



**BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE**

NOT: The words "From our Band Funds" "Capital" or "Revenue", whichever 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 de bandes

The council of the Le conseil de la bande indienne	<u>NORTH SPIRIT LAKE BAND</u>	Current Capital Balance Solde de capital	\$ _____
Agency District	<u>SILOUX LOOKOUT</u>	Committed Engagé	\$ _____
Province	<u>ONTARIO</u>	Current Revenue Balance Solde de revenu	\$ _____
Place Nom de l'endroit	<u>NORTH SPIRIT LAKE</u>	Committed Engagé	\$ _____
Date	<u>7</u> <u>September</u> '9 <u>88</u>		
	Day - Jour Month - Mois	Year - Année	

DO HEREBY RESOLVE:  
DECIDE, PAR LES PRÉSENTES:

WHEREAS; The North Spirit Lake Community Members have seen a need to  
institute certain by-laws to curb the drinking problem in  
the reserve.

AND WHEREAS; The North Spirit Lake Band Council wholeheartedly  
supports this endeavor.

THEREFORE BE IT RESOLVED; That the North Spirit Lake Band pass  
and approve the attached by-law prohibiting the use and  
possession of intoxicants within the North Spirit Lake  
Band Reserve No. 238.

A quorum for this Bande  
Pour cette bande le quorum est

consists of  
fixé à \_\_\_\_\_

Council Members.  
Membres du Conseil.

[Signature]  
(Chief - Chef)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(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 (Indian Act Section) Autorité (Article 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		
Date		Date		
Recommending Officer - Recommandé par		Approving Officer - Approuvé par		

North Spirit Lake Reserve Intoxicated Persons Act

SEP 14 1988

THE NORTH SPIRIT LAKE BAND OF INDIANS

Sioux Lookout, Ontario

Being the By-Law respecting and the use of intoxicants on the reserve of the NORTH SPIRIT LAKE Band of Indians.

WHEREAS; subsection 85.1 (1) of the Indian Act, R.S.C. 1970, Chapter 1-6 (as amended), empowers the Council of the NORTH SPIRIT LAKE Band to make By-Laws respecting intoxications and the use of intoxicants on the reserve of the NORTH SPIRIT LAKE Band; AND,

WHEREAS; pursuant to subsection 85.1 (2) of the Indian Act, the form and substance of the By-Law set out below were assented to by a majority of the electors of the NORTH SPIRIT LAKE Band who voted by referendum on the 6th of September, called by the Council of the NORTH SPIRIT LAKE Band for the purpose of considering the said By-Law; AND

WHEREAS, the Council of the NORTH SPIRIT LAKE Band considers necessary special measures for the protection of the citizens of the reserve of NORTH SPIRIT LAKE Band from the presence of intoxicants;

NOW THEREFORE, pursuant to section 85.1 of the Indian Act, the Council of the NORTH SPIRIT LAKE Band enacts as a By-Law thereof as follows;

1. IN THIS BY-LAW

"Intoxicant" means "intoxicant" as it is defined under subsection 2(1) of the Indian Act and for greater certainty and without altering the meaning of "intoxicant", it shall be deemed to include the following preparations and mixtures capable of human consumption that are intoxicating:

- (1) Glue and the vapours thereof,
  - (2) "Lysol" and other similar cleaning products and vapours thereof,
  - (3) Gasoline and gasoline-based products and the vapours thereof, and
  - (4) Hairspray products and the vapours thereof.
2. A person who sells, barter, supplies or manufactures an intoxicant on the reserve of NORTH SPIRIT LAKE Band is guilty of an offence and is liable on summary conviction to the penalty described in paragraph 85.1 (4) of the Indian Act, namely a fine of not more than one thousand dollars or imprisonment for a term not exceeding six months or both.
3. A person who is found
- (A) with intoxicants in his/her possession or
  - (B) intoxicated
- on the reserve on NORTH SPIRIT LAKE Band, is guilty of an offence and is liable on summary conviction to the penalty described in paragraph 85.1 (4) (B) of the Indian Act, namely, a fine of not more than one hundred dollars or imprisonment for a term not exceeding three months or both.
4. No offence is committed against this By-Law where the intoxicant is used or intended to be used,
- (A) in cases of sickness or accident, or
  - (B) for domestic and commercial purposes that do not involve human consumption.
5. (1) Every person coming onto the Reserve of the NORTH SPIRIT LAKE Band shall, at that time, if requested by a special constable, band constable or any other authorized peace officer, declare whether or not he/she has in her/his possession any intoxicant, whether on her/his person or among the luggage, bags, packages or other containers that he/she is bringing onto the reserve.

- (2) Following a declaration or a failure to declare under subsection (1), a special constable, band constable or any other authorized peace officer who believes, on reasonable grounds, that there is any persons contravening sections 2 or 3 of this By-Law may
- (A) Detain that person for a period of time sufficient to conduct a search for any intoxicant, and
  - (B) Detain the luggage, bags, package, or other containers that person is bringing onto the reserve for a period of time sufficient to apply for a search warrant under section 103 of the Indian Act and for a period of time sufficient to execute any warrant issued by a Justice of the Peace under section 103.
  - (C) The name of every person who fails to declare under subsection (1) shall be reported to the Council of the NORTH SPIRIT LAKE Band by a special constable, band constable or any other authorized peace officer.