

## KWAKIUTL BAND

A by-law of the Kwakiutl Band on Indians for the control of vehicular traffic within the Reserves land set aside in the Reserve Registry for the use of the Kwakiutl Band Indians.

This By-law is made in accordance with Section 81 (1) (b), (r), (2) and (3) of the Indian Act R.S.c. I-6 as amended and published in August 1985.

1. Interpretation:

(a) Vehicular traffic - all mechanically driven devices which are designed to carry persons;

(b) All other terms, as defined in the Indian Act R.S.c.149,S1.

2. Administration:

(a) This Bylaw will be administered by the Kwakiutl Band Council as elected from time to time, or;

i) its appointed agency for enforcement, that being the Royal Canadian Mounted Police, or;

ii) any other person or persons or agencies designated by the Band Council.

3. Application:

(a) This Bylaw shall apply to all persons entering reserve lands in control of a motorized vehicle, or mechanically driven device.

4. Speed Limit:

(a) The speed limit within reserve lands under the administration of the Kwakiutl Band Council shall be thirty (30) kilometres per hour, or as established from time to time, except

(i) Emergency vehicles, which shall, when using the appropriate sirens and lights, travel at such a rate of speed appropriate to meet the alleged emergency without undue delay.

5. Right of Way:

All vehicle traffic shall abide by established traffic control Right of Way principles as established by the Ministry of Transport of Canada, and where further clarity is required in the Motor Vehicle Act of the Province of British Columbia.

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6. Violation: Any person who violates this Bylaw shall:
- i) on a first offence, on summary conviction, be liable:
    - a) to a fine of thirty five (\$35.00) dollars, or
    - b) to seven (7) days in prison, or
    - c) to both fine and imprisonment.
  - ii) on a second offence, on summary conviction, be liable:
    - a) to a fine of fifty (\$50.00) dollars, or
    - b) to fourteen (14) days in prison, or
    - c) to both fine and imprisonment.
  - iii) on a third offence, on summary conviction, be liable:
    - a) to a fine of one hundred (\$100.00) dollars, or
    - b) to thirty (30) days in prison, or
    - c) to both fine and imprisonment.
  - iv) further offences shall be punishable by the full extend of the provisions of the Indian Act as sited above.
7. A person may avoid a summary conviction under this Bylaw by volunarily paying the fine applicble to the offence at the Band Office of the Band.

This Bylaw was passed at a duly convened Band Council Meeting on June 12,1986.

David Hunt  
Chief Councillor

Sherry Hunt  
Councillor

A.D. Hunt  
Councillor

Ross D. Hunt  
Councillor

William Brotchie  
Councillor

This is Exhibit " A " to the Affidavit  
of Lorraine Henderson  
sworn before me this 17<sup>th</sup> day  
of June 1986.  
Felicia Lemken  
A Commissioner for taking Affidavits within  
the Province of British Columbia.