

Nelson House Indian Band

NELSON HOUSE, MANITOBA, R0B 1A0
Telephone (204) 484-2332



NELSON HOUSE INDIAN BAND

BY-LAW #1

WHEREAS paragraphs 81 (1) (c), (d), (q) and (r) of the Indian Act, R.S.C. 1985, ch. 1-5 empowers the Council of a Band to make by-laws for the observance of law and order, the prevention of disorderly conduct, matters ancillary thereto, and penalty for the violation thereof;

AND WHEREAS the Council of the Nelson House Band of Indians is of the opinion that a curfew should be established, for the welfare and safety of the children and the community on the Reserve;

THEREFORE, the Council of the Nelson House Band of Indians enacts a by-law as follows:

SHORT TITLE

1. This by-law may be cited as the "Nelson House Reserve Curfew By-Law".

INTERPRETATION

2. In this by-law:

"child" means any person who is under the age of 18 years;

"Community Social Events" means a wedding, winter carnival, sports events, religious celebration, or other social event recognized as such by the Council of the Nelson House Band;

"parent" means a father, mother, tutor, guardian or person having the custody or care in law or in fact of a child;

"peace officer" means a peace officer as defined in section 2 of the Criminal Code, R.S.C. 1985, c. C-46;

"prohibited hours" means that period of time between the hour of eleven o'clock in the evening of one day and the hour of six o'clock in the morning of the following day during the calendar months of June, July, August and September of each year; and between the hour of ten o'clock in the evening of one day and the hour of six o'clock in the morning of the following day during the remaining calendar months of each year;

"reserve" means the Nelson House Indian Reserve No. 170.

PROHIBITION

2. No parent shall permit his child to be in any public place during the prohibited hours unless such child:
- a) is accompanied by his parent;

- b) is accompanied by a person who is eighteen (18) years of age or over, with the authorization of that child's parent;
- c) is attending or is directly returning home from a community social event; or.
- d) is authorized by resolution of Council.

POWERS OF PEACE OFFICER

- 3. A peace officer who finds a child who is or, in the absent of evidence to the contrary, appears to be under the age of 18 years, in a public place during the prohibited hours contrary to section 2 may warn such child to immediately return to the child's residence and , if after so warning, the child refuses or neglects to return to his residence forthwith, the peace officer may use such reasonable force as s necessary to escort such child to the child's residence.

MEETING WITH PARENTS

- 4. (1) If, after the warning referred to in section 3 of this by-law, 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 parents 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.
- (2) A copy of the resolution of the Council referred to in subsection 4(1) shall be sent by first class mail or delivered by hand to the child;'s parent not less than seven (7) clear days prior to the

proposed meeting.

OFFENCE AND PENALTY

5. A parent who permits his child to be in any public place during the prohibited hours, contrary to section 2, commits an offence and is liable on summary conviction to a fine not exceeding twenty (\$20.00) dollars or imprisonment for a term not exceeding seven (7) days or to both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Nelson House Band of Indians this 21st day of December 1990.



Chief



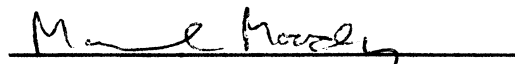
Councillor



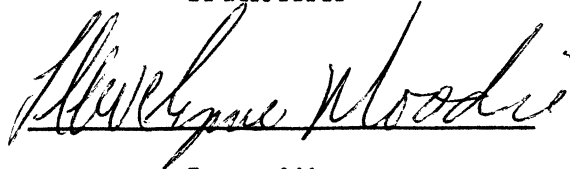
Councillor



Councillor



Councillor



Councillor



Councillor

I, Norman Linklater Chief of the Nelson House Indian Band do hereby certify that a true copy of the foregoing by law was forwarded to the Minister of Indian Affairs and Northern Development pursuant to section 82(1) of the Indian Act, this 21st day of December 1990 and within four days of it being made.

Macl Moody
witness

[Signature]
Chief