

COPY

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**

NOTE The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE
 LE CONSEIL DE LA BANDE INDIENNE Mount Currie Band

AGENCY
 DISTRICT Vancouver District

PROVINCE
 PLACE British Columbia

NOM DE L'ENDROIT
 DATE 17 DAY - 19 MONTH - 80 YEAR - ANNÉE

DO HEREBY RESOLVE;
 DÉCIDE, PAR LES PRÉSENTES:

WHEREAS; at a duly convened meeting of Band Council held on June 17, 1980 at 7:00 P.M. the following resolution was passed by a vote of 7 to 0.

BE IT HEREBY RESOLVED, that the Mount Currie Indian Band adopt the attached Pesticide Control By-Law.

BE IT FURTHER RESOLVED, that the Minister of the Department of Indian Affairs approve the attached By-Law as soon as possible before July 3, 1980.

A quorum for this Band
 Pour cette bande le quorum est
 consists of
 fixé à
 Council Members
 Membres du Conseil

RECEIVED
 AUG 18 1980

RECEIVED
 AUG 11 1980
 VANCOUVER, B.C.

..... (Chief - Chef)
 (Councillor - conseiller)
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FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINA TEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds Revenu Capital Revenu
	A. Capital	B. Revenue - Revenu			
6. Recommended - Recommandable		Approved - Approuvable			
Date	Recommending Officer - Recommandé par	Date	Approving Officer - Approuvé par		

PESTICIDE CONTROL BY-LAW

Pursuant to Section 81 of the Indian Act, the following by-law is enacted by the Mount Currie Indian Band, which by-law shall take effect forty days (40) from the date thereof, unless otherwise declared by the Minister.

1. This by-law may be cited as the MOUNT CURRIE INDIAN BAND PESTICIDE CONTROL BY-LAW NO. 1;

INTERPRETATION

2. IN THIS ACT:

- "Adverse effect" means an effect that may, in the opinion of Band Council result in a damage to man or the environment;
- "Apply" used with respect to the application of a pesticide, includes possess for the purpose of applying a pesticide;
- "Band Council" means the Council of the Mount Currie Indian Band elected according to the provisions of the Indian Act;
- "Committee" means a committee duly appointed by Band Council;
- "Indian Band" means the Mount Currie Indian Band;
- "Permit" means a permit issued under this by-law;
- "Person" includes every individual, company, statutory or otherwise, partnership, association and society, cooperative or other legal entity or non-legal association;
- "Operator" includes any person engaged in commercial or industrial operations, their agents, servants and employees;
- "Pesticide" means an organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or litigate a pest and includes:
- (a) a plant growth regulator, plant defoliator, or plan desiccant;
 - (b) a control product
 - (c) a material that may, in the opinion of Band Council, affect the natural, physical, or biological quality of the receiving environment;
- "Water" means any spring, lake, channel or water course flowing into or under the receiving environment;
- "Receiving environment" means the land held by Her Majesty the Queen in Right of Canada, set aside for the use and benefit of the Indian Band, whether that land has been conditionally surrendered or otherwise.

PERMIT

3. No person shall apply a pesticide to any body of water or an area of land which may have an Adverse Effect on the receiving environment unless he has applied for a permit from Band Council, and Band Council in their sole discretion, has granted the permit.

4. Any person applying for a permit under the terms of Section 3 shall provide full and complete disclosure of the information concerning the pesticide, including information as to it's Adverse Effects, if any, and the history of the use of the pesticide, and any other information required by Band Council.

ENFORCEMENT

5. Band Council may appoint a Committee to ensure compliance with the provisions of this by-law, whose acts and duties shall be as was specified in their appointments.
6. Any person who violates any provision of this by-law is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding one hundred dollars (\$100) or imprisonment not exceeding thirty (30) days or both.
7. If any violation of this by-law continues for more than one day, each day such violation continues constitutes a separate offence and may be punished as such, and, without restricting the generality of the foregoing, a violation of this by-law continues each day that the pesticide effects the receiving environment.
8. All penalties under this by-law are recoverable and enforceable by summary proceedings taken under the provisions of the Criminal Code relating to summary conviction.
9. Subject to Section 3, no person shall cause, permit or allow any pesticide to enter the receiving environment.

SCHEDULE

10. The pesticides set out in Schedule "A" are declared by this By-law to have an Adverse Effect.