

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds

NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	SPANISH RIVER BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY		Committed - Engagé	\$ _____
DISTRICT	SUDBURY	Current Revenue balance Solde de revenu	\$ _____
PROVINCE	ONTARIO	Committed - Engagé	\$ _____
PLACE NOM DE L'ENDROIT	COUNCIL CHAMBERS		
DATE	15 FEBRUARY AD 19 83 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

THE CHIEF AND COUNCIL OF THE SPANISH RIVER BAND OF OJIBWAYS UNDER THE AUTHORITY OF SECTION 81, ss. f, l, q, and r, OF THE INDIAN ACT DO HEREBY MAKE THE REGULATIONS GOVERNING THE PAYMENT OF THE USER FEE FOR THE USE OF THE BEESH SYSTEM; TO BE HENCEFORTH KNOWN AS BY-LAW #83-02-738.

CERTIFIED TRUE COPY
[Signature] 23/3/83
MAR 19 1984

INDIAN AND ESKIMO AFFAIRS
SUDBURY DISTRICT OFFICE
MAR 21 1983

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à FIVE

Council Members
Membres du Conseil

[Signature]
(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

[Signature]
(Chief - Chef)

[Signature]
(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

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(Councillor - conseiller)

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(Councillor - conseiller)

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(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital B. Revenue - Revenu	3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
6. Recommended - Recommandable		Approved - Approuvable		
<i>[Signature]</i> Date: March 23/83 Recommending Officer - Reconnaisseur par		Date: _____ Approving Officer - Approuvé par		

SPANISH RIVER BAND ----- BEESH SYSTEM REGULATIONS

BY-LAW #83-02-738

at the Council Chambers of the Spanish River Band of Ojibways

Monday, 14th Day of March, 1983

Present:

The Chief and Council of the Spanish River Band #5

The Chief and Council of the Spanish River Band #5, under the authority of the Indian Act R.S., c.149, s.1., Section 81 ss. f, l, q, and r, do hereby establish the Regulations Governing the Payment of the User Fee for the Spanish River Beesh System.

REGULATIONS GOVERNING THE PAYMENT OF THE USER FEE FOR THE USE OF THE

SPANISH RIVER BEESH SYSTEM

Short Title

1. These Regulations shall be cited as the Beesh System Regulations.
2. The Beesh System Regulations apply to and are:
 - (a) all Persons that obtain water from the Beesh System for domestic use are obligated to pay a User Fee.
 - (b) all Band Buildings and other structures that obtain water from the Beesh System shall be obligated to pay a User Fee.

Record of Users and User Fee

3. A record shall be maintained of all persons, Band Buildings and other structures that utilize the Beesh System, and henceforth for the purpose of these Regulations shall be called the User of Record.
4. A record of payment shall be maintained of whomsoever is obligated to pay a User Fee as per Section 2 ss. a), b) of these Regulations.
5. The records as set forth in Section 3 and 4 of these Regulations shall be maintained by the Band.

User Fee

6. (a) The User Fee to be paid pursuant to Section 2 ss. (a) shall be \$ 5.00 per month.
(b) The User Fee to be paid pursuant to Section 2 ss. (b) shall be \$54.18 per month.

Payment of User Fee

7. Payment of the User Fee shall be made on the first day of each month to the person assigned by the Band to maintain the Record as mentioned in Sections 3 and 4 of these Regulations.

Interpretations and Definitions

8. a) "domestic use" means the use of the Beesh System by a household or residence of a family.
- b) "industrial use" means the use of the Beesh System to maintain the operation of a plant, factory or sawmill to produce saleable items.
- c) "commercial use" means the use of the Beesh System by structures such as the Band Office, Community Centre and Sagamok School in the operation of their respective functions.
- d) "record of Payment" means a list of Persons, Band Buildings, and other structures that have or have not made the payment of the User Fee.
- e) "Band Buildings" means any building that is owned and operated by the Band to administer the various affairs and functions of the Band.
- f) "other structures" means any other building that utilize the Beesh System for other than domestic use and not herein mentioned.
- g) "Band" means the Council of the Spanish River Band #5.
- h) "User Fee" means a sum of Money to be paid to the Band for the use of the Beesh System.
- i) "Beesh System" means the water supply system installed on the Spanish River Indian Reserve to supply water to the various buildings, houses, and other structures on the said Reserve.
- j) "service connection" means the fitting that has been installed in the Beesh System to turn the water on or off going to; a place of residence, Band Building or other structure.
- k) "User of Record" means the Person, Band Building or other structure listed therein.

EXEMPTION FROM REGULATIONS

9. All places or buildings that are commonly used for religious worship shall be exempt from these Regulations.

Liability for Damages

10. The Council of the Spanish River Band or their representatives shall not be liable for any damages to property, lands, or buildings of the User of Record, incurred by; or any reason attributable to the turning on or off; of the service connection.

Not to Hinder Band Representatives

- 11. No person or persons shall in any way hinder, prohibit or stop any representative of the Band from turning on or off of the service connection to any house, residence, building or structure connected to the Beesh System.

Penalty for Default of Payment

- 12. a) Failure to pay the User Fee within the current month will cause a notice of non-payment to be sent to the User of Record that is in violation of Section 7 and; in accordance with this Regulation; a 10% surcharge will
- b) Failure to pay the amount in Section 12 ss. a) within the 30 days the month following, will cause the water supply to be terminated by the Band, of the User of Record that was sent a notice of non-payment as per Section 12 ss. a)
- c) Where water supply has been terminated pursuant to Section 12 ss. b) that User of Record mentioned therein shall pay the arrears pursuant to Section 12 ss. a), plus an additional \$10.00, upon receipt of the amount herein required, the Band shall open the service connection of the User of Record.

Penalty for Hinderance

- 13. Any person or persons who contravene Section 11 of these Regulations shall upon a summary conviction shall be fined a sum not exceeding one hundred dollars or an imprisonment of a term not exceeding thirty days, or both fine and imprisonment.

Enforcement

- 14. The Chief and Council shall designate such person or persons that shall enforce the Regulations contained herein.

Addendum

- 15. Be it known that any residence, building, or structure that utilize any water system, other than the Beesh System; but was installed by the Spanish River Band, shall be governed by the Regulations herein with an amendment to Section 6 which shall be; the User of Record that shall come under this Section 15 shall be obligated to pay a User Fee which will be one-half the amount stated in Section 6 of these Regulations.

ENACTED THIS 14th DAY, MARCH 1983:

Chief Christopher Carl
 Councillor Harvey Carl
 Councillor Albert Jouloune
 Councillor Raymond Struppert
 Councillor Harvey Carl