

BAND COUNCIL RESOLUTION

Chronological no. 2021-0113-01
File reference no.

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds

The council of the PIIKANI NATION					Cash free balance	
Date of duly convened meeting					Capital account	\$ _____
D	M	Y		Province	Revenue Account	\$ _____
1	3	0	1	2	1	ALBERTA

DO HEREBY RESOLVE:

WHEREAS: pursuant to the inherent rights and powers granted under the Indian Act R.S.C. 1-6, the Chief and Council of the Piikani Nation are empowered to exercise decisions on behalf of the Piikani Nation;

WHEREAS: pursuant to Section 2(3)(b) of the *Indian Act* a majority of the Chief and Council had a duly convened meeting as indicated above;

WHEREAS: the Chief and Council are empowered to act on behalf of the Piikani Nation pursuant to their inherent right to self-government and the provisions of the Indian Act;

WHEREAS: pursuant to its inherent right to self-government, which emanates from the Piikani Nation's people, culture and land, and which is recognized and affirmed by section 35 of the *Constitution Act, 1982*, as well as the rights granted under the *Indian Act* (Canada), the Council of the Piikani Nation ("**Council**") is empowered to make decisions on behalf of the Piikani Nation;

AND WHEREAS: pursuant to section 81(1) of the *Indian Act*, the Council has the authority to enact by-laws to provide for: (i) the health of residents on the reserve; (ii) the observance of law and order; (iii) the prevention of disorderly conduct and nuisances; (iv) the regulation of the conduct and activities of hawkers, peddlers or others who enter the reserve to buy, sell or otherwise deal in wares or merchandise; (v) the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes; (vi) the residence of band members and other persons on the reserve; and (vii) any matter arising out of or ancillary to the exercise of such powers.

AND WHEREAS: pursuant to section 30 of the *Indian Act*, any person who trespasses on Piikani Lands is guilty of an offence and liable to a fine, imprisonment, or both;

AND WHEREAS: the Piikani Lands have been set aside for the use and benefit of the Piikani Nation;

AND WHEREAS: it is expedient and necessary to enact legislation to better enable the Piikani Nation to provide for the safety and well-being of the Piikani community, including the safety and well-being of residents on Piikani Lands, and the *Trespass Bylaw, 2021* (the "**Bylaw**") has been developed in respect of the orderly administration of the same, a copy of which is attached hereto as Schedule "A";

AND WHEREAS: pursuant to s. 2(3)(b) of the *Indian Act* a majority of the Council had a duly convened meeting on this 13th day of January, 2021;

AND WHEREAS: the Bylaw has come before the Council this day, having previously been read a first time on the 20th day of August, 2020, for a second time on the 11th day of September, 2020, and for a third time on the 13th day of January, 2021;

AND WHEREAS: pursuant to section 86(1) of the *Indian Act*, the Council shall publish the Bylaw, and may do so by publishing it on an Internet site;

AND WHEREAS: Council has directed legal counsel to make final further amendments to the Bylaw as read for a third time on this 5th day of October, 2020, following which the Piikani Nation Lands Department shall promptly publish the Bylaw on the Piikani Nation's web-site;

AND WHEREAS: pursuant to section 86(4) of the *Indian Act*, the Bylaw shall come into force when it is published pursuant to section 86(1), or on such later date provided for in the Bylaw;

AND WHEREAS: section 11.2 of the Bylaw states that the Bylaw will come into force on the first date that it is published by the Piikani Nation Lands Department on the Piikani Nation's web-site;



AND WHEREAS: pursuant to section 86(5) of the *Indian Act*, where a Bylaw is published on an Internet site, it must remain accessible in that manner for the period during which it is in force;

THEREFORE BE IT RESOLVED THAT:

1. The *Trespass Bylaw, 2021* is hereby passed into law, and shall come into force following (i) completion of the further amendments that Council has directed legal counsel to complete, and (ii) the publishing of the Bylaw on the Piikani Nation's web-site by the Piikani Nation Lands Department, and shall be numbered as Bylaw No. 01-2021.
2. The Bylaw shall remain accessible on the Piikani Nation's web-site for so long as it is in force.

Quorum 5

	 Chief Stanley Charles Grier	
(Councillor Erwin Bastien)	 (Councillor Doane Crow Shoe)	 (Councillor Wesley Crow Shoe)
(Councillor Brian Jackson)	 (Councillor Troy Knowlton)	 (Councillor Che Little Leaf-Matusiak)
 (Councillor Theodore Provost)	(Councillor Riel Houle)	

FOR DEPARTMENTAL USE ONLY					
Expenditure	Authority (Indian Art Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue	Expenditure	Authority (Indian Art Section)	Source of funds <input type="radio"/> Capital <input type="radio"/> Revenue
Recommending officer <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> _____ Signature _____ Date </div>			Recommending officer <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> _____ Signature _____ Date </div>		
Approving officer – Approuvé par <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> _____ Signature _____ Date </div>			Approving officer <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> _____ Signature _____ Date </div>		