

E4215-4-324

Chronological no. - N° consécutif
324 - 157

File reference no. - N° de référence du dossier
E5471-3

BAND COUNCIL RESOLUTION
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 WUSKWI SIPIHK FIRST NATION		Cash free balance - Solde disponible
		Capital account Compte capital \$ _____
Date of duly convened meeting Date de l'assemblée dument convoquée	D-J M Y-A 1 0 0 1 9 6	Province MANITOBA
		Revenue account Compte revenu \$ _____

DO HEREBY RESOLVE:
DECIDE, PAR LES PRÉSENTES:

By-Law
of the WUSKWI SIPIHK FIRST NATION

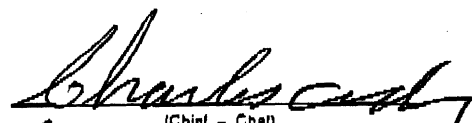
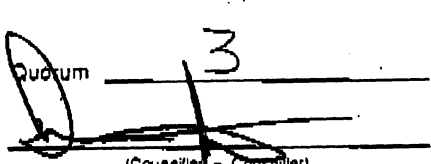
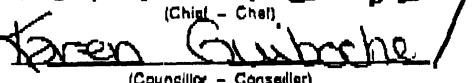
A BY-LAW FOR THE REMOVAL AND PUNISHMENT OF
PERSONS TRESPASSING OR FREQUENTING THE
THE RESERVE FOR PROHIBITED PURPOSES

WHEREAS The Council of the Wuskwi Sipiik First Nation desires to establish a by-law to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

AND WHEREAS the Council of the Wuskwi Sipiik First Nation is empowered to make such by-law, and any matter ancillary thereto pursuant to paragraphs 81(1)(c),(d),(p),(q) and (r) of the INDIAN ACT;

AND WHEREAS it is deemed to be expedient and necessary, for the benefit, confort and safety of the inhabitants of the Wuskwi Sipiik First Nation, to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

NOW THEREFORE the Council of the Wuskwi Sipiik First Nation hereby makes the following by-law.

Quorum <u>3</u>	 (Chief - Chef)	
 (Councillor - Conseiller)	 (Councillor - Conseiller)	_____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

Expenditure - Dépenses	Authority (Indian Act Section) Autorité (Article de la Loi sur les Indiens)	Source of funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu	Expenditure - Dépenses	Authority (Indian Act Section) Autorité (Article de la Loi sur les Indiens)	Source of funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue Revenu
Recommending officer - Recommandé par		Recommending officer - Recommandé par		Recommending officer - Recommandé par	
_____ Signature Date		_____ Signature Date		_____ Signature Date	
Approving officer - Approuvé par		Approving officer - Approuvé par		Approving officer - Approuvé par	
_____ Signature Date		_____ Signature Date		_____ Signature Date	

Short title

1. This by-law may be cited as Wuskwi Sipiik First Nation By-law Respecting the Removal of the Trespassers on the Wuskwi Sipiik First Nation Reserve”.

Interpretation

2. In this by-law

“Council” means the Council of the Wuskwi Sipiik First nation as defined in the Indian Act;

“Minister” means the Minister of Indian Affairs and Northern Development;

“Officer” means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, and any person appointed by the Council for the purpose of maintaining law and order on the reserve.

“Reserve” means the reserve of the Wuskwi Sipiik First Nation and includes the _____ Band's Reserves No. ___ and No. ___;

“Trespass” means the entry onto, or the presence on, the reserve by a person without lawful justification.

Prohibited Purposes

- 3.(1) A person, other than a person referred to in subsection (2), who conducts on the reserve any of the following activities, namely:
 - (a) hunting, fishing or trapping;
 - (b) hawking or peddling of wares of merchandise;
 - (c) loitering;
 - (d) soliciting financial assistance ; or
 - (e) frequently transports people (members of Wuskwi Sipiik First Nation) and their liquor (intoxicants) onto the Wuskwi Sipiik First Nation reserve for the sole purpose of creating disorderly conduct and contributing to the delinquency of minors.

Shall be deemed to be frequenting the reserve for a prohibited purpose.

- (2) Subsection (1) does not apply to

- (a) a person who is a lawful resident of the reserve; or

(b) a person who, under a by-law of the Council, holds a valid licence to conduct any activity referred to therein or is otherwise permitted to conduct that activity.

4.(1) An officer may order any person who trespasses on the reserve or who frequents the reserve for a prohibited purpose to leave the reserve immediately.

(2) Where a person who has been ordered to leave the reserve fails or refuses to do so, an officer may take such reasonable measures as may be necessary to remove the person from the reserve.

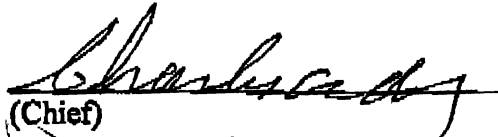
(3) No person shall fail or refuse to comply with an order made under subsection (1) to leave the reserve, or shall resist or interfere with an officer acting under subsection (2).

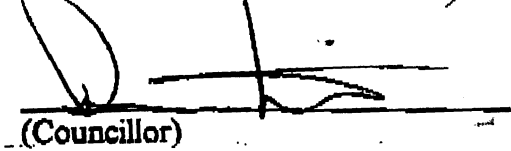
Penalty

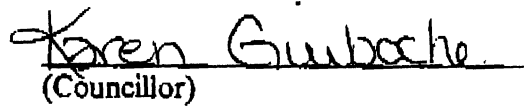
5. A person who violates any provision of this by-law commits an offence and is liable on summary conviction to a fine not exceeding \$1,000.00 or to imprisonment for a term not exceeding thirty days, or to both.

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Band Council of the Wuskwi Sipiik First Nation this 08 day of January, 1996.

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


(Chief)


(Councillor)


(Councillor)

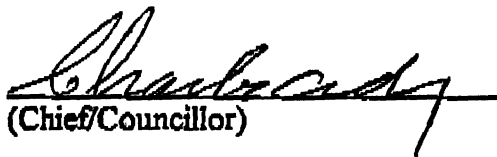
(Councillor)

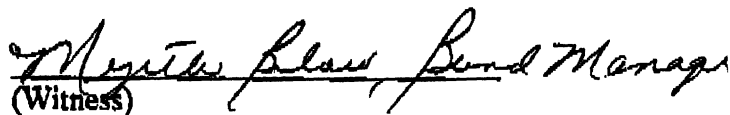
(Councillor)

being the majority of those members of the Band Council of the Wuskwi Sipiik First Nation present at the aforesaid meeting of the council.

The quorum of the Band Council is 3 members.

I, Charles Andy Chief/Councillor of the Wuskwi Sipiik First Nation, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian Affairs and Northern Development at the District/Regional/Hull office pursuant to subsection 82(1) of the Indian Act, this 8th day of January, 19 96.


(Chief/Councillor)


(Witness)