

# KAHNAWÁ:KE RECREATIONAL PATHS (KAIANERÉHNSERA) LAW

K.R.L. c. R-1

[Enacted by MCR # #60/1997-98 on 30 *Seskehkó:wa*/September, 1997]

## SECTION I

"Definitions"

### 1. DEFINITIONS

#### 1.1 For the purposes of this *Kaianerénhsera* (Law):

"Recreation Path"

"**Recreation Path**" includes any lane, path, road, trail and walkway designated as a recreation path in accordance with this *Kaianerénhsera* (Law);

"Pedestrian &  
Mixed  
Recreational  
Pedestrian  
Traffic"

"**Pedestrian and mixed recreational-pedestrian traffic**" means persons using a recreational path to walk, bicycle or rollerblade including the use of bicycle-wagons, wagons, wheelchairs and other non-motorized vehicles;

"Motor Vehicle"

"**Motor vehicle**" means any vehicle that is propelled or driven by means of internal combustion or turbine engine or any other power than muscular but does not include wheelchairs for assistance to physically disabled persons or battery operated children's vehicles;

"Littering"

"**Littering**" includes the dumping of any ashes, debris, garbage, refuse, rubbish, dangerous goods, toxic waste or other waste products as defined in the Kahnawá:ke Sanitary Conditions *Kaianerénhsera* (Law).

## SECTION II

"Authority"

### 2. AUTHORITY

#### 2.1 The *Ietsenhaintáhhkwa* (Mohawk Council of Kahnawá:ke) has the sole and exclusive authority and jurisdiction to create or to have created recreational paths, to designate the special use of recreational paths and to restrict or limit access to recreational paths to pedestrian and mixed recreational and pedestrian traffic.

"Delegation of Authority"

3. DELEGATION OF AUTHORITY

3.1 The *Ietsenhaiéntákhwa* (Mohawk Council of Kahnawá:ke) may delegate its authority to the Kahnawá:ke Safety Committee to regulate and control the use of recreational paths in Kahnawá:ke in accordance with this *Kaianerénhsera* (Law).

"Regulations"

4. REGULATIONS

4.1 The Kahnawá:ke Safety Committee may propose regulations for the purpose of this *Kaianerénhsera* (Law):

- (a) Restricting the use of the recreational paths to pedestrian and mixed Recreational-pedestrian traffic;
- (b) Posting notes designating the use of the recreational path and the type of traffic permitted on the recreational path;
- (c) Protecting the safety of persons on the recreational path, the surrounding environment and the wildlife, including aquatic life in the immediate area;
- (d) Regarding the maintenance of the recreational path.

"Approval of Regulations"

5. APPROVAL OF REGULATIONS

- (a) All regulations must be approved by the *Ietsenhaiéntákhwa* (Mohawk Council of Kahnawá:ke) before they can come into force.
- (b) Public notice of 30 days prior to coming into force.

"Notices"

6. NOTICES

6.1 The Kahnawá:ke Safety Committee shall post written notices at intervals along the route of all recreational paths indicating the designated use of the path and the type of traffic permitted to use the path with reference to this *Kaianerénhsera* (Law).

6.2 The notices shall indicate such limitations or restrictions on the use of the recreational path as determined necessary to protect the safety of persons, the quality of the surrounding environment and to protect the wildlife, including aquatic life, in the immediate area of the recreational path.

6.3 The notices shall indicate the penalties that may result from a conviction for violating this *Kaianerénhsera* (Law).

"Garbage Disposal"

7. **GARBAGE DISPOSAL**

7.1 The Kahnawá:ke Safety Committee shall install and maintain garbage disposal containers at regular intervals along the route of all recreational paths.

"Prohibitions"

8. **PROHIBITIONS**

8.1 No person shall operate a motor vehicle along the route of any recreational path.

8.2 No person shall litter on or within one hundred (100) feet of any recreational path.

8.3 No person shall cause or start a fire on or within one hundred (100) feet of any recreational path.

"Exception"

9. **EXCEPTION**

9.1 The provisions of this *Kaianerénhsera* (Law) are not applicable to *Kaianerénhsera* (Law) enforcement, emergency or other vehicles used for the maintenance of Recreational Paths.

**SECTION III**

"Penalties"

10. **PENALTIES**

10.1 Any person who contravenes any provisions in this *Kaianerénhsera* (Law), is guilty of an offense punishable by a fine up to Two Thousand (\$2,000.00) Dollars, imprisonment for a term not exceeding thirty (30) days, restitution or community works or a combination thereof.

10.2 A fine of One Hundred (\$100.00) Dollars may be imposed for a second offense of operating a motor vehicle on any recreational path.

10.3 A fine of up to One Hundred (\$100.00) Dollars may be imposed for a second offense of littering on or within one hundred (100) feet of any recreational path.

10.4 A fine of up to One Hundred (\$100.00) Dollars may be imposed for a second offense of causing or starting a fire on or within one hundred (100) feet of any recreational paths.

10.5 Any fines collected shall be dedicated to the maintenance, upgrade or creation of recreational paths for the use of pedestrian or mixed recreational-pedestrian traffic.

"Enforcement"

11. ENFORCEMENT

The Kahnawá:ke *Ratirihton* (Peacekeepers) and the Kahnawá:ke *Tsi Kahrhaiénton tanon Ohné:kake Konti'nakerénion Rati'nikonhráraties* (Conservation Officers) are hereby authorized to enforce the Kahnawá:ke Recreational Paths *Kaianeréhsera* (Law).

"Court"

12. COURT

12.1 The Court of Kahnawá:ke is hereby empowered to adjudicate, interpret and decide matters regarding this *Kaianeréhsera* (Law) as necessary.