

FORT NELSON BAND OF INDIANS  
BY-LAW NO. 7  
ALCOHOL BY-LAW

WHEREAS a majority vote of the electors of the Band who attended a special meeting of the Fort Nelson Indian Band on January 24, 1986 called by the Council of the Fort Nelson Indian Band on December 20, 1985 for the purpose of considering the contents of this by-law.

AND WHEREAS the Fort Nelson Indian Band Council considers necessary special measures for the presence of intoxicants:

NOW THEREFORE, it is hereby enacted pursuant to section 85.1 of the Indian Act:

Definitions

1. In this bylaw

"intoxicants" includes alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, 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 SALE, BARTER, SUPPLY OR MANUFACTURE

2. Everyone who sells, barter, supplies or manufactures intoxicants on the reserve of the Fort Nelson Indian Band is guilty of an offence punishable on summary conviction.

2.1. Any adult found to be supplying alcoholic beverages to minors on any of the Fort Nelson Indian Reserves or within any of its boundaries is guilty of an offence on summary conviction.

### PROHIBITION AGAINST INTOXICATION

3. Everyone who is intoxicated on the reserves of the Fort Nelson Indian Band is guilty of an offence punishable on summary conviction.

#### EXCEPTIONS TO #3

4. Notwithstanding section 3, no offence is committed against this bylaw where a person is found intoxicated in his home or in a private dwelling to which he has been invited.

5. Notwithstanding section 3, no offence is committed against this bylaw on days specified and allowed by the Band Council through a Band Council resolution.

5.1. Specifically, conditions and regulations as to the allowance and issuing of permits are to be adopted and approved by the band membership at a general band meeting.

### PROHIBITION ON POSSESSION OF INTOXICANTS

6. Everyone who is found in possession of intoxicants is guilty of an offence punishable on summary conviction.

#### EXCEPTIONS TO #6

7. Notwithstanding section 6, no offence is committed against this bylaw if such possession is for medicinal purposes, the proof of which lies on the person in possession.

8. Notwithstanding section 6, no offence is committed against this bylaw if the person in possession is transporting the intoxicant in an unopened state across the reserve to a destination beyond the reserve boundary.

9. Notwithstanding section 6, no offence is committed against this bylaw if the person in possession is transporting the intoxicant in an unopened state across the reserve to his home or if the person has possession in his home.

10. Notwithstanding section 6, no offence is committed against this bylaw on days and events as approved by the Band Council through a Band Council resolution.

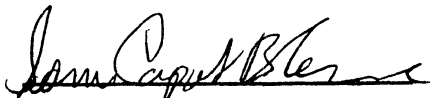
**PENALTIES**

11. For greater certainty, the penalties for contravention of this bylaw are set out in the Indian Act.

Adopted by the Fort Nelson Indian Band Council this 30<sup>th</sup> day of January , 1986.



chief



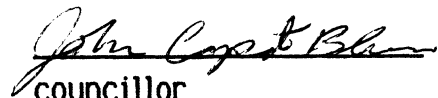
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