



BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever 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 <i>LE CONSEIL DE LA BANDE INDIENNE</i> MOHAWKS OF THE BAY OF QUINTE	Current Capital Balance <i>Solde de capital</i>	\$ _____
AGENCY DISTRICT PETERBOROUGH	Committed - <i>Engagé</i>	\$ _____
PROVINCE ONTARIO	Current Revenue balance <i>Solde de revenu</i>	\$ _____
PLACE <i>NOM DE L'ENDROIT</i> TYENDINAGA INDIAN RESERVE NO. 38	Committed - <i>Engagé</i>	\$ _____
DATE 22nd AUGUST AD 19 79 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:
 DÉCIDE, PAR LES PRÉSENTES: Moved by Audrey M. Brant, seconded by Elwood J. Brant

Whereas the Chief and Council of the Mohawks of the Bay of Quinte, under the authority of Section 81 of the Indian Act hereby submit the attached environmental by-law respecting the prevention of environmental hazards to health of residents of the Reserve and to plant and animal life on the Reserve, to the Minister of the Department of Indian Affairs and Northern Development for his acceptance.

Carried.

A quorum for this Band
 Pour cette bande le quorum est

consists of
 fixé à

Council Members
 Membres du Conseil

Donald R. Brant
 (Chief - Chef)

Audrey M. Brant (Councillor - conseiller) _____ (Councillor - conseiller) _____ (Councillor - conseiller)

Elwood J. Brant (Councillor - conseiller) _____ (Councillor - conseiller) _____ (Councillor - conseiller)

Richard Brant (Councillor - conseiller) _____ (Councillor - conseiller) _____ (Councillor - conseiller)

_____ (Councillor - conseiller) _____ (Councillor - conseiller) _____ (Councillor - conseiller)

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

TYENDINAGA INDIAN RESERVE #38

BY-LAW # OF THE COUNCIL OF THE TYENDINAGA INDIAN RESERVE #38 RESPECTING THE PREVENTION OF ENVIRONMENTAL HAZARDS TO HEALTH OR RESIDENTS OF THE RESERVE, AND TO PLANT AND ANIMAL LIFE ON THE RESERVE.

WHEREAS the Council of Tyendinaga Indian Reserve #38 desires to ensure the prevention and correction of harm, discomfort or hazard to the residents of the Reserve, and plant and animal life thereon by environmental contamination of the natural environment of the Reserve;

THEREFORE, Council enacts pursuant to the powers vested in it by Section 81 of the Indian Act, R.S.C. 1970, c. 1-6 as amended;

DEFINITION:

In this By-Law:

- (a) "Council" means the Council as defined in The Indian Act of the Tyendinaga Indian Reserve #38;
- (b) "Reserve" means the tract of land set apart by Her Majesty within the definition of The Indian Act, for the use and benefit of the Tyendinaga Band of Indians known as The Tyendinaga Indian Reserve #38;
- (c) "Contaminant" means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from the activities of man which may:
 - i. impair the quality of the natural environment for any use that can be made of it;
 - ii. cause harm or material discomfort to any person;
 - iii. cause injury or damage to property or to plant or animal life;
 - iv. adversely affect the health or impair the safety of any person;
 - v. render any property or plant or animal life unfit for use by man.
- (d) "Natural Environment" means the air, land and water or any combination or part thereof of the Tyendinaga Indian Reserve #38.

ADMINISTRATION

Council may appoint a By-Law Officer to administer and enforce this By-Law on the Reserve. The powers of the By-Law Officer shall include, without limiting the generality of the foregoing, the authority to investigate and prosecute contraventions of this By-Law.

OFFENCES

1. No person shall deposit, add, emit or discharge a contaminate or cause or permit the deposit, addition, emission or discharge of a contaminant into the natural environment that:
 - (a) causes or is likely to cause impairment of the quality of the natural environment for any use that can be made of it;
 - (b) causes or is likely to cause injury or damage to property, or plant or animal life;
 - (c) causes or is likely to cause harm or material discomfort to any person;
 - (d) adversely affects or is likely to affect the health of any person;
 - (e) impairs or is likely to impair the safety of any person;
 - (f) renders or is likely to render any property, plant, or animal life unfit for use by man.
2. Subsection 1 does not apply to animal wastes disposed of in accordance with normal farming practices.

PENALTIES AND ENFORCEMENT

3. Any person who contravenes Section 3 of this By-Law is guilty of an offence and on summary conviction is liable to a fine not exceeding \$100.00 nor less than \$10.00, or imprisonment for a term not exceeding thirty (30) days, or both fine and imprisonment.

SHORT TITLE

4. This By-Law may be referred to as Tyendinaga Environmental Hazard By-Law, 1979.

APPROVED AND PASSED AT A DULY CONVENED MEETING OF THE COUNCIL OF THE MOHAWKS'S OF THE BAY OF QUINTE BAND OF INDIANS, TYENDINAGA INDIAN RESERVE #38, THIS 22nd DAY OF AUGUST, 1979.

Donald R. Brant
Chief

Audrey M. Brant
Councillor

Richard Brant
Councillor

Elwood J. Brant
