

**BAND COUNCIL RESOLUTION  
COMMUNITY COVID-19 MEASURES**

**WHEREAS** the COVID-19 virus has been declared a Pandemic by the World Health Organization and is spreading at an alarming rate.

**WHEREAS** Canada has restricted non-essential travel by citizens in order to contain the COVID-19 pandemic.

**WHEREAS** the province of Ontario has restricted certain non-essential activities during the COVID-19 pandemic

**WHEREAS** the “community” supports the restriction of non-essential activities within our Territory to curb the spread of the virus.

**WHEREAS** the “community” assert title over the whole of our territory, rooted in the pre-colonization occupation of land by our relatives, and in our pre-existing systems of law and governance.

**WHEREAS** the “community” relies upon the inherent jurisdiction to create law, enshrined in Canadian law with the signing of Treaty #9, and renewed with “A Declaration of the Nishnawbe-Aski, 1977”, asserting our rights and principles of law, and inherent right to self-determination.

**WHEREAS** the right of Aboriginal title is both a right of possession and a right to govern the communal lands of Aboriginal title-holders in accordance with our own systems of law and governance.

**WHEREAS** the “community” has the authority and jurisdiction to create public health orders to restrict non-essential activities for the health or safety of our citizens and residents.

**WHEREAS** the “community” has created a “community” Border Closure Order to restrict travel into and out of the community pursuant to Band Council Resolution #

**WHEREAS** the authority to make law necessarily includes the authority to enforce the same.

**THEREFORE BE IT RESOLVED** that “community” hereby Orders that activities within the community is limited to essential activities and that the following activities are now prohibited:

- a) Gatherings of more than 5 people, with the exception of funerals, which can have up to 10 people;
- b) Coming within two meters of any person who you do not live with;

**FURTHER BE IT RESOLVED** that the “community” further Orders that any individual with respiratory symptoms (such as fever or cough) self-isolate (stay inside their home) for 14 days, or 24 hours after symptoms have FULLY resolved

**FURTHER BE IT RESOLVED** that the “community” further recommends minimizing trips outside of the home inside the community, including working from home where possible, with the exceptions of grocery shopping, land-based activities or other necessary supplies like medical essentials;

**FURTHER BE IT RESOLVED** that the “community” further recommends that as the most vulnerable population to this virus is older people and people with underlying health issues, that visits to elders, elderly friends and elderly relatives or others already suffering ill health should be avoided unless the visit is absolutely essential, and that supplies should be delivered to those persons without direct contact;

**FURTHER BE IT RESOLVED** that the “community” work with the Nishnawbe Aski Police Service (“NAPS”) as an independent partner in the joint restriction of non-essential activities.

**FURTHER BE IT RESOLVED** that NAPS enforce this travel order with the following three offences:

- Fail to comply with an order made during an emergency = Fine of \$750 or imprisonment of not more than 30 days;
- Obstruction of Person exercising a power in accordance with an emergency order = Fine of \$1,000;
- Obstruction of Person performing a duty in accordance with an emergency order = Fine of \$1,000.
- Fail to abide by refusal of entry by an officer pursuant to the *Trespass Act* = Fine of no more than \$10,000

**FURTHER BE IT RESOLVED** that while the police, using all lawful means, will assist in the enforcement this Order, the Police Service must remain independent of all political leadership as required by NAPS bylaws and the funding agreement;

**FURTHER BE IT RESOLVED** that the Chief of Police will have final independent authority over operational enforcement actions and that such authority is to be exercised independent of any political direction, pressure or interference;

**FINALLY, BE IT RESOLVED** that the “community” may from time to time be required to update the list of allowable essential activities and that such update will be provided in the form of a notice, distributed in the same manner as this bylaw.

Moved by:

Seconded by:

Decision:

Dated: