

BY-LAW NO.I.

TO PERMIT THE DEVELOPMENT AND USE OF LAND WITHIN THE  
FORESHORE AREA OF THE MALAHAT INDIAN RESERVE NO.II.

1. This by-law designates the foreshore area of Indian Reserve No.II as a special development zone. The special development zone includes water lots; Section 426, as described by the Cowichan Valley Regional District.

2. No person shall use any land or waterfront in this special development zone without obtaining a permit issued in conformity with the requirement of this by-law and amendment.

3. Any person or corporation may apply for a permit by submitting a written application to the Band Council supplying the following information:

- a) site plan showing the location of all proposed land and water use;
- b) a statement of intended land and water use;
- c) a statement of the interest of the applicant;
- d) a proposed schedule of construction;
- e) a statement of environmental impact;
- f) any and all other information which the Band Council may require to assist in deciding whether the permit ought to be granted.

4. Upon receiving the information from the applicant, Band Council shall consider the application, having specific regard to:

- a) The best interest of the Band as a whole;
- b) The preservation of the vital ecological balance in the area;

5. The Band Council shall make recommendation to the general Band meeting to grant the application, refuse the application or grant the application under conditions.

6. The Band Council shall put the application, including all information received on the application, and its recommendations before the next general Band meeting. The Band Council shall notify the Band membership of the general Band meeting at least one week before the meeting.

7. The Band shall consider the application at the General Band meeting and by a majority vote of those Band members present at the meeting, that Band shall:

- a) Approve the application and issue a permit, with or without conditions; or
- b) Refuse the application; or
- c) Demand further information from the applicant.

8. The Band Council shall notify the applicant of the decision made at the general Band meeting.

9. The Band Council may from time to time pass regulations not inconsistent with this By-law to carry out the intent of this By-law.

This By-Law was unanimously passed at a meeting of the Band Council, held at Malahat on January 17, 1981.  
Reserve Date

CHIEF GEORGE HARRY  
Chief

ROY A. DANIELS  
Councillor

This By-Law was also unanimously passed at a meeting of the Band members, held at Malahat on January 17, 1981.  
Reserve Date

CHIEF GEORGE HARRY  
Chief