

So R/86-465  
dated April 18/86 11/20

YUKON TERRITORY

FIREARM BY-LAW

The Council of the Carcross Tagish Indian Band of Indians at a meeting this 17th day of December 19 85 hereby enacts by-law number 3 to provide for the regulation of firearms within the boundaries of the Carcross Tagish Indian Band lands in the Yukon territory.

WHEREAS: paragraphs (c) (d) and (r) of Section 81 of the Indian Act empowers the Council of a Band to make by-laws respecting the observance of law and order, the prevention of disorderly conduct and the imposition of a penalty for the violation thereof; and

WHEREAS: it is deemed to be expedient to limit the manner of usage and exposing of firearms on Carcross Tagish Indian Band for the safety and welfare of inhabitants of the Carcross Tagish Indian Band lands.

Now therefore the Council of the Carcross Tagish Indian Band of Indians enacts as a by-law thereof the following:

1. In this by-law,
  - (a) "Council" means the Council as defined in the Indian Act.
  - (b) "Reserve" means the tract of land set aside by Her Majesty within the definition of the Indian Act, for the use and benefit of the Carcross Tagish Indian Band of Indians known as the Carcross Tagish Indian Band.
  - (c) "Firearm" means any make or calibre of rifle, shotgun, pistol, handgun, and in this by-law shall include air guns, BB guns, pellet guns and cross bows.
  - (d) "Vehicle" means any wagon, cart, motor car, motor truck, trailer, motorcycle, tractor or other conveyance that is driven, propelled or drawn by any kind of power.
2. No person shall carry a firearm concealed in his/her attire within the boundaries of the Carcross Tagish Indian Band lands.
3. All firearms carried in vehicle within the Carcross Tagish Indian Band lands shall be kept inconspicuous at all times and in such a place and manner that no person will have immediate access.
4. No person shall upon any street, road, or inhabited area within the Carcross Tagish Indian Band lands discharge or attempt to discharge a firearm.
5. No person on the Carcross Tagish Indian Band actually or apparently under 16 years of age have in their possession or be allowed to handle or discharge or attempt to discharge a firearm without adult supervision.
6. A parent or guardian who permits his/her child or ward to violate Section 5 of this by-law shall be guilty of an offence and shall be liable to a summary conviction pursuant to Section 6 of this by-law.
7. The officer may seize any firearm within the Carcross Tagish Indian Band lands and is justified in using as much force as is reasonably necessary;
  - (a) to prevent the commission of an offence.
  - (b) that would be likely to cause immediate and serious injury to persons or property.

- (c) if the person is restricted by law.
  - (d) all prohibited weapons, listed in the Criminal Code of Canada.
8. The Constable shall have the power and authority to arrest any person who violates any of the provisions of this by-law.
  9. Any persons who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable to a summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Carcross Tagish Indian Band of Indians this 17th day of December 19 85.

CHIEF Stanley James

COUNCILLORS  
William Atine  
[Signature]  
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A quorum for this Band consists of Chief and 3 Council members.

I, Chief Stanley James Chief of Carcross Tagish Indian Band of Indians, do hereby certify that a true copy of the foregoing by-law was forwarded to the Minister of Indian Affairs and Northern Development pursuant to Section 82, sub-section (1) of the Indian Act this 17th day of December, 19 85.

[Signature]  
 WITNESS

Stanley James  
 CHIEF