

PROPHET RIVER INDIAN BAND
MILE 233
ALASKA HIGHWAY, B.C.

PROPHET RIVER INDIAN BAND
BY-LAW 03 - 1987

(BEING AN INTOXICANTS BY-LAW)

DEFINITIONS:

1.0 IN THIS BY-LAW

INTOXICANTS includes Alcohol, Alcoholic, Spiritous, Vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spiritous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating.

RESERVE means a tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of the Prophet River Indian Band.

PROHIBITION ON SALES, BARTER, SUPPLY OR MANUFACTURE

- 2.0 Every one who sales, barters, supplies or manufactures intoxicants on the Reserve(s) of the Prophet River Band is guilty of an offence punishable on summary conviction.
- 2.1 Any person(s) not residing on the Reserve who transports any type of intoxicant on to the Reserve is guilty of an offence on summary conviction.
- 2.2 Any Adult found to be supplying Intoxicants to minors on the Prophet River Reserve or within any of its boundaries is guilty of an offence on summary conviction.

PROHIBITION AGAINST BEING UNDER THE INFLUENCE OF AN INTOXICANT

- 3.0 Every one who is under the influence of an intoxicant on the Reserve(s) of the Prophet River Band is guilty of an offence punishable on summary conviction.
- 4.0 Any one found harrassing and creating disturbances from house to house due to being under the influence of an intoxicant is guilty of an offence punishable on summary conviction.
- 4.1 The Owner of the house is responsible for the control and actions of the people living in that home when intoxicants are present and is equally liable in an offence committed under paragraph 4.

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EXCEPTIONS:

- 5.0 Notwithstanding section (3) no offence is committed against this By-Law where a person is found under the influence of an intoxicant in his home, or in a private dwelling to which he or she has been invited.
- 6.0 Notwithstanding section (2.1) no offence is committed against this By-Law if the person in possession is transporting the intoxicant across the Reserve to a destination beyond the Reserve boundary.

PENALTIES:

- 7.0 For greater certainty the penalties for contravention of this By-Law are set out in the Indian Act.
- 7.1 In the case of the By-Law made under paragraph 2, 2.1 and 2.2 a fine of not more than one thousand dollars (\$1,000.00) or to imprisonment for a term not exceeding six months or to both; and
- 7.2 In the case of the By-Law made under paragraph 3.0, 4.0 and 4.1 to a fine of not more than one hundred (\$100.00) or to imprisonment for a term not exceeding three months or both.

ENACTMENT:

- 8.0 This By-Law shall come into force ON THE DATE UPON WHICH THIS BY-LAW IS PUBLISHED, IN FULL, IN PART 1 (ONE) OF THE CANADA GAZETTE IN ACCORDANCE WITH SECTION 11 OF THE STATUTORY INSTRUMENTS ACT.