

PAUL BAND

TRESPASS BY LAW

2nd draft  
original.

(1)

THE PAUL INDIAN NATION has inherent authority and jurisdiction over its lands and Peoples;

THE PAUL INDIAN RESERVES NO:133A, 133B and 133C, are for the exclusive use of the Peoples of the Paul Indian Nation and such lands are not open to the public, nor are the Reserves a public place;

THE PAUL INDIAN GOVERNMENT has authority to determine who may enter the lands of the Reserve and have found it necessary to regulate who may enter the Reserve;

THEREFORE, UNDER THE AUTHORITY OF THE INDIAN ACT, R.S.C. 1970, C.I-6, S.81 (c)(d)(n)(p)(q) and (r), the Paul Indian Government hereby enacts BY LAW NO: 8 to be cited as the "TRESPASS LAW".

1. IN THIS LAW:

**BAND COUNCIL RESOLUTION** - means a Resolution passed by a quorum of the Council of the Band, which binds the Council and the Peoples of the Paul Indian Nation to the action stated therein.

**MEMBER** - is every person whose name is on the Membership List of the Paul Indian Nation as per the Paul Band Membership Code.

**COUNCIL** - means the Council of the Paul Indian Government as determined by the Peoples of the Paul Indian Nation.

**PEACE OFFICER** - shall mean the Paul Band Police and the R.C.M.P.

**PUBLIC AREA** - includes any area where the Peoples of the Paul Band may utilize as a common ground and includes the townsite.

**RESERVE** - shall include Paul Band Indian Reserves No:133A, 133B, and 133C, and includes unsold surrendered lands.

2. THE COUNCIL of the Band may, by Band Council Resolution, specifically declare that any person be banned from the Reserve.

3. THE COUNCIL may pass regulations regarding the entrance of any person on the Reserve.

4. HAWKERS, peddlars, salesmen, or others who enter the Reserve to sell, buy or otherwise deal in wares of merchandise must seek permission to enter the Reserve. Permission should be sought by a letter to the Band Council describing the products to be sold. Permission will be granted by letter by the Council for entrance into the Reserve. Council may make regulations and stipulations as to the number of times coming on the Reserve, quantity sold, etc. The Council reserves the right to withdraw their permission at any time.

5. ANY RELIGIOUS group or sect, seeking to preach, teach or hold any classes, services, activity, etc., must seek permission to enter the Reserve. Permission will be granted by letter by the Council for entrance into the Reserve.

6. PROVINCIALY appointed Fish and Wildlife Officers, Social Service Child Care Workers, or anyone related to the Provincial Department of Energy and Natural Resources or the Department of Social Services are not permitted entry on the Reserve, unless expressly authorized by a quorum of Council.

7. THE ONLY POLICE which are permitted on the Reserves shall be the R.C.M.P. and the Paul Band Police. Any other police officers or persons seeking to serve summons, warrants, or other documents may not enter the Reserve.

8. ANY NON-MEMBER entering the Reserve, must have the permission of Council or a Band Member. A Non-Member may enter the Reserve if they are coming onto the Reserve to patronize a business of the Band or participate in an advertised activity or sport.

9. ANY PERSON on the Reserve without permission or legal right and found to be causing a disturbance or making a nuisance of them-selves, may be charged under this law and immediately asked to remove themselves from the Reserve. If after being asked to leave, the person will not leave, a Peace Officer has the authority to forcibly remove that person from the Reserve. Such force to be used is to be reasonable for the circumstances.

10. PERSONS found selling or providing liquor or drugs on the Reserve, will be considered to be trespassing and will be charged under this law:

a. Non-Members will be asked to leave the Reserve immediately, and may be forceably removed if they do not leave as required.

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b. Members shall be asked to leave the public area or the area in which they have been selling or providing liquor or drugs, and if they do not leave, will be forcibly removed.

11. ANY PERSONS causing a disturbance by fighting, making noise, causing trouble or damage to property anywhere on the Reserve, whether in a public area or residence, will be deemed to be trespassing and will be charged under this law. Any persons causing damage to the lands of the property shall be liable for such damage.

a. Any Non-Members contravening this section will be asked to leave the Reserve immediately and may be forcibly removed if they do not leave.

b. Members will be asked to leave the immediate area in which the disturbance occurred and may be forcibly removed if they do not comply.

12. NO PERSON shall enter upon the Paul Band Golf Course, greens, driving range, maintenance areas, etc., without permission of the supervisor operating the Golf Course.

13. ANY PERSON found to have caused damage or is the parent/guardian of the infant/minor causing damage or is the owner of an animal causing damage to the Golf Course, its lands, property, or maintenance area, will be held liable for any or all damages occurring and may be pursued legally for such damages.

14. ANY PERSON who violates any provisions of this By Law, shall be guilty of an offence under summary conviction and shall be liable to a fine not exceeding \$1,000.00 and/or thirty (30) days imprisonment, or both.

CHIEF

Walter Rain

COUNCILLORS:

Ronald House

Marvin Beaudin

Isaac Rain

Francis H. Burr

Charles Clous

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Mike House

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witness: Judith F. Sany

DATED at the Village of Duffield in the Province of Alberta  
this 15th day of September A.D. 1987.