

## SQUAMISH NATION

### A BY-LAW TO DECLARE A STATE OF EMERGENCY IN SQUAMISH NATION

#### WHEREAS

- A. An emergency exists in the Squamish Nation as a result of the pandemic spread of COVID-19.
- B. The powers of the Squamish Nation are not adequate to address the pandemic spread of COVID-19 without declaring an emergency.
- C. The Squamish Nation Council declares a State of Emergency due to the pandemic spread of COVID-19.

NOW THEREFORE THE SQUAMISH NATION enacts the following by-law for 90 days on all Squamish Nation reserve lands:

1. Pursuant to 81 (1) (a) of the Indian Act which states “The council of a band may make by-laws not inconsistent with this Act or with any regulation made by the Governor in Council or the Minister, for any or all of the following purposes, namely, (a) to provide for the health of residents on the reserve and to prevent the spreading of contagious and infectious diseases”, the Squamish Nation enacts the following by-law.
2. The Squamish Nation Council is authorized to exercise all powers necessary to deal effectively with the Covid-19 emergency.
3. The Squamish Nation Council is authorized to and has the power to appoint an Emergency Operations Centre (EOC) Director under the Squamish Nations Emergency Response Plan during this emergency. Appointments of an EOC Director shall be done by Band Council Resolution.
4. Council hereby authorizes the Managing Director of Nation Services and the EOC Director to:
  - a. acquire or use any land or personal property considered necessary to prevent, respond to or alleviate the effects of the Covid-19 emergency, including the use of buildings to assist with the increased demands for healthcare, shelter and childcare;
  - b. procure on a first priority basis any clothing, equipment, medical supplies or other essential supplies required to cope with the emergency, for the duration of the emergency;

- c. restrict, limit or prohibit through the issuance of written orders, the use or occupancy of any premises within the Squamish Nation reserves;
  - d. issue written orders to enforce any written orders issued under this section 3 of the By-law.
5. Pursuant to Section 12 (1) of the Emergency Program Act (RS, 1996, Chap 111) / Council that a state of local emergency exists in the Squamish Nation due to global pandemic spread of Coronavirus (Covid-19).
  6. The Squamish Nation, its employees, servants and agents are empowered pursuant to Section 13 (1) of the Emergency Program Act / Council to do all acts and implement all procedures that are considered necessary to prevent or to alleviate the effects of the emergency.
  7. This By-law shall come into force and take effect immediately upon enactment.
  8. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
  9. It is an offence under this By-law to fail to comply with any written order issued under section 4 of this By-law.
  10. Pursuant to Section 81(1)(r), an offence under this By-law is punishable by a fine not exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or both, for violation of a by-law made under.
  11. Pursuant to Section 86(1) and (4) of the Indian Act, this by-law shall be posted immediately on the Squamish Nation website and shall come into force and take effect immediately upon enactment, and posted on the First Nations Gazette.