

CAMPBELL RIVER INDIAN BAND

BY-LAW NO. 1996-7

COPY

A BY-LAW TO REGULATE RETAIL SHOPPING ON HOLIDAYS WITHIN CERTAIN PORTIONS OF CAMPBELL RIVER INDIAN RESERVE NO. 11 ZONED FOR COMMERCIAL PURPOSES

WHEREAS:

A. The Council("Band Council") of the Campbell River Indian Band has by virtue of Section 81.(1)(n) of the *Indian Act* the power to make by-laws for the regulation of the conduct and activities of those dealing in wares and merchandise.

B. The Band Council wishes to develop a shopping centre, residential condominiums, office facilities and other commercial developments on the following lands within Campbell River Indian Reserve No. 11:

Lot 132
Campbell River Indian Reserve No. 11
Sayward District
CLSR Plan 77828

Lot 134
Campbell River Indian Reserve No. 11
Sayward District
CLSR Plan 77343

Lot 136
Campbell River Indian Reserve No. 11
Sayward District
CLSR Plan 783 17

("Reserve Commercial Lands")and on adjacent non-reserve lands, the registered owner of which is Discovery Harbour Holdings Ltd.,a corporation whose shares are owned entirely by members of the Band.

C The Band Council wishes to ensure, to the extent possible, that municipal services will be available within the Reserve Commercial Lands to the level and standard that such services are available within non-reserve lands adjacent to the Reserve Commercial Lands.

NOW THEREFORE, the Band Council enacts as follows:

1. This By-law may be cited for all purposes as the "**Holiday Shopping ByLaw No. 19967**".
2. In this By-Law, unless the context otherwise required:

"Holiday" means Sunday, New Year's Day, Good Friday, Victoria Day, Dominion Day, British Columbia Day, Christmas Day, December 26th, and any day designated by the Parliament of Canada or the Legislature of the Province of British Columbia or appointed by proclamation of the Governor General or Lieutenant Governor to be observed:

- (a) as a day of general prayer or mourning;
- (b) as a day of public rejoicing or thanksgiving;
- (c) as a day for celebrating the birthday of the reigning sovereign; or
- (d) as a public holiday.

"Retail Establishment" means any place where retail business is carried on except those listed in Schedule 'A' of the *Holiday Shopping Regulation Act* of the Province of British Columbia.

3. All Retail Establishments within the Reserve Commercial Lands may remain open for business on any holiday except between the hours of 2:00 a.m. and 6:00 a.m.
4. The Band Council shall have the right and be authorized to appoint the District and any person appointed or engaged by the District to administer this By-Law and to carry out all the functions of the Band Council under this By-Law including, without limitation, the power to issue permits, authorizations, notices or certificates which the Band Council is empowered to issue under this By-Law and the power to enforce this By-Law. Permits, authorizations, notices and certificates issued by the District or any person appointed or engaged by the District in accordance with this By-law and the Band Council's appointment of the District or such person shall be conkdered to have the same force and effect as if issued by the Band Council.
5. This By-Law may be amended by Band Council Resolution.
6. This **By-Law is hereby enacted by the Band Council at a duly convened meeting of the Band Council this 10 day of September, 1996.**

Voting in favor of the ByLaw are the following members of the Band Council:

J. Henderson

Robert Lallier

Gerald Roberts

Doug Frade

being the majority of those members of the Band Council present at the aforesaid meeting of the Council.

I, JOHN PATRICK HENDERSON, Chief of the Campbell River Indian Band, do hereby certify that a true copy of the foregoing By-Law was forwarded to e Minister of Indian and Northern Affairs pursuant to subsection 82.(1) of the *Indian Act*, the **I** day of September, 1996.

J. Henderson
John Patrick Henderson