

Kitasoo Xai'xais Nation

Community Protection Bylaw

2024-01

TABLE OF CONTENTS

PART 1.	NAME.....	3
PART 2.	DEFINITIONS	3
PART 3.	PUBLICATION OF BYLAW	4
PART 4.	APPLICATION OF BYLAW.....	5
PART 5.	COMPLIANCE WITH OTHER LAWS.....	5
PART 6.	IDENTIFYING A PERSON OF INTEREST	5
PART 7.	MEETING WITH A PERSON OF INTEREST	5
PART 8.	SANCTIONS IMPOSED ON A PERSON OF INTEREST	6
PART 9.	REMOVAL ORDER.....	7
PART 10.	EMERGENCY REMOVAL ORDER.....	9
PART 11.	APPEALING SANCTIONS	9
PART 12.	APPEALS TRIBUNAL	11
PART 13.	EFFECTIVE TIME OF REMOVAL ORDER.....	11
PART 14.	VISITS.....	12
PART 15.	PERSONS NOT AFFECTED.....	12
PART 16.	CANCELLATION OF REMOVAL ORDER	12
PART 17.	NO LIABILITY FOR DECISIONS MADE IN GOOD FAITH	13
PART 18.	ENFORCEMENT	13
PART 19.	PENALTY.....	14
PART 20.	JUDICIAL REVIEW.....	14
PART 21.	NOTICE.....	14
PART 22.	SEVERABILITY.....	15
PART 23.	CONFLICT OF TERMS.....	15
PART 24.	CALCULATION OF TIME.....	15
PART 25.	AMENDMENTS.....	16
PART 26.	DATE BYLAW COMES INTO FORCE	16

WHEREAS:

- A.** Council of the Kitasoo Xai'xais Nation have an obligation to ensure the safety of its Members and residents, particularly children and elders, and other vulnerable community members and to ensure that the remote location of its Reserves are managed in a way that maximizes the protection of its Members and residents, particularly children and other vulnerable community members.
- B.** Council are in the best position to evaluate the safety and health of their Members on their Reserves and can fulfill their obligation to ensure the observance of law and order, given their experience and expertise.
- C.** Hereditary Chiefs of the Kitasoo Xai'xais Nation support and have endorsed this bylaw.
- D.** At community membership meetings, the Members of the Kitasoo Xai'xais Nation asked Council to deal with negative social issues that are occurring on Reserve, such as, but not limited to: public intoxication, increased DUI's, assaults, violence amongst Members, increased drug use and dealing drugs and bootlegging.
- E.** In light of the negative social issues that continue to plague the community, Members requested and support a bylaw which would allow Council to regulate who can and can't be on Reserve and to remove and prohibit people, including Members, from residing or entering onto Kitasoo Xai'xais Nation Reserves, if they pose a threat to the community, children or other vulnerable community members.
- F.** Council of the Kitasoo Xai'xais Nation, in accordance with tradition and customary practices and protocols, recognize the importance of the collective rights of the community and the priority of those collective rights over certain rights of the individual;
- G.** Council of the Kitasoo Xai'xais Nation has the inherent authority, to govern its own affairs, including with respect to who may or may not enter their Reserves, and further, the practice of banishment has been part of Kitasoo Xai'xais Nation traditional customary law as a remedy for dealing with individuals who posed a threat to Members or the community.
- H.** Sections 81(a), (c), (d), (p),(p.1), (q) and (r) of the *Indian Act* empower the Council to pass bylaws to provide for the health and safety of residents on the reserve, the observance of law and order, the prevention of disorderly conduct and nuisances, the removal and punishment of persons trespassing on reserve or frequenting the reserve for prohibited purposes, the residence of Members and other persons on the Reserve, in addition to matters arising out of or in addition to the exercise of powers under this section and the imposition of a penalty for the violation of any

such bylaw.

- I. This Bylaw balances the rights of the individual guaranteed under the *Canadian Charter of Rights and Freedoms* and the *Canadian Human Rights Code* with the safety of the Members of the Kitasoo Xai'xais Nation, the community, its children and the vulnerable;

Now therefore, Council of the Kitasoo Xai'xais Nation hereby approve the following Bylaw:

PART 1. NAME

- 1.1 This Bylaw may be cited as the *Community Protection Bylaw, 2024-01*.

PART 2. DEFINITIONS

- 2.1 For the purposes of this Bylaw, the following definitions apply:

"Appeals Tribunal" means the Appeals Tribunal appointed by Council pursuant to PART 12 of this Bylaw to consider an appeal of a Removal Order.

"BCR" means the documented written decision made by a majority of the Council at a duly convened meeting of Council.

"Court" means any federal or provincial court of competent jurisdiction.

"Council" means the Chief and Council of the Kitasoo Xai'xais Nation.

"Criminal Code" means the *Criminal Code of Canada*, R.S.C. 1985, c. C-46, as amended or replaced from time to time.

"Enforcement Officer" means any RCMP, police officer, police constable, peace officer, First Nation Safety Officer, Bylaw enforcement officer or any other person charged with the duty to preserve and maintain the peace and appointed by Council for the purposes of maintaining law and order.

"First Nation Safety Officer" means a person appointed by Kitasoo Xai'xais Nation who is authorized to enforce this Bylaw.

"Immediate Family" means mother, father, spouse, brother/sister, children and any other relative residing in the same residence.

"Indictable Offence" includes a hybrid offense that proceeded by way of summary conviction.

"Intoxicant" includes any substance, liquid or the vapors which can be used to

produce a state of intoxication, and includes, without limiting the foregoing:

- a) alcohol, alcoholic, spirituous (vodka, rum, whiskey, etc), vinous (wine), beer, 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, drinkable liquids, preparations or mixtures capable of human consumption that are intoxicating;
- b) any homemade mixtures capable of producing a state of intoxication;
- c) a controlled substance as defined in the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19, as amended or replaced from time to time, including but not limited to: Cocaine/Crack Cocaine and Heroin; and
- d) prescription drugs regulated by the Federal Government of Canada under the *Canadian Food and Drugs Act*. Prescription drugs are only legal when prescribed by a doctor. It is illegal to possess prescription drugs without a valid prescription or to get multiple prescriptions filled by different pharmacies (ex: lying about your identity, using a fake prescription, or getting multiple prescriptions by various doctors). Any other drug-related activities (for example: selling or giving out Oxycodone) are considered criminal offences.

"Member" means a person whose name appears on the KXN membership list;

"KXN" means the Kitasoo Xai'xais Nation;

"Person of Interest" means a person identified by Council as a Person of Interest under PART 5 of this Bylaw;

"Removal Order" means a decision made by Council under this Bylaw to prohibit a person from residing or being on Reserve;

"Reserve" means lands reserved for Kitasoo Xai'xais Nation within the meaning of the *Indian Act*, R.S.B.C.1985, c.1-5 (see Schedule #1);

2.2 Unless the context otherwise clearly indicates, words used in the singular include the plural, the plural includes the singular, and the neutral gender includes the masculine and the feminine.

PART 3. PUBLICATION OF BYLAW

- 3.1 Upon the coming into force or any amendments of this Bylaw, Council shall:
- (a) cause the Bylaw to be published in the First Nation Gazette; and
 - (b) post the Bylaw in a public area in the KXN Administration Building including a notice containing:
 - (i) the date that this Bylaw came into force; and
 - (ii) a summary of this Bylaw.

PART 4. APPLICATION OF BYLAW

Bylaw applicable to KXN Reserves

- 4.1 This Bylaw applies only to Kitsoo Indian Reserve #1, the Village of Klemtu.

Bylaw applicable to Members and non-Members

- 4.2 This Bylaw applies to all persons, including Members.

PART 5. COMPLIANCE WITH OTHER LAWS

- 5.1 Where any applicable federal or provincial law, act, regulation, or KXN bylaw applies to any matter covered by this bylaw, compliance with this bylaw will not relieve the person from also complying with the provisions of any other applicable law, act, regulation, or bylaw.

PART 6. IDENTIFYING A PERSON OF INTEREST

- 6.1 Community members may submit concerns about a potential Person of Interest in writing to the band office, addressed to the Chief and Deputy Chief Councillor.
- 6.2 If Council believes the presence of a person on the Reserve may pose a threat to the observance of law and order on the Reserve, Council may, by BCR, declare the person to be a Person of Interest and issue to him or her a request to meet with Council within 14 days of receiving the request.
- 6.3 The request made under section 6.2 shall include the reasons that Council has identified the person to be a Person of Interest.
- 6.4 If the Person of Interest fails to contact Council to arrange to meet with Council within 7 days of receiving the request, Council may take any steps necessary under this Bylaw to ensure the safety of the residents on the Reserve without further notice to the person of interest.

PART 7. MEETING WITH A PERSON OF INTEREST

- 7.1 At least three (3) business days prior to the meeting with the Person of Interest and Council pursuant to section 6.2, Council shall provide the Person of Interest with written notice of the date, time and location of the meeting.
- 7.2 At the meeting, Council shall give a reasonable opportunity for the Person of Interest, or their representative, to speak.
- 7.3 Council shall consider the following when determining whether to impose any sanctions, prohibition or conditions under PART 8:
- (a) the oral and written submissions made by the Person of Interest, or their representative, at the meeting under section 6.2;
 - (b) evidence of the behavior and reliability of evidence of the behavior;
 - (c) Whether the behavior is of a sexual nature;
 - (d) whether their behavior poses any threat to the peace or safety of people residing on Reserve or to Council's ability to ensure the observation of law and order on Reserve;
 - (e) whether the behavior is occurring on the Reserve;
 - (f) whether a charge or conviction has been entered;
 - (g) whether the Person of Interest has failed to comply with previous orders issued under to PART 8 of this Bylaw;
 - (h) the Person of Interest's compatibility with the First Nation culture and community;
 - (i) the Person of Interest's moral character, considering such factors as:
 - i. a prior conviction for an offence or criminal act under the *Criminal Code of Canada* (Canada) or the *Controlled Drugs and Substances Act* (Canada);
 - ii. a prior conviction for an offence or criminal act of a sexual nature.
 - iii. an offence outside of Canada which, if committed in Canada would be an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada);
 - (j) the Person of Interest's interest, engagement in, and completion of rehabilitative programming, such as counselling or addictions programs;

- (k) the Person of Interest's employment status, including whether the applicant is or will be employed on the Reserve; and
- (l) whether the Person of Interest may present a danger to the health or safety of the Band and the people who reside on Reserve.
- (m) Whether the Person of Interest arranged to meet with Council following the request to meet with Council.

7.4 Council may enact rules and procedures for meetings under this Bylaw.

PART 8. SANCTIONS IMPOSED ON A PERSON OF INTEREST

8.1 After meeting with the Person of Interest, Council may take any action that they determine is in the best interest of the Band, and the people who reside on Reserve, including:

- (a) instructing Enforcement Officer(s) to conduct further investigations;
- (b) enlisting the services of a trained dog to confirm the presence of Intoxicants;
- (c) asking the Person of Interest or their families for more information;
- (d) attempting to resolve the issues by verbal warning, declaration, agreement, or informal action;
- (e) sending a warning letter to the Person of Interest if the Person of Interest is under eighteen (18) years of age, to the subject's parents or guardians and any applicable child welfare agency;
- (f) issuing a Removal Order under PART 9;
- (g) deciding not to act further;
- (h) taking any other action that Council considers appropriate.

8.2 The decision to do any of the things referred to in subsection 8.1 or to stop doing any of them at any time is within the discretion of Council.

8.3 All decisions to order a sanction, prohibition or condition under this Part will be made by BCR and will include reasons.

PART 9. REMOVAL ORDER

9.1 Council must not issue a Removal Order under this Part unless it is reasonably satisfied that the presence of the person poses a real threat to the health, safety

or wellbeing of people residing on KXN Reserves.

- 9.2 A Removal Order under section 8.1(f) shall not be considered under this Bylaw if the Person of Interest is under the age of twelve (12) years.
- 9.3 Council may issue a Removal Order if it is satisfied that the presence of the Person of Interest on Reserve is threatening the safety and well-being of the Band, and that the Person of Interest has not shown Council any indication of changing or stopping certain behavior identified by Council as dangerous.
- 9.4 All decisions to issue a Removal Order will be made by Council BCR.

If the person subject to the Removal Order is a Member

- 9.5 A Removal Order issued under this Bylaw for a Member will be for a defined period of time.

If the person subject to the Removal Order is a Non-Member

- 9.6 A Removal Order issued under this Bylaw for a non-Member may be permanent or for a defined period of time.

Renewal of an Order

- 9.7 For greater certainty, an order made pursuant to sections 9.5 or 9.6 may be renewed by Council on a yearly basis, subject to sections 7.1 and 7.3.
- 9.8 A Removal Order must contain:
- (a) the name of the person subject to the Removal Order;
 - (b) a description of the steps Council took in reaching the decision to remove the person;
 - (c) a description of the activities in respect of which the Removal Order is made;
 - (d) the time and date upon which the Removal Order is effective;
 - (e) a provision requiring the person to vacate the Reserve on or before a date specified in the Removal Order;
 - (f) if a person is party to a tenancy agreement or lease, a provision terminating the tenancy agreement or lease of any tenant of the property on the date specified under subsection (d);
 - (g) a provision instructing all persons from causing, contributing to,

permitting, or acquiescing in the activities, beginning on the day after the person is served with the order and continuing until the order ceases to be in effect;

- (h) any conditions attached to the return of the person to the Reserve at the expiration of the Removal Order;
- (i) a provision fixing the date on which the order ceases to be in effect, if applicable.

9.9 A decision of Council under this Part shall be sent to the RCMP, the person subject to the Removal Order, and if the person is less than eighteen (18) years of age, his or her parents or guardians, and the appropriate child welfare agency, and shall be posted publicly in the KXN Administration Building.

9.10 All decisions made by Council under this Part can be appealed, as set out in this Bylaw.

PART 10. EMERGENCY REMOVAL ORDER

10.1 If Council believes the presence of a person on the Reserve poses an immediate threat to the observance of law and order on the Reserve, Council may, by BCR, issue an emergency Removal Order, in accordance with the requirements under PART 9 of this Bylaw.

10.2 All decisions made by Council under this Part can be appealed, as set out in this Bylaw.

PART 11. APPEALING SANCTIONS

11.1 A person subject to a sanction, prohibition or condition ordered under PART 8 or PART 10 who disagrees with the decision outlined in the BCR or desires an existing BCR to be amended or terminated may apply to the Appeal Tribunal to hold a hearing.

Time for applying

11.2 All applications for appeals under this Bylaw must be within 30 days of the date that the BCR was delivered to the person who is subject to the decision made in the BCR.

11.3 Council may extend the time for making the appeal application if it is satisfied that the extension is in the interests of justice.

11.4 If an appeal is received within the 30-day time limit, an Appeal Tribunal will be appointed by Council to hold the hearing as soon as is reasonably practicable.

- 11.5 At least seven (7) days prior to the hearing, the Appeal Tribunal shall:
- (a) give written notice by way of personal service to the appellant informing them of the date, time and place of the hearing and that they have a right to present submissions to the Appeal Tribunal in writing, by telephone or in person; and
 - (b) give written notice by way of personal service to Council of the date, time and place of the hearing, informing them that they have a right to appear at to present submissions in writing or in person; and
 - (c) post a copy of the notice of the hearing in a public area in the KXN Administration Building.
- 11.6 If the appellant is incarcerated, notice pursuant to section 11.S(a) will be sufficient if it is sent to his or her attention at the correctional facility.
- 11.7 If the appellant is less than eighteen (18) years of age, notice pursuant to section 11.5(a) shall also be given to his or her parents or guardians and any applicable child welfare agency.
- 11.8 At the hearing, the Appeal Tribunal:
- (a) shall review the BCR and any recording or notes of the meeting between Council and the Person of Interest, any written record associated with that meeting including, for example, minutes, transcripts and written submissions made, if available;
 - (b) may provide all parties an opportunity to respond to the BCR and to make oral and written submissions, or both, on the petition; and
 - (c) can ask any questions to Council and the Appellant.
- 11.9 Within 14 business days of the hearing, the Appeal Tribunal shall provide a written decision either:
- (a) declaring a BCR invalid; or
 - (b) setting aside a BCR and referring the decision back to Council for determination in accordance with such directions as it considers appropriate; or
 - (c) confirming the BCR ordered by Council and dismissing the appeal application.
- 11.10 The Appeal Tribunal shall include in their written decision under Section 11.9, the

reasons for their decision, which may include, but are not limited to:

- (a) that Council erred in making their decision based on an incorrect interpretation of the Bylaw, or of the facts;
- (b) that Council based its decision or sanction on an erroneous fact;
- (c) that Council failed to observe a principle of natural justice, procedural fairness, or other procedure that it was required by law to observe;
- (d) that Council acted in any other way contrary to law or custom.

11.11 The Appeal Tribunal, in making their decision, can interpret this Bylaw.

11.12 A decision of the Appeal Tribunal under this Part shall be final and not subject to appeal or judicial review and an applicant shall not reapply for one year from the date of the denied application, unless:

- (a) The Appeal Tribunal grants special permission due to a material change in the applicant's circumstances; or
- (b) Council offers the applicant a new hearing.

PART 12. APPEALS TRIBUNAL

12.1 The Appeals Tribunal shall consist of (five) 5 Members appointed by Council:

- (a) Four (4) Band Member who have attained the age of 18 years, and are not the Immediate Family of the appellant or a councillor, and who reside on Reserve; and
- (b) One (1) non-Band Member who is familiar with KXN and has knowledge or experience in community development or justice.

12.2 For greater certainty, during Council's appointment of Appeals Tribunal members, Council must follow the Conflict of Interest policy set out in the KXN Operations Manual.

12.3 Decisions by the Appeals Tribunal pursuant to section 11 of this Bylaw are made by majority vote of the Appeals Tribunal members.

PART 13. EFFECTIVE TIME OF REMOVAL ORDER

When the Removal Order comes into effect

13.1 Notwithstanding section 24.2, where a Removal Order has been issued under this Bylaw, the person subject to the Removal Order must leave the Reserve by the time and date upon which the Removal Order is effective, which shall not

be less than 48 hours.

Time order in effect

13.2 Once a Removal Order comes into effect, it is in force until it expires according to its terms or is cancelled pursuant to Section 11.9 or PART 16.

Personal belongings

13.3 The person subject to the Removal Order must remove their personal belongings from the property by the time and date upon which the Removal Order is effective.

13.4 If an individual believes they have personal belongings that remain on the property where they were residing after the Removal Order takes effect, the individual may contact the KXN Executive Director and:

- (a) provide a detailed list of personal belongings and arrange to have the personal belongings delivered to an agreed-upon location off Reserve; or
- (b) at the sole discretion of the KXN Executive Director, arrange for re-entry onto Reserve in the presence of an Enforcement Officer for a specified period of time to gather and remove the personal belongings.

PART 14. VISITS

14.1 A person subject to the Removal Order must send application to visit to Elected Chief and Deputy Chief for review by Council to obtain permission to visit the Reserve for the purposes of funerals, ceremonies, and other special occasions.

14.2 A person making an application under section 14.1 shall include in his or her application the dates upon which the person proposes to visit the Reserve, the purpose of the visit, where on the Reserve the person will be present, and any additional information or submissions the person wishes Council to consider.

14.3 A person making an application under section 14.1 must submit the application a minimum of one week prior to travel.

14.4 Council shall use its best efforts to consider and determine applications under this Part as soon as possible, and in advance of the proposed visitation dates.

14.5 Council may consider and determine applications pursuant to sub-section 14.1 on the basis of the written application and is not required to hold a hearing into the matter.

14.6 A decision by Council under this Part shall be by BCR and is final and not subject to appeal.

PART 15. PERSONS NOT AFFECTED

15.1 No Removal Order shall impact upon the ability of the spouse or children of the person subject to the Removal Order to continue to reside on Reserve or visit the Reserve.

PART 16. CANCELLATION OF REMOVAL ORDER

When a Removal Order must be cancelled

16.1 After the 30-day appeal period has passed, Council must cancel a Removal Order if it is satisfied that the circumstances described in PART 6 or PART 10 no longer exist and that the safety of the community or any Member would not be compromised by cancelling the Removal Order.

Application for cancellation of Removal Order

16.2 A person subject to the Removal Order may apply to Council for cancellation of the Removal Order if they can provide reasonable evidence that the circumstances for which the Removal Order was issued has changed.

Council must consider application within a reasonable time frame

16.3 As soon as reasonably practicable after receiving an application under section 16.2, Council must:

- (a) consider the application at a duly convened Council meeting; and
- (b) by BCR, either:
 - (i) approve the application for cancellation; or
 - (ii) reject the application for cancellation, with reasons.

16.4 A person subject to the Removal Order whose application for cancellation has been rejected by Council is prohibited from making a further application for cancellation of the Removal Order for six (6) months after the reasons for rejection have been provided.

Meeting must be in camera

16.5 A Council meeting held under section 16.3(a) must be held *in camera*.

Cancellations must be made by BCR

16.6 A cancellation of a Removal Order under section 16.1 or 16.3 must be made by BCR.

PART 17. NO LIABILITY FOR DECISIONS MADE IN GOOD FAITH

17.1 KXN, including Council, the Appeal Tribunal, and Arbitrator or any person acting on authority of, or under the direction of Council, is not liable for any damages arising from any action taken pursuant to this Bylaw, including issuing a Removal Order, provided that the action or order was made in good faith.

PART 18. ENFORCEMENT

18.1 This Bylaw is enforceable by any Enforcement Officer.

18.2 Where a person who has received an order fails or refuses to comply with such an order, an Enforcement Officer may take such reasonable measures as are necessary to enforce that order.

18.3 A person who fails or refuses to comply with an order made under this Bylaw or who resists or interferes with an Enforcement Officer acting under section 18.2, commits an offence.

18.4 Where under section 81(1)(r) of the *Indian Act* this Bylaw is contravened and a conviction entered, a court of competent jurisdiction may make an order prohibiting the continuation or repetition of the offence by the person convicted.

18.5 Where under section 81(3) of the *Indian Act* this Bylaw is contravened, such contravention may be restrained by court action to prevent the continuation of disorderly conduct or restriction or prohibition of the Person of Interest with the First Nation.

PART 19. PENALTY

19.1 Any person who fails or refuses to comply with this Bylaw, or who assists a person who is contravening this Bylaw, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000.00) or to imprisonment for a term not exceeding thirty (30) days, or both.

19.2 A person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding \$1,000.00 or to imprisonment for a term not exceeding thirty days, or to both.

19.3 In addition to all other penalties provided herein, any person causing damage or loss to any Reserve property as a result of an offence under this Bylaw will be responsible for the cost of repairing or replacing such damage or loss.

19.4 Council reserves the right to revisit this issue and amend the Bylaw at a regularly convened Council meeting of the First Nation.

PART 20. JUDICIAL REVIEW

20.1 On any application for judicial review of a BCR made under this Bylaw, the Court shall take notice of the specialized knowledge and expertise of the members of the Appeals Tribunal and Council with respect to the history, culture and values of the KXN, as well as the best interests of KXN.

PART 21. NOTICE

21.1 A person has notice not to trespass or engage in a specific activity when he or she has been given notice by Council or by an Enforcement Officer.

21.2 Any person entering the Reserve is presumed to have received notice of this Bylaw.

21.3 Notice under this Part may be given:

(a) Orally;

(b) In writing;

(c) Through a BCR;

(d) By means of posting this Bylaw in a public area in the KXN Administration Building; or

(e) By means of signs posted so that a sign is clearly visible in the daylight under normal conditions from the approach to an ordinary point of access to the Reserve or to a specific location on the Reserve.

21.4 A sign naming an activity or showing a graphic representation of an activity with an oblique line drawn through the representation is sufficient for the purpose of giving notice that the activity is prohibited.

21.5 Any notice which is required to be provided to KXN under this Bylaw will be in writing and will be considered to have been given if delivered by hand or mailed by prepaid registered post in Canada, to the address or facsimile transmission number set out below:

By mail: Kitasoo Xai'xais Nation,
PO Box 119, Klemtu BC,
V0T 1L0

By email to: Kitasooband@gmail.com and chief@kitasooband.com

In Person: Kitasoo Xai'xais Nation Council Office

PART 22. SEVERABILITY

22.1 Should a Court determine that a provision of this Bylaw is invalid for any reason, the provision shall be severed from the Bylaw and the validity of the rest of the Bylaw shall not be affected.

PART 23. CONFLICT OF TERMS

23.1 If there is any inconsistency between this Bylaw and any other agreement, law, bylaw or policy, the terms of this Bylaw will prevail.

PART 24. CALCULATION OF TIME

24.1 Where there is a reference to a number of days or a number of days in between two events within this Bylaw, in calculating the number of days, the days on which the events happen are excluded and Saturdays and Sundays are included.

24.2 Where the time limited for the doing of an act under this Bylaw expires or falls on a Saturday or Sunday or a federal or provincial holiday, the act may be done on the next day that is not a Saturday, Sunday or holiday.

24.3 If the time for doing an act under this Bylaw is with respect to an act required in a business office, and falls or expires on a day when the office is not open during regular business hours, the time is extended to the next day that the office is open during regular business hours.

PART 25. AMENDMENTS

25.1 This Bylaw may only be amended by a quorum of Council at a duly convened Council meeting.

PART 26. DATE BYLAW COMES INTO FORCE

26.1 This Bylaw shall come into force when a copy of it is first published on KXN's Internet site, in the First Nations Gazette or in a newspaper that has general circulation on the Reserve, whichever the Council considers appropriate in the circumstances pursuant to section 86 of the *Indian Act* and the Council hereby confirms that any of these forms of publication are appropriate in the circumstance.

BE IT KNOWN that this Bylaw entitled the *Kitasoo Xai'xais Nation Community Protection Bylaw, 2024-01* is hereby enacted by a quorum of Council at a duly convened meeting of the Council of the Kitasoo Xai'xais Nation held on April ____ 2024.

Chief Douglas Neasloss

Deputy Chief Isaiah Robinson

Councillor Christopher McKnight

Councillor Darren Edgar

Councillor Harvey Robinson Jr.

Councillor Raven Hall