

THE LOUIS BULL TRIBE
LOUIS BULL RESERVE NO: 439

BY LAW 88-1

THE REGULATION OF THE PRESENCE AND
USE OF INTOXICANTS ON THE RESERVE

This is Exhibit "A" referred to in the
Affidavit of

.....Harrison Bull.....

Sworn before me this ...20th... day

of ..October..... A. D. 19 88

.....*Judith F. S.*.....

A Notary Public, A Commissioner for Oaths in and for
the Province of Alberta.

PREAMBLE:

WHEREAS Section 85.1 of the INDIAN ACT, R.S.C. 1985, C. I-6, empower the Council of the Tribe to make By Laws respecting the regulation of the presence and use of intoxicants on Indian Reserves and the imposition of a fine for the violation thereof:

AND WHEREAS that within the boundaries of the Indian Reserve, no intoxicating liquor shall be allowed to be introduced and sold;

AND WHEREAS a court of law has recognized the 'Dry Reserve Status' of the Louis Bull Tribe;

AND WHEREAS a majority of the electors of the Tribe who attended a Special Meeting of the Louis Bull Tribe on the* 20 day of October 1988 called by the Council of the Louis Bull Tribe, approved the Amendments of the Intoxicants By Law;

AND WHEREAS Council of the Louis Bull Tribe considers it necessary to take special measures for the protection of the Residents of the Reserve of the Louis Bull Tribe from the presence and use of intoxicants;

NOW THEREFORE the Council of the Louis Bull Tribe, hereby repeal By Law 85-4 and replace it with By Law 88-1 to be called the INTOXICANTS BY LAW.

1. IN THIS BY LAW:

- a. **TRIBE** means the Louis Bull Tribe No: 439.
 - b. **COUNCIL** means the Council of the Louis Bull Tribe as elected by the custom of the Tribe.
 - c. **RESERVE** means the Louis Bull Reserve No:138B and includes Special Reserves.
 - d. **TRIBAL MEMBERS** means a Member of the Louis Bull Tribe whose name appears on the Membership List.
 - e. **RESIDENT** means any person who resides on the Reserve either permanently or temporarily or is visiting on the Reserve, whether or not that person is a Tribal Member.
 - f. **INTOXICANT** includes alcohol, alcoholic, spirituous, vinous, fermented malt, or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spiritous, vinous, fermented, or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating.
 - g. **PEACE OFFICER** for the purposes of this By Law includes a Member of the Louis Bull Police Force.
 - h. **PRIVATE DWELLING** means a building, structure, dwelling house, residence in which people reside.
 - i. **VEHICLE** means a device in, on or by which a person or thing may be transported or driven on a roadway or highway.
 - j. **ROADWAY** means any passageway, road, driveway or land, that the People of the Louis Bull Tribe may use for the passage of vehicles.
 - k. **PUBLIC AREA** includes any area where the People of the Louis Bull Tribe may use as a common ground and includes the townsite, cultural, and recreational grounds.
 1. **TOWNSITE** includes the area on the Louis Bull Reserve which covers the Administration Office, Recreation Centre, acreage development, industrial site and any other building that is open to the use of the Peoples of the Louis Bull Tribe.
2. **FOR THE PURPOSES** of Section (1)(f), a liquid preparation or mixture that contains more than 1.5% alcohol by volume shall be conclusively deemed to be intoxicating.

3. This By Law covers all the lands within the Louis Bull Reserves.
4. No person shall possess liquor on the Louis Bull Reserve.
5. No person shall convey liquor in a vehicle or other conveyance on the Louis Bull Reserve.
6. No person shall have open bottles or containers of intoxicants on the Reserve, and shall include and not be limited to the roadways, public area, private dwellings, or vehicles.
7. No person shall be intoxicated on the Reserve of the Louis Bull Tribe.
8. No person under the age of sixteen (16) shall be intoxicated on the Louis Bull Reserve.
9. No intoxicated person shall cause a disturbance in a public area, roadway, or private dwelling;
 - a. by fighting, shouting ,swearing , or using insulting or obscene language
 - b. or interferring with other person or other person's property or property of the Tribe.
10. A Peace Officer may, without warrant, seize any liquor in the possession of a person whom he finds committing an offence under this By Law.
11. On reasonable and probable grounds a Peace Officer may, without warrant, and if necessary by force, search at or near a vehicle, or the person found at or near the vehicle, or on the land at or near the vehicle.
12. On reasonable and probable grounds, a Peace Officer who believes that liquor is kept for unlawful purposes (that is for selling, bartering, trading) ~~is~~ manufacturing of intoxicants may enter and search a private dwelling, or building or premises, and may break open any door, lock, or fastening on those premises or parts of them, or any other closet, cupboard, box or other receptacle in which
13. No person shall drive or operate a vehicle on the Louis Bull Reserve, while his ability to drive is impaired due to intoxication.
14. A Peace Officer finding a person driving, who has reasonable and probable grounds to believe that person is intoxicated, may take reasonable measures to prevent that person from continuing driving including a 24 Hour suspension of his license.

15. If a person has been required by a Peace Officer not to drive or operate a vehicle due to their intoxicated condition, the Peace Officer shall impound the car if there is no other driver in the car that is capable or qualified of driving. The Registered owner shall be responsible for all costs incurred for impoundment and storage.

16. Where a resident of the Louis Bull Tribe is being harassed, insulted, or having the peace of his private dwelling disturbed by an intoxicated person who refuses to leave, the resident may seek to have the intoxicated person removed by a Peace Officer.

17. No person shall sell, barter, trade, manufacture or supply intoxicants on the Reserve.

18. No person shall provide or sell intoxicants to a person under the age of sixteen (16) years on the Reserve.

19. This By Law may be amended by a majority of the Council present at a duly convened Council Meeting, and approved by the electors present at a duly called Band Meeting for that purpose.

20. A person found violating Sections 17 and 18 of this By Law is guilty of an offence punishable on summary conviction and is subject to a fine of \$1,000.00 or six (6) months imprisonment or both.

21. A person found violating any section of this By Law except Section 17 and 18 is guilty of an offence up to \$100.00 or two (2) months imprisonment or both.

We the Council of the Louis Bull Tribe do hereby certify that
a true and exact copy of the forgoing By Law 85-4 was mailed to the
Minister of Indian and Northern Affairs pursuant to Section 85.1 of the
Indian Act this 20th day of October 1988.

Simon Threepengies

Harold Laine

Robert Bue

Joseph L Bue

Joseph Moons

William Laine
