

# **CURVE LAKE FIRST NATION ALL-TERRAIN VEHICLE LAW**

**LAW 2019.001**

## *Law*

*Law to regulate the use of ATV's in Curve Lake..*

*Approved by Council on May 27 2019.*

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## INTRODUCTION

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### Application:

This law applies within Curve Lake First Nation's jurisdiction.

### Exclusions:

### Responsibilities:

**Council** is responsible to ensure that Law is in place to ensure transparent and effective governance.

**Administration** is responsible to ensure that the Policies and Procedures of the Curve Lake First Nation are followed and to identify areas of law concern.

**Human Resources** is responsible to ensure employment practices and procedures conform to legislation and the approved Curve Lake First Nation Policies.

**Employees** are responsible to meet the requirements of this law and their job description, and carry out the functions in a professional manner

### Review:

This law will be reviewed every three years and may be amended from time to time.

**Coming in to Force:** This Law was passed during a duly convened meeting of the Curve Lake First Nation Council held on May 27th 2019.

This Law was passed under the inherent jurisdiction of Curve Lake First Nation to pass laws in the best interest of our Nation.

This Law was passed under the authority of S.81(1)(b), (c), and (d) of the *Indian Act*, R.S.C. 1985 c.I-5.

## DEFINITIONS

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### IN THIS LAW,

- a. **"All-Terrain Vehicle"** means an off-road vehicle that;
  - (a) Has four wheels, the tires of all of which are in contact with the ground,
  - (b) Has steering handlebars,
  - (c) Has a seat that is designed to be straddled by the driver, and
  - (d) Is designed to carry a driver only and no passengers.
- b. **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- c. **"Low Pressure Bearing Tire"** means a wide, balloon-type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressures of no greater than 70 kpa (10psi).
- d. **"Off-Road Vehicle"** means an off-road vehicle within the meaning of the Off-Road Vehicles Act O.Reg. 316/03, s.1.

## **Chapter 1 – Regulation of All-Terrain Vehicles on Highways**

### **OPERATION ON HIGHWAYS**

1. An All-Terrain Vehicle shall not be operated on highways unless it meets the equipment requirements of Section 7 to 15 of O.Reg 316/03 and it is operated in accordance with sections 16 to 24 of O.Reg 316/03, s.6 of the Highway Traffic Act of Ontario.

### **SPEED**

2. The All-Terrain Vehicle shall not be driven at a rate of speed greater than;
  - (1) 20 kilometers per hour, if the speed limit established under the Highway Traffic Act or by First Nation law for that part of the highway is not greater than 50 kilometres per hour; or
  - (2) 30 kilometres per hour, if the speed limit established under the Highway Traffic Act or by First Nation law for that part of the highway is greater than 50 kilometres per hour.
3. All-Terrain Vehicles shall be permitted on all roads and highways under the jurisdiction of the Curve Lake First Nation.

## **CHAPTER 2 – INTAKE**

### **OPERATION PERMITTED**

4. Operation of All-Terrain Vehicles shall be permitted by Law upon the Highways in the Curve Lake First Nation and in accordance with Ontario Regulation 316/03 of The Highway Traffic Act and The Off Roads Vehicle Act, as amended.

### **PENALTIES**

5. Any person who contravenes any section of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in The Provincial Offences Act.

### **EFFECTIVE**

6. This by-law shall come into force and take effect on the day of its passing and shall remain in effect until otherwise amended or repealed.

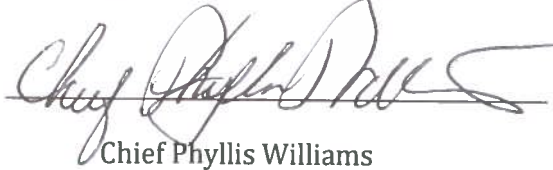
# LAW APPROVAL

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Chief Phyllis Williams



Councillor Laurie Hockaday



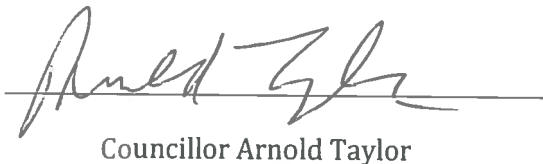
Councillor Gary Williams



Councillor Tiffany Taylor



Councillor Shane Taylor



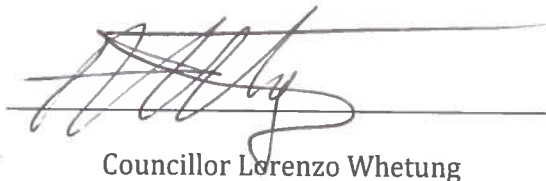
Councillor Arnold Taylor



Councillor Deborah Jacobs



Councillor Ted Coppaway



Councillor Lorenzo Whetung

