



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION  
 INDIAN AFFAIRS BRANCH  
 AND COUNCIL RESOLUTION

By-Law # 1  
 Nov. / 62

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

The Council of the NANAIMO Band of Indians,  
 (Name of Band)  
 in the Cowichan Indian Agency,  
 (Name of Agency)  
 in the Province of British Columbia at a meeting, held at Nanaimo  
 (Name of Province in full) (Name of Place)  
 this November day of November A.D. 1962  
 (In Full) (Month)

Do HEREBY RESOLVE:

THAT Paragraph (a) of Section 13 of By-law No. 1, a by-law enacted by the Nanaimo Band Council on October 11, 1962, in respect of the Nanaimo Town No. 1 Indian Reserve waterworks system, shall hereinafter be as follows:

" 13. (a) Where any premises is connected to the waterworks system, the owner of such premises shall pay to the Council the rates and charges fixed and determined from time to time by the Council, except that the said rates and charges shall not be less than \$ 2.00 per month per owner."

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	<u>Doug White</u> (Chief)	
(Councillor)	<u>William J. Wyle</u> (Councillor)	(Councillor)
(Councillor)	<u>Florence Thomas</u> (Councillor)	(Councillor)
(Councillor)	<u>Doug White</u> (Councillor)	(Councillor)
(Councillor)	(Councillor)	(Councillor)

FOR HEADQUARTERS USE ONLY					
1. TRUST	2. CURRENT BALANCES		3. Expenditure	4. Authority	5. Source of Funds
ACCT	A. Capital	B. Revenue		Indian Act Sec.	<input type="checkbox"/> Capital <input checked="" type="checkbox"/> Revenue
	\$	\$	\$		
6. Recommended			7. Approved		
Date	Superintendent, Reserves and Trusts		Date	Director, Indian Affairs	

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The Council of the Nanaimo Band of Indians at a meeting held this 11<sup>th</sup> day of October, 1962, make the following by-law pursuant to paragraphs (f), (l) and (r) of Section 80 and paragraphs (b) and (f) of subsection (1) of Section 82 of the Indian Act.

BY-LAW No. 1

A by-law to provide for the construction and maintenance and the raising and expenditure of money for the support of the Nanaimo Town No. 1 Indian Reserve waterworks system in the Province of British Columbia.

1. In this by-law

- (a) "council" means the Council of the Nanaimo Band of Indians;
- (b) "inspector" means a person designed by the council as a water services inspector;
- (c) "owner" means a member of the Nanaimo Band of Indians who occupies any premises on the Nanaimo Town No. 1 Indian Reserve;
- (d) "permit" means a permit issued under section 2 of this by-law;
- (e) "premises" means a house, multiple dwelling house, business block or other building constructed or under construction;
- (f) "Secretary" means the person appointed by the council to receive payment of the rates and charges prescribed under this by-law; and
- (g) "waterworks system" means the water mains, service pipes and fittings now laid and constructed and includes the water mains, service pipes and fittings which the council may lay and construct or cause to be laid and constructed to within three feet of any premises.

2. (a) Any owner who requires a supply of water from the waterworks system shall apply to the council in the form prescribed.

(b) The council shall, if it approves the application, issue to the owner a permit authorizing such owner to make, subject to the conditions contained therein, a connection to the waterworks system.

3. Where any owner has been issued a permit the council shall, upon being notified by the owner in the form prescribed to commence excavations, extend or cause to be extended at a depth of at least two feet below the surface of the ground the service pipes such distance as is necessary to convey the water from the water mains to within three feet of the premises of such owner.
4. Where an owner is issued a permit and notifies the council to commence excavation, he shall
  - (a) lay and construct or cause to be laid and constructed, at his expense, at a depth of at least two feet below the surface of the ground such pipes not exceeding 3/4" in diameter and fittings which, in the opinion of the inspector, are necessary to convey water from the waterworks system into his premises, and
  - (b) install such taps, pipes, fittings and fixtures in, under or about his premises which, in the opinion of the inspector, are necessary to control the water.
5. No owner shall be entitled to have water conveyed to his premises from the waterworks system unless the inspector has approved the installation and connections and such owner has paid to the council a service fee of 50¢ for the turning on of the water.
6.
  - (a) The water conveyed to the premises of any owner from the waterworks system shall be used by the owner of such premises for domestic purposes only unless the council otherwise consents in writing.
  - (b) No owner or person shall use the water conveyed from the waterworks system to the premises of such owner for other than domestic purposes unless the council has otherwise consented in writing.
7. Every owner shall, at his expense, repair and maintain and keep repaired and maintained all pipes, fittings, taps and fixtures that he has laid, constructed or installed or has caused to be laid, constructed or installed for the purpose of conveying water from the waterworks system into his premises.

8. (a) The inspector may enter the premises of any owner connected to the waterworks system from time to time for the purpose of inspecting the pipes, fittings, taps and fixtures.
- (b) If the inspector is of the opinion that the pipes, fittings, taps and fixtures in the premises of any owner are defective or are in need of repair he shall serve upon the owner of such premises an order to remedy the defect.
9. (a) The order shall allow and fix a reasonable time within which the owner is to comply with the direction or directions contained therein.
- (b) The inspector shall be the final judge as to whether the direction or directions contained in the order have been complied with.
10. (a) If the owner fails to comply with the order within the time specified therein, the inspector shall make a report to the council.
- (b) The council may direct that the supply of water to the premises referred to in the order be turned off until such time as the owner thereof has complied with the direction or directions contained therein.
11. Where the owner complies with the direction or directions contained in the order the council shall, upon payment by the owner of a service fee of \$1.00, direct that the water be turned on to the premises of such owner.
12. (a) The council may for the purpose of repairing and maintaining the waterworks system or laying and constructing additions to or extending the waterworks system shut off the water supply to the premises of any owner for such period of time as it considers necessary.
- (b) The council or any member thereof shall not be liable for any damages that may result to any premises or to the owner of such premises from the turning off of water.
13. (a) Where any premises is connected to the waterworks system the owner of such premises shall pay to the council the rates and charges fixed and determined from time to time by the council, except that the said rates and charges shall not be less than \$      per month per owner.

13. (b) The rates and charges shall be payable by the owner at the office of the Secretary, on or before the fifteenth day of each month.

(c) The council may allow a discount of 10% to any owner who pays the water rates and charges in full on or before the due date.

14. Where new rates and charges are fixed and determined by the council the inspector shall post a copy of such rates and charges in at least three conspicuous places on the Nanaimo Town No. 1 Indian Reserve.

15. (a) Where the owner of any premises neglects or refuses to pay, when due, the rates and charges for water services to his premises the council may turn off the water.

(b) Where the owner pays all rates and charges in arrears the council shall, upon payment by the owner of a service fee of \$1.00, direct that the water be turned on to the premises of such owner.

16. Every owner shall be liable for payment of all charges and rates for water services to his premises unless he gives notice in writing to the council that such services be discontinued.

17. All service fees, charges and rates collected by the council pursuant to this by-law shall, when required, be expended by the council for the construction and maintenance of the waterworks system.

18. The council may prescribe such forms and notices as are required for the purposes of this by-law.

19. (1) No owner shall lay, construct or install or cause to be laid, constructed or installed any pipes, fittings, taps or fixtures for the purpose of conveying or controlling water from the waterworks system unless such pipes, fittings, taps or fixtures have been approved by the inspector.

19. (2) No owner without

(a) a permit, or

(b) the authority of council

shall tap or make any connection with or interfere with the waterworks system.

19. (3) No owner or person shall interfere with or attempt to interfere with the inspector when performing or attempting to perform his duties under this by-law.

20. Any owner or person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$10.00 or imprisonment for a term not exceeding five days or both fine and imprisonment.

Chief: Doug White

Councillors:

William Wyle \_\_\_\_\_

Don White \_\_\_\_\_

Florence Thomas \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION FOR WATER SERVICES  
NANAIMO TOWN NO. 1 INDIAN RESERVE WATERWORKS SYSTEM

I, \_\_\_\_\_ hereby apply to  
the Nanaimo Band Council for a supply of water for my premises located  
\_\_\_\_\_ (description of location).

I agree that the said water shall be used for domestic purposes  
only unless the Council otherwise consents in writing.

I also agree to pay on or before the fifteenth day of each month  
at the office of the Secretary, the rates and charges fixed and determined  
by the Council from time to time for water services to my premises.

I also agree that the Council or any person or persons authorized  
by the Council shall have the right to enter upon my lands for the  
purpose of excavating, laying down, constructing, operating, repairing  
and maintaining the service lines of the Nanaimo Town No. 1 Indian Reserve  
Waterworks System.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Form prescribed by the Council of the Nanaimo Band.

SCHEDULE OF RATES

NANAIMO TOWN NO. 1 INDIAN RESERVE WATERWORKS SYSTEM

Each premises equipped to receive a supply of water

\$2.00 per month

Rates prescribed by the Council of the Nanaimo Band.

Chief: Doug White

Alon White  
Councillor

William White  
Councillor

Florence Thomas  
Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

Date: Oct 11, 1966



ORDER OF REMEDY  
NANAIMO TOWN NO. 1 INDIAN RESERVE WATERWORKS SYSTEM

The following pipes, fittings, taps and fixtures in,  
under, or about your premises are defective and in need of repair:

You are hereby ordered to remedy the above defect (s)  
within \_\_\_\_\_ days from the date of this order in accordance  
with the following directions:

Signature of Inspector:

\_\_\_\_\_

Date:

\_\_\_\_\_

Form prescribed by the Council of the Nanaimo Band.

ORDER OF PERMIT FOR WORK  
NANAIMO TOWN NO. 1 INDIAN RESERVE WATERWORKS SYSTEM

Mr. (Mrs.) (Miss) \_\_\_\_\_

You are hereby authorized to make a connection from the service lines of the Nanaimo Town No. 1 Indian Reserve Waterworks System to your premises in accordance with and subject to Nanaimo Band by-law No. 1.

Signed for the Nanaimo Band Council:

\_\_\_\_\_

Date:

\_\_\_\_\_

Form prescribed by the Council of the Nanaimo Band.

NOTICE TO THE NANAIMO BAND COUNCIL  
NANAIMO TOWN NO. 1 INDIAN RESERVE WATERWORKS SYSTEM

I, \_\_\_\_\_ hereby give notice to the Council of the Nanaimo Band to commence excavation, and extend or cause to be extended service pipes such distance as is necessary to convey water from the water mains of the Nanaimo Town No. 1 Indian Reserve Waterworks System to within three feet of my premises.

Signed:

\_\_\_\_\_

Date:

\_\_\_\_\_

Form prescribed by the Council of the Nanaimo Band.