

Title

**KAHNAWÁ:KE DISORDERLY CONDUCT  
& NUISANCE LAW**

K.R.L. c. D-1

[Enacted by MCR #30/1965-66 on 10 Onerahtókha/ April 1965]  
[Amended by MCR #5/1965-66 on 17 Onerahtókó:wa/ April, 1965]]  
[Amended by MCR #13/1983-84 on 31 Kentenha/October, 1983]

Preamble

WHEREAS the Council of the Kahnawá:ke Indian Band at a meeting held this 10<sup>th</sup> day of April 1965 make the following by-law pursuant to paragraphs (c) and (d) of S. 80 of the Indian Act; and,

**SECTION I**

"Purpose"

1. **PURPOSE**

1.1 This by-law is to provide for the prevention of disorderly conduct and nuisance on the Kahnawá:ke Indian Territory in the Province of Quebec.

"Definitions"

2. **DEFINITIONS**

2.1 In this by-law:

"Peace Officer"

"Peace Officer" - includes any member of the Kahnawá:ke Police Force or the Kahnawá:ke Peacekeepers having jurisdiction on the Kahnawá:ke Indian Territory.

"Public Place"

"Public Place" - includes any place to which the public has access as of right or by invitation expressed or implied.

**SECTION II**

"Prohibited Conduct"

3. **PROHIBITED CONDUCT**

3.1 No person shall cause a disturbance in or near a public place,

(a) by fighting, screaming, shouting, swearing, singing, or using insulting or obscene language;

(b) by being drunk or;

(c) by impeding or molesting other persons.

3.2 No person shall openly expose or exhibit an indecent exhibition in a public place or commit any act in a public place which offends against public decency or order.

3.3 No person shall loiter in a public place or in any way obstruct persons who are there.

3.4 No person shall disturb the peace and quiet of the occupants of a dwelling house by discharging fire-arms, or by other disorderly conduct in a public place or dwelling house.

3.5 No person shall without lawful excuse, the proof of which lies upon him, prowl or liter by day or by night upon the property of another near a dwelling house, situated on that property, without the owner's permission either expressed or implied.

### SECTION III

"Penalties"

#### 4. PENALTIES

4.1 Any person who violates any provision of this by-law shall be guilty of an offence and shall be liable to summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

"Enforcement"

#### 5. ENFORCEMENT

5.1 Any Peace Officer shall have the power and authority to arrest any persons who violate any of the provisions of this by-law.

5.2 No person shall resist or willfully obstruct a peace officer in the execution of his duty or any person lawfully acting in aiding such an officer.

5.3 No person shall omit without reasonable excuse to assist a peace officer in the execution of his duty in arresting a person or in preserving the peace after having reasonable notice that he is required to do so.