



Traffic Bylaw Number 4-81

The Council of the Buffalo Point Band Members at a meeting held this 7th day of July, 1981 hereby enacts bylaw number 4-81 to provide for the regulation of traffic within the boundaries of Buffalo Point Reserve.

Whereas paragraphs (b) and (r) of section 81 of the Indian Act empowers the Council of a Band to make bylaws respecting the regulation 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 the Reserve roads for the safety and welfare of inhabitants of the Buffalo Point Reserve.

Now therefore the Council of the Buffalo Point Band Members enacts as a bylaw thereof, the following:

1. In this bylaw,
 - (a) "Council" means the Council, as defined in the Indian Act of the Buffalo Point Band Members;
 - (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 Buffalo Point Band Members known as the Buffalo Point Reserve;
 - (c) "Road" means an open way for the passage of vehicles, persons, and animals, which includes bridges, driveways, streets, lanes, squares, highways, avenues, and 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, bicycle, road-making machinery or other conveyance that is driven, propelled or drawn by any kind of power;
 - (e) "All terrain vehicle" means a motor vehicle designed or used primarily for cross-country travel on land, water, snow, ice, marsh, swamp land, or on other natural terrain includes, when designated for such travel:

- (i) four-wheel drive or low pressure tire vehicles,
- (ii) motorcycles and related two wheel vehicles,
- (iii) amphibious machines,
- (iv) all terrain vehicles,
- (v) miniature motor vehicles,
- (vi) snow vehicles, and three wheel motorized cycles,
- (viii) mini-bikes.

(f) "Sign" or "Traffic Sign" means a sign, warning, marking or other device for the guidance or direction of a person using the roads;

(g) "Walkway" means a path, promenade for pedestrian traffic only;

(h) "Park Reserve" means an area designated as a picnic area for pedestrian access only.

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. (a) The Council shall, by resolution, authorize the placing of all traffic signs and the resolution shall specify the location and purpose of the sign.
(b) 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 kilometers 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 Buffalo Point Reserve, when he/she is not eligible to drive by:
 - (a) not being a holder of a valid driver's license as prescribed by the Highway Act of Manitoba;
 - (b) having their License suspended or revoked under the Highway Traffic Act of Manitoba.
8. No person shall operate a vehicle on any road within the Buffalo Point Reserve that is,
 - (a) not road worthy and considered in a dangerous or unsafe condition;
 - (b) not properly licensed or insured as required by the Highway Traffic Act, Province of Manitoba.

9. No person shall drive or permit a vehicle to have access on any walkway or park reserve designated as picnic areas; other than service vehicles for the purpose of maintenance.
10. The driver of any vehicle shall comply with all traffic laws and regulations in force as defined in the Manitoba Highway Traffic Act in which Buffalo Point Reserve is situated.
11. Every driver and every pedestrian shall obey the instructions of the traffic control device, while driving on any roadway located on the Buffalo Point Reserve.
12.
 - (a) No person shall operate an all terrain vehicle on the travelled portion of any road or road allowance within the Reserve.
 - (b) The operator of an all terrain vehicle may cross any road or road allowance with the Reserve, providing;
 - (i) The operator stops the all terrain vehicle before entering onto the road or road allowance, or portion thereof to be crossed,
 - (ii) The passengers disembark from the all terrain vehicle or thing attached thereto before the operator commences to cross,
 - (iii) The operator yields the right of way to all other vehicles and persons on the road or road allowances, and
 - (iv) The operator crosses over the road or road allowance, or portion thereof to be crossed, by the most direct and shortest route of travel available to him/her.
 - (c) The operator of an all terrain vehicle shall at all times yield the right of way to operators of vehicles of other classes and to pedestrians.
 - (d) No person shall operate an all terrain vehicle on lands or premises within the Reserve allotted to, occupied, used, leased, or otherwise lawfully in the possession or under the control of another person without first having obtained the permission of that person so to do.
 - (e) No person shall operate an all terrain vehicle within the limits of the Buffalo Point Reserve after the hour of 11 o'clock in the evening, local, or before the hour of 7 o'clock in the morning, local time.
 - (f) The Chief, as defined in the Indian Act, of the Buffalo Point Band of Indians may suspend, in writing, any or all of the requirements related to all terrain vehicles in a time of emergency.
13.
 - (a) Every person operating a vehicle shall bring the same to a full stop immediately before entering or crossing a through highway.
 - (b) Every intersection of a road with a through highway shall be marked by a stop sign.

14. Any person who violates any of the provisions of this bylaw shall be guilty of an offence and shall be liable on a summary conviction to a fine not exceeding one hundred dollars or imprisonment for a term not exceeding thirty days, or to both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the Buffalo Point Band Members this 7th day of July, 1981.