

BY-LAW 98-2
A BY-LAW TO REGULATE THE CONDUCT AND ACTIVITIES OF BUSINESS
OPERATIONS IN THE WHITE BEAR LAKE RESORT

Whereas Paragraphs (n) and (q) 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 regulating the conduct and activities of hawkers, peddlers or others and matters ancillary thereto; and paragraph (r) empowers the Chief and Council of a Band to impose a penalty for the violation thereof;

And Whereas, Paragraph (1)(a.1) of section 83 of the Indian Act, R.S.C., ch 1-5, empowers the Chief and Council of a Band to make By-laws with respect to the licensing of business, callings, trades or occupations;

And Whereas, The Council has enacted the White Bear First Nations Business Licensing By-Law pursuant to sections 81 (n) (r) and section 83 of the Indian Act;

And Whereas, It is deemed to be expedient to regulate and license the conduct and activities of business operations in the White Bear Lake Resort;

Now Therefore; The Council of the White Bear First Nations 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 First Nations Council for the operation of the White Bear Lake Resort;
 - (b) "Council" Means the Council of the White Bear First Nations;
 - (c) "Officer" means any person employed in connection with the administration and management of the Resort;
 - (d) "Resort" means the White Bear Lake Resort;
 - (e) "Business" includes hawking, peddling or any business or calling, trade or occupation as described in the White Bear First Nations Business Licensing By-Law and also includes "Home-based Businesses".
2. No person shall carry on Business within the Resort without a valid permit from the Company authorizing the Business and a valid Business

license issued by the Council, this license is not transferable. This permit may not be transferred except with the written consent of the Company.

3. No person shall be granted a permit to operate a Business within the Resort unless he/she has first entered into a written agreement with the Company defining the conditions and terms under which the Business will operate.

4. When a Business is to be carried on in premises built or provided by the permittee, the building plans and specifications must be submitted to the Company for approval and such specifications and plans shall become part of the agreement.

5. Any person wishing to carry on Business within the Resort shall submit to the Company, at the time of receiving a permit, a permit fee as determined by the Company.

6. Every person permitted to carry on a Business shall have and keep the permit and Business license together on hand during the time that he is conducting Business within the Resort. The permit and Business license shall be produced whenever demanded by any Officer of the Company or R.C.M.P. Officer.

7. The Company may at any time, unreasonably revoke or suspend any permit issued under this By-law and shall revoke any permit that has its accompanying Business license revoked or suspended by the Council.

8. No permit shall have the effect of granting to the permittee the exclusive right to carry on a Business in any area.

9. Any person carrying on a Business shall keep such records as may be required by the Company and shall make such records available for inspection at all times.

10. No person shall institute charges or fees for functions or special events held within the Resort unless authorized to do so by an Officer, in writing.

11. Any person who violates any of the provisions of this By-law shall be guilty of an offense and shall be liable on a summary conviction to a fine not exceeding One Thousand (\$1000.00) dollars, or imprisonment for a term not exceeding thirty (30) days, or both.

12. The Chief and Council reserve the right to revisit this issue and amend the By-law at a regularly convened Meeting of the White Bear First Nations Chief and Council.