

SOR/86-122
dated Jan 13/86

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

PROPHET RIVER INDIAN BAND
BY-LAW 01-85
AN ACT TO CONTROL THE USE OF INTOXICANTS

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.

PROHIBITION ON SALES BARTER SUPPLY OR MANUFACTURE

- 2.0 Every one who sells, barter, 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 alcoholic beverages to minors on the Prophet River Reserve or within any of its boundaries is guilty of an offence on summary conviction.

PROHIBITION AGAINST INTOXICATION

- 3.0 Every one who is intoxicated on the Reserve(s) of the Prophet River Band is guilty of an offence punishable on summary conviction.
- 4.0 Any one found harrasing and creating disturbances from house to house due to alcohol abuse 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 alcohol is present and is equally liable in an offence committed under paragraph 4.

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INTOXICANT BY-LAW

EXCEPTIONS:

- 5.0 Notwithstanding section (3) No offence is committed against this by-law where a person is found intoxicated 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 at 12:01 a.m. December 28, 1985.