



MLIB Land Management

Presentation on MLIB draft Enforcement Laws, 2020
March 11th-12th, 2020



MLIB Enforcement Laws

- Enforcement Issues That Our Nation has faced since 2017 and beyond
 - Trespass on Band Lands, where one Band member has “illegally authorized” his friends to complete work on a cabin that is on Band Land, and has no legal interest on it.
 - This happened during a province-wide fire ban, and they were not only burning garbage and toxic material, they were open burning, not following provincial regulations or using any precautions to prevent wildfire. This is a liability for MLIB and a danger to our community members and resources. This also created a hazard for the people who were illegally working on this cabin. If anything had happened to them, as they were not using any type of building codes or safety standards, it would have been the responsibility of MLIB.

➤ On Going Drug Dealing on Reserve

- A Band Member moved onto our reserve, did not follow our MLIB On Reserve Housing Policies and Procedures nor any of the standing protection orders with regards to Child & Family Services.
- He was a suspected and known drug dealer, but we could not prove it. There was also another drug dealer who has been operating on our reserve for many years.
- These two dealers brought meth onto our reserve and the decline in the health of our Band members who had moved from weed to meth, has been drastic and noticeable. We could normally see one person afflicted with using meth, standing in front of the playground for up to eight hours, in a catatonic state, and our children would be asking us what is happening. The safety of our children and Elders is at risk.
- When asking the RCMP, and even though they had authorization by Band Council to enforce traffic laws, etc. they could not or would not do anything.
- We later found out that the first dealer who moved here without authorization, was actually hiding out here for three years from the law with his wife. We finally did get the RCMP to agree to pick them up, on a warrant, and they did so. Later they were released because of a technicality stating the warrant was from a different province and not valid in BC. We also tried to get a BCR included in his order, that he not be allowed to reside in McLeod Lake and that was very hard to do.

It is imperative that education with Community Tri-Partite Agreements (CTA's) and RCMP policing agreements work hand-in-hand, and also the inclusion of lands staff in these major talks; because we have our boots on the ground, and have first-hand knowledge of the issues we are facing; rather than just government-to-government talks.

PLEASE BE A STEWARD OF THE LAND

- RESPECT THE LAND, ANIMALS, WATER & PLANTS
- PACK-IN-PACK-OUT
- DO NOT LITTER
- RECYCLE AND COMPOST IN AN ENVIRONMENTALLY-FRIENDLY WAY
- REQUEST PERMIT: FOR CAMPING FROM MLIB LANDS DEPARTMENT, FOR RESIDENTIAL LOTS FROM MLIB HOUSING DEPARTMENT
- FOLLOW THE CURRENT FIRE BANS & RESTRICTIONS IN EFFECT
- FOLLOW ALL BC CAMPFIRE & OPEN BURNING REGULATIONS

NO UNAUTHORIZED USE

- NO MOOSE HUNTING
- NO PESTICIDE USE/ NO HERBICIDE USE
- NO UNAUTHORIZED MOTOR VEHICLES, MOTOR BIKES, ATV'S, SIDE-BY-SIDES, ETC.
- NO OVERNIGHT STAYS WITHOUT WRITTEN PERMIT: FROM MLIB LANDS DEPARTMENT [FOR CAMPING AREAS], FROM MLIB HOUSING DEPARTMENT [FOR RESIDENTIAL LOTS]
- NO TRESPASSING OR ILLEGAL ACTIVITIES (SUCH AS DRUG DEALING, DUMPING, DRINKING & DRIVING, SPEEDING, ETC.)

VIOLATORS WILL BE PROSECUTED PURSUANT TO THE *MCLEOD LAKE INDIAN BAND LAND CODE*, THE *MCLEOD LAKE INDIAN BAND ENFORCEMENT LAWS (MLIB NOTICE ENFORCEMENT, DISPUTE ADJUDICATION, TRESPASS & RESIDENTIAL TENANCY LAWS)* AND THE *CRIMINAL CODE OF CANADA (WHERE APPLICABLE)*.

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MLIB Enforcement Laws

➤ MLIB Notice Enforcement Law

- How fines & tickets will be issued for offences on Band land with procedures regarding banishment, if required when alleged offender poses significant threat to health, safety or well-being of the community.

➤ MLIB Dispute Adjudication Law

- Rights of appeal for alleged offender. Ensures impartiality and Adjudicator cannot be an employee of MLIB or Band Council. Hearings open to public.

➤ MLIB Trespass Law

- States prohibited activities such as poaching, dealing drugs or alcohol, hunting moose for non-Band members when MLIB has a ban throughout our Traditional Territory.

➤ MLIB Residential Tenancy Law

- Provides a way to settle disputes between tenants and Band (as the landlord) without going to court.

Mussi Cho (Big Thanks)

"The decisions you make today, are for the benefit of our future generations tomorrow."

~~~ Tse 'Khene Rose