

CHIPPEWAS OF KETTLE & STONY POINT  
BY-LAW NO. 3-3  
TO REPEAL AND REPLACE BY-LAW NO. 3  
(REGARDING CURFEW FOR ADOLESCENTS) ENACTED ON DECEMBER 10, 1988

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WHEREAS the Chippewas of Kettle & Stony Point Council wishes to pass a by-law pursuant to the Legislative Authority of the Kettle and Stony Point Band Council, to provide for the observance of law and order, the prevention of disorderly conduct, any matters ancillary thereto, and a penalty for the violation thereof;

AND WHEREAS the Council of the Chippewas of Kettle and Stony Point is of the opinion that children under the age of 16 years should not remain unattended and without adult supervision in public places during the evenings, for the welfare and safety of those children and also for the welfare of the community;

AND WHEREAS the Council of the Chippewas of Kettle and Stony Point did enact By-law Number 3 on the 10th day of December, 1988, and wishes to repeal the said By-law Number 3 and replace it with this by-law:

NOW THEREFORE, the Council of the Chippewas of Kettle and Stony Point HEREBY ENACTS A BY-LAW AS FOLLOWS:

SHORT TITLE

- 1 This by-law may be cited as the "Kettle and Stony Point Curfew By-law".

INTERPRETATION

- 2 In this By-Law:
  - (1) "Council" means the duly elected Chief and Councillors for the Kettle & Stony Point First Nation.
  - (2) "Child" means any person who is under the age of 16 (sixteen) years.

- 2 (3) "Community social event" means a wedding, sports event, religious celebration, or other social event recognized as such by the Council.
- (4) "Parent" means a father, mother, tutor, guardian or person having the custody or care in law or in fact of a child.
- (5) "Peace Officer" means a law enforcement officer of the Kettle and Stony Point Anishinbek Polices Services.
- (6) "Prohibited Hours" means the period of time between the hour of eleven (11) o'clock in the evening of one day and the hour of six (6) o'clock in the morning of the following day during the calendar months of July and August of each year; and between the hour of ten (10) o'clock in the evening of one day and the hour of six (6) o'clock in the morning of the following day during the remaining calendar months of each year.

#### PROHIBITION

- 3 No parents shall permit their child to be in any public place during the prohibited hours unless such child:
- (1) is accompanied by his parent(s);
- (2) is accompanied by a person who is eighteen (18) years of age or over, with the authorization of that child's parent;
- (3) is attending or is directly returning home from a community social event; or,
- (4) is authorized by resolution of Council.

#### POWERS OF THE PEACE OFFICER

- 4 A peace officer who finds a child who is or, in the absence of evidence to the contrary, appears to be under the age of 16 years, in a public place during the prohibited hours may warn such child to immediately return to the child's residence and, if after so warning, the child refuses or neglects to return to their residence, the peace officer may use such reasonable force as is necessary to escort such child to the child's residence.

MEETING WITH PARENTS

- 5 If, after the warning referred to in Section 4, the warning is disregarded by the child, or if the child is found disobeying this by-law a second time within a period of thirty (30) days, the parent or parents of such child may be directed by a peace officer of the Band to meet and discuss the situation; this request to the parent or parents may be in the form of oral or written letter of request by the peace officer.

PENALTY

- 6 The parent who permits his child to be in any public place during the prohibited hours, commits an offence and is liable on summary conviction to a fine not exceeding fifty (\$50.00) dollars.

REPEAL

- 7 By-law Number 3, enacted on the 10th day of December, 1988, and being a By-law for a curfew regarding adolescents under the age of sixteen, be and the same is hereby repealed.

**Curfew By-Law**

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the Chippewas of Kettle & Stony Point dated on this 17<sup>th</sup> day of January, 1999.2000 -

THAT THIS Council do hereby approve By-law No. 3-3, regarding curfew for adolescents and to repeal and replace By-law Number 3, enacted on December 10, 1988.

[Signature]  
(Chief)

Donald C George  
(Councillor)

Gayle Burnett  
(Councillor)

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(Councillor)

Robert A Burnett  
(Councillor)

Peter Lund Sr.  
(Councillor)

Elizabeth Hudson  
(Councillor)

al B Burnett  
(Councillor)

Dave Brantford  
(Councillor)

[Signature]  
(Councillor)

Quorum: Six (6)

I, Corrinda A. Jackson (Membership/Estates/Governance) for the Kettle & Stony Point Band, do hereby certify that a true copy of the foregoing by-law was mailed to the Minister of Indian and Northern Affairs Canada at the District Office in Brantford, Ontario, on this 19<sup>th</sup> day of January, 1999.2000 -

[Signature]  
(Signature)

\_\_\_\_\_  
(Witness)