

**BYLAW 98-8**  
**A BYLAW RESPECTING THE CONDUCT OF PERSONS WITHIN THE RESORT**

**WHEREAS** Paragraph (a) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to provide for the health of residents on the reserve and to prevent the spreading of contagious and infectious diseases;

**AND WHEREAS**, Paragraph (c) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to make By-laws for the observance of law and order;

**AND WHEREAS**, Paragraph (d) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to prevent disorderly conduct and nuisances;

**AND WHEREAS**, Paragraph (l) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to enact By-Laws for the construction and regulation of the use of public wells, cisterns, reservoirs and other water supplies;

**AND WHEREAS**, Paragraph (m) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to control or prohibit public games, sports, races, athletic contests and other amusements;

**AND WHEREAS**, Paragraph (o) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to preserve, protect and manage fur-bearing animals, fish and other game on the reserve;

**AND WHEREAS**, Paragraph (p) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to remove and punish person trespassing on the reserve or frequenting the reserve for prohibited purposes;

**AND WHEREAS**, Paragraph (q) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to enact By-Laws with respect to any matter arising out of or ancillary to the exercise of its powers;

**AND WHEREAS**, Paragraph (r) of Section 81(1) of the *Indian Act*, R.S.C., ch. 1-5, empowers the Chief and Council of a Band to impose a penalty for violation of its By-Laws;

**AND WHEREAS**, It is deemed to be expedient to users of the Resort from offending conduct, from the spread of disease and damage caused by offending conduct, and to protect animals, fish and water supplies from human conduct within the Resort;

**NOW THEREFORE**, The Council of the White Bear First Nation hereby makes the following By-Law:

1. In this By-Law:
  - (a) "Company" means the White Bear Lake Resort Inc. appointed by the White Bear Band Council for the operation of White Bear Lake Resort;
  - (b) "Council" means the Council of the White Bear First Nation;

- (c) "Officer" means any person employed in connection with the administration and management of the Resort;
  - (d) "Person" includes members of the White Bear First Nations as defined within the Indian Act;
  - (e) "Recreation Site" means any area designated as a recreation area or protected area within the Resort;
  - (f) "Resort" means the White Bear Lake Resort.
2. Except as may be authorized by the Company or Council, no person shall:
- (a) Within the Resort or Recreation Site, cut, pluck, damage or remove any turf, soil, rock, sand or gravel, or the whole or any part of any wild flower, shrub or tree;
  - (b) Within the Resort or Recreation Site, injure, move, disturb or destroy any nesting bird, bird's nest or eggs or set any trap to snare or injure, kill or attempt to kill or have possession of any animal or bird.
  - (c) Tamper with, deface, cut into, write upon or otherwise disfigure, destroy or move any natural rock formation, soil, tree, timber, bridge, building, or any other structure in the Resort;
  - (d) Enter or proceed upon grass, lawn turf, seedbed or other plot or area contrary to a sign of prohibition or restriction erected by or on behalf of the Company;
  - (e) Bathe in, wade in or pollute in any manner the waters of any fountain within the Resort or Recreation Site;
  - (f) Play or engage in any sports or team game within the Resort or Recreation Site except in areas provided by the Company for that purpose;
  - (g) Discharge within the Resort or Recreation Site liquid or solid waste matter from a trailer or tent or otherwise than into a sewage system or receptacle provided for that purpose.
3. No area of the Resort may be used in such a way as to pollute, contaminate or cause other injury to the waters and soil within the Resort.
4. Any person using any building, cabin, trailer, tent or other area within the Resort shall keep the area in a clean and satisfactory state.
5. (a) No person shall, without a permit issued by the Company, light any outdoor fire except in a firepit constructed for that purpose.
- (b) No bonfire or other exposed fire shall be kindled to dispose of rubbish on the Resort without a permit to do so, and must be carried out in a properly constructed brick or metallic burner covered with a suitable 1/8" wire mesh.
- (c) All permitted bonfires or other exposed fires shall burn only between sunrise and 11:00 p.m. when a competent person shall be constantly in charge of the fire until it is extinguished.

6. Except as may be authorized by the Company or Council, no person shall remove, deface, or destroy any notice posted in regard to the prevention of forest fires or any matter relating to the administration of the Resort including highway, directional or informational signs, posts or related components;
7. The Company may from time to time request the Fire Safety Officer, Department of Indian Affairs and Northern Development to carry out an inspection of the Resort or any Resort area to compliance with fire safety laws and rules and any person shall make such changes in residences and grounds as may be ordered by the Fire Safety Officer.
8. An Officer may order the Resort or portions of the Resort temporarily closed or may limit the number of persons allowed to use portions of the Resort in the interests of public health, safety or preservation of the facilities or recreation potential of such areas.
9. No person shall discharge or have in his possession in the Resort any pistol, revolver, rifle, gun, air-gun, rocket, torpedo, missile-projector, bow and arrow, sling-shot, firecracker or firework, except as may be authorized in writing by the Company.
10.
  - (a) No person shall carry on, or permit or suffer to be exercised or carried on, in or upon the Resort or Recreation Site any noxious, noisesome, or offensive art, trade, business, or occupation and no act, matter or thing, whatsoever shall at any time be done in or upon the said land or any part thereof to be an annoyance, nuisance, grievance, damage or disturbance to the occupiers of the adjoining lands and premises or others within the Resort.
  - (b) An Officer may after giving written notice to discontinue such activity give notice of cancellation of any rights or privileges to occupy the said lands within the Resort or Recreation Site by mailing a copy of the said notice to the offending permit holder at his post office address in the Resort or Recreation Site or by posting a copy of the notice in the vicinity of the entrance to any structure or vehicle used for living purposes on the area in respect of which the permit or lease was issued, and the date of giving notice shall be the date the notice was so mailed or posted.
11.
  - (a) Where any person is acting in a manner which is perceived as offensive, threatening, or potentially harmful by any other person in the Resort or Recreation Site, an Officer may direct the offender to cease that action and the person so directed shall forthwith comply with that directive.
  - (b) All permits previously issued to a person failing to comply with the directive given by an Officer pursuant to paragraph 11(a), shall be instantly invalid and revoked, and that person shall be on the premises without a valid permit as required by Bylaw and the rules of the Resort. Therefore, the trespassing offender shall be required to leave the Resort as directed by an Officer or R.C.M.P.
12. Where any person is acting in violation of any of the provisions of this By-Law an Officer or R.C.M.P. may direct that person to cease the action and the

person so directed shall forthwith comply with that directive or risk being charged with an offence pursuant to paragraph 13.

13. Any person who violates any of the provisions of this By-Law shall be guilty of an offence and shall be liable on a summary conviction to a fine not exceeding one thousand (\$1,000.00) dollars, or imprisonment for a term not exceeding thirty (30) days, or both.
14. The Chief and Council reserve the right to revisit this issue and amend the By-Law at a regularly convened Chief and Council Meeting of the White Bear First Nation.