

HIAWATHA INDIAN RESERVE

*active*

BY-LAW NUMBER 12

A BY-LAW RESPECTING THE OBSERVANCE OF LAW AND ORDER, AND THE PREVENTION OF DISORDERLY CONDUCT AND NUISANCES ON HIAWATHA INDIAN RESERVE NO. 36

WHEREAS paragraphs (C), (D), (P) and (R) of Section 81 of The Indian Act empowers the Council to make by-laws respecting the observance of law and order along with the prevention of disorderly conduct and nuisances; and to the imposition of sanctions for the violation of any by-law made pursuant to these provisions.

AND WHEREAS it is deemed necessary to pass a by-law respecting the observance of law and order along with the prevention of disorderly conduct and nuisance as of the date this by-law comes into effect.

NOW THEREFORE THE COUNCIL OF THE HIAWATHA INDIAN RESERVE ENACTS THE FOLLOWING:

1. In this by-law;
  - (a) "disorderly conduct" shall mean any act or omission by any person which shall disturb the public peace and shall include without limiting the generality of the foregoing, noise, shouting and profanity.
  - (b) "nuisance" shall mean any unreasonable, unwarrantable or unlawful use by a person of his own property, either real or personal, or any form of improper, indecent or unlawful personal conduct by a person.
  - (c) "peace officer" shall mean a peace officer as defined in The Criminal Code.
  - (d) "person" shall mean any individual within the boundaries of The Hiawatha Indian Reserve No. 36 and shall include without limiting the foregoing, a person who is present on the Reserve under a valid permit from the Minister of Indian and Northern Affairs, or under a valid lease, or under a valid contract or while fulfilling a valid contractual obligation in connection with the Reserve or lessee of Reserve land, along with any invited guests; and shall also include a corporation.
  - (e) "prescribed purposes" shall mean disorderly conduct or nuisance.
2. No person shall cause any disorderly conduct or nuisance on Hiawatha Indian Reserve No. 36.
3. Disorderly conduct or nuisance shall be regarded as prescribed purposes within the meaning of Section 81, Paragraph P of The Indian Act.
4. Any person who frequents Hiawatha Indian Reserve No. 36 for prescribed purposes shall be removed forthwith by a peace officer.
5. Any person who violates this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding One Hundred (\$100.00) Dollars or imprisonment for a term not exceeding thirty days or both fine and imprisonment.
6. Approved and passed at a duly convened meeting of the Hiawatha Band Council this 20th day of May, 1980.

Carl J. Lewis  
CHIEF

Allen Paudash  
COUNCILLOR

Neil Paudash  
COUNCILLOR