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Indian and Northern Affairs Canada / Affaires indiennes et du Nord Canada

*Carol J. Corso
Barrister & Solicitor
December 7, 1990*

Chronological No / N° consécutif	90/91 595-03
File Reference / N° de référence du dossier	

BAND COUNCIL RESOLUTION #2167 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	SETON LAKE INDIAN BAND	Current Capital Balance / Solde de capital	\$ _____
Agency District	VANCOUVER DISTRICT	Committed / Engagé	\$ _____
Province	BRITISH COLUMBIA	Current Revenue Balance / Solde de revenu	\$ _____
Place / Nom de l'endroit	SHALALTH	Committed / Engagé	\$ _____
Date	<u>14</u> / <u>11</u> AD 19 <u>90</u> Day - Jour / Month - Mois / Year - Année		

DO HEREBY RESOLVE: / DÉCIDE PAR LES PRÉSENTES:

SETON LAKE BAND OF INDIANS BY-LAW 092690-1

Being a by-law to provide the regulation of Intoxicants

WHEREAS section 85.1 of the Indian Act empowers the council of a band to make by-laws respecting the regulations of intoxicants and the imposition of a penalty for the violation thereof:

AND WHEREAS it is deemed to be expedient to regulate the presence of intoxicants for the safety and welfare of the inhabitants of the SETON LAKE reserve.

NOW THEREFORE the council of the SETON LAKE band of Indians enacts a by-law thereof the following:

1. In this by-law

- (a) "Council" means the Council, as defined in the Indian Act, of the SETON LAKE band of Indians.
- (b) "intoxicants" includes alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicant liquor or combination of liquors and mixed liquors apart 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.
- (c) "minor" means any male or female under the age of 19 years.
- (d) "Peacekeeper" means a Peace Officer employed by the SETON LAKE Indian band for the purpose of enforcing this by-law and any other by-law of the SETON LAKE band.
- (e) "public place" includes any place to which the public have access as of right or by invitation, express or implied.
- (f) "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 SETON LAKE Indian band.

2. No person shall barter, supply or manufacture intoxicants on the reserve of the SETON LAKE Indian band. No person shall sell intoxicants on the SETON LAKE Indian reserve, unless authorized by Council, by permit to be presented publicly, with an appropriate liquor licence, outlining events, sale guidelines, restrictions and purpose. No person shall sell, barter, or supply a minor with intoxicants.

3. No person shall be under the influence of intoxicants in a public place, or while operating or occupying a motor vehicle on the reserve of the SETON LAKE Indian band.



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DO HEREBY RESOLVE / DÉCIDE, PAR LES PRÉSENTES:

SETON LAKE BAND OF INDIANS BY-LAW 092690-1 2/2

- No person shall be in possession of intoxicants in a public place, on the reserve of the SETON LAKE Indian band. Where intoxicants are being transported for personal use, intoxicants must remain sealed at all times while in transit.
- Any person who violates any of the provisions as set out in Section 2 of the by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not more than one thousand dollars or to imprisonment for a term not exceeding six months or to both. All intoxicants are to be seized and disposed of without notification by the peace officer. A liquor permit will be cancelled if permit regulations are violated.
- Any person who violates any of the provisions as set out in Section 3 and Section 4 of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not more than one hundred dollars or to imprisonment for a term not exceeding three months or to both. All intoxicants are to be seized and disposed of without notification by the Peace officer.

Approved and passed at a duly convened meeting of the Council of the SETON LAKE Band of Indians this 14th day of NOVEMBER 1990

I, Robert John, Chief of SETON LAKE Band of Indians, do hereby certify that a true copy of the following by-law was forwarded to the Minister of Indian Affairs and Northern Development pursuant to Section 85.1 ss(3) of the Indian Act this 16th day of NOVEMBER, 1990.

A quorum for this Band / Pour cette bande le quorum est
consists of / fixé à <u>4</u>
Council Members / Membres du Conseil.

Robert John (Chief - Chef)
 _____ (Councillor - Conseiller)
 _____ (Councillor - Conseiller)
 _____ (Councillor - Conseiller)
 _____ (Councillor - Conseiller)
 _____ (Councillor - Conseiller)

File: DH900925

Terence Simpson (Councillor - Conseiller)
Herbert Patrick (Councillor - Conseiller)
Sherrise Oleson (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 (Indian Act Section) / Autorité (Article 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 / Recommandé par		Date	Approving Officer / Approuvé par	