

5 SEPT 75



SARCEE INDIAN BAND ADMINISTRATION

R.R.#3, CALGARY, ALBERTA

BUSINESS PHONE 281-4455

THE SARCEE BAND OF INDIANS

BY-LAW NUMBER 5

Being a By-Law of the Sarcee Band of Indians to provide for the regulation and control of noxious weeds

WHEREAS paragraphs (j) and (r) of Section 81 of the Indian Act empower the Council of a Band to make By-Laws respecting the regulation and control of noxious weeds,

AND WHEREAS it is expedient to regulate and control noxious weeds on the Sarcee Indian Reserve and to provide for the eradication of noxious weeds and plants.

AND THEREFORE THE COUNCIL OF THE SARCEE BAND INDIANS ENACTS AS FOLLOWS:

1. This By-Law may be cited as "The Noxious Weeds By-Law".

In this By-Law unless specifically altered, the definitions founds in the Weed Control Act, S.A. 1972, Chapter 96 and amendments apply. Also in this By-Law:

- (a) "Grass" means a member of the grass family which is of an objectionable and unsightly nature, forms a nuisance or fire hazard, or is not controlled.
- (b) "Weeds Act" means The Weed Control Act of Alberta;
- (c) "Noxious Weeds" shall mean all those listed in the Regulations passed pursuant to the Weed Act.

- (d) "Sarcee Village" means that portion of the Sarcee Indian Reserve Number 145 as shown on the attached Plan to this By-Law.

2. The Council may appoint a Weed Inspector for the reserve.

3. The Band Manager shall

- (a) Until the Council has appointed an Inspector, and
- (b) During any other period in which the office of Inspector is vacant or the person appointed by the Council is, for reasons of health or for other reasons, unable to fulfill his duties, occupy the position of Inspector

4. The occupant of any land within Sarcee Village and the holder of a certificate of possession in respect of land with the reserve even if he does not personally occupy the land, shall cut or cause to be cut down, or otherwise destroy or cause to be destroyed all noxious weeds growing thereon as often in each year as may be necessary to prevent them from going to seed.

5. The Inspector may give written notice to any occupant of land within the Sarcee Village or to the holder of a certificate of possession in respect of land within the Sarcee Village whether personally occupied by him or not, requiring that person to destroy or cause to have destroyed any noxious weeds on that land within five (5) days of the receipt of the notice.

6. Upon receipt of a notice from the Inspector the person so affected shall within five (5) days correct the fault.

7. A person guilty of an infraction of this By-Law either in doing something which is prohibited by a provision of this By-Law or by refusing neglecting, or failing to do something which he is required to do by a provision hereof is guilty of an offence, and is liable on summary conviction to a fine not exceeding the maximum of Fifty Dollars (\$50.00) for which he is convicted and to costs including the costs of destroying the weeds, or in default of payment of such fine and costs, to imprisonment not exceeding ten (10) days.

8. This By-Law repeals all previously enacted Sarcee Band Council By-Laws insofar as control of noxious weeds on the Sarcee Indian Reserve No. 145 is concerned.

(APPROVED AND PASSED At a duly convened meeting of the
Council of the Sarcee Band of Indians this 16th day of July, 1975.

Gordon Crowchild
Chief

Alex Crowchild
Councillor

Fred Eagletail
Councillor

Victor Starlight
Councillor

Tom Runner
Councillor

I, Gordon Crowchild, Chief of the Sarcee Band of Indians do hereby
certify that a true copy of the foregoing By-Law No. 5 was for-
warded to the Minister of Indian Affairs and Northern Development
pursuant to Section 81 of the Indian Act, this 16th day of July,
1975.

Sidney Starlight
Witness

Gordon Crowchild
Chief

CANADA

Province of Alberta

TO WIT

I Beverly Little Light Recording Secretary
(Name) (Capacity)

residing at Shree make oath

and swear that the paper-writing (to) which this affidavit is
(attached) is a true copy of a document and shown to me and
purporting to be the original by-law made pursuant to the Indian Act
and signed by Council and dated July 16/75
the said copy having been compared by me with the said original document.

(Mrs) Beverly Little (signature)
Light

Sworn to before me at

Shree this

12 day of July 1975.

Commissioner of Oaths in and
for the Province of Alberta

Or

P. J. Howard

Commissioner for the Taking of Oaths
Authorized under Section 108 of the
Indian Act.