

TRAFFIC & SAFETY

Further to the powers given to the Timiskaming Band Council, under Section 81 of the Indian Act, the following is enacted as a by-law of the Timiskaming Band.

Section 1: Definitions

For interpretation of the present by-law, unless otherwise expressed, the following words and expressions:

- 1) "Competent authority" means the Band Council, a peace officer of the Amerindian Police Force, or all other persons legally authorized by the Band Council;
- 2) "Police Chief" means the head of the Amerindian Police Force detachment on the Notre-Dame-du-Nord Indian Reserve.
- 3) "Person legally authorized" signifies all persons to whom special powers have been granted through the present regulation or by the competent authority;
- 4) "Policeman" means a member of the Amerindian Police Force.
- 5) "Reserve" means the Timiskaming Indian Reserve No. 19.
- 6) "Vehicle or motor vehicle" signifies all vehicles powered by other than muscular force and adapted for transportation on public roadways, however, not on rails. It includes as private vehicles, farm vehicles, business vehicles and motorcycles, and as public vehicles, busses, taxis, delivery vehicles and emergency vehicles.
- 7) "Emergency vehicle" signifies a vehicle identified as a Police, Fire, Ambulance or civil protection vehicle;
- 8) "Public roadway, street, road" means a roadway, street or trail open to public circulation.

Section 2: Application of the regulation.

The Police Chief is responsible for the application of the present regulation.:

Section 3: Special powers;

The Police Chief is authorized to limit, prohibit, detour circulation of vehicles along with the parking when road work is being effected, including snow removal and all other necessary reasons, and is authorized also to install the necessary signalization;

Section 4: Emergency Powers;

The Police Chief can, in an emergency or exceptional circumstances, take all necessary measures, including the towing of vehicles, notwithstanding the disposition of the present regulation;

Section 5: Towing on work sites:

The Police Chief is authorized to deplace or to tow all vehicles illegally parked, if they hinder work performed by the Band Council. Towing is done at the expense of the owner or possessor who will regain possession only after payment of incurred expenses. This includes towing and storage;

Section 6: Traffic signals;

The Police Chief is authorized to have installed, to deplace or to remove traffic signals in all places determined by the Band Council;

Section 7: Police Force;

The members of the Police Force have, as a responsibility, the enforcement of the present regulation and the directing of traffic within the limits of the Reserve;

Section 8: Special Powers - Firemen;

Firemen are authorized to direct traffic on the scene or in proximity of a fire;

Section 9:

All persons so designated by the competent authority may direct traffic on a work site on behalf of the Band Council;

Section 10: Investigation;

Policemen are not required to investigate accidents on private property unless corporal damages or death result;

Section 11:

All owners of vehicles, excluding snowmobiles, circulating within the limits of the Reserve, must have a valid driver's permit and valid vehicle registration issued by the Bureau of Motor Vehicles, Ministry of Transport, Province of Quebec;

Section 12:

All owners and drivers operating a motor vehicle, excluding a snowmobile, within the limits of the Reserve must carry with them their driver's permit and vehicle registration;

Section 13:

All vehicles, excluding snowmobiles, circulating within the limits of the Reserve must be equipped with vehicle identification plate(s) for the current year, issued by the Bureau of Motor Vehicles, Ministry of Transport, Province of Quebec;

-C I R C U L A T I O N -

Section 14:

All persons must conform with traffic signals installed by the competent authority unless ordered otherwise by a person legally authorized to do so;

Section 15: All persons must conform to traffic signals and to hand traffic signals given by an authorized person;

Section 16:

Pedestrians must conform to traffic signals as do the operators of motor vehicles, unless special signals are emplaced for them, at which time they will conform exclusively to these;

Section 17: Emergency vehicles;

The operator of an emergency vehicle must not use audible or light signals except in an urgency;

Section 18:

The operator of a motor vehicle must give right of way to an emergency vehicle when same is using audible or light signals; he must immobilize his vehicle if necessary;

Section 19:

It is forbidden to follow an emergency vehicle who is operating with audible or light signals towards an emergency site;

Section 20: School busses;

When a vehicle overtakes a bus used for the transportation of school children, properly identified and immobilized for the boarding or disembarkation of students, the operator of this motor vehicle must not pass or intersect this bus until the said bus has driven away and children have regained the sides of the streets;

Section 21:

Such a bus must be equipped with warning signals which the operator must set in action until the children are in security, and must bear the words SCHOOL BUS both in the front and in the rear;

Section 22: Vicycles;

All operators of bicycles must circulate on public roadways, as close as possible to the right curb;

Section 23:

It is forbidden for all bicycle operators to ride on the sidewalks or in any other space reserved to pedestrians;

Section 24:

It is forbidden to ride a bicycle between 21:00 hours and 06:00 hours within the limits of the Reserve unless the bicycle is equipped with a fixed headlight and a red rear fender reflector;

It is also forbidden for all operators of a bicycle to transport any other persons unless his bicycle is equipped with a permanently fixed seat for this use;

Section 25:

It is forbidden for several bicycles to be operated side by side on a public roadway; they must follow one behind the other;

Section 26: Motorcycles;

All operators of motorcycles must circulate on public roadways, as close as possible to the right curb;

Section 27: :

It is forbidden for several motorcycles to be operated side by side on a public roadway; they must follow behind the other;

Section 28:

It is forbidden for all operators of a motorcycle to transport any other persons unless his motorcycle is equipped with a permanently fixed seat for this use;

Section 29:

It is forbidden for all operators and passengers on a motorcycle to circulate without a protective helmet;

Section 30:

It is forbidden to operate a motorcycle in places so designated by the Band Council;

Section 31: Snowmobiles

It is forbidden to operate a snowmobile or "skidoo" on a public roadway;

Section 32:

It is forbidden to operate a snowmobile or "skidoo" on a private property unless having first obtained permission from the owner;

Section 33:

It is forbidden to cross a public roadway except in a straight line and only after having assured oneself that the manoeuvre can be made without danger;

Section 34:

It is forbidden for all operators and passengers on a snowmobile or "skidoo" to circulate without a protective helmet;

Section 35:

It is forbidden to operate a snowmobile or "skidoo" in places so designated by the Band Council;

Section 36: Trailers;

All trailers attached to a vehicle must be equipped with signal lights at the rear, along with registration plate for the current year;

Section 37:

It is forbidden to operate a vehicle that is more than seven feet eleven inches (7' 11") wide unless having first obtained permission from the Chief of Police of the Reserve;

Section 38:

Any protrusion of more than three (3) feet in length from a vehicle must be equipped with a red flag of at least one (1) square foot during the day and equipped with a red light in good working order one (1) hour after sunset to one (1) hour before sunrise;

Section 39: Pedestrians;

All pedestrians who cross a public roadway must use the pedestrians cross-walks or cross at right angles to the roadway if there are no cross-walks;

Section 40:

All pedestrians must walk on the sidewalks; pedestrians may walk on the public roadway if there are no sidewalks, making sure to walk at the extreme left of the roadway in a way to meet traffic;

Section 41: Temporary signals;

The operator of a vehicle must respect in the same way temporary stop signals as he does permanently stop signals;

Section 42: Intersection with one or more stop signs;

Faced with a stop sign situated at an intersection where there are one or more stop signs, the operator must immobilize his vehicle and must not cross the intersection until he has given right of way to vehicles being operated on the street without stop signs;

Section 43:

Faced with a yield sign, the operator of a vehicle may not proceed onto a public roadway until after having respected the priority of vehicles already engaged, and that of vehicles located close enough to produce danger of an accident, and that of pedestrians walking in an adjacent lane;

Section 44: Pedestrian signals;

When signals control pedestrian traffic only pedestrians must conform to same;

Section 45: Passing:

The operator of a vehicle who wishes to pass another vehicle must do so by the left, indicate his intention prior to changing lane, and proceed to pass only when there is no risk of collision;

The operator of a vehicle may not pass another vehicle on the right, except when the second vehicle is turning left;

Section 46:

It is forbidden to cross a single or double solid white line, except to pass a farm tractor, a bicycle, an animal driven vehicle or a pedestrian;

Section 47:

The operator of a motor vehicle may pass another vehicle or change lanes when an interrupted white line is present but only after having assured himself that the manoeuvre may be made without risk of an accident and having indicated his intention to pass;

Section 48:

On a roadway which is divided by a median or otherwise divided, the operator of a motor vehicle is required to circulate in the right lanes and may not cross the median except in places so designated;

Section 49:

The operator of a motor vehicle following another vehicle must do so at a safe distance, bearing in mind the speed and density of the traffic and the condition of the roadway;

Section 50:

The operator of a motor vehicle may not back up unless he is sure that this manoeuvre may be performed without risks and in a way as to not interfere with normal traffic;

Section 51:

The operator of a motor vehicle who is about to leave a lane or private entrance to cross a public roadway must yield the right of way to all vehicles circulating on this roadway;

Section 52:

The operator of a motor vehicle wishing to make a right hand turn must first indicate his intention and make sure that this manoeuvre can be made without risk of an accident;

Section 53:

Near an intersection the operator of a motor vehicle wishing to make a left hand turn must yield the right of way to all vehicles heading in the opposite direction into the intersection or to any vehicle who is close enough that turning in front of him would be dangerous;

- S P E E D -

Section 54:

All speeds and dangerous actions susceptible to endanger public security, life or property, prohibited on the roadways of the Reserve; It is strictly forbidden to drive at a speed exceeding the limit by competent authority;



Section 55:

No operator of a vehicle is allowed to drive at a speed susceptible to hinder or hold up the normal circulation, unless for security measures;

Section 56:

When the pavement is wet, the operator of a vehicle must reduce speed so as not to splash pedestrians;

- P A R K I N G   A N D   S T O P P I N G -

Section 57:

It is forbidden for any operator of a vehicle to park his vehicle or to stop so as to obstruct or hinder the circulation; it is also forbidden to park or stop in restricted places so designated by signs or by appropriate signals;

Section 58:

It is forbidden at all times to park a truck on a public roadway in a residential area unless it is to effect a delivery or to perform some work;

Section 59: Parking lots:

Any person using a public parking lot within the Reserve must conform to the prescribed conditions as well as to the installed signs. The dispositions of the present regulation concerning parking apply also for this parking lot;

Section 60:

It is forbidden to store machinery, materials or any object whatsoever on that parking lot;

Any policeman may remove or have removed, at the owner's expense, all objects therefound

Section 61:

It is forbidden to park a vehicle on a street, for sale or exchange purposes;

Section 62:

On two way streets where parallel parking is permitted, the operator of a motor vehicle must park on the right hand side of the street, in the direction of the traffic, and his right wheels must be within twelve (12") inches of the curb;

When the pavement is marked, he must park his vehicle inside of those marks unless he is driving a truck or a bus;

Section 63:

On streets where angled parking is permitted, the operator must park his vehicle between the marks on the pavement unless otherwise indicated;

Section 64:

In a sloped street it is forbidden to park one's vehicle with the motor running, without having applied parking brake and having turned the wheels towards the curb unless a person capable of driving remains in the vehicle;

Section 65:

In emergency cases or when necessary, any policeman is authorized to move or have moved to tow and to retain any vehicle stopped or parked contrary to the dispositions of the present regulation, and this at the owner's expense;

- V A R I O U S D I S P O S I T I O N S -

Section 66:

It is forbidden for any person to be found on the running board or any other exterior part of a vehicle while in motion or to tolerate any such practice. These dispositions do not apply to a person who, in the exercise of his duties, must ride on the outside of a vehicle which is especially equipped for such use;

Section 67:

It is forbidden to circulate on the public roadways with skis, roller skates, ice skates, scooters, tricycles, wagons, with a toy or any other similar means of transportation, except to cross at a pedestrian cross-walk where the same priorities exist as for pedestrians;

Section 68:

It is forbidden to cross over private property in order to avoid obligatory manoeuvres imposed by traffic signals;

Section 69:

It is forbidden for an operator of a motor vehicle to hinder the circulation of a convoy of vehicles whose lights are on;

Section 70:

It is forbidden for the operator of a motor vehicle to drive over a non protected fire hose located in a driveway or in a street used to put out a fire, unless otherwise advised by a Policeman or Fireman;

Section 71:

It is forbidden for an operator to use his vehicle in a noisy fashion by spinning his tires on the pavement either on a start or through rapid acceleration or by sudden unjustified braking or by racing one's motor in neutral;

Section 72:

It is forbidden to drive a motor vehicle with a defective muffler;

Section 73:

It is forbidden to wash a vehicle on the street, in a public place, in a parking lot or in a place reserved for pedestrians;

Section 74:

It is forbidden to repair a vehicle on a street, in a public place, in a parking lot or in a place reserved for pedestrians except if it is a small or temporary problem;

Section 75:

It is forbidden to drive a vehicle equipped with exterior loud speakers for advertising purposes, to participate in a public demonstration which could hinder circulation, unless having first obtained permission from the Band Council.

Section 76:

It is forbidden to operate a vehicle which drops mud, earth stones or any other materials or objects. The operator or owner may be forced to clean the street; in default, the Band Council may have it done at the owner or operator's expense;

Section 77:

It is forbidden to dump or permit to be dumped, on a sidewalk, on a street, on a pedestrian cross-walk or in a public place, snow, ice, dirt, gravel, sand and all forms of refuse unless having first obtained permission to this effect from the Band Council;

Section 78: Passengers;

Being more than three (3) persons in the front seat of a vehicle is forbidden;

Section 79:

It is forbidden to open the door of a vehicle on the side adjacent to traffic, unless this manoeuvre may be completed without danger;

Section 80:

It is forbidden to open the door of a vehicle while in motion;

Section 81: Animals;

It is forbidden to ride or to lead an animal on a public roadway without having the necessary means of control or lead this animal;

Section 82:

It is forbidden to leave unattended, on a public roadway, a horse, be he saddled or not, unless he is tied or hobbled;

Section 83:

It is forbidden to operate a truck on the Reserve except in the streets designated and identified as such by the competent authority;

Section 84:

It is forbidden for a person to cling to a moving vehicle on a public roadway;

Section 85:

It is forbidden to forcibly obtain a ride on the Reserve;

Section 86:

It is forbidden for a person who is neither the operator, the owner or the occupant of a vehicle to remove any traffic violation placed on the vehicle by a Policeman;

Section 87:

Whoever contravenes to the dispositions of the present regulation commits an offense and is subject to a fine not exceeding one hundred dollars (\$100.00) or to imprisonment of not more than thirty (30) days, or to both;

Approved and passed at a duly convened meeting of the Council of the Timiskaming Band of Indians this 9th day of February, 1979

Albert McBride  
Chief

Raymond McBride  
Councillor

Kenneth McBride  
Councillor

Clayton Chief  
Councillor

I, ...Albert Mc Bride...., Chief of the Timiskaming Band of Indians do hereby certify that a true copy of the foregoing by-law was forwarded to the Minister of Indian Affairs pursuant to section 82,ss(1) of the Indian Act this 9th day of February, 1979.

Witness .....  
Albert Lalonde

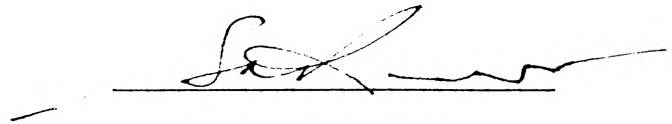
Chief: .....  
Arthur McBride

CANADA

Province of Quebec

TO WIT

I, STEPHEN ALFRED ROBERTS, Reserves and Trusts, residing at Ottawa, Ontario, make oath and swear that the paper writing to which this affidavit is attached is a true copy of a document produced and shown to me and purporting to be the original by-law made pursuant to the Indian Act and signed by the Timiskaming Council and dated February 9, 1979 the said copy having been compared by me with the said original document.



Sworn to before me in the  
City of Hull, in the  
Province of Quebec  
this 25 day of May, 1979

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Commissioner of the taking  
of Oaths  
pursuant to Section 108(a)  
of the Indian Act.

BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds  
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	<b>Timiskaming</b>	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	<b>Abitibi</b>	Committed - Engagé	\$
PROVINCE	<b>Quebec</b>	Current Revenue balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	<b>Notre Dame Du Nord,</b>	Committed - Engagé	\$
DATE	<b>09th (Ninth)</b> DAY - JOUR	<b>February</b> MONTH - MOIS	AD 19 <b>79</b> YEAR - ANNÉE

DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

Moved by Albert Mc Bride and seconded by  
 Raymond Polson that the By-Law entitled  
 'Traffic and Safety' be ~~the~~ and the same is  
 hereby approved and enacted as By-Law No. 1.79  
 of the Council of the Timiskaming Band of  
 Indians and further that the Chief and each  
 member of Council be authorised to sign the same.

A quorum for this Band  
Pour cette bande le quorum est

consists of **3**  
fixé à  
Council Members  
Membres du Conseil

*Albert Mc Bride*  
 (Chief - Chef)  
*Raymond Polson*  
 (Councillor - conseiller)  
*Robert Mc Bride*  
 (Councillor - conseiller)  
*John Mc Bride*  
 (Councillor - conseiller)  
*John Mc Bride*  
 (Councillor - conseiller)

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 (Councillor - conseiller)  
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 (Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ À L'USAGE DU DÉPARTEMENT

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINAIRE A. Capital \$	B. Revenue - Revenu \$	3. Estimated Disbursements \$	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds - Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
6. Recommended - Recommandable			Approved - Approuvé		
Date	Recommending Officer - Recommandé par		Date	Approving Officer - Approuvé par	