

BY LAW NO 1991 - 01

OF THE HIAWATHA FIRST NATION INDIAN BAND

A By Law to regulate the construction and maintenance of ditches on the Hiawatha First Nation Reserve No. 36.

WHEREAS the Council of the Hiawatha First Nation Indian Band desires to make a by law for the regulation of the construction and maintenance of ditches along all private rights-of-way on the Hiawatha First Nation Lands;

AND WHEREAS the Council of the Hiawatha First Nation Indian Band is empowered to make such law and with respect to any matter arising out of or ancillary to the exercise of the power and for the imposition of a penalty for a violation thereof, pursuant to Sections 81(1) (f)(q) and (r) of the Indian Act;

AND WHEREAS it is deemed to be expedient for the welfare of the inhabitants of the Hiawatha First Nation Indian Reserve No. 36 to regulate the construction and maintenance of ditches;

NOW THEREFORE the Council of the Hiawatha First Nation Indian Band hereby enacts the following by law:

1. This By Law may be cited as the Hiawatha First Nation Indian Band Construction and Maintenance of Ditches By Law.
- 2(1) Ditches shall be constructed in a manner satisfactory to Council and maintained in a condition that permits adequate drainage of water, but not mud or silt.
- (2) Culverts shall be installed across the said ditches at such locations and in such manner as Council may, by resolution direct, provided that no more than one such culvert need be provided for any one lot.
- (3) Council shall, by writing, notify the locatee of any default, requirement or departure from the provisions of this By Law, whereupon the Locatee shall have fourteen (14) days from delivery of such notice to comply with it's terms.
- (4) Failure to comply with any lawful requirement under this By Law will constitute an offence which may, on summary conviction, result in the penalties prescribed by Section 81 of the Indian Act.
- (5) In the event of any failure to comply with any lawful requirement under this By Law, Council may cause the work or undertaking to be done and recover the expense thereof from the Locatee.

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This by-law is hereby passed at a duly convened meeting of the First Nation Council of the Hiawatha First Nation Indian Band, this 18<sup>th</sup> day of

July, 1991.

Voting in favour of this by-law are the following members of the Council:

Greg Louie  
Member of Council

John Howard  
Member of Council

Mike Paudyal  
Member of Council

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Member of Council

being the majority of those members of the First Nation Council of the Hiawatha First Nation Indian Band present at the aforesaid meeting of the Council.

The quorum of the First Nation Council is 3 members.

Number of members of the First Nation Council present at the meeting: 3.

I, CARL F. Cowie Chief/Councillor of the Hiawatha First Nation Indian Band, do hereby certify that a true copy of the foregoing by-law was faxed to the Minister of Indian Affairs and Northern Development at the Hull Office pursuant to subsection 82(1) of the Indian Act, this 18<sup>th</sup> day of July, 1991.

Carl F. Cowie  
Chief/Councillor

Georgina E. Muddach  
Witness