

## TSLEIL-WAUTUTH NATION

### LAND USE BY-LAW AMENDMENT NO.2 TO “TSLEIL WAUTUTH LAND USE BY-LAW 2001”

**WHEREAS** we the Chief and Council of the Tsleil-Waututh Nation (the “Nation”) enacted the Tsleil Waututh Land Use By-Law 2001 on September 28, 2001;

**AND WHEREAS** the Chief and Council of the Nation deem it advisable and in the best interests of the Nation to further amend the By-law as set out below;

**AND WHEREAS** subclause 81(1)(g) of the *Indian Act* states as follows:

*81 (1) 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,*

*(g) the dividing of the reserve or a portion thereof into zones and the prohibition of the construction or maintenance of any class of buildings or the carrying on of any class of business, trade or calling in any zone.*

**AND WHEREAS** the Chief and Council of the Nation enact this amendment to the Tsleil Waututh Land Use By-Law 2001 under their authority provided by the *Indian Act*;

**NOW THEREFORE** the Council of the Tsleil-Waututh Nation enacts as follows:

1. The Tsleil Waututh Land Use By-Law 2001, as amended, is hereby further amended as follows:

a. Section 2, Definitions is amended by adding the following paragraphs:

“Low Impact Business” means a type of business that is determined by the Manager of Lands to be low impact;

“Low Impact Business Permit” means a permit issued by the Manager of Lands for a Low Impact Business.

b. Section 5 is amended by adding the following sections:

“5.5 Notwithstanding section 5 of this By-law, a person may operate a Low Impact Business on Reserve if the person has been issued a valid Low Impact Business Permit.

5.6 Every person applying for a Low Impact Business Permit shall make an application to the Manager of Lands in a form specified

by the Manager of Lands and this application must include such information as deemed necessary by the Manager of Lands.

- 5.7 The Manager of Lands may:
  - a. issue a Low Impact Business Permit without conditions;
  - b. issue a Low Impact Business Permit with conditions;
  - c. refuse to issue a permit; or
  - d. revoke a permit at any time for failure to comply with permit conditions.
  
- 5.8 Neither the granting or refusal of a Low Impact Business Permit:
  - a. is evidence that a Low Impact Business Permit or any associated approvals are valid or legal; or
  - b. creates any liability on behalf of Tsleil-Waututh Chief and Council, staff, committees, or contractors.
  
- 5.9 A person must not carry on a business at any premise on Reserve other than the premise specified in a permit under this By-law.
  
- 5.10 Every person carrying on more than one business under this section must obtain a separate permit for each business.

- 2. This law may be cited as the TWN Land Use By-Law Amendment No. 2, 2023
  
- 3. This law comes into place and takes effect on the date of its enactment.

This law is hereby adopted at a duly convened meeting of the Council of the Tsleil-Waututh Nation this 30 day of October, 2023.

Voting in favour of this Law are the following Members of the Council.

  
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Chief Jennifer Thomas

  
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Councillor Charlene Aleck

  
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Councillor Liana Martin

  
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Councillor Kevin O'Neill

  
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Councillor Deanna George

  
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Councillor Curtis Thomas

  
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Councillor Dennis Thomas