

The English River Band of Indians

By-law No. I.0

Being a by-law to provide for the Regulations
of Traffic and Undue Care and Attention

WHEREAS paragraphs (b) and (r) of Section 8I of the Indian Act empower the Council of a Band of Indians to make by-laws respecting the regulation of traffic and undue care and attention of persons involving car accidents and the imposition of a penalty for the violations thereof;

AND WHEREAS it is deemed to be expedient to control the passage of vehicles on public roads for the safety and welfare of the inhabitants of the Wapachewunak Indian Reserve No. I92D and the La Plonge Indian Reserve No. I92.

I. In this by-law:

- (a) "All terrain vehicle" 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
(eg. trucks, vans and cars)
 - (ii) snow vehicles
 - (iii) motor bikes

- (b) "Council means the Council, as defined in the Indian Act, of the English River Band of Indians.
 - (c) "Reserve" means 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 English River Band, and known as the Wapachewunak Reserve No. 192D and the La Plonge Indian Reserve No. 192.
 - (d) "Road" means and includes any avenue, bridge, driveway lane, parkway, place, road, street, thoroughfare, trestle under the control of the Council which are designed for, intended for, set aside for, used by, or open for the common use of the members of the English River Band, or the general public, for the passage of vehicles within the Reserve, but does not include any lane, road or right-of-way held or established solely as a means of egress to privately controlled lands;
 - (e) "Sign" or "traffic sign" means any mechanical or other device, sign, warning or marking installed for the control or routing of traffic or for the guidance or direction of persons using the roads;
 - (f) "Vehicle" means any wagon, cart, motor car, motor truck, motorcycle, snowmobile, tractor or other conveyance that is driven, propelled or drawn by any kind of power.
2. No person shall operate a vehicle at a rate of speed in excess of forty (40) kilometers an hour within the Reserve and signs to this effect shall be erected.

3. Notwithstanding the provisions of Section 2 of this by-law no person shall operate a vehicle at a rate of speed in excess of twenty (20) kilometers per hour within any residential area of the Reserve.
4. Notwithstanding the provisions of Section 2 and 4 of this by-law no person shall operate a vehicle at a rate of speed in excess of fifteen (15) kilometers per hour within the school zone in the Reserve and signs to this effect shall be erected.
5. (a) Every person operating a vehicle shall bring the same to a full stop immediately before entering or crossing the through road.
(b) Every intersection of a road with a through highway shall be marked by a stop sign.
6. (a) No person shall drive a vehicle on a road with out due care and attention.
(b) No person shall drive a vehicle on a road without reasonable consideration for other persons using the highway.
7. (a) No person shall drive a motor vehicle on a road in any contest of speed.
(b) No person, whether as a pedestrian, passenger or driver, shall, whether or not with the use or aid of any vehicle or other thing, perform or engage in any stunt or activity on a highway that is likely to distract, startle or interfere with any other users of the road.

8. No person shall create or cause the emission of loud or unnecessary noise from a motor vehicle, a part of a motor vehicle or any thing or substance that the motor vehicle or part of the motor vehicle comes into contact with.

9. The Highway Traffic Act of the Province of Saskatchewan including the amendments thereto except as the same may be inconsistent with this by-law including its definitions, shall apply to all roads, vehicles and persons within the reserve.

10. 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 hundred (100.00) dollars or imprisonment for a term not exceeding thirty (30) days, or to both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the English River Band this 28 day of October, 1983.

J. Everett

Pat Campbell
Councillor

Gabriel D'Jonaire
Councillor

Frank McIntyre
Councillor

N. Wolverine
Councillor