

**CHIPPEWAS OF KETTLE & STONY POINT
BY-LAW NO. 22**

**BEING A BY-LAW FOR THE PROHIBITION AND PUNISHMENT
OF PERSONS PERFORMING INDISCRIMINATE WASTE DUMPING
ON THE KETTLE AND STONY POINT LANDS**

WHEREAS the Sections 81 (1) (a), (c), (q) and (r) of the Indian Act empowers the Kettle and Stony Point Council to pass a by-laws to provide for the health of residents on the Lands and to prevent the spreading of contagious and infectious diseases, the observance of law and order, any matter ancillary thereto, and a penalty for the violation thereof;

AND WHEREAS it is deemed to be necessary for the benefit, health and safety of the inhabitants of the Kettle and Stony Point Lands, to provide prohibition and punishment of persons performing indiscriminate waste dumping on the Lands.

NOW THEREFORE the Council of the Kettle and Stony Point Band hereby enacts a by-law as follows:

1. SHORT TITLE

This by-law may be cited as the "Kettle & Stony Point Indiscriminate Waste Dumping By-Law".

2. INTERPRETATION

In this by-law:

- (1) "Council" means the elected Council of the Kettle and Stony Point First Nation.
- (2) "Household Garbage" means any items except chemical, toxic or biological wastes or residue of the same, tires, liquids, sealed drums, stoves or refrigerators.
- (3) "Refuse" means and includes ashes, household garbage, junk, paper, rubbish, bodies or parts of automobiles or other vehicles or machinery, household goods or furnishings or parts thereof, chemical, toxic or biological wastes or residue of the same, construction material, scrap metals or domestic or industrial wastes of any kind, including asphalt, and any waste of an animal, whole or in part.
- (4) "Fish Offal" means any waste product of a fish whole or in part.
- (5) "Lands" means the geographical area set aside for the use and benefit of the Kettle and Stony Point First Nation.

3. PROHIBITED PURPOSES

- (1) Residents on the Lands are permitted to dump only household garbage in any garbage dumpsters located on the Lands.
- (2) A person is guilty of an offence pursuant to this by-law, who conducts any of the following activities:
 - (a) dumping of any refuse anywhere on the Kettle & Stony Point Lands;
 - (b) dumping of any fish offal anywhere on the Kettle & Stony Point Lands.
- (3) Any person who is not a resident on the Lands and who conducts any activities stated in sections 3(1) and 3(2) is guilty of an offence pursuant to this by-law.

4. PENALTY

- (1) Any person who violates any provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine of \$1000.00 (one-thousand dollars) or to imprisonment for a term of 30 (thirty) days or to both.

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the Chippewas of Kettle & Stony Point dated on this 16 day of December, 2002.

THAT THIS Council do hereby approve By-Law No. 22, respecting indiscriminate waste dumping on the First Nation.

(Chief) Thomas M. Brown (Councillor) _____

(Councillor) Peter B. Clark (Councillor) [Signature]

(Councillor) Brian Monague (Councillor) [Signature]

(Councillor) [Signature] (Councillor) [Signature]

(Councillor) Marin Smith (Councillor) [Signature]

Quorum: Six (6)

I, Corrinda Jackson / Membership Clerk, for the Kettle & Stony Point Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian and Northern Affairs Canada, on this 17 day of December, 2002.

(Signature) [Signature] (Witness) [Signature]