

SOR/86-1017
Dated Oct. 8/86

THE ONEIDA OF THE THAMES BAND OF INDIANS
BY-LAW # 12

Being a by-law governing the control of amusements and public property and public places.

WHEREAS Section 81 (c) (m), and (r) of the Indian Act empowers the Council of the ONEIDA OF THE THAMES BAND OF INDIANS to make a by-law for the observance of law and order, the control and prohibition of public games, sports, races, athletic contests and other amusements, and the imposition of a penalty for the violation thereof:

NOW THEREFORE BE IT ENACTED as a by-law of the Council of the ONEIDA OF THE THAMES BAND OF INDIANS #41 as follows:

1. In this by-law:
 - (a) "Council" means the Council as defined in the Indian Act;
 - (b) "Public Place" means any place that is open to the public except a dwelling house;
 - (c) "Public Property" means and includes any building, bridge, park, or the facilities or equipment located thereon, and maintained by the Council of the Oneida of the Thames #41 on behalf of the members of the said band;
 - (d) "Members" means members as defined in the Indian Act, as it relates to the Oneida of the Thames Band of Indians;
 - (e) "Amusements" means an activity or pastime, and shall include all activities listed on Schedule A;
 - (f) "Games of Chance" means one in which results as to success or failure depends more on chance and less on skill and experience of players and shall include all activities listed in Schedule B;
 - (g) "Sport" means any organized athletic event and shall include all activities listed in Schedule C;

2. Every activity or event which is an Amusement, Game of Chance or Sport which is held on or in public property or a public place shall cease at 1:00 A.M. of the day following the day of the activity or event and the premises involved shall be vacated no later than 1:30 A.M.
3. The times referred to in Section 2 may be extended by the Council for the Annual Fall Fair, religious events, religious ceremonies, Pow-wows or similar occasions upon written application to the Council subject to the following conditions:
 - (a) No extension shall be for a period of time no longer than one hour, and
 - (b) Approval shall be granted only by a recorded resolution of the Council passed at a duly convened regular meeting of the Council held at least ten (10) days prior to the day of the activity or event.
4. Any person, group, organization or committee renting a public place or public property for any activity or event in schedule A, B, or C shall be responsible for having security provided at such.
5. Any person, group, organization or committee renting public property, for public or private use, for any of the purposes listed in Schedule A, B, or C shall be liable for wilful damages incurred to such property and shall expressly exempt the Council and the Band for any personal liability in relation to guests, invitees, trespassers, organizers or others who may be physically injured as a result of any act, whether foreseen or not, that occurs during or as a result of the activity or event referred to in Schedules A, B, or C.
6. A person, group, organization or committee renting public property shall conform to the guidelines or regulations as set out by the particular organization's application form of rental.
7. A person, group, organization or committee which conducts an event or activity referred to in Schedules A, B, or C is required to comply with all applicable laws in force within the Oneida of the Thames reserve.

8. A person, group, organization or committee which violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars, (\$1000.00), or imprisonment for a term not exceeding thirty (30) days, or both fine and imprisonment.
9. A person giving information to the Council of the Oneida of the Thames, or any employee thereof, which results in the conviction of any person of an offence under this by-law shall be eligible to a reward in such sum as determined by Council, but not to exceed fifty dollars, (\$50.00).
10. Any contravention of the Criminal Code of Canada will be prosecuted.
11. Be it known that this by-law will be enforce by any one of the following: The Oneida of the Thames Police Force, a By-law Officer, or any other law enforcement agency.

APPROVED and passed at a duly convened meeting of the COUNCIL OF THE ONEIDA OF THE THAMES AND OF INDIANS this 19th day of August, 1986.

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CHIEF

Councillor Grafton Antone

Councillor Alfred Day Sr.

Councillor Jack Sickles

Councillor Ray George

Councillor Larry Doxtator

Councillor Harry Doxtator

Councillor Terry Elijah

Councillor Les Elm Sr.

Councillor Ross Ireland

Councillor Ernie VanEvery

Councillor Vickie Antone

Councillor Corrine Antone

SCHEDULE "A"

AMUSEMENTS:

dance
reception
conference
workshop
any meeting
rummage sale
flea market
food sale
parties
celebration
festival
fair
concert
yard sale
barn sale
telethon
auction

SCHEDULE "B"

GAMES OF CHANCE:

- games of die
- pool
- arcade
- cards
- casino
- bingo
- roulette
- tournaments
- contests

SCHEDULE "C"

SPORTS:

hockey
baseball
volleyball
lacrosse
basketball
tennis
golf
horseshoe
bicycle race
foot race
horse race
boat race
ralleys
boxing
bowling
snow snake
tournaments
contests
ice skating
roller skating