



Intoxicants By-Law

Kaiahnehronshera iehiontakwa Number: 2015-17

Mohawk Council Resolution: 1987/1988-#421

Date Enacted: November 30, 1987

Date Accepted by Ministry: December 21, 1987

Coming into Force: November 30, 1987



Indian and Northern Affairs Canada
Affaires indiennes
et du Nord Canada

December 21, 1987

E4216-159

E4216-D12

Regional Director General
Indian and Inuit Affairs
Ontario Region

87/88-421

Attention: Don Stead

Mohawk Council of Akwesasne
By-law (unnumbered) - Intoxicants

The above noted band council forwarded directly to the Minister
it's intoxicant by-law, passed November 30, 1987. I wish to
confirm that we have recorded the by-law on December 21, 1987.
The effective date of the by-law is November 30, 1987.

Please find attached a copy of the by-law.

Original signed by
Original signé par
G. Pilon

Richard Jackman
Chief
Statutory Requirements Division
Ottawa, Ontario
K1A 0H4

Atch.

Canada

AKWESASNE MOHAWK COUNCIL RESOLUTION

1987/88 - 421

FILE REFERENCE



THE	MOHAWK COUNCIL OF AKWESASNE	CURRENT CAPITAL BALANCE	\$ _____
AGENCY	PETERBOROUGH	COMMITTED	\$ _____
PROVINCE	ONTARIO/QUEBEC	CURRENT REVENUE BALANCE	\$ _____
PLACE	Admin. Bldg. I	COMMITTED	\$ _____
DATE	_____ 30 _____ NOV _____ 1987 DAY MONTH YEAR		

DO HEREBY RESOLVE:

MOVED:

Mary David

SECONDED:

Edward Davis

To accept the amended Intoxicants By-law passed on March 1, 1986, to read as follows:

CARRIED

Timothy Thompson
CHIEF

CHIEF

CHIEF

M. J. ...
GRAND CHIEF

CHIEF

CHIEF

CHIEF


CHIEF

Mary David
CHIEF
Mary David
CHIEF

CHIEF

CHIEF

THIS MEETING TOOK PLACE IN THE TERRITORY OF AKWESASNE, WITH THE FOLLOWING MEMBERS OF THE AKWESASNE MOHAWK COUNCIL PRESIDING.



FOR DEPARTMENTAL USE ONLY

1. BAND FUND CODE	2. COMPUTER BALANCE		3. EXPENDITURE	4. AUTHORITY—INDIAN ACT	5. SOURCE OF FUNDS <input type="checkbox"/> CAPITAL <input type="checkbox"/> REVENUE
	CAPITAL \$ _____	REVENUE \$ _____			
6. RECOMMENDED			APPROVED		
DATE	RECOMMENDING OFFICER		DATE	APPROVING OFFICER	

MOHAWK COUNCIL OF AKWESASNE

BY-LAW 1987/88-241

INTOXICANTS BY-LAW

Passed by Mohawk Council on November 30, 1987

Passed by Ministry on December 21, 1987

Effective retroactive to November 30, 1987

WHEREAS the Mohawk Council is the duly elected government and is empowered by the Mohawk people of Akwesasne;

WHEREAS the Mohawk Council of Akwesasne hereby considers it necessary to take special measures for the protection of the Mohawk people of Akwesasne in the sale, use, and consumption of intoxicants;

NOW THEREFORE it is hereby enacted pursuant to section 85.1 of the Indian Act, the following Akwesasne Intoxicants By-law:

DEFINITIONS

1. In this by-law, intoxicants includes:

alcohol, alcoholic, spirituous, vinous, fermented malt or other intoxicating liquor or combination of liquors and mixed liquor a part of which is spirituous, vinous, fermented or otherwise intoxicating and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating.

PROHIBITION ON SALE, BARTER, SUPPLY OR MANUFACTURE

2. Everyone who sells, barter, supplies or manufactures intoxicants within the Mohawk Territory of Akwesasne is guilty of an offence punishable on summary conviction and is liable to a fine of not more than one thousand dollars or to imprisonment for a term not exceeding six months or both.

PROHIBITION ON POSSESSION OF INTOXICANTS

3(1) Everyone who is found in possession of intoxicants within the Mohawk Territory of Akwesasne is guilty of an offence punishable on summary conviction and is liable to a fine of not more than one thousand dollars or to imprisonment for a term not exceeding three months or both.

- 3(2) Notwithstanding subsection (1), no offence is committed against this by-law if such possession is for medicinal or religious purposes, the proof of which lies on the person in possession.
- 3(3) Notwithstanding subsection (1), no offence is committed against this by-law where a person is in possession of an intoxicant in his home or in a private dwelling to which he has been invited.
- 3(4) Notwithstanding subsection (1), no offence is committed against this by-law if the person in possession is transporting the intoxicant in an unopened state across the reserve to a destination beyond the boundaries of the Territory of Akwesasne;
- 3(5) Notwithstanding subsection (1), no offence is committed against this by-law if the person in possession is transporting the intoxicant in an unopened state across the territory of Akwesasne to his home or to a private dwelling to which he has been invited.

PROHIBITION AGAINST INTOXICATION

- 4(1) Everyone who is intoxicated within the Mohawk territory of Akwesasne is guilty of an offence punishable on summary conviction and is liable to a fine of not more than one hundred dollars or to imprisonment for a term not exceeding three months or both;
- 4(2) Notwithstanding subsection (1), no offence is committed against this by-law if the person is found intoxicated in his home or in a private dwelling to which he has been invited;
- 5. For the purposes of subsections 3(3), 3(5) and 4(2) of this by-law, the words “home” and “private dwelling” include the private property on which the house is situated.
- 6. This By-law to apply retroactively to March 1, 1986.

Grand Chief: Michael Mitchell

Chiefs: Timothy Thompson Vivian Smoke
 Gerald Sharrow Mary David

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