



Indian and Northern
Affaires Canada

Affaires indiennes
et du Nord Canada

Indian and Inuit Affairs

Affaires indiennes et inuit

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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	FORT HOPE BAND	Current Capital Balance Solde de capital	\$
AGENCY	NAKINA	Committed - Engagé	\$
DISTRICT		Current Revenue balance Solde de revenu	\$
PROVINCE	ONTARIO	Committed - Engagé	\$
PLACE NOM DE L'ENDROIT	FORT HOPE		
DATE	17 December AD 19 85		
	DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:

DÉCIDE, PAR LES PRÉSENTES:

WHEREAS, the Chief and Council had distributed a draft by-law written in English and Ojibway to every household for the people to consider,

AND WHEREAS, the draft by-law was also posted in public places in the community,

AND WHEREAS, a special band meeting was called and set for December 16, 1985 with a one month notice,

AND WHEREAS, the results of the special band meeting has indicated a support of adopting a by-law to prohibit alcohol.

NOW THEREFORE, the Chief and Council having met at this special Council meeting hereby adopt BY-LAW #6 respecting intoxication and use of intoxicants on the reserve of the FORT HOPE BAND.

A quorum for this Bande
Pour cette bande le quorum est

consists of
fixé à 4

Council Members
Membres du Conseil

Stanley O'Keese
(Councillor - conseiller)

Don Wahoon
(Councillor - conseiller)

Charles Shaujiam
(Councillor - conseiller)

James Attakes
(Councillor - conseiller)

[Signature]
(Chief - Chef)

.....
(Councillor - conseiller)

[Signature]
(Councillor - conseiller)

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(Councillor - conseiller)

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(Councillor - conseiller)

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(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		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"/> Revenu
	A. Capital	B. Revenue - Revenu			
	\$	\$	\$		
6. Recommended - Recommandable			Approved - Approuvable		
Date			Date		
Recommending Officer - Recommandé par			Approving Officer - Approuvé par		

F O R T H O P E I N D I A N B A N D

BY-LAW NO. SIX (6)

BEING A BY-LAW RESPECTING INTOXICATION AND THE USE OF
INTOXICANTS OF THE RESERVE OF THE FORT HOPE 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 FORT
HOPE BAND TO MAKE BY-LAWS RESPECTING INTOXICATION AND THE USE
OF INTOXICANTS ON THE RESERVE OF THE FORT HOPE 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 FORT HOPE BAND
WHO VOTED AT A SPECIAL MEETING OF THE BAND ON THE 16TH DAY OF
DECEMBER, 1985, CALLED BY THE COUNCIL OF THE FORT HOPE BAND
FOR THE PURPOSE OF CONSIDERING THE SAID BY-LAW; AND,

WHEREAS, THE COUNCIL OF THE FORT HOPE BAND CONSIDERS NECESSARY
SPECIAL MEASURES FOR THE PROTECTION OF THE CITIZENS OF THE
RESERVE OF THE FORT HOPE BAND FROM THE PRESENCE OF INTOXICANTS;

NOW THEREFORE, PURSUANT TO SECTION 85.1 OF THE INDIAN ACT, THE
COUNCIL OF THE FORT HOPE 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 "INTOXI-
CANT", IT SHALL BE DEEMED TO INCLUDE THE FOLLOWING
PREPARATIONS AND MIXTURES CAPABLE OF HUMAN CONSUMPTION
THAT ARE INTOXICATING:

- (I) GLUE AND THE VAPOURS THEREOF,
 - (II) "LYSOL" AND OTHER SIMILAR CLEANING PRODUCTS AND THE VAPOURS THEREOF,
 - (III) GASOLINE AND GASOLINE-BASED PRODUCTS AND THE VAPOURS THEREOF, AND
 - (IV) PERFUME, HAIRSPRAY AND OTHER SIMILAR COSMETIC PRODUCTS AND THE VAPOURS THEREOF.
2. A PERSON WHO SELLS, BARTERS, SUPPLIES OR MANUFACTURERS AN INTOXICANT ON THE RESERVE OF THE FORT HOPE BAND IS GUILTY OF AN OFFENCE AND IS LIABLE ON SUMMARY CONVICTION TO THE PENALTY DESCRIBED IN PARAGRAPH 85.1 (4) (A) 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 POSSESSION OR
 - (B) INTOXICATED,ON THE RESERVE OF THE FORT HOPE BAND, IS GUILTY OF AN OFFENCE AND IS LIABLE ON SUMMARY CONVICTION TO THE PENALTY DESCRIBED IN PARAGRAPH 85.1 (\$) (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. THE PROVISIONS OF THIS BY-LAW DO NOT APPLY 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. A BAND CONSTABLE OR ANY OTHER AUTHORIZED PEACE OFFICER MAY ARREST WITHOUT WARRANT ANY PERSON WHOM HE FINDS CONTRAVENING SECTION 2 OR 3 OF THIS BY-LAW.
 6. (1) EVERY PERSON COMING ONTO THE RESERVE OF THE FORT HOPE BAND SHALL, AT THAT TIME, IF REQUESTED BY A BAND CONSTABLE OR ANY OTHER AUTHORIZED PEACE OFFICER, DECLARE WHETHER OR NOT HE HAS IN HIS POSSESSION ANY INTOXICANT, WHETHER ON HIS PERSON OR AMONG THE LUGGAGE, BAGS, PACKAGES OR OTHER CONTAINERS THAT HE IS BRINGING ONTO THE RESERVE.

(2) FOLLOWING A DECLARATION OR A FAILURE TO DECLARE UNDER SUBSECTION (1), A BAND CONSTABLE OR ANY OTHER AUTHORIZED PEACE OFFICER WHO BELIEVES, ON REASONABLE GROUNDS, THAT THERE IS ANY PERSON 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, PACKAGES 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.
- (3) IF ANY INTOXICANT IS FOUND PURSUANT TO A SEARCH CONDUCTED UNDER SUBSECTION (2), A BAND CONSTABLE OR ANY OTHER AUTHORIZED PEACE OFFICER MAY ARREST WITHOUT WARRANT ANY PERSON IN POSSESSION OF THE INTOXICANT, PURSUANT TO SECTION 5 OF THIS BY-LAW.
- (4) THE NAME OF EVERY PERSON WHO FAILS TO DECLARE UNDER SUBSECTION (1) SHALL BE REPORTED TO THE COUNCIL OF THE FORT HOPE BAND BY A BAND CONSTABLE OR ANY OTHER AUTHORIZED PEACE OFFICER.