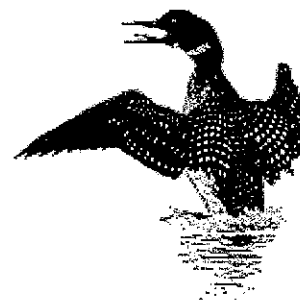


Lac Seul First Nation



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BAND COUNCIL RESOLUTION

FILE REFERENCE NO.: 20-01

THE COUNCIL OF THE

LAC SEUL FIRST NATION

DATE OF DULY CONVENED MEETING
April 22, 2020

QUORUM: Five (5)

WHEREAS the COVID-19 virus has been declared a Pandemic by the World Health Organization and is spreading at an alarming rate;

AND WHEREAS the primary concern of Lac Seul First Nation (the "First Nation") and its Chief and Council is the health, safety, security, and wellbeing of its band members and those residing in its community;

AND WHEREAS on April 22, 2020 the First Nation declared a State of Emergency pursuant to sections 4 and 5 of the *Lac Seul First Nation Health & Safety Emergencies By-Law*.

AND WHEREAS the First Nation has deemed it necessary to restrict the movement of persons in and out of the reserve to protect the health, safety, security, and wellbeing of its band members and those residing in its community;

AND WHEREAS the First Nation has the authority and jurisdiction to create a Border Closure Order to restrict travel for the health or safety of its band members and residents pursuant to section 11(a) of the *Lac Seul First Nation Health & Safety Emergencies By-Law*;

AND WHEREAS the First Nation has the authority to penalize all those trespassing on reserve land pursuant to sections 5 and 11 of the *Lac Seul First Nation Trespass By-law*;

AND WHEREAS the First Nation further jurisdiction to create a Border Closure Order to restrict travel for the health or safety of its citizens and residents, pursuant to Section 2(1)(b) of the Trespass to Property Act, R.S.O. 1990 and has the authority to create a Border Closure Order to restrict non-member's access to its territory pursuant to Section 30 of the Indian Act R.S.C., 1985, c. 1-5;

AND WHEREAS police services have authority to enforce restrictions to entry of Lac Seul First Nation's borders, pursuant to Section 9 of the Trespass to Property Act, R.S.O. 1990

THEREFORE, BE IT RESOLVED that:

1. The First Nation hereby orders that:
 - a. the border be monitored and patrolled by Lac Seul Police Services ("LSPS");
 - b. access to, meaning entry onto and exit from the reserve shall be limited to:
 - i. those residents and band members accessing essential services in neighboring communities provided those services are not available within the reserve;
 - ii. service providers engaged in providing essential services;
 - iii. those leaving the community who do not intend to return for the duration of the State of Emergency, which may be extended in accordance with section 10 of the *Lac Seul First Nation Health & Safety Emergencies By-Law*;
 - iv. those who have otherwise applied for entry or exit by contacting Chief and Council in writing and have been approved for such entry/exit provided that they are complying with the terms and conditions outlined in the approval.
3. For the purpose of this Band Council Resolution, essential services shall be

defined in accordance with the definition provided by the province of Ontario in relation to COVID-19;

4. The following penalties shall apply for a breach of the orders contained in this Band Council Resolution and the *Lac Seul First Nation Health & Safety Emergencies By-Law*:
 - a. Failure to comply with an order made under this Band Council Resolution = Fine of \$750 or imprisonment of not more than 30 days;
 - b. Obstruction of Person exercising a power in accordance with this Band Council Resolution or the *Lac Seul First Nation Health & Safety Emergencies By-Law* = Fine of \$1,000;
 - c. Obstruction of Person performing a duty in accordance with this Band Council Resolution or the *Lac Seul First Nation Health & Safety Emergencies By-Law* = Fine of \$1,000;
 - d. Failure to abide by an order made by officer pursuant to this Band Council Resolution or the *Lac Seul First Nation Health & Safety Emergencies By-Law* = Fine of no more than \$1000;
 - e. Failure to abide by an order made pursuant to the *Lac Seul First Nation Trespass By-law* = \$1000; and
 - f. Failure to abide by refusal of entry by an officer pursuant to the *Trespass Act* = Fine of no more than \$10,000
 - g. Failure to abide by refusal of entry by an officer pursuant to the *Indian Act* and *Trespass Act* = arrest without a warrant.
5. For greater certainty as per section 20 of the *Lac Seul First Nation Health & Safety Emergencies By-Law* if the breach occurs for more than one day, each day shall be considered a separate offence and shall be penalized as such.
6. The First Nation shall work with the LSPS as an independent partner in the joint restriction of travel measures.
7. LSPS is hereby provided with the authority to take such reasonable actions as are necessary to enforce this Band Council Resolution, the penalties contained herein and the *Lac Seul First Nation Health & Safety Emergencies By-Law*.



Chief E. Derek Maud

Councillor Raymond Angecone

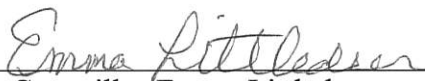
Councillor R. Wade Bull



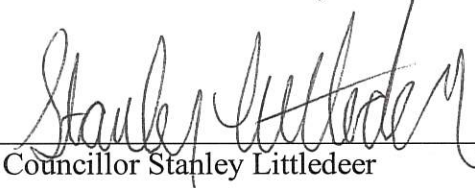
Councillor Gerald Kejick



Councillor Samantha Kejick



Councillor Emma Littledeer



Councillor Stanley Littledeer

Councillor Elvis Trout