



# NORWAY HOUSE CREE NATION

## CHIEF & COUNCIL

• BOX 250 • NORWAY HOUSE, MANITOBA • ROB 1B0 •  
• TEL: (204) 359-6786 • FAX: (204) 359-4186 •

### SHORT TITLE

This By-Law may be cited as the "Norway House Cree Nation Curfew By-Law".

In this By-Law:

- a) "Band" means the Norway House Cree Nation.
  - b) "Child or Children" mean a person or persons under the age of 18 years.
  - c) "Council" means the Council of the Band.
  - d) "Community event" means a wedding, winter carnival, York Boat Days, sports event, religious celebration or other social event recognized as such by Chief and Council.
  - e) "Peace Officer" means any person defined as a Peace Officer in the Criminal Code of Canada, and without restricting the generality of the foregoing includes an R.C.M.P. officer or a Band Constable.
  - f) "Reserve" means the Norway House Cree Nation Reserve.
  - g) "Supervision" means supervision by a responsible adult who is either the legal guardian of the child or children or an adult person with permission from the child's legal guardian to supervise the child in lawful activity for a specified period of time.
  - h) "Parent" means a father, mother, legal guardian or person having the custody or care in law or in fact.
  - i) "Public Place" means places on the reserve other than a private residence attended with the permission of the resident.
- 1) No child of 12 years of age and under shall be in a public place on the Norway House Cree Nation Reserve after 10:00 p.m. or before 6:00 a.m. seven (7) days a week, except as permitted in paragraph 4.

- 2) **No child between the ages of 13 and 17 years inclusive, shall be in a public place on the Norway House Cree Nation Reserve after 12:00 midnight and before 6:00 a.m. Sunday through Thursday inclusive, except as permitted in paragraph 4.**
- 3) **Any child found in contravention of this By-Law shall be liable on summary conviction to a fine of not more than \$200.00.**
- 4) **No child shall be in contravention of this By-Law if they are under supervision, nor while acting in the interest of an employer, volunteer or community organization, nor while returning as soon as reasonably practicable from an organized sporting or community event which was properly supervised.**
- 5) **Every parent or legal guardian or adult supervisor designated by a parent or legal guardian shall, while that child is under their care and supervision, ensure that such child shall not be found in contravention of this By-Law.**
- 6) **Any parent or legal guardian or adult supervisor found in contravention of this By-Law shall be subject to a fine of not more than \$200.00.**
- 7) **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 18 years, in a public place in contravention of this By-Law, may warn such child to immediately return to the child's residence, and, if after such 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.**
- 8) **Where it appears to a Peace Officer that there is no reasonable provision for the child's supervision at his residence, the Peace Officer may detain the child as may be reasonably necessary to deliver him to the custody of the appropriate child welfare agency.**
- 9) **If, after the warning referred to in Subsection #7, 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 parent or parents or legal guardians of such child may 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.**
- 10) **Chief and Council may, by resolution, direct the parents or legal guardian of any child in contravention of this By-Law to attend family counseling with a family therapist approved by Council.**
- 11) **A copy of the resolution of the Council referred to in Subsection #9 shall be sent by first class mail or delivered by hand to the child's parent or legal guardian not less than seven (7) clear days prior to the proposed meeting.**

- 12) Should any provision of this By-Law be unenforceable at law, it shall be considered separate and severable from the remaining provisions of this By-Law which shall continue in force and be binding as though the enforceable provision had not been included.
- 13) Adults liable to pay fines pursuant to this By-Law who have failed or refused to pay the fine shall be liable, pursuant to the summary conviction provisions of the Criminal Code of Canada.
- 14) This By-Law shall come into effect forty (40) days after a copy of same has been forwarded to the Minister, unless it is disallowed within that forty (40) day period.
- 15) By-Law # \_\_\_\_\_ enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 1999, and being a By-Law respecting curfew, be and the same is hereby repealed.

THIS BY-LAW IS HEREBY MADE AT A DULY CONVENED MEETING OF THE COUNCIL OF NORWAY HOUSE CREE NATION THIS 19<sup>th</sup> DAY OF JANUARY, A.D. 1999.

VOTING IN FAVOR OF THE BY-LAW ARE THE FOLLOWING MEMBERS OF THE COUNCIL:

Lawson  
Witness

[Signature]  
Chief Ron Evans

Lawson  
Witness

[Signature]  
Councillor Jimmock Cromarty

Lawson  
Witness

[Signature]  
Councillor Fred Clarke Sr.

Lawson  
Witness

[Signature]  
Councillor James Dixon

Lawson  
Witness

[Signature]  
Councillor Paul Hart

Lawson  
Witness

[Signature]  
Councillor Fred Muskego

Lawson  
Witness

[Signature]  
Councillor Mike Muswagon