



**ERMINESKIN CREE NATION  
TRESPASS BY-LAW**

BY LAW NO. 99 - 01  
of the Ermineskin Cree Nation.  
A By Law for the Removal and Punishment of Persons Trespassing or Frequenting the Reserve for Prohibited Purposes.

**WHEREAS THE CHIEF AND COUNCIL** of the Ermineskin Cree Nation desires to make a by-law to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

**AND WHEREAS THE CHIEF AND COUNCIL** of the Ermineskin Cree Nation is empowered to make such by-law pursuant to paragraphs 81 (1) (p), (q) and (r) of the Indian Act;

**AND WHEREAS** it is considered to be expedient and necessary, for the benefit, comfort and safety of the inhabitants of the Ermineskin Cree Nation Reserve, to provide for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;

**NOW THEREFORE THE CHIEF AND COUNCIL** of the Ermineskin Cree Nation hereby makes the following by-law:

**Definitions:**

1. In this by-law,

“**Chief and Council**” means the Chief and Council of the Ermineskin Cree Nation;

“**Officer**” means any police officer, police constable or other person charged with the duty to preserve and maintain the public peace, and a by-law enforcement officer or any other person appointed by the Chief and Council for the purposes of maintaining law and order on the reserve pursuant to By-law No: 99 - 01 relating to Law and Order.

“**Reserve**” means the reserve of the Ermineskin Cree Nation and includes the Ermineskin Cree Nation Reserve No: 138.

“**Trespass**” means the entry onto or the presence on the reserve by a person (s) without lawful jurisdiction.

**Prohibited Purposes :**

2. (1) A person, other than a person referred to in subsection (2), who conducts on the reserve any of the following activities, namely:

- a. hunting, fishing, trapping or gathering
- b. hawking or peddling of wares or merchandise
- c. loitering
- d. soliciting financial assistance
- e. using any of the dumpsites for garbage
- f. dumping any and all kinds of toxic or poisonous wastes anywhere on the reserve
- g. soliciting and/or purchasing vehicles from minors as members
- h. person deemed to be a nuisance or involved in criminal activity

shall be deemed to be frequenting the reserve for a prohibited purpose.

(2) Subsection (1) does not apply to a person who:

- a. is a lawful resident of the reserve
- b. under a by-law of the Chief and Council, holds a valid license to conduct any activity referred to herein or is otherwise permitted to conduct that activity.

**Removal**

3. (1) An officer may order any person who trespasses on the reserve or who frequents the reserve for a prohibited purpose to leave the reserve immediately.

(2) Where a person who has been ordered to leave the reserve fails or refuses to do so, an officer may take such reasonable measures as may be necessary to remove the person from the reserve.

**Offence:**

4. A person who fails or refuses to comply with an order made under subsection 3 (1) to leave the reserve, or who resists or interferes with an officer acting under subsection 3 (2) commits an offence.

**Penalty:**

5. A person who commits an offence under this by-law is liable on summary conviction to a fine not exceeding \$1,000.00 or to imprisonment for a term not exceeding thirty (30) days, or to both.



**Sign:**

6. A sign will be posted at all main boundary roads to serve as notice to the general public and will be worded as follows:

**ERMINESKIN RESERVE # 138  
HOME OF THE PLAINS CREE OF TREATY #6  
NO TRESPASSING. NO HUNTING  
TRESPASSERS WITHOUT A PERMIT WILL BE PROSECUTED  
PERMITS ISSUED AT THE HOBHEMA POLICE SERVICES**

**By Order of Chief and Council  
By Law 99 - 01**

This by-law is hereby made at a duly convened meeting of the Chief and Council of the Ermineskin Cree Nation this 12 day of April, 1999.

Voting in favour of the by-law are the following Members of the Council:

Chief

Joseph M. Woodcut ✓  
Member of the Council

Member of the Council

Member of the Council

Beet Ruben ✓  
Member of the Council

Craig Johnson  
Member of the Council

Member of the Council  
Member of the Council

Plenda White ✓  
Member of the Council

Carol Roasting ✓  
Member of the Council

being the majority of those Members of the Council of the Ermineskin Cree Nation present at the aforesaid meeting of the Chief and Council.

The quorum of the Council is five (5) Members.

Number of Members of the Council present at the meeting: Seven (7)



I, Chief Gerry Ermineskin of the Ermineskin Cree Nation, do hereby certify that a true copy of the foregoing by-law was mailed/faxed/hand delivered to the Minister of Indian Affairs and Northern Development at the District/Regional/ Hull National Headquarters offices pursuant to subsection 82 (1) of the Indian Act , this 12 day of April, 1999.

Witness:

Chief

*Gerry Ermineskin*

*[Signature]*