

MUSQUEAM INDIAN BAND

HEALTH AND SAFETY OF RENTED RESIDENTIAL PROPERTY

BY-LAW

This By-law is made pursuant to Section 81(1)(a),(d), (h), (q) and (r) of the *Indian Act*.

WHEREAS the Band Council (the “Band Council”) of the Musqueam Indian Band (the “Band”) deems it to be expedient and in the best interests of the Band to make a by-law exercising its powers under the said section of the *Indian Act* for the purpose of the regulation of the health and safety of rented residential property on the reserves of the Band (the “reserves”);

NOW THEREFORE the Band Council of the Band enacts as a by-law the following:

1. Each landlord of rented residential property on a reserve must provide and maintain the property in a reasonable state of decoration and repair, suitable for occupation by a tenant and in a safe and healthy condition. Without limitation, each landlord shall take the necessary steps to:
 - (a) prevent the property being infested by pests;
 - (b) ensure that the building is structurally sound;
 - (c) provide adequate facilities for the disposal of waste; and
 - (d) provide adequate facilities to heat the property; to provide running water and for the supply of power .
2. Each tenant of a rented residential property on a reserve must maintain reasonable health, cleanliness, sanitary and safety standards throughout the property. The tenant must take

the necessary steps to repair damage to the property caused by the actions or neglect of the tenant or a person permitted on the property by that tenant but the tenant is not responsible for repairs for reasonable wear and tear to the property.

3. (a) Any person who violates any of the provisions of this By-law commits an offence and shall be liable on summary conviction to a fine not exceeding One Thousand Dollars or imprisonment for a term not exceeding thirty days or both fine and imprisonment;
- (b) Every person who commits an offence of a continuing nature against this By-law is liable to the penalty or penalties authorized under paragraph 3(a) of this By-law for each day such an offence is continued.
4. This By-law is subject to the *Indian Act* and regulations made thereunder.
5. A finding by a court that a provision of this By-law is void or invalid shall not affect the validity of the rest of the By-law.
6. This By-law may be amended from time to time or repealed by a by-law made in accordance with the *Indian Act*.
7. This By-law shall apply to all Reserves.
8. This By-law shall come into force forty days after the date of mailing to the Minister of Indian Affairs and Northern Development as required pursuant to section 82 of the *Indian Act*.

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the Musqueam Indian Band this 22 day of March, 2010.

Voting in favour of the By-law are the following members of the Council:

(Member of the Council)

Mary Charles

(Member of the Council)

Wynne Jones

(Member of the Council)

R. Bent

(Member of the Council)

[Signature]

(Member of the Council)

(Member of the Council)

N. Gault-John

(Member of the Council)

Jimmy [Signature]

(Member of the Council)

Allyson Fraser

(Member of the Council)

[Signature]

(Member of the Council)

being the majority of those members of the Council of the Musqueam Indian Band present at the aforesaid meeting of the Council. The quorum of the Council is 5 members.

Number of members of the Council present at the meeting: 8.

I, Allyson Fraser, Chief/Councillor of the Musqueam Indian Band, do hereby certify that a true copy of the foregoing By-law was mailed to the Minister of Indian Affairs and Northern Development at Ottawa office of the department pursuant to subsection 82(1) of the *Indian Act* this 22 day of March, 2010.

Jimmy [Signature]
(Witness)

Allyson Fraser
(Chief/Councillor)