

**Black Lake Indian Band  
Bylaw No. 1 of 1997  
BYLAW RESPECTING CURFEW FOR YOUNG  
PERSONS**

WHEREAS paragraphs 81(1)(c), (d), (q), and (r) of the Indian Act, R.S.C., ch. I-5 empowers the Council of a Band to make bylaws for the observance of law and order, the prevention of disorderly conduct, matters ancillary thereto, and a penalty for the violation thereof;

WHEREAS the Council of the Black Lake Indian Band of Indians and the Band membership at Band membership meetings are of the opinion that children 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 Reserve community;

THEREFORE, the Council of the Black Lake Denesuline First Nation enacts a bylaw as follows:

**Short Title**

1. This bylaw may be cited as the "Black Lake Curfew Bylaw".

**Interpretation**

2. In this bylaw

*"child"* means any person who is 16 years of age or younger;

*"community social event"* means a wedding, winter carnival, sports event, religious celebration, or other social event recognized as such by the Council of the Black Lake Denesuline First Nation;

*"parent"* means father, mother, tutor, guardian or person having the custody or care in law or in fact of a child:

*"peace officer"* means a peace officer as defined in Section 2 of the Criminal Code, R.S.C. 1985, c. C-46;

**"security personal"** means a security personal who has been appointed and recognized by the Council of Black Lake Denesuline First Nation.

**"prohibited hours"** means that period of time between:

- a) 10:00 p.m. and 6:00 a.m. of the following day during school days and the months of September, October, November, December, January, February, March, April, May, and June in each year; and
- b) 11:00 p.m. and 6:00 a.m. of the following day during non-school days, school holidays, or weekends and the months of July and August in each year.

**"reserve"** means the Black Lake Indian Reserve No. 224;

**"public place"** means any place to which the public or band membership have access but does not include private dwelling or residence;

**"Band Council"** means the Council of Black Lake Denesuline First Nation;

**"bylaw"** means the Bylaw and includes and amendments thereto;

**"Indian Reserve" or "Reserve"** means whose tracks of land, legal title to which is vested in Her Majesty, that have been set apart for the use and benefit of the Black Lake Band Members together with such other lands that are constituted as Reserves under Section 36 of the Indian Act.

**"Treaty"** is a reference to Treaty Nos. 8 and 10 and includes the reference to the Articles of Treaty as recorded by the Honourable Alexander Morris, P.C. in his report entitled The Treaties of Canada with Indians of Manitoba, NWT including the negotiations on which they based and the information relating thereto, together with the oral history of those negotiations as preserved by the Elders of the Denesuline First Nation.

**"First Nation"** means the Black Lake Indian Band, as the context requires.

**"Denesuline First Nation"** is a reference to the Black Lake Indian Band.

### Prohibition

3. No parent shall permit his child to be in any public place during the prohibited hours.

**Exception**

4. A child that is:
  - a) is accompanied by his parents;
  - b) is accompanied by a person who is eighteen (18) years of age or over, with the written authorization of the child's parent;
  - c) is attending or is directly returning home from a community social event; of,
  - d) is authorized by resolution of Council.
5. No person or group of persons shall conduct a social activity (dance, public display, video arcade or other function to which the public is invited) without first obtaining permission in writing from the Band Council. Upon issuing such permission, the Band Council may impose any terms and conditions upon the said permit which have as the effect of making the owner or operator of such establishment conducting or in charge of the social activity responsible for the supervision and the regulation of access to the premises of the social activity of children having regard to the prohibited hours set out in clauses 2 and 3 of this bylaw.
6. Any person or groups of persons promoting or conducting or is in charge of a social activity who allows a child to be present on the said premises in contravention of this bylaw shall be deemed to have committed a violation under this bylaw unless the child comes under one of the expectations found in section 4. a), b), c), or d) of this Bylaw.

**Powers of the Peace Officer and Security Personal**

7. A peace officer who finds a child who is or, in the absence of evidence to the contrary, appears to be 16 years of age or under, in a public place during the prohibited hours contrary to section 3 may warn such child to immediately return to the child's residence. If after so warning, the child refuses or neglects to return to his residence forthwith, the peace officer or security personal may use such reasonable force as necessary to escort such child to the child's residence.

**Meeting with parents**

8. (a) If after the warning referred to in section 7 is issued or given, the warning is disregarded by the child, or if the child is found disobeying this bylaw within a period of thirty (30) days, the parent or parents of such child may be directed, by Band Council Resolution, to meet and discuss the situation with the Council or anyone appointed by the Band Council pursuant as a Band Council Resolution for that purpose.
- (b) A copy of the resolution of the Council referred to in subsection 8(a) above shall be sent by first class mail or delivered by hand to the child's parent not less than four (4) clear days prior to the proposed meeting.

**Penalty**

9. A parent who permits his child to be in any public place during the prohibited hours, contrary to section 3, commits an offence and is liable on summary conviction to a fine not exceeding one thousand (\$1,000.00) dollars or imprisonment for a term not exceeding thirty (30) days or to both fine and imprisonment.


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THIS BYLAW IS HEREBY made at a duly convened meeting of the Council of the Black Lake Denesuline First Nation this 4th day of September, 1997.

Voting in favor of the bylaw are the following members of Council:

  
\_\_\_\_\_  
(Member of the Council)

  
\_\_\_\_\_  
(Member of the Council)

  
\_\_\_\_\_  
(Member of the Council)

  
\_\_\_\_\_  
(Member of the Council)

\_\_\_\_\_  
(Member of the Council)

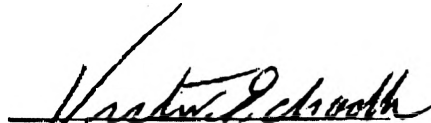
being the majority of those members of the Council of the Black Lake Denesuline First Nation Band Council present at the aforesaid meeting of the Council.

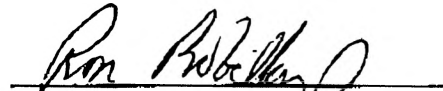
The quorum of the Council is 4 members.

Number of members of the Council present at the meeting: 6

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I, Ron Robillard Chief of the Indian Band, so hereby certify that a true copy of the forgoing bylaw was mailed to the Minister of Indian Affairs and Northern Development at the District/Regional/Hull offices (as the case may be ) pursuant to subsection 82(1) of the Indian Act, this 4th day of September, 1997.

  
(Witness)

  
(Chief)