

**By-Law No. 2005-1
of the Sakimay First Nations
A By-law to Regulate Smoking**

WHEREAS the Council of the Sakimay First Nations desires to make a by-law governing the regulation of smoking in certain public buildings;

AND WHEREAS the Council of the Sakimay First Nations is empowered to make such by-laws pursuant to paragraph 81(1)(a), (h), (q) and (r) of the Indian Act;

AND WHEREAS it is considered to be necessary for the health and convenience of the patrons of the Painted Hand Casino in Yorkton Saskatchewan to establish designated smoking areas upon the premises;

NOW THEREFORE the Council of the Sakimay First Nations hereby makes the following by-law:

SHORT TITLE

1. This by-law may be cited as the Sakimay First Nations Indoor Smoking By-law No. 2005-1

INTERPRETATION

2. In this by-law,

"Public area" means the whole or part of an indoor area to which the general public is invited or permitted access;

"The premises" means the building located at 30 Third Avenue North, Yorkton Saskatchewan, and more particularly described as located on the Sakimay Indian Reserve No.74, Lots 9, 10, 22, 23, 24, and 25 on plan numbers 84204 and 84205 in the Canada Lands Survey Records.

"Non-smoking area" shall mean an area designated by the tenant in which smoking is prohibited.;

"Patrons" includes any person who visits the premises where the visit does not involve the operation of the business of the Painted Hand Casino;

"First Nations" means the Sakimay First Nations;

"Tenant" means the Painted Hand Casino;

"Bylaw Officer" means a person designated by the Sakimay First Nations to monitor compliance with all Sakimay First Nations bylaws;

3. **The Tenant will designate sixty percent (60%) of the floor space of the premises, which the public has regular access to, as a non-smoking area(s).**
4. **The Tenant shall not allow any person to smoke in the designated non-smoking areas.**
5. **All washroom facilities on the premises are to be designated as non smoking areas.**

SIGNS

6. **All non-smoking areas must be posted with "No Smoking" signs.**
7. **"No Smoking" signs shall be posted in locations of prominent visibility so as to clearly indicate to the patrons the boundaries between the non-smoking and smoking areas.**
8. **"No Smoking" signs within the non-smoking areas will have the following requirements:**
 - a) **the words "No Smoking" or the international symbol for no smoking, and attached as Schedule A, for greater clarity;**
 - b) **all "No Smoking" signs will be of a minimum dimension of 12.7 cm high by 12.7 cm wide (5 in. high by 5 in. wide).**
9. **There will be a "No Smoking in areas designated as non-smoking" sign posted at each entrance to the premises.**

VIOLATIONS

10. **Where there is a violation of this bylaw the tenant will be provided fourteen (14) days to correct the violation.**
11. **The Tenant will have 30 days, upon the coming into force of this bylaw, to comply with the requirements herein.**
12. **Following the thirty (30) day compliance period or, a fourteen (14) day violation correction period, the Bylaw Officer will inspect the premises immediately at the end of the period to determine whether the Tenant has complied with the requirements of this bylaw.**
13. **No extensions to any time periods noted in this bylaw will be granted.**

FINES

14. Where a violation remains unremedied, following the conclusion of any time period noted herein, the Tenant shall be assessed a fine not exceeding \$1000.00.

This By-Law is hereby passed by a quorum of Council at a duly convened meetings convened on the 25th day of January, 2005.

Those voting in favour of the by-law are as follows:



Iris Acorse



Ronald Koyak

Fred Wakpaosywan

Valerie Douglas #386

Being a majority of the members of the Council of the Sakimay First Nation present at the aforesaid meeting of the Council.

A quorum of the Council is 5 ^{R.K.}

Number of Members of the Council present at the meeting 6.

I, Ronald Koyak, Chief or Councillor of the Sakimay First Nations, do hereby certify that an original of the foregoing By-Law No.2005-1 is mailed to the Minister of Indian Affairs pursuant to subsection 82(1) of the Indian Act, this 26 day of Jan, 2005.

Read a first time at a duly convened Chief and Council meeting held 28th day of May, 2004.
Read a second time at a duly convened Chief and Council meeting held 9th day of July, 2004.
Read a third time at a duly convened Chief and Council meeting held 25th day of January, 2005.

APPENDIX "A"

Sakimay First Nations Smoking By-Law 2005-01

Symbol representing the enforcement of no smoking.

