

April 30, 1975

SOR/75-318

2 JUNE 75

The Whycomagh Indian Band

By-law 12-75

Being a by-law to provide for the regulation of traffic

WHEREAS paragraphs (b), (c) and (r) of Section 81 of the Indian Act empower the council of a band to make by-laws respecting the regulation of traffic and the imposition of a penalty for the violation thereof;

AND WHEREAS it is deemed ~~an~~ expedient to limit the speed of vehicles on public roads for the safety and welfare of the inhabitants of the Whycomagh Reserve;

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

1. In this by-law,

- (a) "Council" means the Council, as defined in the Indian Act, of the Whycomagh Indian Band;
- (b) "reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the Whycomagh Indian Band known as the Whycomagh Reserve.
- (c) "road" includes any road, bridge, driveway, street, lane, square, highway, avenue, parkway, viaduct, trestle, thoroughfare or other place set aside for, used, or open to the public for the passage of vehicles within the reserve, except that section known as the Trans-Canada Highway; and
- (d) "sign" or "traffic signs" means a sign, warning, marking or other device for the guidance or direction of persons using the roads.

2. The design, dimension and the erection of traffic signs shall meet the requirements indicated in the "Manual of Uniform Traffic Control Devices for Canada", 2nd edition, 1966, as amended, and as prepared by the Council on Uniform Traffic Control Devices for Canada and the Canadian Good Roads Association.

3. (1) The Council shall, by resolution, authorize the placing of all traffic signs and the resolution shall specify the location of the sign.
- (2) The Band Administrator shall place and maintain, or cause to be placed and maintained, the signs authorized by the Council and shall remove or cause to be removed, signs which are not authorized by the Council.

4. No person shall interfere with or attempt to interfere with the placement or maintenance of any authorized traffic sign.

5. No person shall remove, deface, obliterate, alter or attempt to remove, deface, obliterate, or alter or in any manner interfere with any sign lawfully placed on a road.
6. No person shall operate a vehicle on a road at a rate of speed in excess of twenty-five miles per hour and a sign to this effect shall be posted on all roads entering the Reserve.
7. Any person who violates any of the provisions of this by-law shall be guilty of an offence, and shall be liable on summary conviction to a fine not less than one dollar or more than fifty dollars, or imprisonment for a term not exceeding two months.
8. These regulations are enforced by the individual or individuals designated by the Council as Band Constable, or any member of the R.C.M.P.

Approved and passed at a duly convened meeting of the Council of the Whycocomagh Indian Band this 1st day of May , 1975.

Wayne Googoo
(Chief)

Annie Googoo
(Councillor)

Ben Sylliboy
(Councillor)

Ryan J. Googoo
(Councillor)