

POSTED  
Oct. 8/08  
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**FISHING LAKE METIS SETTLEMENT  
IN THE PROVINCE OF ALBERTA  
PEACE, ORDER AND GOOD GOVERNANCE  
BYLAW NO. 2008-0183**

This bylaw is to provide for enforcement of complaints that have been registered concerning illegal possession, sale or distribution of drugs, alcohol, inhalants and or the regulating of activities or conduct offensive to or not in the public best interest or well being.

**WHEREAS** s 1 of schedule 1 of the *Metis Settlements Act, S.A. 1990, c M-14.3* provides that a Settlement Council may make bylaws for the general governance of the Settlement area;

**AND WHEREAS** s. 4 of schedule 1 of the *Metis Settlements Act, S.A. 1990, c M-14.3* provides that a Settlement Council may make bylaws to promote the health, safety and welfare of the residents of the Settlement area;

**AND WHEREAS** s. 5(b) of Schedule 1 of the *Metis Settlements Act, S.A. 1990, c M-14.3* provides that a Settlement Council may make bylaws respecting public order and safety, including prohibiting or regulating activities or conduct offensive to or not in the public interest, as determined by Council;

**AND WHEREAS** s. 12(d) of Schedule 1 of the *Metis Settlements, S.A. 1990, c.M-14.3* provides that a Settlement Council may make bylaws compelling the removal from any place within the Settlement area of anything considered dangerous to the health, well being or lives of the inhabitants and general well being of the community residents;

**AND WHEREAS** the Settlement Council and Members are very concerned about the escalating use, abuse and distribution of drugs, alcohol and inhalants;

**NOW THEREFORE** the Fishing Lake Metis Settlement Council and Member's enacts as follows:

1. The Settlement Council may, pursuant to s. 65 of the Metis Settlement Act, authorize the Royal Canadian Mounted Police ("R.C.M.P.") to, at any reasonable time, enter any land, building or structure in the ~~Settlement area other than a dwelling house (subject to the FLMC Housing Bylaw and any signed agreement relating to the dwelling house)~~ to inspect for compliance with the Metis Settlements Act, Regulations and General Council Policies made under the Metis Settlements Act, Settlement Bylaws, or Provincial or Federal Legislation, including the Criminal Code.

2. The Settlement Council may, pursuant to s. 66 of the Metis Settlements Act, authorize the R.C.M.P. to, at any reasonable time, enter a dwelling in the Settlement area for the purpose of an inspection if:
  - a. in accordance with the FLMS Housing Bylaw, there is a signed agreement in relation to the dwelling unit consenting to entry by the Settlement at any reasonable time to inspect for compliance with the terms of the agreement, the Metis Settlements Act, Regulations and General Council Policies made under the Metis Settlements Act, Settlement Bylaws, or Provincial or Federal Legislation, including the Criminal Code,
  - b. an adult living in the dwelling house consents to the entry, or
  - c. the person authorized by the Settlement Council, in this case the R.C.M.P., obtains a warrant under section 3 of this bylaw authorizing the entry.
3. A judge of the Provincial Court who is satisfied by information on oath of the R.C.M.P. that it is necessary to enter a dwelling house to inspect for compliance with the Metis Settlements Act, Regulations and General Council Policies made under the Metis Settlements Act, Settlement Bylaws, or Provincial or Federal Legislation, including the Criminal Code, may, ex parte or on such notice as the judge directs, issue a warrant in a form satisfactory to the judge authorizing the R.C.M.P. named in the warrant to enter the dwelling house subject to any conditions that the judge considers appropriate.
4. Pursuant to s. 67 of the Metis Settlements Act, a person who has entered land, a building or a structure in a Settlement under the authority of s. 65 or 66 or a warrant may
  - a. require the production of any book, records or documents that are relevant to the purpose of the inspection or entry and examine them, make copies of them or remove them temporarily for the purpose of making copies or holding for evidence and
  - b. take samples of any substance or thing relevant to the purposes of inspection.

**EFFECTIVE DATE:**

This Bylaw comes into effect the day after it is given third reading by Settlement Council.

READ a first time this 7th day of October, 2008 at a Council meeting at which Council 5 members were present and voted as follows:

5 for; \_\_\_ against.

READ a second time this 7<sup>th</sup> day of October, 2008 at a Council meeting at which Council 5 members were present and voted as follows:

5 for; 0 against.

APPROVED at a Public Secret Ballot vote scheduled at a Settlement public meeting the 19<sup>th</sup> day of November, 2008, held on the 8<sup>th</sup> day of December, 2008 at which 71 members cast ballots and voted as follows:

49 for; 23 against.

READ a third time this 9<sup>th</sup> day of December, 2008 at a Council meeting at which Council 5 members were present and voted as follows:

5 for; 0 against.

**FISHING LAKE METIS SETTLEMENT**

Per. 

Settlement Administrator

December 10, 2008  
Approval Date

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