

BY-LAW NO. 2017-5

of the Fisher River Cree Nation

A By-Law for the Prohibition of Littering

WHEREAS the Council of Fisher River Cree Nation desires to make a By-Law for the prohibition of littering, with respect to any matter arising out of or ancillary to the exercise of powers under section 81 of the *Indian Act*, R.S.C. c. I-5 and for the imposition of a penalty for a violation thereof;

AND WHEREAS the Council of Fisher River Cree Nation is empowered to make such By-Law pursuant to paragraphs 81(1)(a),(d),(q) and (r) of the *Indian Act*;

AND WHEREAS it is considered to be expedient and necessary for the health of the inhabitants, the prevention of diseases and nuisances and for the overall appearance of the Reserve to provide for the prohibition of littering on the Reserve;

NOW THEREFORE the Council of Fisher River Cree Nation hereby makes the following By-Law:

Short Title

1. This By-Law may be cited as the "Littering By-Law".

Interpretation

2. In this By-Law,

"*Band*" means the Fisher River Cree Nation;

"*Community Safety Officer*" means any person appointed by Council or contracted by Council from time to time for the purpose of administering, applying and enforcing this By-Law, and includes any Special or Band Constable, assistant or any person appointed by Council to assist in carrying out the provisions herein;

"*Council*" means the Chief and Council of the Fisher River Cree Nation;

"*Litter*" includes any material left or abandoned in a place other than a receptacle approved by the Council for receiving such material and "littering" has a corresponding meaning.

"*Reserve*" means the reserve lands of the Fisher River Cree Nation and includes the Fisher River Indian Reserves 44 and 44A and any other reserve lands under the authority of Council.

Littering Prohibited

3. No person shall abandon any material in a place, manner, receptacle or wrapping

such that it is reasonably likely that the material will become Litter.

4. A person transporting Litter through the Reserve shall ensure that the Litter is properly secured to prevent loss during transportation.

Enforcement

5. Every person who fails or refuses to comply with a provision of this By-Law commits an offence.
6. The Community Safety Officer is authorized and directed to carry out the provisions set out in this By-Law.

Penalty


7. A person who commits an offence under this By-Law is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding thirty days, or to both.

Coming Into Force

8. This By-Law shall come into force upon it being first published pursuant to subsection 86(1) of the *Indian Act*.

This By-Law is hereby made at a duly convened meeting of the Council of the Fisher River Cree Nation this 23rd day of May, 2017.

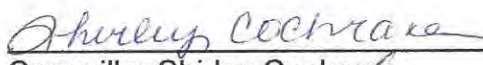
Voting in favour of the By-Law are the following members of the Council:



Chief David Crate



Councillor Carl Cochrane



Councillor Shirley Cochrane



Councillor Darrell Thaddeus



Councillor Vince Crate

Being the majority of those members of the Council of the Fisher River Cree Nation present at the aforesaid meeting of the Council.

The quorum of the Council is three members.

Number of members of the Council present at the meeting: 5.