

SOR/86-125  
dated Jan 14/85

E-4216-020  
BCR 272

### BY-LAWS FOR INTOXICANTS

Whereas a majority of the electors of the Band who attended a special meeting of the Annapolis Valley Band on December 17, 1985 (date) called by the council of the Annapolis Valley band on December 11, 1985 (date) for the purpose of considering the contents of this by-law, consented to the contents of this by-law.

And whereas the Annapolis Valley Band Council considers necessary special measures for the protection of the inhabitants of the reserve(s) of the Annapolis Valley Band from the presence of intoxicants:

Now therefore, it is hereby enacted pursuant to section 85.1 of the Indian Act:

#### Definitions

1. In this by-law

"intoxicants" includes alcohol, alcoholic, spiritous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spiritous, vious, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating.

(Definition must be consistent with definition in the Indian Act.)

Private Dwelling - includes individual's home and surrounding land so designated for him by the Band.

#### Prohibition on Sale, Barter, Supply or Manufacture

2. Everyone who sells, barters, supplies or manufactures intoxicants on the reserve(s) of the Annapolis Valley Band is guilty of an offence punishable on summary conviction.

Exceptions to 2.

3. Notwithstanding Section 2, no offense is committed against this by-law where:
  - a. Band designate established approved retailer to sell only Beer, wine.
  - b. Any "Band celebration" deemed as necessary by the majority electors at a special Band meeting.

Prohibition Against Intoxication

4. Everone who is intoxicated on the reserve(s) of the Annapolis Valley Band is guilty of an offence punishable on summary conviction.

Exceptions to 3.

5. Notwithstanding section 4, no offence is committed against this by-law where a person is found intoxicated in his home or in a private dwelling to which he has been invited.
6. Notwithstanding section 3, no offence is committed against this by-law on the following days:

Date or Name

Indian Summer Games Festival

Canada Day Celebrations

Any "Band Celebration" deemed as necessary by the majority electors, at a Special Band Meeting.

Prohibition on Possession of Intoxicants

7. Everyone who is found in possession of intoxicants is guilty of an offence punishable on summary conviction.

Exceptions to 7.

8. Notwithstanding section 7, no offence is committed against this by-law if such possession is for medicinal purposes, the proof of which lies on the person in possession.
9. Notwithstanding section 7, no offence is committed against this by-law if the person in possession is transporting the intoxicants in an unopened state across the reserve to a destination beyond the reserve boundary.

10. Notwithstanding section 7, no offence is committed against this by-law if the person in possession is transporting the intoxicant in an unopened state across the reserve to his or her home or if the person has possession in his home.
11. Notwithstanding section 7, no offence is committed against this by-law on the following days:

Date or Name

Indian Summer Games Festival

Canada Day Celebrations

Any "Band Celebration" deemed as necessary by the majority electors, at a special Band meeting.

Penalties

12. For greater certainty, the penalties for contravention of this by-law are set out in the Indian Act.



Indian and Northern  
Affairs Canada

Affaires indiennes  
et du Nord Canada

and Inuit Affairs

Affaires indiennes et inuit

Chronological No. - Numéro consécutif

272

File Reference - N° de réf. du dossier

E-4216-020

### 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	ANNAPOLIS VALLEY BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	NOVA SCOTIA DISTRICT	Committed - Engagé	\$ _____
PROVINCE	NOVA SCOTIA	Current Revenue balance Solde de revenu	\$ _____
PLACE NOM DE L'ENDROIT	CAMBRIDGE I.R. # 32	Committed - Engagé	\$ _____
DATE	17 December AD 19 85 DAY - JOUR MONTH - MOIS YEAR - ANNEE		

DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

We, the Council of the Annapolis Valley Band on behalf of the majority electors of the Annapolis Valley Band hereby, submit for approval, the attached "BYLAW" concerning Intoxicants on the Annapolis Valley Band Reserve, in Cambridge.

The "BYLAW" to be approved as written, including exceptions as per paragraphs titled "Exceptions To 2 and Exceptions To 3."

The Band operates under the Indian Act section 85.1.

A quorum for this Bande  
Pour cette bande le quorum est  
consists of 2  
fixé à  
Council Members  
Membres du Conseil

(Chief - Chef)  
David J. Toney  
(Councillor - conseiller)

(Councillor - conseiller)  
Murray Copage  
(Councillor - conseiller)

(Councillor - conseiller)  
Regina Toney  
(Councillor - conseiller)