

SOR/86-11
dated Dec. 15/85

BY-LAW NO. 2-85

Being a By-Law to prohibit any person from being intoxicated on the reserve and prohibiting any person from having intoxicants in his possession on the reserve.

WHEREAS Section 85.1 (1)(b) prohibits any person from being intoxicated on the reserve and whereas Section 85.1 (1)(c) prohibits any person from having intoxicants in his possession on the reserve.

WHEREAS the Council feels the use of intoxicants on the reserve creates severe problems such as community disruption, accidents, injury or death to persons on the reserve.

WHEREAS regulations for the control and use of intoxicants on the reserve is necessary to ensure the safety, well being and health of persons on the reserve.

.....WHEREAS Section 85.1 subject to subsection (2) empowers the Council of a Band to make by-laws.

NOW THEREFORE the Council of the Red Earth Band of Indians enacts as a By-Law the following:

In this By-Law

1. (a) Council means the Council of the Red Earth Band of Indians as defined in the Indian Act.
 - (b) Reserve means the tract of land, the legal title of which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of the Red Earth Band of Indians known as
 - Red Earth Indian Reserve No. 29
 - Red Earth Indian Reserve No. 29A
 - (c) Person means anyone who is within the boundaries of the Indian Reserve as outlined in 1(b) above.
2. No person shall be intoxicated on the reserve.

- 3. No person shall have intoxicants in his possession on the reserve.
- 4. Exceptions to this By-Law shall be medication containing intoxicants which has been prescribed for medicinal purposes by a qualified Doctor.
- 5. Any person who violates any of the provisions of this By-Law shall be guilty of an offense and shall be liable on summary conviction to a fine or imprisonment or both fine and imprisonment as provided in Section 85.1 (4)(b) of the Revised Indian Act (Rev. 28/06/85) as follows:

A fine of not more than one hundred (\$100.00) dollars or to imprisonment for a term not exceeding three (3) months, or to both.

Approved and passed at a duly convened meeting of the Council of the ... Red Earth..... Band of Indians this 26th. day of ..November...., 19.85.

Alvin W. Head
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CHIEF

Sector Head
COUNCILLOR
Khalee May

Weldon Whitehead
COUNCILLOR
Arnaid Kawaakaya

I, ALVIN W. HEAD..... Chief/Councillor of the RED EARTH..... Band of Indians, do hereby certify that a true copy of the foregoing By-Law was forwarded t the Minister of Indian & Northern Affairs Canada pursuant to Section 82(1) of the Indian Act this 26th day of November....., 1985..

Joe Binklow
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Witness

Alvin W. Head
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Chief/Councillor