



BAND COUNCIL RESOLUTION (Quorum 4)

NOTE: The words "from our Band Funds" "capital" or "revenue, whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.

The Council of the		SUNCHILD FIRST NATION		Cash free balance	
				Capital account:	\$
Date of duly convened meeting:		November 20, 2019	Province	Capital account:	\$
			ALBERTA		

Sunchild Trespass By-law Enacted November 20, 2019

SUNCHILD FIRST NATION TRESPASS BY-LAW 2019

WHEREAS the Council of the Sunchild First Nation desires to establish a by-law to provide for the removal and punishment of persons trespassing on the reserve.

AND WHEREAS the Council of the Sunchild First Nation is empowered to make such by-law, and any matter ancillary thereto pursuant to paragraphs 81 (1) (n), (p), (q) and (r) of the Indian Act.

AND WHEREAS it is deemed to be expedient and necessary, for the benefit, comfort and safety of the members of the Sunchild First Nation reserve, to provide for the removal and punishment of persons trespassing on the reserve.

AND WHEREAS nothing in this by-law shall deem to alter, diminish, derogate or abrogate Treaty Number 6, including the spirit and intent of our Treaty Rights.

NOW THEREFORE the Council of the Sunchild First Nation hereby makes the following by-law:

SHORT-TITLE

1. This by-law may be cited as the "Sunchild First Nation Trespassers By-law".

INTERPRETATION

2. In this by-law:

"Council" means the duly elected Chief and Council of the Sunchild First Nation;

"Minister" means the Minister of Indian Affairs and Northern Development;

"officer" means any police officer, police constable, by-law enforcement officer or other person charged with the duty to preserve and maintain public peace;

"reserve" means the Sunchild First Nation reserve no. 202;

TRESPASSING

3. (1) A person who enters onto the Sunchild First Nation reserve without lawful justification is a trespasser and shall have committed an offense contrary to this by-law.

(2) Upon review of all relevant facts, the Residency Sanctioning Body, Officer or Council shall determine who is a trespasser under this by-law.

REMOVAL FROM THE RESERVE

4. Upon the direction of Council, the Residency Sanctioning Body, or an Officer:

(1) Any person who trespasses on the Reserve may be ordered to leave the reserve immediately and if they shall fail to do so, they shall have committed an offence contrary to this by-law.

(2) Any person commits an offense under Section 3(1) or 4(1) commits an offence punishable on summary conviction and may be arrested in accordance with s. 495(2) of the Criminal Code.

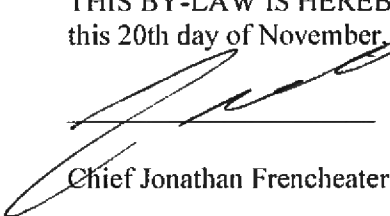
PENALTY

5. Any person who commits an offence under this by-law is subject to a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 30 days, or both for having committed an offence

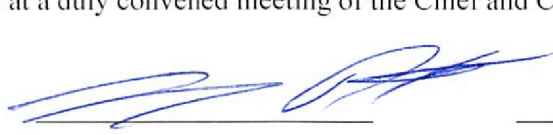
SEVERABILITY

6. Should a court determine that a provision of this by-law is invalid for any reason, the provision shall be severed from the by-law and the validity of the rest of the by-law shall not be affected.

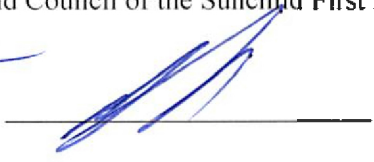
THIS BY-LAW IS HEREBY enacted at a duly convened meeting of the Chief and Council of the Sunchild First Nation this 20th day of November, 2019.



Chief Jonathan Frencheater



Councillor Joey Pete



Councillor Clint McHugh



Councillor James Frencheater



Councillor Audrey Crookedlegs



Councillor Adriel Bigchild

Being the majority of those members of the Council of the Sunchild First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is four (4) members.

Number of members of the Council present at the meeting: ____.