

92-93-228

File Reference - N° de réf. du dossier

4215-4-235

4216-1

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	WASHAGAMIS BAY BAND	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	WESTERN DISTRICT THUNDER BAY	Committed - Engagé	\$
PROVINCE	ONTARIO	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	WASHAGAMIS BAY RESERVE	Committed - Engagé	\$
DATE	DAY - JOUR MONTH - MOIS AD 19 YEAR - ANNÉE		

DO HEREBY RESOLVE:
DECIDE, PAR LES PRÉSENTES:

THE WASHAGAMIS BAY FIRST NATION

Bylaw Number

BEING A BYLAW RESPECTING THE PROHIBITION
AGAINST THE INHALATION OF SOLVENT AND GASOLINE VAPOURS

CERTIFIED TRUE COPY
Gene A. Bannon
GENE A. BANNON
JUSTICE OF THE PEACE
IN & FOR THE PROVINCE OF ONTARIO

WHEREAS the Council of the Washagamis Bay First Nation deems it expedient to enact a by-law for the purpose of safeguarding its community on the reserve from the serious problems resulting from the unhealthy and destructive practice of inhaling solvents and gasoline for the sole purpose of producing euphoria, hallucinations and intoxication;

AND WHEREAS paragraph 81(1), (a), (c), (d), (q) and (r) of the Indian Act, R.S.C. 1985, c.1-5, empower the Council of a Band to make by-laws to provide for the health of the residents, the observance of the law and order, the prevention of disorderly conduct and nuisances, with respect to any matter arising out of or ancillary to the exercise of powers under section 81 and the imposition on summary conviction of a fine or imprisonment for violation thereof;

NOW THEREFORE the Council of the Washagamis Bay Band enacts as a by-law thereof as follows:

- 1) This By-law may be cited as the " Washagamis Bay First Nation Solvent and Gasoline Abuse By-Law."
- 2) In this By-Law
"intoxicating matter" includes plastic solvents, adhesive cement, cleaning agents, glue, dope, nail polish remover, lighter fluid, gasoline, paint or lacquer thinner;
"intoxicating vapour" means any vapour, fume, or liquid that is emitted, given off or produced from an intoxicating matter;
"possession" means possession as defined in subsection 4(3) of the Criminal Code, R.S., c, C-34.
- 3) Everyone who, for the purpose of inducing euphoria, hallucinations or intoxication
 - a) inhales, administers or otherwise introduces into his/her respiratory system, or
 - b) assists or causes another person to inhale, administer or otherwise introduce into his/her respiratory systeman intoxicating vapour is guilty of an offence and liable on summary conviction

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Rev
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - Recommandable			Approved - Approuvable		
03/18/93 Date Recommending Officer - Recommandé par			Date Approving Officer - Approuvé par		

**BAND COUNCIL RESOLUTION
RESOLUTION DE CONSEIL DE BANDE**

- 2 -

to a fine not exceeding \$300.00 or to imprisonment for a term not exceeding 90 days or to both.

- 4) 1) No person shall have in his/her possession any intoxicating matter for the purpose of inhaling, administering or otherwise introducing into his/her respiratory system the intoxicating vapours emitted, given off or produced from the intoxicating matter.
- 2) No person shall have in his/her possession any intoxicating matter for the purpose of selling, giving, administering, transporting, sending, delivering or distributing the intoxicating matter to a person
- (i) who he/she knows or has good reason to believe is of unsound mind, is impaired by alcohol, drugs or by reason of having inhaled intoxicating vapours, or
- (ii) who he/she knows or has good reason to believe will use the intoxicating matter for the purpose of inducing euphoria, hallucinations or intoxication.
- 3) Everyone who contravenes subsection (1) or (2) is guilty of an offence and liable on summary conviction to a fine not exceeding \$300.00 or to imprisonment for a term not exceeding 90 days or to both.
- 5) Everyone who sells, gives, administers, transports, sends, delivers or distributes any intoxicating matter
- a) to a person he/she knows or has good reason to believe is of unsound mind, is impaired by alcohol, drugs or by reason of having inhaled intoxicating vapours, or
- b) who he/she knows or has good reason to believe will use the intoxicating matter for the purpose of inducing euphoria, hallucinations or intoxication is guilty of an offence and liable on summary conviction to a fine not exceeding \$1000.00 or to imprisonment for a term not exceeding 180 days or to both.
- 6) Sections 3, 4 and 5 do not apply to any person who
- a) manufactures or sells an intoxicating matter for medical purposes,
- b) inhales, administers or otherwise introduces an intoxicating vapour into his/her respiratory system under the supervision of a physician or a dentist, or
- c) is a physician or dentist or a person acting under the direction of a physician or dentist who assists or causes another to inhale, administer or otherwise introduce into his/her respiratory system an intoxicating vapour.

I, Alfred Sinclair Chief of the Washagamis Bay Band, do hereby certify that a true copy of the foregoing By-Law was mailed to the Minister of Indian Affairs and Northern Development at Regional offices pursuant to subsection 82(1) of the Indian Act, this 5th day of March, 1993

(Witness)

(Chief)

CERTIFIED TRUE COPY

GENE A. BANNON

JUSTICE OF THE PEACE
IN & FOR THE PROVINCE OF ONTARIO

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Date			Date		
Recommending Officer - Recommandé par			Approving Officer - Approuvé par		