



Indian and Northern
Affairs Canada

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Indian and Inuit Affairs

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346587 FEB 20 86

Chronological No. - Numéro consécutif

710

File Reference - N° de réf. du dossier

4216-1

LAI

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 LE CONSEIL DE LA BANDE INDIENNE ISLINGTON BAND #29	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	Committed - Engagé	\$ _____
PROVINCE Ontario	Current Revenue balance Solde de revenu	\$ _____
PLACE Whitedog, Ontario	Committed - Engagé	\$ _____
DATE <u>19</u> <u>TH</u> DAY - JOUR	February AD 19 <u>86</u> MONTH - MOIS YEAR - ANNEE	

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

that having done all things necessary as set out in the Affidavit of Chief Anthony Henry, a copy of which is attached to this Band Council Resolution, to enable the Band Council to make a By-Law pursuant to S.85.1 of The Indian Act, R.S.C. 1970, as amended, the Band Council hereby makes as By-Law Number 1 of the Islington Band #29 the following:

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à 5

Council Members
Membres du Conseil

.....
(Councillor - conseiller)

.....
(Councillor - conseiller)

.....
(Councillor - conseiller)

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(Councillor - conseiller)

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(Councillor - conseiller)

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(Councillor - conseiller)

.....
(Councillor - conseiller)

.....
(Councillor - conseiller)

Anthony Henry
(Chief - Chef)

Robert Smith
(Councillor - conseiller)

John Smith
(Councillor - conseiller)

Don R. McDonald
(Councillor - conseiller)

Allan Carpenter
(Councillor - conseiller)

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"/> Revenue
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - Recommandable			Approved - Approuvable		
Date	Recommending Officer - Reconnu par		Date	Approving Officer - Approuvé par	

WHEREAS the Band Council of the Islington Band #29 has the authority to make By-Laws for the better preservation of the safety and security of the members and residents of the Islington Band #29 Reserves;

AND WHEREAS the Band Council is desirous of protecting the peace, tranquility and good conduct of the members-citizens and residents of the Islington Band #29 Reserves by controlling the possession and sale of intoxicants and the conduct of intoxicated persons;

NOW THEREFORE the Band Council hereby enacts as a By-Law to be known as the Intoxication Control By-Law:

DEFINITIONS

1. **Intoxicants:** includes alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating or intended to be used as human intoxicants.

Intoxicated: in addition to its ordinary meaning for the purposes of this By-Law means any person, who, being of the age of 18 years or less, and who has consumed intoxicants is deemed to be intoxicated.

Traffic means: a) manufacture, give for the purpose of obtaining a profit therefrom, sell, barter, supply, transport, deliver or distribute, or
b) to offer to do anything mentioned in paragraph (a);
and
"Trafficking" has a corresponding meaning.

PROHIBITION AGAINST TRAFFICKING IN INTOXICANTS & PENALTY

2. Everyone who:
a) trafficks in an intoxicant, or
b) is in possession of an intoxicant for the purpose of trafficking;

is guilty of an offence punishable on summary conviction.

3. Every person who gives, supplies or provides by any means intoxicants to a person who is already intoxicated or that will cause that person to be deemed to be intoxicated is guilty of an offence punishable on summary conviction.

4. Every person who contravenes either S.2 or S.3 of this By-Law is guilty of an offence punishable on summary conviction and is liable to a fine of not more than ONE THOUSAND DOLLARS (\$1,000.00) or imprisonment for a period not exceeding 6 months, or both.

PROHIBITION AGAINST INTOXICATION

5. Everyone who is intoxicated on the Reserves of the Islington Band #29 is guilty of an offence punishable on summary conviction.

PROHIBITION ON POSSESSION OF INTOXICANTS

6. Everyone who is found in possession of intoxicants upon the Reserves of the Islington Band #29 is guilty of an offence punishable on summary conviction.

PENALTY FOR POSSESSION OF INTOXICANTS & INTOXICATION

7. Every person who contravenes either S.5 or S.6 of this By-Law is guilty of an offence punishable on summary conviction and is liable to a fine of not more than ONE HUNDRED DOLLARS (\$100.00), or imprisonment for a period not exceeding 3 months, or both.

EXCEPTIONS TO PROHIBITIONS

LAWFUL TRANSPORTATION & POSSESSION

8. Notwithstanding anything in this By-Law, no offence is committed if the person who is in possession of an intoxicant is:

- a) transporting the intoxicant in an unopened state across the Reserve,
 - i) to a destination beyond the Reserve boundary with no intention to traffic the intoxicant upon the Reserve;
 - ii) to that person's home with no intention to traffic the intoxicant;
- b) at his own home with no intention to traffic the intoxicant.

LAWFUL INTOXICATION

8.a) Notwithstanding any prohibition in this By-Law, no offence is committed where a person is found intoxicated at his home or at a private dwelling to which he is, and remains, an invitee.

FOR GREATER CERTAINTY, the penalties for contravention of this By-Law are set out in The Indian Act.