

**WIKWEMIKONG UNCEDED
INDIAN RESERVE #26**

P.O. Box 112, Wikwemikong, Ontario
POP 2J0

B.C.R. #2515

Chronicle File

BCR FILE/YOUTH/POLICE/NCFRC

BAND COUNCIL RESOLUTION

THE COUNCIL OF THE: WIKWEMIKONG UNCEDED INDIAN RESERVE NO. 26

AGENCY: 411A/SUDBURY

PROVINCE: ONTARIO

PLACE: WIKWEMIKONG

DATE: AUGUST 30, 1993

INDIAN AFFAIRS SUDBURY DISTRICT
SEP 17 1993

WHEREAS paragraphs 81 (l) (c), (d), (q) and (r) of the Indian Act, R.S.C., ch. 1-5 empowers the Council of a Band to make by-laws for the observance of law and order, the prevention of disorderly conduct, matters ancillary thereto, and a penalty for the violation thereof;

AND WHEREAS the Council of the Wikwemikong Band of Indians is of the opinion that a curfew should be established, for the welfare and safety of the children and the community on the Reserve;

THEREFORE, the Council of the Wikwemikong Band of Indians enacts a by-law as follows:

Short Title

1. This by-law may be cited as the "Wikwemikong Reserve Curfew By-law".

Interpretation

2. In this by-law:

"Child" means any person who is under the aged of 16 years;

"Community Social Event" means a wedding, winter carnival, sports event, religious celebration, or other social event recognized as such by the Council of the Wikwemikong Band;

"Parent" means a father, mother, tutor, guardian or person having the custody or care in law or in fact of a child;

"Peace Officer" means a peace officer as defined in Section 2 of the Criminal Code, R.S.C. 1985, c. C-46;

"Prohibited Hours" means that the period of time between the hour of eleven o'clock in the evening of one day and the hour of six o'clock in the morning of the following day during the calendar months of June, July, August, September of each year; and between the hour of nine o'clock in the evening of one day and the hour of six o'clock in the morning of the following day during the remaining calendar months of each year;

"Reserve" means the Wikwemikong Unceded Indian Reserve No. 26.

Prohibition

3. No parent shall permit his child to be in any public place during the prohibited hours unless such child:
 - a) is accompanied by his parent;
 - b) is accompanied by a person who is eighteen (18) years of age or over, with the authorization of that child's parent;
 - c) is attending or is directly returning home from a community social event; or,
 - d) is authorized by resolution of Council.

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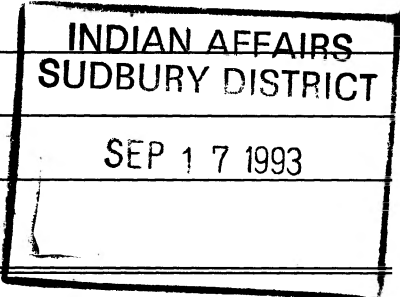
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Powers of the peace officer

4. A peace officer who finds a child who is or, in the absence of evidence to the contrary, appears to be under the age of 16 years, in a public place during the prohibited hours contrary to section 2 may warn such child to immediately return to the child's residence and, if after so warning, the child refuses or neglects to return to his residence forthwith, the peace officer may use such reasonable force as is necessary to escort such child to the child's residence.

Meeting with parents

- 5. (1) If, after the warning referred to in section 4, of this by-law, the warning is disregarded by the child, or if the child is found disobeying this by-law a second time within a period of thirty (30) days, the parents of such child be directed, by resolution of the Council, to meet and discuss the situation with the Council or anyone appointed by the Council through Band Council Resolution for that purpose.
(2) A copy of the resolution of the Council referred to in subsection 5 (1) shall be sent by first class mail or delivered by hand to the child's parent not less than seven (7) clear days prior to the proposed meeting.

Penalty

6. A parent who permits his child to be in any public place during the prohibited hours, contrary to section 3, commits an offence and is liable on summary conviction to a fine not exceeding fifty (\$50.00) dollars.

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the Wikwemikong Band this 1st day of September, 1993.

WE HEREBY, the Chief and Council of the Indian 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 the District/Regional/Hull Offices (as the case may) be pursuant to subsection 82 (1) of the Indian Act, this 1st day of September, 1993.

Handwritten signatures and names of Chief Arthur E. Manitowabi, JP Henry J. Peltier, Councillor Cecilia O'Connor, Councillor Robert Corbiere, Councillor Donald Odjig Fisher, Councillor Christopher Pheasant, Councillor Rosemary Wakosijig, Councillor David O. Peltier, Councillor Ivan Eshkewkogan, Councillor Daniel Manitowabi, Councillor Marjorie Mishibinjima, Councillor Richard Flamand, Councillor Alphonse Shawana, and Councillor Emerick Shigwadja.