

LOUIS BULL TRIBE NO. 439
BY-LAW FOR THE PROHIBITION OF
REFUSE ON RESERVE

BY-LAW NO. 1998-04
of the LOUIS BULL INDIAN TRIBE
A By-Law to Prohibit Refuse on Reserve

WHEREAS Sections 81(a), (d), (q) and (r) of the Indian Act empowers the Council of an Indian Tribe to enact by-laws to provide for the health of residents on the Reserve, the prevention of nuisances, any matter ancillary thereto and the imposition of a penalty for the violation thereof;

The Council of the Louis Bull Tribe is of the opinion that unsightly lands and premises is a nuisance and may be a menace to health;

NOW, THEREFORE, the Council of the Louis Bull Tribe hereby declares the following to be the Tribe's Law governing refuse on the Louis Bull Indian Tribe Reserve.

1. **Short Title**

This by-law may be cited as the "**Louis Bull Indian Tribe Fire Control By-law**".

2. **In this By-law:**

- (a) **"Council"** means the Council of the Louis Bull Tribe, as defined in the Indian Act;
- (b) **"Enforcement Officer"** means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, or a By-law enforcement officer or such other person appointed by the Council for purpose of maintaining law and order on the Reserve.
- (c) **"Refuse"** means and includes garbage, junk, paper, rubbish and trash; and without limiting the generality of the foregoing, includes; bodies or parts of automobiles or other vehicles or machinery, household goods or furnishings or parts thereof, construction material, scrap iron or other metals, or domestic or industrial wastes of

any kind whatsoever;

- (d) **"Reserve"** means the Louis Bull Reserve #138B.
 - (e) **"Tribe"** means the Louis Bull Indian Tribe No. 439.
2. No person shall permit lands or premises within the Reserve occupied, used, leased, allotted to or otherwise in his possession or under his control to be or to become unsightly by permitting Refuse to remain or accumulate on any part of such lands or premises.
3. (a) Where, in the opinion of the Council, lands or premises within the Reserve are unsightly by virtue of Refuse having been permitted to remain or accumulate, the Council may, by resolution, direct that written notice (herein 'Notice') be given to the holder of the certificate of possession of the said lands or premises to have the lands or premises cleaned of all offensive material or Refuse within a specified period of time.
- (b) The Notice referred to in Section 3(a) above shall be:
- (i) delivered by personal service upon the person named therein, or
 - (ii) posted in a conspicuous place at the Louis Bull Tribal Administration building, or
 - (iii) mailed by first class registered mail to the holder of the certificate of possession for such lands.
4. Failure by a person to comply with the directions given by Council in the Notice referred to in Section 3 shall be deemed to be a violation of this By-law.

5. Council may, in its sole discretion, pay a sum of money or reward as determined by Council from time to time to such person who provides information to Council that a person is violating the provisions of this By-law.

6. Any person who directly or indirectly violates any of the provisions of this By-law:
 - (i) may be directed by Council to meet with the Tribal Elders in order to discuss the said violation(s); or

 - (ii) shall be guilty of an offense, and shall be liable on summary conviction to:
 - (a) a fine not exceeding One Thousand (\$1,000.00) Dollars or such amount as may be determined by Council from time to time; or

 - (b) imprisonment for a term not exceeding Thirty (30) days or such length of time as may be determined by Council from time to time;

 - (c) both a fine, as set out herein, and imprisonment, as set out herein.

In addition to any fine or imprisonment, or both, imposed herein, Council may order such person to reimburse the Council or any other parties for the costs incurred in the removal or clean up of any Refuse.

7. **JURISDICTION**

In the event of any conflict between Louis Bull Tribal law, Government of Canada, Provincial or other laws, Louis Bull Tribal law shall prevail.

8. **EXTENDED MEANINGS**

Words importing the singular number include the plural and vice-versa; words importing the masculine gender include the feminine and neuter genders.

9. ~~REPEAL~~

~~Upon this by-law coming into force, By-Law Number _____ of the Louis Bull Tribe is hereby repealed.~~

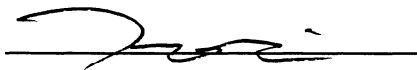
BE IT KNOWN THAT THIS BY-LAW TO PROHIBIT UNSIGHTLY LANDS IS HEREBY ENACTED AS BY-LAW NO. 1998-04, BY THE COUNCIL OF THE LOUIS BULL TRIBE AT A DULY CONVENED MEETING OF THE SAID COUNCIL HELD ON THE 8th DAY OF June 1998. THIS BY-LAW IS CONSENTED TO BY THE FOLLOWING MEMBERS OF COUNCIL.



HELEN BULL



NORMAN DESCHAMPS

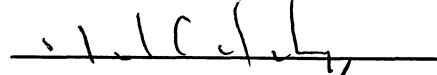


TERENCE RAIN

ELAINE ROASTING



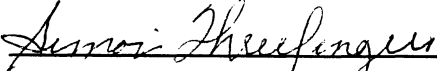
THERESA BULL



JOSEPH C. DESCHAMPS



HENRY RAINE



SIMON THREEFINGERS

Being the majority (or more) of those members of the Council of the Louis Bull Tribe present at the aforesaid meeting of the Louis Bull Tribe. **A QUORUM OF THE LOUIS BULL COUNCIL IS FIVE MEMBERS.**