



BROKENHEAD OJIBWAY NATION

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*enacted 00/06/05
mailed 00/06/06
rec 00/06/13
40day 00/07/16*

Brokenhead Ojibway Nation By-Law Curfew

BEING A BY-LAW FOR BROKENHEAD OJIBWAY NATION TO regulate the time after which children shall not be in a Public Place at night without proper guardianship.

WHEREAS there is a demonstrated desire from the citizens of Brokenhead Ojibway Nation to implement a curfew for children;

AND WHEREAS it is deemed necessary and desirable by the Chief and Council of the Brokenhead Ojibway Nation to regulate the time after which children shall not be in a Public Place at night without proper guardianship;

AND WHEREAS a curfew by-law will assist parents and legal guardians in exercising authority over their children to keep their children safe from harm and also enhance the quality of life and promote the health and welfare of the families within the community of Brokenhead Ojibway Nation;

AND WHEREAS pursuant to the Indian Act and amendments thereto, the Chief and Council of Brokenhead Ojibway Nation is authorized to pass by-laws for Band purposes respecting the safety, health, protection and well being of people, and the safety and protection of property, and respecting people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centers, restaurants, facilities, retail stores, malls, and private clubs and facilities.

NOW THEREFORE THE CHIEF AND COUNCIL OF BROKENHEAD OJIBWAY NATION, HEREBY ENACTS AS FOLLOWS:

Brokenhead Ojibway Nation
CURFEW BY-LAW

INTERPRETATION

1. Definitions:

- a) "CHILD" means a person under the age of eighteen (18) YEARS.
- b) "GUARDIAN" means parent, legal guardian, foster parent, adult person standing in loco parentis, or an adult person who has been given prior permission by a Guardian to look after a Child for a specified period of time.
- c) "Public Place" means a place to which the public have or are permitted to have access, including:
- d) Privately owned or leased real property, to which the public has access by either express or implied invitation.

OFFENCES

- 2. No Child shall be in a Public Place within the reserve boundaries of Brokenhead Ojibway Nation after 9:00 p.m. and before 6:00 a.m.;
- 3. No child shall be found in contravention of this by-law if they are in the company a Guardian of are found in a Public Place while acting in the interest of an employer or volunteer organization or returning as soon as reasonably practical from an organized sporting event or other event which has been supervised by an adult.
- 4. Every Guardian of a child, whether that Child is their own or that of any other person and while that Child is under their care and supervision shall ensure that such Child shall not be found in contravention of this by-law.

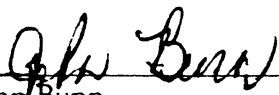
Penalty:

- 5. Any Child who is found in contravention of this by-law shall be subject to a fine of not less than \$25.00 and not more than \$200.00.
- 6. Any Guardian who is found in contravention of this by-law shall be subject to a fine of not less than \$25.00 and not more than \$200.00.

Brokenhead Ojibway Nation
CURFEW BY-LAW

7. In no event shall a Child or Guardian who is found in contravention of this by-law be subject to imprisonment.
8. 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 shall be binding as though the said provision has not been included.
9. This By-Law shall come into effect on the day after approval by Chief and Council.


DONE AND PASSED AS A BY-LAW OF BROKENHEAD OJIBWAY NATION BY
THE CHIEF AND COUNCIL THEREOF ON 5th DAY OF June 2000.



Chief John Bunn



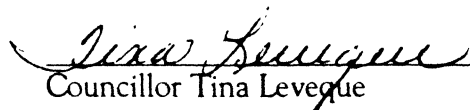
Councillor Gary Bear



Councillor Tim Spence



Councillor Debbie Chief



Councillor Tina Leveque