

THE LAC LA HACHE BAND OF INDIANS

BY-LAW NO. 1 - 88

**BEING A BY-LAW TO REGULATE THE USE OF MOTOR VEHICLES, MOTORCYCLES AND SNOWMOBILES
WITHIN THE LAC LA HACHE INDIAN RESERVE.**

WHEREAS, Section 81(1)(b) and 81(r) of the Indian Act empowers the Council of an Indian Band to enact bylaws respecting the regulation of traffic and to impose a penalty for the violation thereof:

AND WHEREAS, the Council of the Lac la Hache Band of Indians is of the opinion that the indiscriminate use of motor vehicles, motorcycles and snowmobiles is contrary to the welfare of the band members;

NOW THEREFORE, the Council of the Lac la Hache Band of Indians enacts as a by-law thereof as follows:

1. In this by-law:

- a. "highway" means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of motor vehicles.
- b. "Motorcycle" means a motor vehicle that:
 - (i) is propelled or driven by any means other than by muscular power;
 - (ii) has two or more wheels,
 - (iii) does not have a cab for a driver.
- c. "Motor Vehicle" means any device used for the purpose of transporting people or objects, propelled or driven by any means rather than muscular power and without limiting the generality of the foregoing, includes motorcycles, mopeds and snowmobiles and trucks.

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- d. "Operator" means a person who uses, operates, or is actually in physical control of a motor vehicle.
- e. "Peace Officer" means a member of the Royal Canadian Mounted Police.
- F. "Power turn" means to maneuver a motor vehicle in such a manner as to cause the rear of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking.
- g. "Snomobile" means a motor vehicle that"
 - (i) is not equipped with wheels but is equipped with tractor treads alone or with skis or with skis and propeller.
 - (ii) is designed primarily for operating over snow and is used exclusively for that purpose.
 - (iii) is designed to be self-propelled.
- h. "Vehicle" means a device in, on, or by which a person or object is or may be transported or drawn.
- i. "U-turn" means the turning of a motor vehicle so as to cause it to proceed in the opposite direction from which it was proceeding immediately prior to the commencement of such turn.
- j. "Reserve" means the tract of land, the legal title of which is vested in Her Majesty for the use and benefit of the Lac la Hache Band of Indians known as the Lac la Hache Reserve No. 220.
- k. "Person" means anyone who may be within the boundaries of the Reserve as outlined in 1(k) above. A person may be:
 - (i) a member of the Lac la Hache Band of Indians,
 - (ii) anyone on the Reserve who may be a member of another band of Indians,
 - (iii) anyone on the Reserve who is non-status.

2. No. person shall drive a motor vehicle on the Reserve at a speed greater than 40 kilometres per hours.
3. The operator of a motor vehicle shall not execute "power turns" on any highway on the Reserve.
4. No person shall cause a vehicle to make a "U-turn" between intersections, and at the intersection of a highway with a lane or alley on the Reserve.
5. No person shall operate a motor vehicle without due care and attention or without reasonable consideration for other persons or property upon the Reserve.
6. No person shall operate a motor vehicle on the Reserve between the hours of 11:00 P.M. and 6:00 A.M.
7. No operator of a motorcycle or snowmobile shall allow more than one passenger to ride on the motorcycle or snowmobile.
8. No person under the age of 16 years shall operate a motor vehicle upon the Reserve.
9. Notwithstanding Section 9 any person who has not attained the age of 16 years but is of the age of 12 years or more may operate a snowmobile on the Reserve with the exception of any highway.
10. An exception shall be made to this by-law for emergency traffic such as Law Enforcement Officers, traffic for reasons of health or accident; traffic to allow trappers and/or hunters returning home after 11:00 P.M. or leaving before 6:00 A.M.

11. 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 both,

**APPROVED AND PASSED AT A DULY CONVENEED MEETING OF THE COUNCIL OF THE
LAC LA HACHE BAND OF INDIANS THIS 18 DAY OF JANUARY, A.D., 1988.**

**ORIGINAL SIGNED BY CHIEF ANGUS JOSEYOUNEN
Chief Angus Joseyounen**

**ORIGINAL SIGNED BY HECTOR KKAILTHER
BAND COUNCILLOR**

**ORIGINAL SIGNED BY JOE TSANNIE
BAND COUNCILLOR**

**ORIGINAL SIGNED BY JEAN M. TSANNIE
BAND COUNCILLOR**

**ORIGINAL SIGNED BY EDWARD BENONIE
BAND COUNCILLOR**

I, Angus Joseyounen, Chief of the Lac la Hache Band of Indians do hereby certify that a true copy of the foregoing by-law was forwarded to the Minister of Indian and Northern Affairs Canada pursuant to Section 82(1) of the Indian Act on this 18 day of 01, A.D., 1988.