

**The Black Lake First Nation Band  
Bylaw Number 01-02-15.01  
Being a Bylaw to Repeal and Replace  
All Previous Bylaws on Intoxicants**

**WHEREAS** the Black Lake First Nation considers it desirous to undertake measures for the protection of the community.

**WHEREAS** the Council of the Black Lake First Nation is desirous of declaring in effect a prohibition against the sale, barter, supply, or manufacture of intoxicants on the reserve of the Band; against any person being intoxicated on the reserve; and against any person having intoxicants in his/her possession on the reserve; and wish to provide for an exception thereto;

**WHEREAS** Subsection 85.1(1) of the Indian Act, authorizes the council of a band to make bylaws:

- (a) prohibiting the sale, barter, supply, or manufacture of intoxicants on the reserve;
- (b) prohibiting any person being intoxicated on the reserve;
- (c) prohibiting any person from having intoxicants in his/her possession on the reserve; and
- (d) providing for exceptions to any of the prohibitions established pursuant to paragraph (b) or (c);

**AND WHEREAS** subsection 85.1(4) of the Indian Act provides that every person who contravenes a bylaw made under this section is guilty of an offence and is liable on a summary conviction, in the case of a bylaw made under paragraph 85.1(1)(a), to a fine of not more than one thousand dollars or to imprisonment for a term not exceeding six months, or to both; and in the case of a bylaw made under paragraph 85.1 (1)(b) or paragraph 85.1(1)(c), to a fine of not more than one hundred dollars or to imprisonment for a term not exceeding three months, or to both; and

**AND WHEREAS** the Council of the Black Lake First Nation did enact Bylaw Number 2/87 on the 2<sup>nd</sup> day of February 1987, Bylaw Number 1/85, Bylaw Number 5/85, and Bylaw Number 1/86 and wishes to repeal the said Bylaw Numbers 2/87, 1/85, 5/85, and 1/86 and replace it with this bylaw;

**NOW THEREFORE**, it is hereby enacted pursuant section 85.1 of the Indian Act.

### **Short Title**

1. This Bylaw cited as the Black Lake First Nation Intoxicant Bylaw.

### **Interpretation**

2. In this Bylaw:  
"Band" means the Black lake First Nation;  
"Intoxicated" means being under the influence of an intoxicant;  
"Reserve" means all those lands defined as a "reserve" within the meaning of the Indian Act, R.S.C. 1985, c-1-5, and set apart for the use and benefit of the Black Lake First Nation Band of Indians and known as Chicken Reserve numbers 224, 225, 226.

### **Prohibitions**

3. No person shall be intoxicated on the Reserve.
4. No person shall be in possession of an intoxicant on the Reserve.
5. No person shall sell, barter, or supply an intoxicant to anyone or manufacture intoxicant on the Reserve.

### **Exceptions**

6. No person contravenes section 4 by reason only that he/she is in possession of an intoxicant for the purpose of transporting it across the Reserve from point of origin outside the Reserve to a destination outside the Reserve, provided that the intoxicant is in a bottle, receptacle, or package that is unopened and the seal unbroken.
7. No person contravenes sections 3, 4, or 5 of this Bylaw where the intoxicant is possessed, used, or intended to be used solely
  - (i) for medical purposes;
  - (ii) for domestic, business, commercial, or other purpose that does not involve producing a state of intoxication in any person;
8. No person contravenes sections 4 or 5 of this Bylaw where the intoxicant is possessed, used, or intended to be used solely for religious purpose that does not involve producing a state of intoxication in any person.

### **Repeal**

9. Bylaw number 2/87 enacted on the 2<sup>nd</sup> day of February 1987, and being a Bylaw to prohibit intoxicants on Reserve, be and the same is hereby repealed.

THIS BYLAW IS HEREBY made at a duly convened meeting of the Council of the Black Lake First Nation this 30 day of April, 2001.

Voting in favour of the Bylaw are the following members of Council:

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Member of the Council

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Member of the Council

  
Member of the Council

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Member of the Council

  
Member of the Council

  
Member of the Council

  
Member of the Council

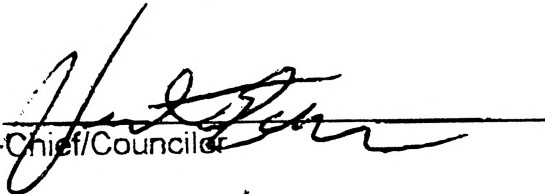
  
Member of the Council

being the majority of those of the Council of the Black Lake First Nation present at the aforesaid meeting of the Council.

The quorum of the Council is 4 members.

Number of members of the Council present at the meeting: 6.

I, Victor Echodh Chief/Councilor of the Indian Band, do hereby certify that a true copy of the foregoing bylaw was mailed to the Minister of Indian Affairs and Northern Development at the District/Regional/Hull office (as the case may be) pursuant to subsection 82(1) of the Indian Act, this 30 day of April, 2001.

  
Chief/Councilor

  
Witness