

Athabasca Chipewyan First Nation

COVID-19 Emergency Measures By-law

WHEREAS the potential spread of the novel coronavirus causing the disease COVID-19 requires urgent measures be taken to protect the health of residents of Athabasca Chipewyan First Nation;

AND WHEREAS section 81(1)(a) of the *Indian Act*, RSC 1985 c I-5 authorizes Council to make by-laws for the purpose of providing for the health of residents on the reserve and preventing the spreading of contagious and infectious diseases;

AND WHEREAS section 81(1)(p) of the *Indian Act*, authorizes Council to make by-laws for the removal and punishment of persons trespassing on the reserve or frequenting the reserve for prohibited purposes;


NOW THEREFORE the Council of the Athabasca Chipewyan First Nation enacts as follows:

1. This By-law may be cited as the *Athabasca Chipewyan First Nation COVID-19 Emergency Measures By-law*.
2. For the purposes of this By-law, the following words shall have the following meanings:
 - a. **“Approved Purpose”** means the purposes set out in Section 6;
 - b. **“Curfew Period”** means the period of time between 11:00 p.m. and 5:00 a.m.;
 - c. **“Enforcement”** means a person(s) retained by the Athabasca Chipewyan First Nation who has been authorized by Council to monitor compliance with this By-law.
 - d. **“Emergency”** means an unforeseen combination of circumstances or the resulting event that requires immediate action other than the COVID-19 pandemic. This includes but is not limited to a fire, natural disaster, or a motor vehicle collision and requiring immediate action to prevent injury or death;
 - e. **“Member”** means a person whose name appears on the Athabasca Chipewyan First Nation’s membership list in accordance with the membership code of the Athabasca Chipewyan First Nation or such other laws then in force respecting membership of the Athabasca Chipewyan First Nation;
 - f. **“Peace Officer”** means a member of the Royal Canadian Mounted Police or a community peace officer appointed by the Province of Alberta;
 - g. **“Reserve”** means reserve lands within the meaning of the definition of the *Indian Act*, RSC 1985, c I-5, and lands in the process of being added to reserve through Canada’s Additions to Reserve Policy whether owned by ACFN or held by the Government of Canada for ACFN’s use and benefit;

- h. **“Resident”** means a person with permission to occupy or possess a dwelling located on Reserve or who ordinarily resides in a dwelling located on Reserve.
3. No Resident shall be outside of their place of residence on Reserve during the Curfew Period.
 4. Notwithstanding anything contained herein, it shall not be a violation of this By-law for a Resident to be outside of their place of residence on Reserve during the Curfew Period when:
 - a. assisting or evading in an Emergency;
 - b. exercising traditional hunting or harvesting activities; or
 - c. going to or coming home from work.
 5. Subject to Section 6, only Residents shall have access to the Reserve during the Curfew Period.
 6. Access to the Reserve by non-Residents during the Curfew period shall be permitted only for the following Approved Purposes:
 - a. maintaining critical infrastructure and/or providing essential services;
 - b. providing health care and/or distributing medicine;
 - c. delivering necessary supplies such as food, water, clothing, and fuel;
 - d. the administration and governance of the Nation; and
 - e. assisting or evading in an Emergency.
 7. Any person who contravenes this By-law may be:
 - a. warned by the Peace Officer or Enforcement to go directly to his or her place of residence or to leave the premises; and
 - b. denied such future benefits of being a Member as the Chief and Council deem just in the circumstance.
 8. This By-law shall come into force upon its publication.

THIS BY-LAW IS HEREBY PASSED by Council of the Athabasca Chipewyan First Nation at a duly convened meeting held on the 16th day of April, 2020 at Fort Chipewyan in the Province of Alberta.

Quorum: 3




Chief – Allan Adam



Councillor – Tim Flett



Councillor – Teri Villebrun



Councillor – Flossie Cyprean



Councillor – Hazel Mercredi