

**CHIPPEWAS OF KETTLE & STONY POINT  
BY-LAW NO. 12**

**BEING A BY-LAW FOR THE INSTALLATION OF A SEWAGE SYSTEMS  
WITHIN THE CONFINES OF THE KETTLE & STONY POINT LANDS**

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**WHEREAS** Sections 81 (1)(a), (c), (h), (q) and (r) of the Indian Act empowers the Council of a Band to pass by-laws to provide for the health of residents on the Lands, the regulation of construction of buildings, any matters ancillary thereto, and a penalty for the violation thereof;

**AND WHEREAS** the Council of the Kettle & Stony Point First Nation wishes to establish a by-law to provide for the installation and regulation of sewage systems within the confines of the Kettle & Stony Point Lands;

**AND WHEREAS** it is deemed necessary to monitor, regulate and inspect the installation of sewage systems for the benefit and health of all inhabitants of the Kettle and Stony Point Lands;

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

**SHORT TITLE**

1 This by-law may be cited as the "Installation of Sewage Systems By-Law".

**INTERPRETATION**

2 In this by-law

- (1) "Council" means the elected Council of the Kettle and Stony Point First Nation;
- (2) "Owner" means a person who occupies on any Kettle and Stony Point First Nation lands as a locatee or a tenant being leased or permitted;
- (3) "Sewage System" means a system designed to sanitarily treat sewage discharge from a residential or commercial structure, ie. septic tank and tile disposal field.
- (4) "Contractor" means:
  - (a) any person or company hired by an owner or by the Band Council to install a sewage system, or
  - (b) the owner, who is installing his or her own sewage system;
- (5) "E.H.O." means the "Environmental Health Officer" authorized and designated by the Council to provide technical advice and oversee the design, installation and final approval inspection of a sewage system;

- (6) "Housing Policy" is a list, approved by the Council, of management procedures and regulations in relation to housing matters;
- (7) "Backfill" means the excavated or required material used to cover a completed sewage system.
- (8) "Lands" means the geographical area that has been set aside for the use and benefit of the Kettle and Stony Point First Nation.

**INSTALLATION**

- 3 (1) Installation of a sewage system must be completed in accordance with the "Preliminary Design Specifications for Septic Tanks and Tile Disposal Fields" as stated in the Kettle and Stony Point Housing Policy and seen in Appendix A of this by-law.
- (2) Before the installation of a sewage system, all lots:
  - (a) must be approved by the E.H.O.;
  - (b) must be improved, if and as recommended by the E.H.O.;
  - (c) must be shown on a preliminary design layout sketch to be completed by the E.H.O.
- (3) Any improvements made to the area of installation, beforehand, must be approved by the E.H.O.
- (4) After installation of a sewage system, the system must be approved by the E.H.O. before backfill is added.
- (5) Following final cover or backfilling, the system must be approved on the final grade, by the E.H.O.

**CONTRACTORS**

- 4 (1) The contractor is responsible for taking the necessary steps to install a sewage system in accordance with the "Specifications for Septic Tanks and Tile Disposal Fields" as stated in the Kettle and Stony Point Housing Policy.

**PENALTY**

- 5 (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 not exceeding \$500.00 or to imprisonment for a term not exceeding 30 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 this 16 day of December, 2002.

THAT THIS Council do hereby approve By-Law No. 12, respecting the installation of sewage systems within the confines of the Kettle & Stony Point First Nation.

(Chief) Thomas M. Brown (Councillor) \_\_\_\_\_

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

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

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

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

Quorum: Six (6)

I, Corninda Jackson, <sup>Membership</sup> <sub>Clerk</sub>; 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 \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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