

THE ONION LAKE BAND OF INDIANS

By-Law No 2-86

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

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

AND WHEREAS it is deemed to be expedient to restrict the speed limit, the useage of all terrain vehicles, and noise created therefrom, for the comfort, health and safety of the inhabitants of the Onion Lake Reserve;

NOW THEREFORE the Council of the Onion Lake Band of the Indians makes as a by-law thereof as follows:

1. In this by-law
 - (a) "All terrain vehicle or ATV" means a motor vehicle designed or used primarily for cross-country travel on land, water, snow, ice, marsh, swamp land, or on other natural terrain and without limiting the generality of the foregoing, includes, when designed for such travel,
 - i) four-wheel drive or low pressure tire vehicles,
 - ii) motor-cycles and related two wheel vehicles,
 - iii) amphibious machines,
 - iv) all terrain vehicles,
 - v) snow vehicles, and
 - vi) minibikes;
 - (b) "Reserve" means that tract of land the legal title to which is vested in Her majesty that has been set apart for the use and benefit of the Onion Lake Band of Indians, and known as the Seekaskootch Indian Reserve Number 119;
 - (c) "highway" means a road, parkway, driveway, square or place designed or intended for or used by the Onion Lake Band members and general public for the passage of vehicles but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways to that area.
 - (d) "motor vehicle" means a vehicle propelled or driven by any means other than by muscular power.
 - (e) "Core Area" includes the Band administration complex, elders lodge, group homes, teacherages and school zone as designated in Schedule "A" attached to this bylaw which is deemed to be and form part of this bylaw.

- 2. No person shall operate a motor vehicle at a rate of speed in excess of 40 kilometers an hour on the highways within the "Core Area", as outlined in Schedule "A"; and signs to this effect shall be erected.
- 3. (1) No person shall operate an all terrain vehicle within the core area as outlined in Schedule A; and signs to this effect shall be erected.
 (2) Subsection (1) does not apply:
 If the ATV is registered pursuant to 'The Saskatchewan Vehicle Administration Act' and is driven on the highways within the said area as defined in Schedule 'A'.
- 4. Notwithstanding the provisions of Section 3, the Chief, and or his designate may suspend the restrictions on ATV's in a time of emergency.
- 5. No person shall create or cause the emission of any loud and unnecessary noise from a motor vehicle or an all terrain vehicle, a part of a motor vehicle or all terrain vehicle or any thing or substance that the vehicle/ATV or a part of the motor vehicle/ATV comes into contact with in the "Core Area".
- 6. 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 exceeding one thousand dollars or imprisonment for a term not exceeding thirty days, or to both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Onion Lake Band of Indians this Nov.26 day of 1986.

LEO PAUL

CHIEF

WALLACE FOX

COUNCILLOR

PAUL CHIEF

COUNCILLOR

ALBERT WASKEWITCH

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EDWARD CHIEF

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