



Disorderly Conduct & Nuisance Bylaw Number 6-81

The Council of the Buffalo Point Band Members at a meeting held this 7th day of July, 1981 hereby enacts bylaw number 6-81 to provide for the observance of law and order and for the prevention of disorderly conduct and nuisance within the boundaries of the Buffalo Point Reserve in the Province of Manitoba.

Whereas paragraphs (c), (d), and (r) of section 81 of the Indian Act empowers the Council of a Band to make bylaws to provide for the law and order and the prevention of disorderly conduct and nuisance and the imposition of a penalty for a violation thereof, and,

Whereas it is deemed necessary to maintain law and order for the benefit and well being of the inhabitants of Buffalo Point Reserve.

Now therefore the Council of the Buffalo Point Band Members enacts as a bylaw thereof, the following:

1. In the bylaw,
 - (a) "Council" means the Council as defined in the Indian Act of the Buffalo Point Band Members;
 - (b) "Reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the Buffalo Point Band Members known as the Buffalo Point Reserve;
 - (c) "Constable" means a person appointed for the purpose of maintaining law and order on the Buffalo Point Reserve;
 - (d) "Public Place" means and includes any place to which the public have access as of right or by invitation expressed or implied;
 - (e) "Beach" means the shore of the lake;
 - (f) "Park Reserve" means an area designated as a picnic area.

2. No person shall cause a disturbance in or near a public place,
 - (a) by fighting, screaming, shouting, swearing, singing, or using insulting or obscene language; or
 - (b) by being intoxicated with any alcoholic stimulant or drug, or
 - (c) by impeding or molesting other persons.

3. No person shall expose himself or herself or cause an indecent exhibition in a public place or commit any act in a public place which offends against public decency or order.
4. No person shall loiter in a public place or in any way obstruct persons who are there.
5. No person shall disturb the peace and quiet of the occupants of a dwelling house by discharging firearms, shouting, swearing or using insulting or obscene language, loud music or parties or by other disorderly conduct in or near a dwelling house.
6. No person shall without lawful excuse, the proof of which lies upon him, prowl or loiter by day or by night upon or near the premises of another person with the occupants' permission either expressed or implied.
7. The Constable shall have the power and authority to arrest any person who violates any of the provisions of the bylaw.
8. No person shall resist or willfully obstruct a Constable in the execution of his duty or any person lawfully acting in aiding such an officer.
9. No person shall omit without reasonable excuse to assist a Constable in the execution of his duty in arresting a person or in preserving the peace after having reasonable notice that he is required to do so.
10. No person shall indulge in any of the stipulations in paragraph #5 after the hour of 12:00 o'clock a.m. to 7:00 o'clock a.m.
11. No person shall on any beach or park reserve indulge or disrupt the quiet by shouting, swearing or using insulting or obscene language, loud music or parties, or set fire of any description.
12. No person shall
 - (a) cut, pluck, damage or remove any turf, soil, rock, sand or gravel, or the whole or any part of any flower, plant, shrub or tree; or
 - (b) injure, move, disturb or destroy any nesting bird, birds nest or eggs or set any trap or snare or injure, kill, or attempt to kill or have possession of any wild animal or bird; or
 - (c) enter or proceed upon grass, lawn, turf, seedbed, or other plot or area contrary to a sign of prohibition or restriction erected by or on behalf of the Council; or
 - (d) wash, clean, repair, change the oil of or otherwise service vehicle other than on his/her lot except that it shall not be an offence, hereunder, to carry out emergency repairs to a vehicle where such repairs are reasonably necessary in order to make the vehicle mobile.

13. Any person who violates any provision of this bylaw shall be guilty of an offence and shall be liable to a summary conviction to a fine not exceeding one hundred dollars or imprisonment for a term not exceeding thirty days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Buffalo Point Band Members this 7th day of July 1981.