

DISORDERLY CONDUCT & NUISANCE BY-LAW

SOR/77-1010

November 22, 1977

The Council of the Birdtail Sioux Band of Indians at a meeting held this 22nd day of August 1977 hereby enacts by-law Number 7-77 to provide for the observance of law and order and for the prevention of disorderly conduct and nuisance within the boundaries of the 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 the 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 well being of the inhabitants of Birdtail Sioux Reserve.

Now therefore the Council of the Birdtail Sioux 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 Birdtail Sioux 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 Birdtail Band of Indians known as the Birdtail Sioux Reserve.
- (c) "Constable" means a person appointed for the purpose of maintaining law and order on the Birdtail Sioux Indian Reserve.
- (d) "Public Place" means and includes anyplace 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 intoxicated with any alcoholic stimulant or drug, or
- (c) by impeding or molesting other persons.

3. No person shall expose himself or herself or cause an indecent exhibition in a public place or commit any act in a public place which offend 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 violate 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 \$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 Birdtail Sioux Band of Indians this 22nd day of August.

CHIEF Jack Kasto

COUNCILLOR Godfrey Bearbull

COUNCILLOR Richard Benn



BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro consécutif
File Reference - N° de réf. du dossier

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
 NOTA: Les mots "des fonds de notre bande "Capital" ou revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE <i>LE CONSEIL DE LA BANDE INDIENNE</i> Birdtail Sioux Band	Current Capital Balance <i>Solde de capital</i> \$ _____
AGENCY	Committed - Engagé \$ _____
DISTRICT Brandon	Current Revenue balance <i>Solde de revenu</i> \$ _____
PROVINCE Manitoba	Committed - Engagé \$ _____
PLACE	
NOM DE L'ENDROIT Birdtail Sioux Band Office	
DATE <u>22nd</u> DAY - JOUR <u>August</u> MONTH - MOIS AD 19 <u>77</u> YEAR - ANNÉE	

DO HEREBY RESOLVE:
 DÉCIDE, PAR LES PRÉSENTES:

That the by-law entitled "Disorderly Conduct & Nuisance" be and the same is hereby approved, and enacted as a by-law 7-77 of the Council of the Birdtail Sioux Band of Indians, and further that the Chief and each member of Council be authorized to sign the same."

A quorum for this Band <i>Pour cette bande le quorum est</i>
consists of <i>fixé à</i>
Council Members <u>2</u> <i>Membres du Conseil</i>

Jack Kasto

(Chief - Chef)

Godfrey Bearbull

(Councillor - conseiller)

Richard Benn

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code <i>Code du compte de bande</i>	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure <i>Dépenses</i>	4. Authority - Autorité Indian Act Sec <i>Art. de la Loi sur les Indiens</i>	5. Source of Funds <i>Source des fonds</i> <input type="checkbox"/> Capital <input type="checkbox"/> Revenue <i>Revenu</i>
	A. Capital \$	B. Revenue - Revenu \$			
6. Recommended - <i>Recommandable</i>			Approved - <i>Approuvable</i>		
Date	Recommending Officer - <i>Recommandé par</i>		Date	Approving Officer - <i>Approuvé par</i>	

I Jack Kasto Chief of Birdtail Sioux BAnd of Indians, do hereby certify that a true copy of the foregoing by-law is being forwarded to the Minister of Indian Affairs and Northern Development pursuant to Sec. 82 Ss. (1) of the Indian Act this 22nd day of August 1977.

Rufus Prince

Witness

Jack Kasto

Chief