

BIG GRASSY RIVER FIRST NATION

BY-LAW

The Council of the Big Grassy River First Nation hereby enacts the following By-law regarding the construction and maintenance of roads and bridges on Reserve 35G.

CONSTRUCTION OF ROADS AND BRIDGES

1. No roads or bridges shall be constructed on Reserve 35G without the approval of the council, following written application by the person desiring to build the road or bridge. "Constructed" includes major repairs, and all repairs which might affect the structural integrity of bridges, or the ability of a road bed to withstand undermining or washout.
2. Applications for such permission shall be sufficiently detailed to enable the Council to fully assess the proposal, and shall be accompanied by an undertaking to pay a fee, in an amount to be assessed by the Council following receipt of the proposal, sufficient to cover the costs of the Council's assessment of the proposal, including its costs of obtaining independent professional advice and its costs of providing detailed information to the members of the First Nation. The requirements of this section may be waived by the Council when the application is for approval of a road or a bridge to be constructed by the First Nation.
3. Applications shall be considered by the Council on the basis of their anticipated benefit to all of the members of the Big Grassy River First Nation, including their conformity with the land use planning priorities of the First Nation as determined by the Council. Council shall also consider the views of the government of Canada in regard to any environmental effects, or effects on marine navigation, which the construction might have; and the views of the government of Ontario in regard to integration of the road and bridge systems on and off reserve. The applicant has the right to make a personal presentation or to file a written submission to the Council during the time when the application is under consideration by the Council. Any member of the First Nation has the same right.
4. Approvals or refusals of applications shall be by BCR, with copies delivered to each residence on the reserve.

5. Appeals from approvals or refusals of applications may be brought by the applicant or any First Nation member to the next general community meeting. If such general community meeting so directs, the Council shall reconsider the approval or refusal, and once again issue a BCR approving or refusing the proposal. There shall be no other appeals of approvals or refusals.
6. Notwithstanding paragraphs 1 - 5, emergency repairs may be carried out to roads and bridges, if approved by BCR, in cases where in the opinion of Council there would be actual danger, or substantial actual monetary loss caused by the application process in paragraphs 2 - 5.

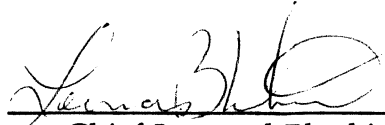
MAINTENANCE OF ROADS AND BRIDGES

7. No maintenance of roads or bridges shall be carried out on Reserve 35G without the approval of the Council, following filing with the Council of a written maintenance plan and schedule, and in accordance with such approved plan and schedule.
8. Such plan and schedule shall be assessed by the Council, and the Council may require the proponent to pay the costs of such assessment, and the costs of circulating the proposed plan and schedule to the residents of the reserve. The requirements of this section is to be carried out by the First Nation.
9. Approvals or refusals of such proposed plans and schedules shall be by BCR, with copies delivered to each residence on the reserve.


ENFORCEMENT

10. Contravention of this by-law may be punished by fine, which may be in the amount of triple the First Nation's costs of enforcing the by-law against the person convicted. Alternatively, the First Nation may sue for and collect civilly damages in the amount of triple the First Nation's costs of enforcing the by-law where there has been a contravention of the by-law.

This by-law was approved by the Council of the Big Grassy First Nation
on August 10, 1995.

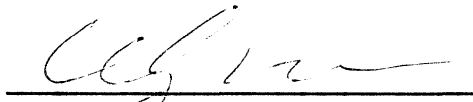


Chief Leonard Bluebird

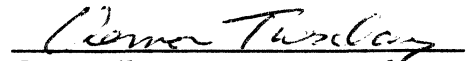


Councillor Glenn Archie

Councillor James Comegan



Councillor Dennis Copenace



Councillor Vernon Tuesday