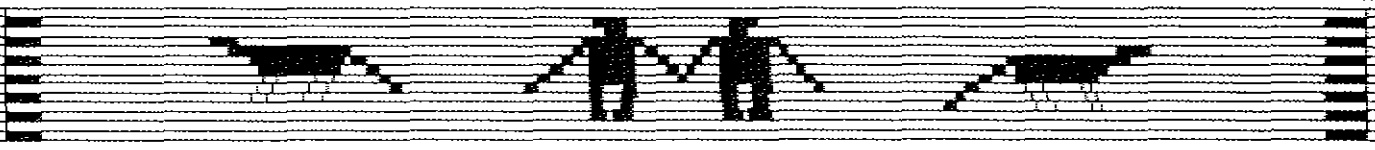


AKWESASNE MOHAWK COUNCIL RESOLUTION

1989/90 - 341



THE MOHAWK COUNCIL OF AKWESASNE		CURRENT CAPITAL BALANCE	\$ _____
AGENCY	SOUTHERN ONTARIO DISTRICT	COMMITTED	\$ _____
PROVINCE	ONTARIO/QUEBEC	CURRENT REVENUE BALANCE	\$ _____
PLACE	ST. REGIS COMMUNITY BUILDING	COMMITTED	\$ _____
DATE	<u>30</u> <u>SEPT.</u> <u>1989</u>		
	DAY MONTH YEAR		

DO HEREBY RESOLVE:

MOVED: John Lazore
 SECONDED: Tim Thompson

To initiate the ratification procedure for the Itinerant Vendors Law, as per attached.

CARRIED

<u>Lynn Roundpoint</u> CHIEF	<u>Mary Nisius</u> CHIEF	<u>Geoffrey Shawan</u> CHIEF
<u>Angie Borne</u> CHIEF	<u>Timothy Thompson</u> CHIEF	<u>Thomas J.</u> CHIEF
<u>Linda King</u> CHIEF	<u>John F.</u> CHIEF	<u>John F.</u> 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 \$ _____			
RECOMMENDED			APPROVED		
DATE _____ RECOMMENDING OFFICER _____			DATE _____ APPROVING OFFICER _____		

FINAL DRAFT

Law No. 89-04 being a law providing for the regulation of itinerant vendors.

ITINERANT VENDORS LAW

WHEREAS the Mohawk Council of Akwesasne wishes to protect the rights of its community members and maintain law and order on the territory of Akwesasne;

WHEREAS the Mohawk Council of Akwesasne wishes to control and regulate the sale of consumer merchandise by itinerant vendors on the territory of Akwesasne;

THEREFORE, by virtue of its authority as the elected representative of the Mohawk people of Akwesasne and in virtue of its power under subsection 81(1)(n) of the Indian Act, the Mohawk Council of Akwesasne hereby enacts the following law:

In this law:

"Itinerant Vendor" means an individual, company, or representative who, unsolicited, enters onto the territory of Akwesasne to sell consumer merchandise door to door;

"Mohawk Licensing Commission" means the Licensing Board established pursuant to the Law Respecting the Sale of Tax Exempt Cigarettes and Other Tobacco Products within the Territory of Akwesasne enacted on September 28, 1985.

1. A person shall not sell or attempt to sell any consumer merchandise door to door on the territory of Akwesasne unless he is in possession of a Vendor's Permit issued by the Mohawk Licensing Commission.
2. A person wishing to sell consumer merchandise door to door must apply for a Vendor's Permit by appearing in person at the Mohawk Council Government Building and filling out the standard application form.
3. The Mohawk Licensing Commission shall issue a Vendor's Permit if satisfied that the itinerant vendor is reputable and the merchandise is of good quality and reasonably priced.
4. The Mohawk Licensing Commission shall issue a Vendor's Permit to an applicant for a designated period of time not to exceed three (3) months for a fee not to exceed One Thousand Dollars (\$1,000.00) per month.

5. The Vendor's Permit shall clearly indicate its expiry date, the nature of the merchandise being sold and its cost price. It shall also provide the name of two (2) representatives of the Mohawk Licensing Commission who can be contacted by community members.
6. The person must allow community members to verify and inspect his Vendor's Permit.
7.
 - (1) A person who wishes to renew his Vendor's Permit must reapply in writing to the Mohawk Licensing Commission prior to the Permit's expiry date.
 - (2) The Mohawk Licensing Board shall renew the Vendor's Permit for a designated period of time not to exceed two (2) months at the same fee if satisfied that the Vendor has respected the provisions of this law.
 - (3) The Vendor's Permit shall be renewed once only.
8.
 - (1) The Mohawk Licensing Board shall revoke the Vendor's Permit if the possessor
 - (a) has not respected the terms of his license;
 - (b) has misrepresented or attempted to misrepresent the nature of the merchandise;
 - (c) has intimidated or disturbed community members in any way, or
 - (d) has violated any provisions of this Law.
 - (2) A representative of the Mohawk Licensing Commission or a Constable of the Mohawk Police Department shall inform the individual of the decision to revoke the Vendor's Permit by contacting him in person and explaining the reasons for the decision.
 - (3) A person whose Vendor's Permit has been revoked pursuant to Subsection (1) must leave the territory of Akwesasne immediately.
9. When the Mohawk Licensing Commission obtains information that a person has been selling or attempting to sell consumer merchandise door to door without a Vendor's Permit, a representative of the Commission or a Constable of the Mohawk Police Department shall contact that person immediately and direct him to apply for the Permit.

10. A person who fails to comply with the provisions of Section 1, 6, 7(1), 8(3) or 9 without cause is guilty of a summary conviction offence and liable to a fine not exceeding One Thousand Dollars (\$1,000.00) or a term of imprisonment not exceeding thirty (30) days or to both.
11. All decisions rendered by the Mohawk Licensing Commission in regards to Vendor's Permits are final.

This law is adopted by the Mohawk Council of Akwesasne at a duly convened meeting held at the offices of the Mohawk Council on the day of , .