels and at least one characteristic different from the characteristics of a moped; (“ <i>motocyclette</i> ”)
“number”	when used in relation to registration or a registration plate means a number, means a series of letters or a combination of letters and numbers, and “numbered”, when so used, has a corresponding meaning; (“ <i>numéro</i> ”)
“officer”	includes police officers, police constable and public security officers; (“ <i>agent</i> ”)
“parking lot”	means an area of land used or intended for parking any type of land vehicle; (“ <i>stationnement</i> ”)
“passenger vehicle”	means a motorized road vehicle designed for the transportation of not more than nine occupants at a time; (“ <i>véhicule de promenade</i> ”)
“registration”	means a certificate of registration issued by the S.A.A.Q. or equivalent for the purpose of identifying the owner of a road vehicle; (“ <i>immatriculation</i> ”)
“reserve”	means Kebaowek First Nation (formerly known as Eagle Village First Nation – Kipawa), which is a reserve as defined by the <i>Indian Act</i> ; (“ <i>réserve</i> ”)
“road”	means a way intended for or used for the passage of vehicles, including a private road or bridge, but does not include a driveway situated on an individual lot and intended for or used for the parking of vehicles; (“ <i>route</i> ”)
“road vehicle”	means a motorized vehicle that can be driven on a road, other than a power-assisted bicycle or an electrically propelled wheelchair; a trailer, a semi-trailer or a detachable axle is defined as a road vehicle; (“ <i>véhicule routier</i> ”)
“S.A.A.Q.”	means the Société de l’assurance automobile du Québec as established under the <i>Act respecting the Société de l’assurance automobile du Québec</i> , R.S.Q., ch. S-11.011, which may be modified from time to time; (“ <i>S.A.A.Q.</i> ”)
“taxi”	means a motorized road vehicle, other than a bus or minibus, operated under a permit issued by the relevant authority allowing for the transportation of passengers for commercial purposes; (“ <i>taxi</i> ”)



- “trailer” means a road vehicle designed to be pulled by another vehicle and which may be held or remains in a horizontal position; (“remorque”)
- “valid” means rendered in force for the prescribed period; (“valide”)
3. Control or care. For the purposes of sections 6, 9 and 10, a person is deemed to have the “control or care” of a road vehicle when that person occupies the driver’s seat in circumstances in which it may appear that there is a risk of the person setting the vehicle in motion.
 4. Off-road vehicles covered. For the purpose of Parts III, IV, V, VI, and sections 24, 25 and 26 of Part VII, an off-road vehicle, such as a snowmobile or an all-terrain vehicle, is defined as a road vehicle when on a road.

PART II

REGISTRATION

5. Registration, etc. required. No person shall drive a road vehicle unless,
 - (a) there exists a currently valid registration for the vehicle, unless the vehicle is exempt from registration by an applicable law; and
 - (b) registration plates, issued in accordance with the applicable regulations, are displayed on the vehicle, in the prescribed manner, showing the number of the registration, if applicable, issued for the vehicle.
6. Registration to be carried.
 - (1) Every driver or person having control or care of a road vehicle shall carry
 - (a) the registration for it or a true copy thereof; and
 - (b) the certificate of insurance issued under the applicable legislation.
 - (2) Every driver or person having control or care of a road vehicle shall surrender the documents mentioned in (1), or copies thereof, for inspection upon the demand of an officer.
7. Numbers to be kept clean.
 - (1) The registration plates shall be kept free from dirt and obstruction and shall be so affixed that the numbers thereon may be plainly visible at all times.



- (2) The view of the number plates shall not be obscured or obstructed by spare tires, bumper bars, or any part of the vehicle or any attachments thereto, or by the load carried.

PART III

DRIVER LICENCES

8. Driver's licence. No person shall drive a road vehicle unless it is within a class of vehicles in respect of which the person holds a valid driver's licence issued to him or her by the S.A.A.Q. or an equivalent authority.
9. Responsibility of owner of road vehicle. No person who is the owner or is in possession or control of a road vehicle shall permit any person to drive the vehicle on a road unless that person holds a valid driver's licence issued in respect of the class of road vehicles to which the vehicle belongs.
10. As to carrying licences and surrender on demand.
 - (1) Every driver or person having control or care of a road vehicle shall carry his or her licence with him or her at all times while the road vehicle is in his or her control or care.
 - (2) The person mentioned in (1) shall surrender the licence for inspection upon the demand of an officer.
11. Driving while driver's licence suspended. No person shall drive a road vehicle while his or her driver's licence is cancelled or suspended in accordance with any applicable law.
12. Driving in breach of conditions prohibited. No person shall drive a road vehicle while contravening a condition contained in his or her driver's licence or imposed by all applicable law.
13. Holder of a learner's licence must be accompanied by an experienced driver.
 - (1) The holder of a learner's licence must, when driving a road vehicle other than a moped, be assisted by a person who has held, for at least two years, a valid driver's licence of the appropriate class for driving that vehicle.
 - (2) The experienced driver referred to in subsection (1) must be seated beside the holder of the learner's licence, except on a motorcycle, and be in a position to give him or her assistance and advice.



- (3) The experienced driver referred to in subsection (1) must carry his or her driver's licence with him, which must contain, where applicable, the particulars prescribed by regulation.

14. A learner on a motorcycle.

- (1) Except during the practical session of the proficiency examination administered by the S.A.A.Q., the holder of a learner's licence must, when driving a motorcycle, be accompanied by a person on a separate motorcycle, who has held, for at least two years, a valid driver's licence authorizing the driving of a motorcycle and who is able to provide assistance and advice.
- (2) The holder of the learner's licence referred to in subsection (1) may not carry any passengers.

PART IV

SAFE CONDUCT IN A ROAD VEHICLE

15. Careless driving. No person shall drive a vehicle on a road without due care and attention or without reasonable consideration for other persons using the road.

16. No use of cellular phone while driving.

- (1) Other than in the cases provided in subsections (3), no person may, while driving a road vehicle, use a hand-held device that includes a telephone function.
- (2) For the purposes of subsection (1), a driver who is holding a hand-held device that includes a telephone function is presumed to be using the device.
- (3) The prohibition in subsection (1) does not apply to drivers of emergency vehicles in the performance of their duties or to a driver using a two-way radio, being a cordless voice communication device which does not allow the parties to speak simultaneously.

17. No drinking alcohol in a road vehicle.

- (1) No occupant of a road vehicle may drink alcoholic beverages therein.
- (2) In addition to roads, subsection (1) applies in parking lots and on other land where public traffic is allowed.

18. Protective helmet.

- (1) Every person riding on a motorcycle or moped or in a sidecar must wear a protective helmet that complies with the standards prescribed by provincial regulation.



- (2) Such persons must, if so requested by a police officer, allow the police officer to examine their protective helmets.
- (3) No person may drive a road vehicle carrying a passenger under 16 years of age who does not fulfil the obligations imposed by this section.

PART V REPORTING OF ACCIDENTS

19. Duty of driver in case of accident. Every driver of a road vehicle that is directly or indirectly involved in an accident shall,
- (a) remain at or immediately return to the scene of the accident;
 - (b) render all possible assistance; and
 - (c) upon request, give in writing to anyone sustaining loss or injury, or to any police officer or to any witness, his or her name and address, and also the name and address of the registered owner of the vehicle, and the number of the vehicle registration.

PART VI RULES OF THE ROAD

20. Definitions. In this part,

“children” means

- (a) Persons under the age of eighteen, or
- (b) students of a school; (“*enfants*”)

“school” does not include a post-secondary school education institute; (“*école*”)

“school bus” means a road vehicle that

- (a) is painted chrome yellow,
- (b) used for the transportation of school children,
- (c) is equipped with flashing lights and a retractable stop sign, and



(d) displays on the front and rear thereof the words “*écoliers*,” and on the rear an inscription informing drivers not to pass when the red lights are flashing. (“*autobus scolaire*”)

21. Stop at intersection. Every driver of a road vehicle or rider of a bicycle approaching a stop sign at an intersection shall stop his or her vehicle at the pedestrian crosswalk or marked stop-line or, if none, at the nearest side of the road he is about to cross or enter, and yield the right of way to any traffic in the intersection or so close as to constitute a hazard.
22. Right of way on entering road from driveway. Every driver of a road vehicle or rider of a bicycle entering or crossing a road from a driveway or parking lot shall yield the right of way to all traffic or any pedestrian approaching on the road.
23. Duty of drivers when school bus stopped.
 - (1) Except in the case of subsection (2), the driver of a road vehicle who is approaching a school bus that has its flashing red lights turned on or whose compulsory stop signal has been activated must stop the vehicle more than 5 metres from the school bus and shall not proceed in either direction until the flashing red lights are turned off and the compulsory stop signal has been retracted, and the driver ensures that it is safe to proceed.
 - (2) Subsection (1) does not apply to a road vehicle meeting a school bus on an adjacent roadway separated by a median strip or by any other raised physical separation.



PART VII

EQUIPMENT

24. Use of seat belts.

- (1) Subject to subsection (2), every person in a moving road vehicle in which a seat belt is provided shall wear the complete seat belt in a properly adjusted and securely fastened manner.
- (2) Exemption. Subsection (1) does not apply, as the case may be, to a person
 - (a) Driving a vehicle in reverse;
 - (b) Who holds a valid certificate issued by the S.A.A.Q. exempting the person from the use of a seat belt for medical reasons;
 - (c) Is a child less than 63 cm who is restrained by a restraint system (children's car seat) which includes its own seat belt or harness;
 - (d) Who fulfils another exception provided for by law.

25. Special seats for children. Any restraint system used for safely restraining a child must be in a safe condition and installed in compliance with the manufacturer's instructions, being suitable for the child's height and weight and securely attached to the vehicle.

26. Driver to ensure young passenger uses seat belt.

- (1) Except in the cases provided in subsection (2), no person shall drive a road vehicle carrying a passenger under 16 years of age who is not wearing the complete seat belt harness provided, properly adjusted and securely fastened.
- (2) Exemptions. The first paragraph does not apply to taxi, bus or minibus drivers in the performance of their duties. However, an adult passenger accompanying a passenger under 16 years of age in a taxi must ensure that the latter is transported in compliance with the conditions set out in this Part.

27. Winter tires. Unless otherwise exempt by law, between December 15th and March 15th, the owner of a taxi or a passenger vehicle registered in Québec, and anyone renting out such a passenger vehicle, may not put the vehicle into operation unless it is equipped with tires specifically designed for winter driving, in compliance with the standards prescribed by law.



PART VIII

PENALTY

28. Fines and imprisonment.

- (1) Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable on summary conviction to a fine of not more than \$1,000 or to imprisonment for a term of no more than 30 days, or to both a fine and imprisonment.
- (2) Police officers may administer a fine to any person who contravenes this by-law as well as take all other reasonable measures necessary to prevent further offences from occurring.
- (3) If a fine remains unpaid for more than 30 days, Kebaowek First Nation reserves the right to increase the amount of the fine owing to account for the cost of prosecuting the offence.
- (4) Other than in exceptional circumstances, the fines for offences to the present by-law will be set in accordance with the table of fines set out in “**Schedule 1**” of this by-law.

PART IX

GENERAL

29. The present bylaw is adopted in English and the French version is a translation.
30. Should a court determine that a provision of this by-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.
31. Kebaowek First Nation may charge a person who requests a paper copy of this by-law the reasonable cost of printing incurred by such a request.
32. Following its adoption by Council, this by-law comes into force upon publication on the website of Kebaowek First Nation pursuant to s. 86(5) of the *Indian Act*.



BY-LAW NO. _____
of Kebaowek First Nation

By-law respecting the regulation of traffic on the reserve of Kebaowek First Nation

SCHEDULE 1 - TABLE OF FINES

Offence (short form wording)	Section of By-law creating or defining offence	Recommended range of fines
Driving vehicle without valid registration	5(a)	\$300 - \$600
Driving vehicle without registration plates	5(b)	\$50 - \$60
Driving without registration in vehicle	6(1)(a)	\$50 - \$60
Driving without insurance certificate in vehicle	6(1)(b)	\$50 - \$60
Refusal to surrender documents	6(2)	\$100 - \$200
Registration plate not clean or not visible	7(1)	\$50 - \$60
View of registration plate obstructed by attachments	7(2)	\$50 - \$60
Driving without valid licence	8	\$300 - \$600
Permitting another to drive vehicle without valid licence	9	\$300 - \$600



Offence (short form wording)	Section of By-law creating or defining offence	Recommended range of fines
Not carrying licence	10(1)	\$50 – \$60
Refusal to surrender licence	10(2)	\$100 - \$200
Driving with cancelled or suspended licence	11	(A) \$1,000 where the licence was suspended or cancelled by operation of law as a result of a conviction for a Criminal Code offence , where the licence was suspended by a peace officer who carried out a breath test showing a blood alcohol concentration level in excess of 80 mg of alcohol in 100 ml of blood , or where the licence was suspended by a peace officer for refusing a test designed to ascertain the presence of alcohol in the blood of a person; (B) \$600 - \$1,000 in all other cases.
Driving in breach of licence conditions	12	(A) \$1,000 where the holder of a licence to drive a road vehicle mandatorily equipped with an alcohol ignition interlock device fails to comply with that requirement or with the conditions for the use of the device; (B) \$100 - \$200 in all other cases.
Learner not accompanied by experienced driver	13(1)	\$200 - \$300
Experienced driver not beside learner	13(2)	\$50 - \$60
Experienced driver not carrying licence	13(3)	\$50 - \$60
Learner not accompanied by experienced driver on separate	14(1)	\$200 - \$300



Offence (short form wording)	Section of By-law creating or defining offence	Recommended range of fines
motorcycle		
Learner carrying passenger on motorcycle	14(2)	\$200 - \$300
Careless driving	15	\$400 – \$1,000
Using cellphone while driving	16(1)	\$80 - \$100
Drinking alcohol in vehicle	17(1), (2)	(A) \$200 - \$300 where an occupant other than the driver is guilty of the offence; (B) \$300 - \$600 where the driver is guilty of the offence.
Not wearing helmet on motorcycle	18(1)	\$80 - \$100
Not allowing police officer to examine helmet	18(2)	\$80 - \$100
Passenger under 16 not wearing helmet	18(3)	\$80 - \$100
Driver in accident not remaining at scene	19(a)	\$600 - \$1,000
Driver in accident not rendering assistance	19(b)	\$600 - \$1,000
Driver in accident not providing information	19(c)	\$200 - \$300



Offence (short form wording)	Section of By-law creating or defining offence	Recommended range of fines
Not stopping at intersection	21	(A) \$50 where a person riding a bicycle is guilty of the offence; (B) \$100 - \$200 in all other cases.
Not yielding right of way, intersection	22	(A) \$50 where a person riding a bicycle is guilty of the offence; (B) \$100 - \$200 in all other cases.
Not stopping, school bus	23(1)	\$200 - \$300
No/improper use of seat belt	24(1)	\$80 - \$100
Improper child seat	25	\$80 - \$100
No/improper use of seat belt by passenger under 16	26(1)	\$80 - \$100
No winter tires	27	\$200 - \$300



THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of Kebaowek First Nation this __ day of _____, 20__.

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

(Member of the Council, Chief)

(Member of the Council)

(Member of the Council)

being the majority of those members of the Council of Kebaowek First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 3 members.

Number of members of the Council present at the meeting: ____.



Chronological no.	1585
File reference no.	

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The council of the Kebaowek First Nation		Cash free balance	
		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD)	Province	Revenue account	\$ _____
2018-05-23	Quebec		

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation asserts its right to self-government through its elected council

WHEREAS Kebaowek First Nation deems it necessary to regulate and adopt by-laws for the benefit, enjoyment and safety of its members residing within the community.

WHEREAS Kebaowek First Nation with its values entrenched with protecting mother earth needs to adopt by-laws that limit the environmental footprint and potential hazards to its lands within the reserve boundaries.

BE IT THEREFORE RESOLVED that Kebaowek First Nation adopts the following by-laws for the benefit, safety and security of its members;

- By-law # 02 respecting the regulation of traffic on the reserve of Kebaowek First Nation
- By-law # 03 respecting noise and other nuisances in Kebaowek First Nation
- By-law # 04 respecting the care and control of animals on the reserve of Kebaowek First Nation

Quorum 3

(Councillor)

(Councillor)

(Councillor)

[Signature]
(Chief)
[Signature]
(Councillor)
[Signature]
(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
_____ Signature		_____ Date	_____ Signature		_____ Date
Approving officer - Approuvé par			Approving officer		
_____ Signature		_____ Date	_____ Signature		_____ Date

INTER 80-005 E 2007-03-01





Chronological no. 1640 page 1
File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation has the inherent right to govern its own affairs and also exercises the powers of a "band council" under the Indian Act, including the power to make by-laws pursuant to section 81 of that Act;

WHEREAS section 81 recognizes the right of Kebaowek First Nation to make by-laws for any of the following purposes:

- to provide for the health of residents;
- the observance of law and order;
- the prevention of disorderly conduct and nuisances;
- the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes; and
- any matter arising out of or ancillary to the exercise of powers cited above.

WHEREAS Kebaowek First Nation hereby chooses to exercise its rights and law-making powers over the reserve lands which have been set apart part for the use and benefit of Kebaowek First Nation and its members;

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)
Bernard Cheyart
 (Councillor)
Dorothy...
 (Councillor)
[Signature]
 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature _____		Date _____	Signature _____		Date _____
Approving officer - Approuvé par			Approving officer		
Signature _____		Date _____	Signature _____		Date _____

INTER 80-005 E 2007-03-01





Chronological no. 1640 page 2
File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

WHEREAS Kebaowek First Nation wishes to respond to the safety and public order concerns of its members related to the presence in the community of non-members who have been charge or convicted of serious criminal offences or who are trespassers in the community;

NOW THEREFORE the Council of Kebaowek First Nation enacts this Restricted Persons and Trespass By-law:

PART I – INTRODUCTORY MATTERS

Title

1. This by-law may be referred to as the Kebaowek First Nation Restricted Persons and Trespass By-law.

Interpretation

2. In this by-law unless the context otherwise requires:

"Restricted person" means a person who is not a Member, who has been charged or convicted as an adult of one or more of criminal offences and who has been designated as a "restricted person" by Council pursuant to this by-law.

"Kebaowek First Nation" means the Kebaowek First Nation "band" as defined by the Indian Act.

"Member" means a person who is a member of the Kebaowek First Nation.

"Council" means the Chief and Councillors of the Kebaowek First Nation duly elected from time to time.

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)
Benoit Cheyut
 (Councillor)
Doris Hunter
 (Councillor)
[Signature]
 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature _____		Date _____	Signature _____		Date _____
Approving officer - Approuvé par			Approving officer		
Signature _____		Date _____	Signature _____		Date _____

INTER 80-005 E 2007-03-01





Chronological no. 1640 page 3
File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

"Officer" means any police officer, peace officer or other person charged with the duty to preserve and maintain the public peace, and any person appointed by Council for the purpose of maintaining law and order on the Reserve.

"Reserve" means those tracts of land set apart for the use and benefit of Kebaowek First Nation and shall also include any future additions to the reserve lands of the Kebaowek First Nation.

"Resident" means any member of Kebaowek First Nation who ordinarily resides on the Reserve or any other person with lawful authority to possess or occupy land on the Reserve;

"Resolution" means a Council resolution in writing adopted by a majority of elected Councillors.

Application

3. This by-law applies on the Reserve.

Compliance with other laws

4. Compliance with this by-law does not relieve any person from their duty to comply with the provisions of any other applicable laws, regulations or Kebaowek First Nation by-laws.

PART 2 – RESTRICTED PERSONS

Designation

5. If Council reasonably believes that the presence of a person on the Reserve may pose a threat to the observance of law and order or to the safety and well-being of Members or Residents, Council may, by Resolution,

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)
Benoit Chaput
 (Councillor)
[Signature]
 (Councillor)
[Signature]
 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature		Date	Signature		Date
Approving officer - Approuvé par			Approving officer		
Signature		Date	Signature		Date

INTER 80-005 E 2007-03-01





BAND COUNCIL RESOLUTION

Chronological no. 1640 page 4
File reference no.

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

designate such a person as a "restricted person".

6. All Council discussions regarding the designation of a person as a restricted person shall be held in camera.

Orders by Council

7. If a person has been designated a restricted person pursuant to this by-law, then, subject to the limitations imposed by law or this by-law, Council may, by Resolution, issue an order to:

- a. prohibit the person from attending specified locations or events on the Reserve;
- b. limit the frequency or duration for which the person may visit the Reserve;
- c. evict the person from housing on the Reserve;
- d. prohibit the person from using, occupying, entering or residing on the Reserve either for a specified duration or until express permission is granted in the form of a Resolution.

Factors

8. When considering whether to designate a person as a restricted person and whether to issue an order pursuant to the preceding section, Council may consider the following:

- a. the seriousness of the offence (or offences) for which the person has been charged or convicted and, in particular, whether the offence is listed as a primary or secondary designated offence at section 487.04 of the Criminal Code;
- b. whether the person has been convicted or found guilty of the offence;

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

Gerald Chaput
 (Chief)

 (Councillor)
Douglas

 (Councillor)
[Signature]

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature _____		Date _____	Signature _____		Date _____
Approving officer - Approuvé par			Approving officer		
Signature _____		Date _____	Signature _____		Date _____

INTER 80-005 E 2007-03-01





BAND COUNCIL RESOLUTION

Chronological no. 1640 page 5
File reference no.

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

- c. the circumstances of the offence for which the restricted person has been charged or convicted, including:
 - i. whether the offence occurred on the Reserve or involved Members or Residents;
 - ii. the age of the restricted person when the offence occurred;
 - iii. then length of time that has elapsed since the commission of the offence;
- d. the safety or security concerns of Members or Residents, especially those who are victims of the offence for which the restricted person was charged or convicted or who have suffered physical or emotional harm as a result of the acts of the restricted person;
- e. the relationship of the restricted person to Members or Residents.

Notification

9. If Council designates a person as a restricted person and issues an order pursuant to this Part, Council shall make reasonable efforts to inform the restricted person of the terms of the order.

Enforcement

10. Where a person who is the subject of an order made pursuant to this Part fails or refuses to comply with the order, an officer may take such reasonable measures as are necessary to enforce the order, which may include removing the person from the Reserve.

Offence and Penalty

11. A person who fails or refuses to comply with an order issued pursuant to this Part or who resists or interferes with an officer acting to enforce this by-law commits an offence and liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000) or to imprisonment for a term not exceeding thirty days or both.

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)
Gerald Chepuit
 (Councillor)
Arresto
 (Councillor)
[Signature]
 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer Signature _____ Date _____			Recommending officer Signature _____ Date _____		
Approving officer - Approuvé par Signature _____ Date _____			Approving officer Signature _____ Date _____		

INTER 80-005 E 2007-03-01





BAND COUNCIL RESOLUTION

Chronological no. 1640 page 6
File reference no.

NOTE:

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		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

PART 3 - TRESPASS

Trespass

12. A person trespasses on the Reserve if the person does any of the following:

- a. enters or stays on the Reserve without lawful justification or in violation of the terms of an order by Council;
- b. frequents the Reserve for a prohibited purpose;
- c. enters premises on the Reserve without the permission of the lawful owner or occupant.

Enforcement

13. An Officer may order any person who is trespassing to leave the Reserve immediately. If a person fails or refuses to comply with an Officer's order, then the Officer may use such reasonable measures as are necessary to remove that person from the Reserve.

Offence and Penalty

14. A person who fails or refuses to comply with an Officer's order pursuant to the preceding section, or who interferes with an Officer acting pursuant to the preceding section, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000) or to imprisonment for a term not exceeding thirty days or both.

15. In addition to any other penalties provided herein, any person causing damage or loss to any Kebaowek First Nation property as a result of an offence under this by-law will be responsible for the cost of repairing or replacing such damage or loss.

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer			Recommending officer		
Signature _____		Date _____	Signature _____		Date _____
Approving officer - Approuvé par			Approving officer		
Signature _____		Date _____	Signature _____		Date _____

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Chronological no. 1640 page 7
File reference no.

BAND COUNCIL RESOLUTION

NOTE:

The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

		Cash free balance	
The council of the Kebaowek First Nation		Capital account	\$ _____
Date of duly convened meeting (YYYY-MM-DD) 2019-09-16	Province Quebec	Revenue account	\$ _____

DO HEREBY RESOLVE:

PART 4 - GENERAL MATTERS

Civil Liability Unaffected

16. Nothing in this by-law affects the civil liability of a person who contravenes any provision of this by-law.

Severability

17. Should a court determine that a provision of this by-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.

Coming Into Force

18. This by-law comes into force after its adoption by Council on the day on which it is first published on the Kebaowek First Nation Council website.

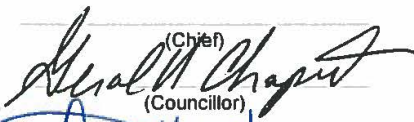


THIS BY-LAW IS HEREBY adopted at a duly convened meeting of the Council of Kebaowek First Nation.

Quorum 3

 (Councillor)

 (Councillor)

 (Councillor)

(Chief)

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

 (Councillor)

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Act Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
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Signature _____		Date _____	Signature _____		Date _____
Approving officer - Approuvé par			Approving officer		
Signature _____		Date _____	Signature _____		Date _____

INTER 80-005 E 2007-03-01

