



Acadia First Nation

ACADIA FIRST NATION

UNSIGHTLY PREMISES BY-LAW

WHEREAS sections 81 (a), (d), (q), and (r) of the *Indian Act* empower the Council of an Indian Band to enact by-laws to provide for the health of residents on reserve lands, the prevention of nuisances, and any matter ancillary thereto, and the imposition of a penalty for a violation of a by-law;

AND WHEREAS the Council of the Acadia First Nation ("AFN") believe that unsightly lands and garbage in and around premises is a nuisance and may be a health hazard to the community and its residents;

AND WHEREAS the Council of AFN wishes to provide for the removal of any accumulation of filth, garbage, discarded materials or rubbish of any kind, including derelict vehicles, in and around premises;

NOW THEREFORE the AFN Council hereby resolve to enact the following Unsightly Premises By-Law as follows:

1. In this by-law
 - a. "Council" means the Council of the Acadia First Nation, as defined in the *Indian Act*, and
 - b. "Refuse" means and includes ashes, garbage, junk, paper, rubbish, bodies or parts of automobiles or other vehicle or machinery, household goods or furnishings or parts thereof, construction material, scrap iron or other metals, or domestic or industrial waste of any kind;
2. No person shall permit lands or premises within the reserve lands occupied, used, leased, allotted to or otherwise in his or her possession or control to be or to become unsightly, nor shall he or she permit Refuse to remain or accumulate on any part of such lands or premises.
3. Where, in the opinion of the Council a person is not in compliance with Section 2 of this by-law, the Council may by resolution:
 - a. notify the person in possession of the said lands or premises to have the lands or premises cleaned of all offensive material or Refuse within 30 days of the giving of the notice;
 - b. the notice referred to in section 3(a) shall be in writing and:
 - (i) may be served by personal service upon the person named therein; or
 - (ii) may be posted in a conspicuous place on the lands or premises involved; or
 - (iii) may be mailed by First Class Registered Mail to the person named therein.
4. Any person who falls to obey the directions given by the Council in the notice referred to in section 3 shall be deemed to be in violation of this by-law.
5. Any person who violates any of the provisions of this by-law shall be guilty of an offense and shall be liable on summary conviction to:
 - a. a fine not exceeding \$1000.00 (One Thousand Dollars) or
 - b. imprisonment for a term not exceeding 30 days, or
 - c. to both a fine, as set out herein, and imprisonment, as set out herein.

In addition to any fine or imprisonment, or both, imposed herein, Council may order such person to reimburse the Council or any other parties for the costs incurred in the removal or clean up of any Refuse.

6. The Council of the AFN reserves the right to make further changes, amendments, and regulations to this by-law as it shall deem fit from time to time.

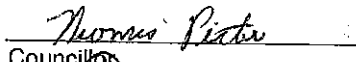
THIS BY-LAW to prohibit unsightly premises is hereby enacted as by-law no. 2017-1, passed by the council of the Acadia First Nation at a duly convened meeting of the said council, held on May 23, 2017. This by-law is consented to by the following members of Council.

Chief

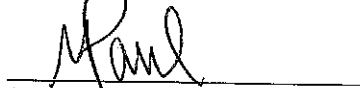

Councillor


Councillor


Councillor


Councillor


Councillor


Councillor


Councillor

Councillor