

DISORDERLY CONDUCT & NUISANCE BY-LAW

The Council of the DAKOTA TIPI BAND of INDIANS at a meeting held this 7 th day of October , 1981 hereby enacts° by-law number Five (5) to provide for the observance of law and order for the prevention of disorderly conduct and nuisance within the boundaries of the DAKOTA TIPI INDIAN RESERVE in the Province of Manitoba.

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

WHEREAS it is deemed necessary to maintain law and order for the benefit and wellbeing of the residents of DAKOTA TIPI RESERVE.

NOW THEREFORE the Council of the DAKOTA TIPI 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 of the DAKOTA TIPI BAND of INDIANS;
  - (b) "Reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the DAKOTA TIPI BAND of INDIANS known as the DAKOTA TIPI RESERVE.
  - (c) "Constable" means a person appointed for the purpose of maintaining law and order on the DAKOTA TIPI RESERVE.
  - (d) "Public Place" means and includes any place to which the public have access as of right or by invitation expressed or implied.
2. No person shall cause a disturbance in or near a public place.
  - (a) by fighting, screaming, shouting, swearing, singing, or using insulting or obscene language;
  - (b) by being drunk or;
  - (c) by impeding or molesting other persons.
3. No person shall expose or exhibit an indecent exhibition in a public place or commit any act in a public place which offends against public decency or order.
4. No person shall loiter in a public place or in any way obstruct persons who are there.

5. No person shall disturb the peace and quiet of the occupants of a dwelling house by discharging fire-arms, shouting, swearing or using insulting or obscene language or by other disorderly conduct in or near a dwelling house.
6. No person shall without lawful excuse, the proof of which lies upon him, prowl or loiter by day or by night upon or near the premises of another person without the occupants permission either expressed or implied.
7. The Constable shall have the power and authority to arrest any person who violates any of the provisions of this by-law.
8. No person shall resist or wilfully obstruct a Constable in the execution of his duty or any person lawfully acting in aiding such an officer.
9. No person shall omit without reasonable excuse to assist a Constable in the execution of his duty in arresting a person or in preserving the peace after having reasonable notice that he is required to do so.
10. Any person who violates any provision of this by-law shall be guilty of an offence and shall be liable to a summary conviction to a fine not exceeding \$300.00 or imprisonment for a term not exceeding thirty (30) days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the DAKOTA TIPI BAND of INDIANS this 7<sup>th</sup> day of October, 1981.

A quorum for the Band consists of Four (4) Council members

*James L. ...*  
Chief

*James Pashe*  
Councillor

*James ...*  
Councillor

*Michael Pashe*  
Councillor

*James ...*  
Councillor

I Dennis Pashe Chief of DAKOTA TIPI 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 Sec. 82, sub-sec (1) of the Indian Act this 7th day of October 1981.

*Louis Legrand*  
Witness

*Dennis Pashe*  
Chief