

**By-law Number 2002-03**  
**Being a By-law to repeal and replace By-law No. 1998-02**  
**Enacted on the 8<sup>th</sup> day of June, 1998**  
**Being a By-law Respecting Curfew of Children on the Reserve**

**WHEREAS** paragraphs 81(1)(c), (d), (q) and (r) of the *Indian Act, R.S. C-5, as amended* (herein, '*Indian Act*') empower the Council of a Band to make by-laws for the observance of law and order, the prevention of disorderly conduct; matters ancillary thereto, and the imposition of a penalty for the violation of such by-law;

**AND WHEREAS** the Council of the Louis Bull Band, for the welfare and safety of the youth and also for the Reserve community, is of the opinion that children should not remain unattended and without adult supervision in public places during the evenings;

**AND WHEREAS** the Council of the Band did enact By-law Number 1998-02 on the 8<sup>th</sup> day of June, 1998 and wishes to repeal the said By-law Number 1998-02 and replace it with this By-law.

**THEREFORE**, the Council of the Louis Bull Band enacts this by-law as follows:

1- **SHORT TITLE**

This By-law may be cited as the "Louis Bull Reserve Curfew By-law" and is referred to herein as 'By-law'.

2. **DEFINITIONS**

In this By-law

"*child*" means any person who is actually or apparently under the age of eighteen (18) years;

"*community social event*" includes social events recognized as such by the Council of the Louis Bull Band;

"*parent*" means a father, mother, guardian or person having the custody or care, in law or in fact, of a child;

"*peace officer*" means a peace officer as defined in section 2 of the Criminal Code, R.S.C. 1985, c. C-46, as amended;

"*prohibited hours*" means the period between nine o'clock in the afternoon and six o'clock in the forenoon of the following day during each day of the year;

"*public place*" includes any place to which the public have access as of right or by invitation, express or implied as defined in section 150 of the Criminal Code, R.S.C. 1985, c. C-46, as amended;

“Reserve” means Louis Bull Indian Reserve No. 138B.

3- **PROHIBITION**

No parent shall permit their child to be in any public place during the prohibited hours unless such child:

- (a) is accompanied by a parent;
- (b) is accompanied by a person who is 18 years of age or over, with the authorization of that child’s parent; or
- (c) is attending or is directly returning home from a community social event that has been authorized by the parent.

4- **POWERS OF THE PEACE OFFICER**

- (1) A peace officer who finds a child who is in a public place during the prohibited hours, unless in accordance with section 3, may give the child a warning.
- (2) A peace officer shall notify the parent(s) that the child was found in a public place during the prohibited hours, contrary to section 3.

5- **MEETING WITH PARENTS**

If a child disregards the peace officer’s warning or is found by a peace officer to be disobeying this By-law the matter will be referred by the peace officer to the appropriate child welfare social agency.

6- **REPEAL OF BY-LAW**

By-Law number 1998-02 enacted on the 8<sup>th</sup> day of June, 1998 and being a By-law respecting curfew, be and the same is hereby repealed.

**THIS BY-LAW IS HEREBY** made at a duly convened meeting of the Council of the Louis Bull Band this 9<sup>th</sup> day of October, 2002.

Voting in favour of the by-law are the following members of the Council:

  
(Member of the Council)

  
(Member of the Council)

\_\_\_\_\_  
(Member of the Council)

Simon Threefingers  
(Member of the Council)

[Signature]  
(Member of the Council)

[Signature]  
(Member of the Council)

Jonathan Bull  
(Member of the Council)

Elaine Roasting  
(Member of the Council)

\_\_\_\_\_  
(Member of the Council)

\_\_\_\_\_  
(Member of the Council)

being the majority of those members of the Council of the Louis Bull Band present at the aforesaid meeting of the Council.

The quorum of the Council is five (5) members.

Number of members of the Council present at the meeting: 8

I, Simon Threefingers Chief/Councillor of the Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian and Northern Affairs Canada at the \_\_\_\_\_ office of the department pursuant to subsection 82(1) of the *Indian Act*, this 9th day of October, 2002.

[Signature]  
(Witness)

Simon Threefingers  
(Chief/Councillor)