

JUNE 19, 1967

The Council of the Big Cove Band of Indians at a meeting held this 8<sup>th</sup> day of MAY 1967 make the following By-Law pursuant to paragraphs (f), (l) and (q) of Section 80 of the Indian Act. By-Law No. 4

A By-Law to provide for the construction and maintenance of a waterworks system and appurtenances thereto and for the payment of water rates and to regulate the use of water supplies.

1. In this By-Law:

- (a) "Band" means the Big Cove Band of Indians;
- (b) "Council" means the Council of the Big Cove Band of Indians;
- (c) "Owner" includes a person who occupies or resides on any lands as a locatee, tenant, licensee or permittee;
- (d) "Service Connection" means the service pipes, fittings and valves laid, constructed or installed or that may be laid, constructed or installed by the water commissioner to the lot line of the applicant pursuant to an application for water services under this By-Law and includes any replacement or extension thereof made at any time or from time to time;
- (e) "Water Commissioner" means the person designated as such by the Council from time to time; and
- (f) "Waterworks system" means the water distribution and pump system laid, constructed and installed on Big Cove Indian Reserve and any extension or replacement thereof made at any time or from time to time and includes all service connections.

2. An application for a supply of water from the waterworks system may be entertained by the Council between March 31st and October 15th in any year.

3. Where an owner has complied with all the provisions of this By-Law the water commissioner shall turn on the water to the premises of such owner.

4. Every owner shall repair and maintain and keep repaired and maintained all fittings, pipes, taps and plumbing fixtures on or in his property.

5. No owner shall install or lay any pipes, fittings, taps and/or plumbing fixtures in or about his premises for the purpose of receiving water from the waterworks system unless such pipes, fittings, taps and plumbing fixtures have been approved by the water commissioner.

- 6.
- (1) The water commissioner may enter the premises of any owner connected to the waterworks system for the purpose of inspecting the pipes, fittings, taps and plumbing fixtures.
  - (2) If the water commissioner is of the opinion that the pipes, fittings, taps and plumbing fixtures in or about the premises of any owner are defective or are in need of repair; or that additional fittings or plumbing fixtures are required to receive or control the water or prevent frost damage to the service connection he shall serve upon the owner a notice in writing to correct the condition.
  - (3) The notice referred to in subsection (2) shall state a reasonable time within which the owner is to correct the condition referred to in the notice.

(4) Where:

(a) The notice referred to in sub-section (2) has been served on the owner, and

(b) in the opinion of the water commissioner the owner has not corrected the condition referred to in the notice the water commissioner may turn off the supply of water to the premises of the owner until such time as the connection has been corrected.

7. (1) In this section "year" means the period commencing the 15th day of June and ending the 14th of June immediately following.

(2) Water rates shall be paid to the water commissioner each month.

8. The following water rates shall be paid to the water commissioner each month:

*\$1.50 a month for homes*  
*\$200.00 for school (1 yr.)*  
*\$100.00 for Health Center (1 yr.)*  
*\$150.00 for Teachers Residence's (1 yr.)*

9A. (1) The amount of the water rate established under this section for an owner whose lands are used for or in connection with the water rates established under this section for other owners whose lands are used for or in connection with a similar purpose.

9B. (1) The Council may install, at its expense, a water meter in, on or about the premises of any owner which is connected to the water works system.

(2) A water meter installed under this section shall be and remain the property of the Band.

(3) The water commissioner may enter in, on or upon the premises of an owner from time to time for the purpose of reading the water meter.

(4) Where a water meter is installed in, on or about a premise the owner thereof shall pay to the Council a water rate in such amount as the Council may from time to time determine by resolution.

(5) The amount of the water rate established under this section for an owner whose lands are used for or in connection with a particular purpose shall be consistent with the water rates established under this section for other owners whose lands are used for or in connection with a similar purpose.

10. (1) If an owner neglects or refuses to pay water rates when due the water commissioner may turn off the water to his premises.

(2) If the owner pays to the Council:

(a) the water rates in arrears, and

(b) a service charge of ~~five dollars~~ *one dollar* for the turning on of the water the water commissioner shall turn on the water supply.

11. No owner shall waste or permit water conveyed to his premises from the waterworks system to be wasted.

12. (1) No owner shall use or permit water conveyed to his premises from the waterworks system to be used for purposes other than domestic purposes without the consent in writing of the water commissioner.

(2) In this section the term "domestic purpose" does not include irrigation purposes or lawn or garden watering.

13. The Council or the water commissioner shall not be liable to any owner or any other person for any damage to the property, lands, or buildings of any such owner or person as the result of, or by reason of, or occasioned or attributable to the turning off of the water to the premise of the owner or the failure or breakdown of the waterworks system.

14. The water commissioner may, for the purpose of constructing, repairing, maintaining or extending the waterworks system or making any additions thereto, shut off the water supply to the premises of any owner for such period of time as he considers necessary to complete the work.

15. All service fees, charges and rates collected pursuant to this By-Law shall, when required, be expended by the Council for the construction and maintenance of the waterworks system.

Chief. *Larry Sock*.....

Councillors:

*William Joseph Damon*.....

*John J. Augustine*.....

*Lawrence Sock*.....

*John J. Augustine*.....

*Jim D. Smith*.....

*Stephen J. DeLeon*.....  
*John J. Larigan*.....

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**BAND COUNCIL RESOLUTION**

Chronological No.
No. of Reference

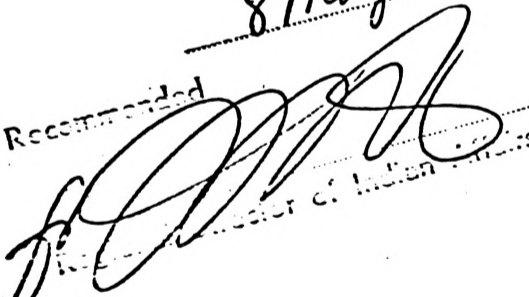
NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.


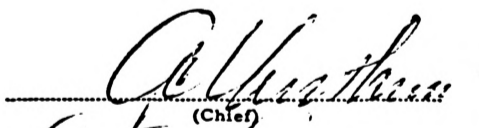
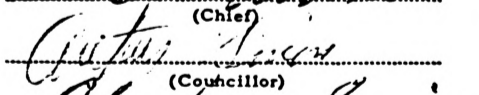
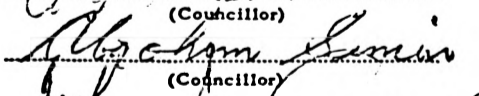
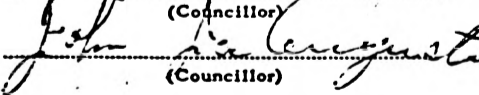
<b>COUNCIL OF THE</b>	Big Cove	<b>BAND</b>	<b>FOR HEADQUARTERS USE ONLY</b>
<b>AGENCY</b>	Miramichi		
<b>PROVINCE</b>	New Brunswick		
<b>PLACE</b>	Big Cove		
<b>DATE</b>	15th April AD 19 70		
	DAY MONTH YEAR		

DO HEREBY RESOLVE: That the following amendment to Section 8 of the By-Law governing the distribution and the cost of water on the Big Cove Reserve as per BCR 271/8-2-2 - 1967-68/1 dated May 9, 1967.

The section 8 of the said By-Law shall be amended to read as follows:

3.00 per month for homes  
 200.00 per year per school  
 150.00 per year for Health Centre  
 100.00 per year per Teacher's Residence  
 and become effective May 1, 1970.

Recommended  
 8 May 1970  
  
 Minister of Indian Affairs

 (Councillor)	 (Chief)	
_____	 (Councillor)	_____
_____	 (Councillor)	_____
_____	 (Councillor)	_____
_____	_____	_____

FOR HEADQUARTERS USE ONLY					
1. TRUST ACCT	2. CURRENT BALANCES		3. Expenditure	4. Authority Indian Act Sec.	5. Source of Funds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital	B. Revenue			
6. Recommended			7. Approved		
Date _____ Authorized Officer _____			Date _____ Assistant Deputy Minister, _____		