



SOOWAHLIE FIRST NATION LANDS DEPARTMENT



Community Protection Law - ENACTED (SUMMARY, October 2020)

Purpose

The purpose of this law is to address potentially disruptive, destructive or dangerous behavior on Soowahlie Reserve Lands. The law establishes a framework to safeguard against this type of behavior and to protect the community.

Background

Soowahlie has the authority to regulate land uses and activities under our Land Codes, which came into effect in September 2016. Council is authorized to pass various laws relating to the protection, management and regulation of our lands.

This law was developed and reviewed by the Soowahlie Lands Advisory Committees along with legal counsel and has been approved by council.

Summary of key points in draft law

- Applies to all residents and leaseholders, including non-Members; not only Members.
- A peace officer may arrest a person without a warrant if the peace officer believes on reasonable grounds that the person has committed an offence or is refusing to comply.
- Allows for the appointment of an impartial justice of the peace and enforcement officers.
- “Nuisance” includes public nuisance and private nuisance and means any act, activity or condition, or pattern of past and present acts, activity, that constitutes nuisance or is defined as nuisance in this law.
- Council may designate a person for up to 5 years as a ‘Designated Individual, if Council, acting reasonably and in good faith, believes that the Person has:
 - been convicted of a Sexual or Violent Offence; and
 - poses a serious threat to the physical or psychological health, safety or wellbeing of a person residing on the Reserve Lands or using facilities.
- Council may designate a person for up to 3 months as a ‘Designated Individual’, if Council has credible information that the Person:
 - has been charged with a Sexual or Violent Offense,
 - has caused serious harm or poses a serious threat to the physical or psychological health, safety or wellbeing of one or more Persons on Reserve Lands, or
 - has or may engaged in Disorderly Conduct or Nuisance.
- Once a person is a Designated Individual, Council may direct a number of community protection measures ranging from limits on attending meetings, to restraining orders, to banishments.
- An enforcement office may order any person who is threatening or engaging in any Disorderly Conduct or threatening or causing or creating a nuisance to stop.

Questions

If you have any questions or want digital or paper copies of the law, please contact juliette@soowahlie.ca or kevin@soowahlie.ca.