

SOR/

February 11th, 1974

THE CAPE CROKER BAND OF INDIANS

By-law Number 5

Being a by-law to provide for the regulation
of traffic and persons within the Cape Croker Park.

WHEREAS paragraphs (b), (c), (d), and (r) of Section
81 of the Indian Act empower the Council of a Band to make by-laws
respecting the regulation of traffic, the observance of law and
order, the prevention of disorderly conduct and nuisances, and
the imposition of a penalty for the violation thereof;

AND WHEREAS the Council of the Cape Croker Band of
Indians has established the Cape Croker Park, and it is believed that
the actions of the people and the movement of vehicles therein
should be such as to preserve the enjoyment of the park for all;

NOW THEREFORE the Council of the Cape Croker Band of
Indians enacts as a by-law thereof as follows:

1. 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 other natural
terrain and without limiting the generality of the
foregoing includes,
 - (i) four-wheel drive or low pressure tire vehicle,
 - (ii) motor-cycles and related two wheel vehicles,
 - (iii) amphibious machines,
 - (iv) all-terrain vehicles,
 - (v) miniature motor vehicles,
 - (vi) snow vehicles, and,
 - (vii) minibikes.

- (b) "council" means the council as defined in the Indian Act of the Cape Croker Band of Indians;
 - (c) "park" means that certain parcel or tract of land set apart by the Council as the Cape Croker Park within the Cape Croker Indian Reserve and defined as Lots 1 to 6, Concession 5 West, Lots 1 to 5, Concession 6 West and Lots 1 to 13, Concession 7 West, Cape Croker Indian Reserve No. 27;
 - (d) "sign" means a sign, warning, marking or other device for the guidance, direction, or regulation of persons or vehicles within the park; and
 - (e) "vehicle" includes any all terrain vehicle, automobile bicycle, cart, motor-bus, motor-cycle, motor truck, tractor, traction engine, trailer, or other conveyance that is drawn by any kind of power including muscular power.
2. (1) No person shall cause a disturbance in the park, or disturb the peace and quiet of the park,
- (a) by fighting, screaming, shouting, swearing, or using insulting or obscene language,
 - (b) by being drunk or disorderly,
 - (c) by impeding or molesting other persons,
 - (d) by discharging fire arms or fire works or
 - (e) by operating a radio, television set, record player, or by playing any musical instrument at too high a volume.
- (2) Section 2(1) (d) or (e) shall not apply if written permission is first obtained from the Cape Croker Council for special occasions or festivities.

3. No person shall operate a vehicle within the park at a rate of speed in excess of 15 miles per hour.
4. Notwithstanding section 3, no person shall operate a vehicle within the park without due care and attention, or without reasonable consideration for other persons using the park.
5.
 - (1) The Council shall, by resolution, authorize the placing of all signs and the resolution shall specify the location of such signs.
 - (2) The Cape Croker Road Committee Chairman 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.
6.
 - (1) No person shall interfere with or attempt to interfere with the placement or maintenance of any authorized sign.
 - (2) No person shall remove, deface, obliterate, alter or attempt to remove, deface, obliterate, alter or in any manner interfere with any authorized sign.
7.
 - (1) Signs indicating the maximum speed limit within the park shall be placed at all entrances to the park, and in addition at various places within the park as authorized by council.
 - (2) This by-law shall not become effective until signs have been erected in accordance with section 7(1).
8. 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 \$100.00 or imprisonment for a term not exceeding 30 days, or to both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of
the Cape Croker Band of Indians this
day of February 11th, 1974

Chief

Keitha M. Keeshig
Councillor

Richard Jones
Councillor

Ella Waukey
Councillor

Walter Johnston
Councillor

Frank D. Solomon
Councillor

Howard Chegahno
Councillor