



CHIEF
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SANDY BAY OJIBWAY FIRST NATION

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ATT:
Sandy Bay Council
By-Law Committee
DOPS Representative

Please be advised upon review of Sandy Bay **By-Law # 10** entitled **TRAFFIC** it is noted that this By-Law itself has been identified as BY-LAW 05, and is also part of a duplicated number. The Recommendation set is to have the Traffic BY-LAW number given 2017-10. The new By-Law requires discussion, and shall have amendments to meet requirements for safety of the Sandy Bay Ojibway First Nation members. This By-law requires the changes, as listed:

- New By-Law number (2017-10)
- New Band Council Resolution and affidavit sworn in by commissioner of oaths
- Enforcement and penalties process to be included
- Defining Administration clause
- Additions for approval on definitions from original document
- Appeal/Amendment Mechanisms, and
- Other additions as may be recommended by membership,

If you have further questions, please contact at 1-204-843-2603, or via email at lanceoulette@hotmail.com

Sincerely

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**SANDY BAY OJIBWAY FIRST NATION
TRAFFIC
BY-LAW #2017-10**

The Council of the Sandy Bay Ojibway First Nation meeting held this __ day of _____, 20__ hereby enacts By-Law 2017— to provide for the regulations and protection against fires within the boundaries of the Sandy Bay Ojibway First Nation

Whereas paragraphs (b) and (r) of Section 81 of the Indian Act empowers the Council of a Band to make by-laws respecting the regulations of traffic and the imposition of a penalty for the violation thereof; and

Whereas it is deemed to be expedient to limit the speed of vehicles on Reserve roads for the safety and welfare of inhabitants of the Sandy Bay Reserve.

Now therefore be it resolved the Council of the Sandy Bay Band Ojibway first Nation enacts as a by-law thereof the following:

1. In this by-law,

(a) "Council" means the Council, as defined in the Indian Act of the Sandy Bay Ojibway First Nation;

(b) "Reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the Sandy Bay Ojibway First Nation Reserve.

(c) "Road" means an open way for the passage of vehicles, persons, and animals, which includes bridges, driveways, streets, lanes, squares, highways, avenues, parkways, causeways, viaducts, trestles, thoroughfares or other places set aside for, used, or open to the Public for the passage of vehicles within the Reserve.

(d) "Vehicle" means any wagon, cart, motor car, motor truck, trailer, motorcycle, traction engine, tractor, road making machine[^] or other conveyance that is driven, propelled or drawn by any kind of power; and

(e) "Sign" or "Traffic sign" means a sign, warning, marking or other device for the guidance or direction of persons using the roads.

2. The design, dimension and the erection of traffic signs shall meet the requirements as prepared by the Council on Uniform Traffic Control Devices for Canada and the Canadian Good Roads Association.

3. (1) The Council shall, by resolution, authorize the placing of all traffic signs and the resolution shall specify the location and purpose of the sign.

(2) The Administrator 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.

4. No person shall interfere with or attempt to interfere with the placement or maintenance of any authorized traffic sign.

5. No person shall remove, deface, obliterate, alter or attempt to remove, deface, obliterate, or alter or in any manner interfere with any sign lawfully placed on a road.

6. No person shall operate a vehicle on a road within the Reserve at a rate of speed in excess of the miles per hour indicated on the sign posted by order of the Band Council.

7. No person shall operate a vehicle on any road within the Sandy Bay Reserve, when he/she is not eligible to drive by:

(a) not being a holder of a valid drivers license as prescribed by the Highway Traffic Act of Manitoba Sec.

(b) having their license suspended or revoked under the Criminal Code of Canada Sec.

8. No person shall operate a vehicle on any road within the Sandy Bay Reserve that is,

(a) not road worthy and considered in a dangerous or unsafe condition.

(b) not properly licensed or insured as required by Highway Traffic Act, Province of Manitoba.

9. Any person who violates any provisions of this by-law shall be guilty of an offence and shall be liable to a summary conviction to a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding six (6) months or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the
Sandy Bay Ojibway First Nation this ___th day of _____, 20__.