

MARTEN FALLS INDIAN RESERVE #65
#7

SOR/79-829
Nov 9, 1979

BEING A BY-LAW TO CONTROL TRAFFIC ON THE RESERVE.

WHEREAS UNDER SECTION 81(B) OF THE INDIAN ACT R.S., C. 149, S. 1, THE COUNCIL OF THE BAND IS EMPOWERED TO MAKE BY-LAWS TO PROVIDE FOR THE SAFETY OF THE RESIDENTS IN THE RESERVE AND TO PROVIDE FOR THE PREVENTION OF NUISANCES ON THE RESERVE.

AND WHEREAS IT IS NECESSARY TO CONTROL THE USE OF THE MOTORIZED VEHICLES IN THE COMMUNITY ON THE RESERVE FOR THE SAID REASONS ABOVE.

NOW THEREFORE THE COUNCIL OF THE MARTEN FALLS BAND OF INDIANS ENACTS AS A BY-LAW THEREOF THE FOLLOWING.

1. IN THIS BY-LAW:

- (A) "COUNCIL" MEANS THE COUNCIL OF THE MARTEN FALLS BAND OF INDIANS AS DEFINED IN THE INDIAN ACT.
- (B) "RESERVE" MEANS THE MARTEN FALLS INDIAN RESERVE #65 SET APART BY THE JAMES BAY TREATY, TREATY #9 FOR THE SOLE USE OF THE BAND.
- (C) "MOTORIZED VEHICLE" MEANS ANY VEHICLE OTHER THAN ONE PROPELLED BY THE PHYSICAL EFFORT OF THE OPERATOR AND INCLUDED SNOWMOBILES, MOTORCYCLES, MINI-BIKES, CARS, MOPEDS, TRUCKS AND TRACTORS.
- (D) "MINOR" MEANS ANYONE UNDER THE AGE OF SIXTEEN(16) YEARS.
- (E) "POLICE" MEANS THE BAND CONSTABLE, THE SPECIAL CONSTABLE, THE O.P.P., AND THE R.C.M.P.
- (F) "TRESPASS" MEANS TO OPERATE MOTORIZED VEHICLES ON PRIVATE PROPERTY THAT DO NOT BELONG TO THE OPERATOR.
- (G) "PRIVATE PROPERTY" MEANS THE GROUND, THE YARD, OR LAND AROUND THE HOUSES OF THE RESERVE RESIDENTS.
- (H) "RESERVE ROAD" MEANS THE ROAD IN THE COMMUNITY WHERE THE HOUSES ARE LOCATED.

- 2. ALL MOTORIZED VEHICLES MUST NOT EXCEED THE SPEED LIMIT OF 15 M.P.H. ON THE RESERVE ROAD.
- 3. ALL MOTORIZED VEHICLES MUST HAVE HEAD LIGHTS FOR NIGHT-TIME OPERATION.
- 4. UNLESS UNDER CASES OF EMERGENCY RESIDENTS OF THE RESERVE MUST CEASE OPERATING MOTORIZED VEHICLES ON THE RESERVE ROAD AFTER 1 A.M.
- 5. OPERATORS OF MOTORIZED VEHICLES MUST NOT TRESPASS ON PRIVATE PROPERTY.
- 6. OPERATORS MUST NOT CARRY MORE THAN ONE PASSENGER ON THE SEAT OF A SNOWMOBILE, MOTORCYCLE, MOPED OR MINI-BIKE, ON THE RESERVE.
- 7. FOR IDENTIFICATION BY THE POLICE ALL SNOWMOBILES MUST BE REGISTERED AND LICENSE PLATES ISSUED TO THE OWNERS.
- 8. MINORS ARE FORBIDDEN TO OPERATE MOTORIZED VEHICLES ON THE RESERVE ROAD.
- 9. NO ONE MUST OPERATE A SNOWMOBILE ON THE RESERVE WITHOUT A MUFFLER.
- 10. ALL OPERATORS OF SNOWMOBILES AND MOTORCYCLES MUST WEAR SAFETY HELMETS.
- 11. ANYONE WHO VIOLATES ANY OF THE PROVISIONS OF THIS BY-LAW SHALL BE GUILTY OF AN OFFENCE AND SHALL BE LIABLE UPON SUMMARY CONVICTION TO A FINE NOT EXCEEDING ONE HUNDRED DOLLARS OR TO AN IMPRISONMENT OF THIRTY DAYS OR TO BOTH FINE AND IMPRISONMENT.

APPROVED AND PASSED AT A DULY CONVENEED COUNCIL MEETING THIS 11TH DAY OF
OCTOBER 1979.

ELI MOONIAS
(CHIEF)

(BAND MANAGER)

MOSES COASTER
(COUNCILLOR)

TOM MOONIAS
(COUNCILLOR)

I, ELIJAH MOONIAS, CHIEF OF THE MARTEN FALLS INDIAN RESERVE #65 DO HEREBY
CERTIFY A TRUE AND EXACT COPY OF THE FOREGOING BY-LAW WAS FOREWARDED TO
THE MINISTER PURSUANT TO THE PROVISIONS OF SECTION 82, S.S. 1, OF THE INDIAN
ACT, R.S., C. 149, S. 1.

ELI MOONIAS
(CHIEF)