



MCLEOD LAKE INDIAN BAND

DEVELOPMENT LAW



Date of Enactment: [date passed by Band Council Resolution]



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McLeod Lake Indian Band

Development Law

WHEREAS the McLeod Lake Indian Band has an inherent right to self-government, including the right to establish and enforce laws governing McLeod Lake Indian Band lands and peoples, which is recognized and affirmed by section 35 of the *Constitution Act, 1982*;

WHEREAS Canada and a group of First Nations concluded the Framework Agreement on First Nation Land Management on February 12, 1996, which agreement is federally ratified by the *Framework Agreement on First Nation Land Management Act, S.C. 2022, c. 19, s. 121*;

WHEREAS the McLeod Lake Indian Band became a signatory to the *Framework Agreement on First Nations Land Management* and later brought the *McLeod Lake Indian Band Land Code* into effect on May 20, 2003;

WHEREAS the McLeod Lake Indian Band has the authority under subsection 7.1 and 7.2 of the *McLeod Lake Indian Band Land Code* to make laws respecting the development, conservation, protection, management, use and possession of lands, including any matter necessary or ancillary to making laws in relation to lands and, for greater certainty, has all of the law-making power set out in the *Framework Agreement on First Nation Land Management*;

AND WHEREAS the McLeod Lake Indian Band deems it advisable and in the best interests of the McLeod Lake Indian Band to enact a law to regulate subdivision, development and the provision of services on McLeod Lake Indian Band Land.

NOW THEREFORE, the McLeod Lake Indian Band Council enacts the following law:

Part 1 – INTERPRETATION, PURPOSE AND APPLICATION

1. SHORT TITLE

1.1 This Law may be cited as the *McLeod Lake Indian Band Development Law* [2026]

2. DEFINITIONS

2.1 In this Law, unless the context otherwise requires:

“Application” means an application for a Development Permit pursuant to section 7.1 of this Law;

“Application Fee” means any fee to be paid to MLIB in respect of an Application for a Development Permit, as may be prescribed by regulation from time to time;



"BC Building Code" means the *British Columbia Building Code* established under the *Building Act*, SBC 2015, c 2, as amended or replaced from time to time;

"Consultant" means any Person contracted or employed by MLIB to provide professional or technical guidance in relation to this Law;

"Council" means the McLeod Lake Indian Band's "council of the band", as that term is defined in the *Indian Act*;

"Development" means the carrying out of the activities set out in subsections 4.1(a)-4.1(i) on the Lands;

"Development Officer" a person appointed, by Resolution, under subsection 12.1 for the purpose of carrying out the powers, duties and functions of a Development Officer under this Law;

"Development Permit" means a permit issued in accordance with Part 3 of this Law, authorizing Development;

"Engineering Requirements" means any engineering standards related to Development and applicable on Lands, as established or adopted by MLIB from time to time;

"Environmental Assessment Approval" means an environmental assessment approval issued to the Proponent under paragraph 18.l(c) of the MLIB *Environmental Assessment Law*;

"Exemption Certificate" means a certificate issued by the Land Stewardship Director under subsection 12.1 of the MLIB *Environmental Assessment Law*, which confirms a determination exempting a Proponent from obtaining an Environmental Assessment Approval;

"First Nations Land Management Act" means *Framework Agreement on First Nations Land Management Act*, SC 2022, C19. S121 as amended or replaced from time to time;

"First Nation Lands Register" means the lands register established pursuant to the Framework Agreement, or any successor lands register that may be established to replace the First Nation Lands Register;

"Framework Agreement" means the *Framework Agreement on First Nation Land Management* dated February 12, 1996, as amended or replaced from time to time;

"Immune Person" means, for the purpose of section 20, present or past Council, and MLIB employees, servants and agents, including but not limited to the Land Stewardship Director and the Land Management Committee;



"Indian Act" means the *Indian Act*, RSC 1985, c I-5, as amended or replaced from time to time;

"Interest" means any interest, right, or estate of any nature in or to Lands, as set out more particularly in the Land Code;

"Land" or **"Lands"** means any portion of an MLIB reserve that is subject to the Land Code;

"Land Code" means the *McLeod Lake Indian Band Land Code*, dated for reference November 1, 2002 and first brought into force on May 20, 2003, amended on August 10, 2022, and as further amended or replaced from time to time;

"Land Management Committee" means the elected committee tasked with carrying out various Land related activities, as provided for in the Land Code;

"Land Management Office" means the department of the MLIB that is responsible for the administration, protection, and management of Lands.

"Land Use Plan" means the *McLeod Lake Indian Band Land Use Plan* ratified on October 5, 2021, as amended or replaced from time to time;

"Land Use Zone Designation" means the land use planning statements set out in the Land Use Plan that allocate lands for specific uses;

"Land Stewardship Director" means the person that oversees the administration of Lands or their delegate;

"Law" means this *McLeod Lake Indian Band Development Law*, MLIB-2025-**, as amended or replaced from time to time, and any associated regulations;

"Licence" means any right of occupation or right of use in respect of Lands, as more set out more particularly in the Land Code;

"McLeod Lake Indian Band" or "MLIB" means the McLeod Lake Indian Band, recognized as a Band under the *Indian Act*, as represented by Council, or any successor to the McLeod Lake Indian Band pursuant to a federal statute or otherwise;

"Member" means a person whose name is lawfully entered on the band or membership list maintained under the McLeod Lake Indian Band Membership Code dated August 4, 2004, as amended from time to time;

"Person" means a natural person, MLIB, Members, non-Members, Council, a corporation of any type, partnership, society, a government or regulatory bodies, or association whether or not incorporated;



"Proponent" means any Person that proposes to undertake a Development, or the authorized representative of that Person;

"Registered Professional" means:

- (a) a person who is registered as an architect with the Architectural Institute of British Columbia under the *Professional Governance Act, SBC 2018, c 47*; or
- (b) a person who is registered as a professional engineer or as a professional licensee engineering with the Association of Professional Engineers and Geoscientists of the Province of British Columbia under the *Professional Governance Act, SBC 2018, c 47*;
- (c) a person who is a fully certified Member of the Canadian Institute of Planners (MCIP)

"Resolution" means a resolution by a quorum of Council at a duly convened Council meeting; and

"Works and Services" means the services, facilities or utilities on the Lands.

3. PURPOSE, APPLICATION AND INTERPRETATION

- 3.1 The purpose of this Law is to promote safe, environmentally sustainable, convenient, and well-planned use and development of the Lands.
- 3.2 This Law applies to all Development on the Lands.
- 3.3 For greater certainty, compliance with this Law does not eliminate the requirement to comply with all other MLIB laws and the MLIB Land Code, as applicable, in relation to a Development.
- 3.4 Unless otherwise provided for under this Law, the words, expressions and rules of construction used in this Law have the same meaning as in the Land Code.
- 3.5 Where any federal act or regulation, provincial act or regulation, or any other MLIB law may apply to any matter covered by this Law, compliance with this Law must not relieve a Person from also complying with the provisions of the other applicable act, regulation or law.



PART 2 - GENERAL DEVELOPMENT REQUIREMENTS

4. PROHIBITED ACTIVITIES

4.1 Except as provided for in subsection 4.2, a Person is prohibited from carrying out any of the following activities on the Lands:

- (a) subdivision of Lands;
- (b) stratification or other division of Interests or structures into strata units, subleases or shares;
- (c) construction, alteration, installation, addition, enlargement, repair, removal, demolition or renovation of buildings, or other structures including but not limited to, signs, trailers, fences, swimming pools, decks and docks;
- (d) installation of a street, sidewalk, intersection, sewer system, water system or other infrastructure;
- (e) clearing, grading, blasting, excavating or other alteration of Lands;
- (f) use of any Land as a garbage dump, waste facility or hazardous waste facility;
- (g) removal of trees;
- (h) remove, transport, or deposit more than 10 m³ of soil, fill, or gravel in any twelve month period; and
- (i) other prohibited activities designated by Council pursuant to regulation.

4.2 A Person is not prohibited from carrying out an activity described in subsection 4.1 if:

- (a) the Person has been issued a Development Permit under subsection 11.2(a) in respect of the activity, and is acting in accordance with the requirements of that permit; or
- (b) the activity is exempt under subsections 5.1 or 5.5.

5. ACTIVITIES EXEMPTED FROM DEVELOPMENT PERMIT

5.1 Subject to subsections 5.2 and 5.3, a Person that holds an Interest or Licence, or a Person that has received written permission from another Person that holds an Interest or a Licence, may, without a Development Permit, carry out any of the following activities on the Lands associated with that Interest or Licence:



- (a) the construction, alteration, repair, removal, demolition or renovation of the following:
 - (i) a non-residential building or structure having a footprint of less than 18.5 m², including a garden shed, boatshed, a wood shed, a smudging lodge, a sweat-lodge built in accordance with subsection 5.4, or a smokehouse built in accordance with subsection 5.4;
 - (ii) an unenclosed, non-roofed deck less than 0.6 metres (2 feet) above grade;
 - (iii) a trail, driveway, or internal road for a single-family residential dwelling, where the trail, internal road or driveway is located entirely on a single parcel of land;
- (b) non-structural alterations of, or repairs to, a building;
- (c) landscaping and minor yard work that does not require an excavation deeper than 1.5 m or the deposit of more than 10 m³ of soil, gravel or other material;
- (d) the occasional cutting or removal of trees, where the cutting or removal has an insignificant impact on the Lands, and does not diminish the number of trees in any significant capacity; and
- (e) the installation of a storage trailer, recreational trailer, or temporary structure if the trailer or structure:
 - (i) is not used as a permanent residence and does not have a hook-up or a connection to Works and Services;
 - (ii) is installed for no more than three months in a calendar year; and
 - (iii) is not placed or stacked on top of another storage trailer or temporary structure.

5.2 A Person may only carry out an activity listed in subsection 5.1 without a Development Permit if the activity is:

- (a) authorized by the terms of the Interest or Licence in question; and
- (b) carried out in compliance with any applicable requirements set out in the Land Code, the Land Use Plan, the MLIB Environmental Management Plan, any other MLIB law, and any applicable federal or provincial law.
- (c) emergency work authorized by Chief and Council



- 5.3 An activity does not qualify for a Development Permit exemption under subsection 5.1 if the activity:
- (a) is likely to result in the release of contamination or pollution into a water body; or
 - (b) will be carried out within 30 metres of a water body.
- 5.4 To qualify for an exemption under paragraph 5.1(a)(i), the construction of the building or structure that will be used as a wood supply shed, sweat-lodge or a smokehouse must:
- (a) be located a minimum of 15 m from any other building, structure, overhead wires or cables and forested area; and
 - (b) have a water hose, connected to an available water supply and a shovel adjacent to the building or structure that will be used as a sweat lodge or a smoke house.
- 5.5 Council may, by Resolution, authorize an activity on Lands without a Development Permit where Council is of the view that the activity is urgently needed to prevent loss of life, injury to people, damage to property, or damage to the Lands.

PART 3 – APPLICATIONS AND APPROVALS

6. APPLICATION

- 6.1 For greater certainty, prior to applying for a Development Permit, a Proponent must obtain one of the following, as applicable, under the MLIB *Environmental Assessment Law*:
- (a) an Environmental Assessment Approval for the proposed Development;
 - (b) an Exemption Certificate for the proposed Development; or
 - (c) confirmation that the proposed Development does not require an Environmental Assessment Approval or an Exemption Certificate pursuant to subsection 6.1 of the MLIB *Environmental Assessment Act*.
- 6.2 After meeting the requirements of subsection 6.1, a Proponent may apply for a Development Permit by submitting an Application in accordance with subsections 6.3 and 6.4, along with payment of any applicable Application Fee, to the Land Stewardship Director.



6.3 An Application must be in the form prescribed by the Land Stewardship Director from time to time, and must include the following, as applicable:

- (a) a copy of one of the following:
 - (i) the Environmental Assessment Approval for the proposed Development;
 - (ii) the Exemption Certificate for the proposed Development; or
 - (iii) documentation confirming that the proposed Development does not require an Environmental Assessment Approval or an Exemption Certificate pursuant to subsection 6.1 of the *MLIB Environmental Assessment Act*;
- (b) the name, address, phone number, and incorporation number of the Person seeking to undertake the proposed Development;
- (c) the address and the legal description of the Land upon which the Proponent seeks to undertake the proposed Development;
- (d) a copy of the registered interest search for the Lands in question, under the First Nation Lands Register;
- (e) confirmation that the Proponent:
 - (i) holds an Interest or Licence in respect of the Land on which the proposed Development will take place; or
 - (ii) has written authorization from the Person who holds an Interest or Licence in respect of the Land on which the proposed Development will take place;
- (f) a description of the proposed Development, including:
 - (i) the duration of any construction, alteration, repair, removal or demolition or other undertaking;
 - (ii) the potential impacts to the Lands, water and environment; and
 - (iii) actual or potential impacts to Members, adjacent residents and to the MLIB community;
- (g) design plans, or as-built drawings, for any improvements to be constructed;



- (h) infrastructure requirements, including:
 - (i) construction, installation, upgrading or maintenance of roads, intersections, sidewalks, paths, trails, streetlights, drainage works, dyking, flood protection, sewer, water, stormwater management, drainage, flooding and erosion measures; and
 - (ii) landscaping and planting or maintaining of trees, shrubs, hedges, or other features of the Land associated with the Development;
- (i) an acknowledgement that if a Development Permit is issued, the Proponent will allow a Land Management Department access to the Land for the purpose of ensuring compliance with this Law and the permit; and
- (j) any additional information and documents that are requested by the Lands and Stewardship Coordinator.

6.4 In addition to the information provided in subsection 6.3, an Application must include information or documentation demonstrating the following, as applicable:

- (a) compliance with the MLIB Land Use Plan;
- (b) compliance with the MLIB Environmental Management Plan;
- (c) compliance with any MLIB zoning law, regulation, or policy that may be in effect;
- (d) compliance with the B.C. Building Code or any MLIB law, regulation, or policy that may be in force that sets out minimum standards for the construction and safety of buildings;
- (e) compliance with any Engineering Requirements;
- (f) compliance with any MLIB law and policy related to the environment, that may be in force from time to time;
- (g) compliance with any MLIB heritage law or policy that may be in force;
- (h) compliance with directions from any Registered Professionals; and
- (i) if the Proponent seeks to subdivide Lands:
 - (i) compliance with any MLIB subdivision laws or policies that may be in force; and



- (ii) a copy of survey plan of the proposed subdivision prepared by a certified CLSR surveyor, or any other plan that the Land Stewardship Director deems acceptable.

6.5 The Land Stewardship Director may, in their discretion, provide an opportunity for a Proponent to meet with the Land Management Department in advance of submitting an Application under this section, to facilitate the Application process.

7. APPLICATION REVIEW

7.1 Upon receipt of an Application made under section 6, the Land Stewardship Director will confirm that the Application is complete, and as soon as practicable thereafter do the following:

- (a) confirm whether there are any charges or encumbrances registered against the Lands on which the proposed Development will be situated, as set out in the First Nation Lands Register;
- (b) refer the Application package, along with documentation of any charges or encumbrances identified under subparagraph 7.1(a), to the Land Management Committee for comments;
- (c) circulate the Application package to any relevant MLIB departments or staff for comments;
- (d) if the Land Stewardship Director deems appropriate, circulate the Application package to any Persons with charges or encumbrances registered against the Lands associated with proposed Development for comment;
- (e) if the Land Stewardship Director deems appropriate, circulate the Application package to external bodies, including other governments, regulatory bodies, or utilities, for comment;
- (f) for Applications with proposed Developments that include subdivision, multi-family structures, or other significant changes in density, circulate the Application package to all neighbours adjacent to the Land on which the proposed Development will take place; and
- (g) for Applications with proposed Developments that would significantly alter Lands, post a notice of such Development online and in the MLIB administration office, for Members' consideration and comments.



- 7.2 If any comments are received as a result of referring, circulating and posting the Application package under paragraphs 7.1(c) , the Land Stewardship Director will forward those to the Land Management Committee.
- 7.3 Notwithstanding section 7.1, the Land Stewardship Director may refuse to refer an Application under paragraph 7.1(a) if any Application requirements prescribed in section 6 are not met.

8. PRINCIPLES AND FACTORS IN REVIEWING APPLICATIONS

- 8.1 Within a reasonable time after receiving an Application package referral under section 7, the Land Management Committee must:
- (a) review the Application package and if applicable, any comments received under paragraphs 7.1(b)-(e), and (g); and
 - (b) consider whether a Development Permit should be issued in relation to Application package, taking into account the factors set out at subsection 8.2.
- 8.2 In assessing an Application, the Land Management Committee must consider the following factors, as applicable:
- (a) comments received under paragraphs 7.1(b)-(e), and (g);
 - (b) the promotion of the health, safety, convenience and welfare of Members, the MLIB community, and neighbours adjacent to the Lands;
 - (c) the well-planned and orderly development of Lands, as well as the preservation of special features of the Lands;
 - (d) the adequacy of parking, access, and emergency access;
 - (e) impacts on traffic;
 - (f) pollution impacts, including odor, light and air pollution;
 - (g) impacts on aesthetics, access to sunlight, and viewpoints of other residences and buildings;
 - (h) any non-compliance with MLIB laws or the Land Use Plan;
 - (i) adequate stormwater management and drainage;
 - (j) environmental protection and enhancement;



- (k) flooding and erosion measures;
 - (l) insurance requirements for the proposed activities;
 - (m) servicing and utilities needs;
 - (n) adherence to any MLIB housing policies that may be in place;
 - (o) provision of any community benefits;
 - (p) whether the use of the Land on which the Development will be situated aligns with the Land Use Zone Designation;
 - (q) urban design and architectural quality, including consistency with any relevant policies and guidelines;
 - (r) compatibility with MLIB culture and values;
 - (s) the conservation of property values;
 - (t) impacts and contributions to MLIB economy, environment, culture, and health; and
 - (u) any other factors that, in the Land Management Committee's discretion, may impact Members or Lands.
- 8.3 The Land Management Committee may request additional information from the Proponent, if determined necessary to assess the factors set out in subsection 8.2.
- 8.4 The Land Management Committee may, in their discretion, retain a Consultant to support, or carry out, the assessment of an Application under section 8.
- 8.5 The Land Management Committee may require a Proponent to pay or reimburse MLIB for reasonable Consultant costs associated with reviewing an Application, where the Land Management Committee is of the view that:
- (a) technical expertise is needed to support in the assessment of an Application;
 - (b) there are significant cultural or environmental concerns associated with the proposed Development; or
 - (c) there are other concerns associated with the proposed Development related to the factors set out at subsection 8.2.



8.6 Where the Land Management Committee intends to retain a Registered Professional or a Consultant for which it seeks costs under subsection 8.5, the Land Management Committee:

- (a) must provide notice to the Proponent of its intent; and
- (b) may postpone the review of the Application by the Registered Professional or Consultant until such time as the Proponent has:
 - (i) provided a written acknowledgment that the Proponent is responsible for such costs and will reimburse MLIB as necessary; or
 - (ii) paid the Consultant fees upfront and in advance of the Registered Professional or Consultant carrying out a review of the Application.

8.7 Notwithstanding any other provision of this Law, where Registered Professional Consultant costs have been incurred in accordance with this section, the Land Stewardship Director may refuse to issue a Development Permit until such time as a Proponent has reimbursed MLIB for such costs.

9. RECOMMENDATION TO COUNCIL

9.1 Following an Application package review in accordance with section 8, the Land Management Committee must:

- (a) prepare a recommendation report for Council, setting out whether the Application should be:
 - (i) approved and a Development Permit issued;
 - (ii) Rejected, and no Development Permit issued; or
 - (iii) stayed, pending the Proponent providing additional information, conducting additional work, or carrying out additional measures related to the proposed Development, or pending Member consultation being carried out in respect of the proposed Development;
- (b) if the recommendation is that a Development Permit should be issued, setting out the reasons for this recommendation, along with:
 - (i) any suggested modifications to the proposed activities of the Development; or



- (ii) any suggested terms or conditions that should attach to Development Permit;
 - (c) if the recommendation is that a Development Permit should not be issued, set out the Land Management Committee's reasons for this recommendation; and
 - (d) if the recommendation is that the Application for a Development Permit should be stayed, set out the Land Management Committee's reasons for this recommendation, along with any recommendations for additional information, additional work, additional measures or Member consultation.
- 9.2 The Land Management Committee must refer the Application package, along with the recommendation report prepared under subsection 9.1, to Council.
- 10. COUNCIL DECISION**
- 10.1 Upon receipt of the Application package and the recommendation referred under section 9.1, Council must:
 - (a) review the Application package and the recommendation report; and
 - (b) make a determination to do one of the following:
 - (i) approve the Application and authorize the issuance of a Development Permit, subject to any terms or conditions that Council deems appropriate;
 - (ii) reject the Application and decline to grant a Development Permit to the Proponent; or
 - (iii) stay the Application for any time period Council deems appropriate, and require the Proponent to provide additional information, conduct additional work, or carry out additional measures related to the proposed Development.
- 10.2 If Council rejects the Application under subparagraph 10.1(b)(ii), Council must prepare written reasons setting out the reasons for the rejection.
- 10.3 If Council stays a proposed Development Permit under subparagraph 10.1(b)(iii), and upon receipt of the additional information, evidence of the additional work being conducted, or evidence of the additional measures being met, Council will reconsider the Application package and make a determination under paragraph 10.1(b).



10.4 Council may, in their discretion, convene a meeting with the Land Management Committee to aid in the review of the Application package under paragraph 10.1(a).

11. ISSUING DEVELOPMENT PERMITS

11.1 Following a determination under paragraph 10.1(b), Council will provide to the Land Stewardship Director, as applicable:

- (a) confirmation of any Development Permit that has been approved, and any terms or conditions that attach to the permit;
- (b) written reasons for any rejected Application; and
- (c) written reasons for any stayed Application, including any additional information, works or measures required prior to reconsideration.

11.2 Following the Land Stewardship Director's receipt of materials under subsection 11.1, the Land Stewardship Director must, as applicable:

- (a) issue a Development Permit to the Proponent;
- (b) notify the Proponent that the Application has been rejected, and provide the Proponent with a copy of Council's written reasons; or
- (c) notify the Proponent that the Application has been stayed pending the required additional information, work or measures, and provide the Proponent with a copy of Council's written reasons.

11.3 Notwithstanding any other provision in this Law, a Proponent who has been issued a Development Permit must, when carrying out the Development, comply with all other applicable requirements set out in the Land Code, the Land Use Plan, the MLIB Environmental Management Plan, any other MLIB law or policy, and any applicable federal or provincial law.

PART 4 – ENFORCEMENT

12. DEVELOPMENT OFFICER

12.1 Council may, by Resolution, appoint one or more persons for the purpose of ensuring compliance with this Law and to carry out the powers, duties and functions of a Development Officer under this Law.

12.2 In the event that a Development Officer has not been appointed, the Land Stewardship Director shall have all the powers, duties and functions of the Development Officer under this Law.



13. INSPECTION POWERS

13.1 A Development Officer may, for any purpose related to the enforcement of this Law or ensuring compliance with the terms and conditions of a Development Permit:

- (a) enter, at any reasonable time, onto any Land associated with a Development; and
- (b) inspect the Development on those Lands.

13.2 If, pursuant to subsection 13.1, a Development Officer enters onto Lands associated with a Development, then:

- (a) the Development Officer must, at the request of the Proponent, provide proof of their status as a Development Officer; and
- (b) the Proponent must give any assistance reasonably required to enable the Development Officer to perform their duties under subsection 13.1, including by providing any relevant documents or access to infrastructure.

13.3 No person shall prevent or obstruct, or attempt to prevent or obstruct, the entry of a Development Officer onto any Lands associated with a Development in accordance with subsection 13.1.

14. STOP WORK ORDERS

14.1 Where a Development Officer has reasonable grounds to suspect that a Person is contravening, or is about to contravene, a provision of this Law or a term or condition of a Development Permit, the Development Officer may order, as appropriate:

- (a) that all or some activities related to the Development cease;
- (b) that the Person provide confirmation of a valid Development Permit;
- (c) that the Person provide confirmation that the Development is being carried out in compliance with the Development Permit; or
- (d) that the Person take any additional measures specified to mitigate the effects of any non-compliance.

14.2 An order issued under subsection 14.1 must be in writing and provided to the Person who is contravening, or is about to contravene, this Law or a Development Permit.

14.3 Within fourteen (14) days of receiving an order made under subsection 14.1, a Person may apply to Council for a review of the order.



- 14.4 An application under subsection 14.3:
- (a) must be in the form or manner prescribed by the Land Stewardship Director from time to time;
 - (b) must set out the grounds on which the review is sought; and
 - (c) may include any documentation that is relevant to the review.
- 14.5 Within fourteen (14) days of receiving of an application under subsection 14.3, Council must review the application and make a determination to uphold, vary or withdraw the order issued under subsection 14.1.
- 14.6 A determination made under subsection 14.5 must be in writing, include reasons, and be provided to the Person who sought the review.
- 14.7 Notwithstanding an application made under subsection 14.1, the Person seeking a review must continue to comply with the terms of any order issued under subsection 14.1 until such time as that order is varied or withdrawn by Council.
- 15. SUSPENDING OR REVOKING A DEVELOPMENT PERMIT**
- 15.1 Council may revoke or temporarily suspend a Development Permit, where Council has reasonable grounds to suspect:
- (a) that a Person is contravening, or is about to contravene, a provision of this Law or a term or condition of a Development Permit; or
 - (b) that a Development Permit was issued based on false or incorrect information.
- 15.2 Council must issue written reasons for a revocation or suspension under subsection 15.1, and ensure that these written reasons are provided to the Proponent associated with the Development Permit.
- 15.3 Where a Development Permit is temporarily suspended under subsection 15.1, Council must include in its written reasons:
- (a) the time period for which the Development Permit is suspended; and
 - (b) the corrective measures, if any, that must be taken in order to have the Development Permit reinstated.
- 15.4 Where a Development Permit is revoked under subsection 15.1, Council may restrict a Person from holding another Development Permit for up to three (3) years.



- 15.5 Within fourteen (14) days of receiving an order made under subsection 15.1, a Person may apply to Council for a review of the order.
- 15.6 An application under subsection 15.5:
- (a) must be in the form or manner prescribed by the Land Stewardship Director from time to time;
 - (b) must set out the grounds on which the review is sought; and
 - (c) may include any documentation that is relevant to the review.
- 15.7 Within fourteen (14) days of receiving of an application under subsection 15.5, Council must review the application and make a determination to uphold, vary or withdraw the order issued under subsection 15.1.
- 15.8 A determination made under subsection 15.7 must be in writing, include reasons, and be provided to the Person who sought the review.

16. OFFENCES

- 16.1 Every Person that does any of the following commits an Offence:
- (a) contravenes subsections 4.1, 5.4, 5.5, or 13.3 of this law;
 - (b) contravenes the terms or conditions of a Development Permit; or
 - (c) contravenes an order made under subsection 14.1 of this Law;
 - (d) makes a statement in a document provided under this Law that is false or misleading with respect to a material fact; or
 - (e) omits to state a material fact in a document provided under this Law, the omission of which makes the statement false or misleading.
- 16.2 Each offence under this Law is a strict liability offence.
- 16.3 All offences under this Law are punishable on summary conviction and proceedings in respect of such offence may be taken under MLIB law, or under any other applicable law related to summary offence proceedings.
- 16.4 Each calendar day an offence continues will be deemed to be a separate offence for which a separate penalty may be imposed.



- 16.5 Any Person who commits an offence under this Law is liable on summary conviction to a fine of not more than five thousand dollars (\$5,000) imprisonment for a term not exceeding six (6) months, restitution, community service and any other means or combination thereof for achieving compliance.
- 16.6 Nothing in this Law precludes MLIB from pursuing any other enforcement action or remedy provided for in any other law or forum.

PART 6 - GENERAL

17. PROVISION OF DOCUMENTS

- 17.1 Unless otherwise indicated, any document that is required or allowed to be provided to a Person under this Law must be provided in at least one of the following ways:
- (a) a document to an individual may be provided by:
 - (i) sending a copy of the document by ordinary mail, registered mail, or courier to the actual or last known address of the individual;
 - (ii) leaving a copy of the document with the individual;
 - (iii) leaving a copy of the document addressed to the individual at the Individual's place of residence with a Person who appears to be over eighteen (18) years of age and who resides with the individual;
 - (iv) leaving a copy of the document in a mailbox or mail slot for the address at which the individual resides;
 - (v) by attaching a copy of the document to a door or other conspicuous place at the address at which the individual resides; or
 - (vi) sending a copy of the document by email to the email address provided by the individual;
 - (b) a document to a corporation, business, or society may be provided by:
 - (i) sending a copy of the document by ordinary mail, registered mail, or courier to the registered office of the corporation, business or society;
 - (ii) leaving a copy of the document with an officer, senior management officer, director, or other executive officer of the corporation, business, or society; or



- (iii) sending a copy of the document by email to the email address provided by the corporation, business or society;
- (c) document to a partnership may be provided by:
 - (i) sending a copy of the document by ordinary mail, registered mail, or courier to the business office or registered office of the partnership;
 - (ii) leaving a copy of the document with a partner or other executive officer of the partnership; or
 - (iii) sending a copy of the document by email to the email address provided by the partnership; and
- (d) a document to MLIB may be provided by:
 - (i) sending a copy of the document by ordinary mail, registered mail, or courier to the mailing address of MLIB or to the administrative office of the MLIB;
 - (ii) leaving a copy of the document with an elected official or administrative officer of MLIB; or
 - (iii) sending a copy of the document by email to the email address provided by MLIB.

18. REGULATIONS

18.1 Council may, by Resolution, establish or amend regulations associated with this Law, including regulations:

- (a) prescribing the form and content of Applications and Development Permits;
- (b) establishing Application Fees;
- (c) generally, for the purpose of giving effect to this Law; and

and must thereafter make a copy of any such regulation available for viewing at the administrative offices of the MLIB.

18.2 Council may, by Resolution, establish, correct, revise or update the terms of any applicable fee schedules, forms, policies, protocols or other related documentation which complement and support this Law, and must make a copy of same available for



viewing free of charge at the administrative offices of the MLIB and available for distribution at a nominal charge.

- 18.3 A copy of all regulations established under this Law, and any amendments made to those regulations, must be maintained by the Land Stewardship Director and made available for viewing free of charge, or for distribution at a nominal charge, to any Person upon request.

19. AMENDMENTS

- 19.1 Council may, by Resolution, make minor amendments that do not change the substance of this Law, including but not limited to:
- (a) changes necessary to clarify the drafting of provisions;
 - (b) correcting grammatical or typographical errors; and
 - (c) changes required to address inconsistencies with the *Framework Agreement*.
- 19.2 For greater certainty, all other amendments to this Law must be in accordance with section 8.1 of the Land Code.

20. IMMUNITY

- 20.1 No action for damages lies or may be instituted against an Immune Person for:
- (a) anything said or done or omitted to be said or done by that Immune Person in the performance or intended performance of the Immune Person's duty or the exercise of their authority under this Law; or
 - (b) any alleged neglect or default in the performance or intended performance of the Immune Person's duty, or in the exercise of the Immune Person's authority under this Law.
- 20.2 An Immune Person is not liable for any damages or other loss, including economic loss, sustained by any Person or to the property of any Person, as a result of neglect or failure, for any reason, to discover or detect the commission of any offence under this Law or any other MLIB law, or from the neglect or failure, for any reason or in any manner, to enforce, not enforce, or not have the ability to enforce, this Law or any other MLIB law.
- 20.3 Subsections 20.1 and 20.2 do not provide a defence to an Immune Person if:
- (a) an Immune Person has, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence, or malicious or willful misconduct; or



(b) the cause of action is libel or slander.

20.4 All actions against an Immune Person for the unlawful doing of anything that:

(a) is purported to have been done by an Immune Person under the powers conferred by this Law or any MLIB law; and

(b) might have been lawfully done by an Immune Person if acting in the manner established by law,

must be commenced within two (2) months of the cause of action arising, or within a further period designated by Council in a particular case, but not afterwards.

20.5 A party commencing an action against an Immune Person must provide MLIB and the Immune Person with notice in writing, setting out the time, place and manner in which the damage was sustained within thirty (30) days from the date on which the damage was allegedly sustained.

20.6 If the party commencing an action against an Immune Person fails to provide MLIB and the Immune Person with notice as required under subsection 20.5, the action must be struck and the Immune Person will not be liable for damages.

21. ENACTMENT

1.1 This Law comes into force on the day of its enactment, being [date].



BE IT KNOWN that this Law entitled the *Development Law*, MLIB-2025-[x], was/is hereby:

Tabled a first time by the Council of McLeod Lake Indian Band at a duly convened meeting held on the ____ day of _____, 2025;

Posted in public places on McLeod Lake Indian Band Land or posted through social media on the ____ day of _____ 2025;

Tabled a second time by the Council of McLeod Lake Indian Band at a duly convened meeting open to all McLeod Lake Indian Band Members held on the ____ day of _____, 2025; and

Signed by the following Members of Council who were present at the duly convened meeting wherein this *Development Law*, MLIB-2025-[x] was enacted in accordance with subsection 7.4 of the *McLeod Lake Indian Band Land Code*.

Chief Harley Chingee

Councillor Jane Inyallie

Councillor Sonya Solonas

Councillor Anita Vallee

Councillor Shelby Mitchell

Councillor Jodie Ware

Councillor Hugh Tweed