

KAHNAWÀ:KE ROAD LAW

K.R.L. c. R-2

[Passed by the Indians in Council on June 28, 1905, and approved by His Excellency the Governor General in Council, on July 22, 1905, under the provision of subsection (h) of section 2 of Chapter 30, 53

Vic]

[Amended by MCR # 2/2025-2026 on 9 Ohiaríha/June 2025]

SECTION I

"Construction, Maintenance & Improvements of Roads, Streets & Highways"

1. CONSTRUCTION, MAINTENANCE AND IMPROVEMENTS OF ROADS, STREETS & HIGHWAYS

- 1.1 That all roads, streets and highways now existing be maintained and their courses and direction remain unaltered unless the consent of the Council recorded in a resolution be first obtained.
- 1.2 That no new road, street or highway shall be opened up or made upon common land unless the consent of the Council be recorded in a resolution to be first obtained.
- 1.3 That roads, streets or highways which the Council may deem necessary for the convenience or use of the public may be opened by the Council across any lands whatsoever in the reserve; provided always that the occupant or owners of such lands are compensated for their right of occupation and for their improvements.
- 1.4 When the Council has decided to open a road, street or highway, it shall cause a survey and plan to be made of the same and shall give two months' notice of such intention to each person interested, stating in each case the amount of compensation it is willing to give.
- 1.5 Where no appeal is made within the said term of two months, the Council may pay the compensation offered and take possession of the lands. If an appeal is made by any person interested to the Department of Indian Affairs, and the Department appoints an officer to be sole arbitration in the case, such officer may hear the case and make an award as to the compensation to be paid. If the amount awarded is not greater than the sum offered by the Council the appellant shall pay the costs of the arbitration; If it is greater, the costs are to be paid by the Council.

SECTION II

"Penalties"

2. PENALTIES

- 2.1 Any Indian or other person who deflects the course of any road, street or highway now in use or which may be hereafter opened under the provisions of this by-law, or who in any manner obstructs the same and who fails when ordered by the Council to restore such road, street or highway to its proper position or to remove such obstruction, is an offender against this by-law, and upon conviction of such offence before an Indian Agent or any Justice of the Peace, shall be liable to a fine of not more than \$30 or to imprisonment for a term not exceeding thirty days.

"Enforcement"

3. ENFORCEMENT

- 3.1 It shall be the duty of the constable to enforce this regulation, and, when instructed to do so by the Council, to serve necessary notices and to open up or cause to be opened up any obstructed road, street or highway, and, when employed in such a service, he shall be entitled to receive fifteen cents an hour for his remuneration as well as to be paid for any necessary expenses he is obliged to incur to give effect to the order of the Council.

"Court"

4. COURT

- 4.1 The Court of Kahnawà:ke has jurisdiction over all matters related to this law.

SECTION III

"History"

5. HISTORY

This by-law shall come into force on the first day of January, 1906.
Amended by MCR # 2/2025-2026 on 9 Ohiaríha/June 2025.