

RM OF COTEAU, NO 255

Bylaw No. 7-2016

**BYLAW TO REGULATE THE OPERATION OF ALL TERRAIN VEHICLES IN THE ORGANIZED HAMLET OF
HITCHCOCK BAY**

Council of the RM of Coteau, No 255, in the Province of Saskatchewan, enact as follows:

1. Purpose

The purpose of this bylaw is to regulate the operation of all terrain vehicles pursuant to Section 11 of *The All Terrain Vehicles Act* and to promote the health, safety, and welfare of people and the protection of people and property within the Organized Hamlet of Hitchcock Bay.

2. Authority

The authority for this bylaw is in *The All Terrain Vehicles Act*, in particular section 11.

3. Definitions

In this bylaw:

- a. **"Council"** shall mean the Council of the Rural Municipality of Coteau, No 255.
- b. **"Bylaw protection officer"** shall mean:
 - i. an RM bylaw enforcement officer; or
 - ii. any person appointed by Council to enforce this bylaw
- c. **"RM"** or **"municipality"** shall mean the Rural Municipality of Coteau, No 255
- d. **"all terrain vehicle"** and/or **"ATV"** shall mean a self-propelled vehicle that:
 - i. is designed primarily for the movement of people or goods on prepared surfaces; and
 - ii. has wheels in contact with the ground;and includes:
 - iii. a restricted use motorcycle;
 - iv. a mini-bike; and
 - v. an all terrain cycle;but does not include:
 - vi. a golf cart;
 - vii. a snowmobile as defined in *The Snowmobile Act*;
 - viii. an agricultural implement or special mobile machine as defined in *The Traffic Safety Act*;or
 - ix. any vehicle that is required to be registered pursuant to *The Traffic Safety Act*.
- e. **"Crown Land"** shall mean any land, other than a highway, owned by Her Majesty the Queen in right of Saskatchewan.
- f. **"driver's license"** shall mean a driver's license issued pursuant to *The Traffic Safety Act*.
- g. **"highway"** shall mean highway as defined in *The Traffic Safety Act*.
- h. **"organized hamlet"** shall mean the organized hamlet of Hitchcock Bay.
- i. **"municipal land"** shall include, but not be limited to:
 - i. The traveled and untraveled portion of all street roads, lanes, and highways in the organized hamlet, except provincial highways.
 - ii. All public reserves in the organized hamlet;
 - iii. All publicly owned parking lots within the organized hamlet;
 - iv. Grounds of all municipal owned buildings within the boundaries of the organized hamlet;

- v. All other lands owned or operated by the municipality within the boundaries of the organized hamlet.

4. Prohibitions

No person shall drive or operate an all terrain vehicle on:

- a. Any municipal land in the municipality, within the boundaries of the organized hamlet; and
- b. Any private land in the municipality, within the boundaries of the organized hamlet, without prior consent of the landowner;
- c. Any Crown land in the municipality, within the boundaries of the organized hamlet, that is used or occupied otherwise by the Crown

5. Exemptions

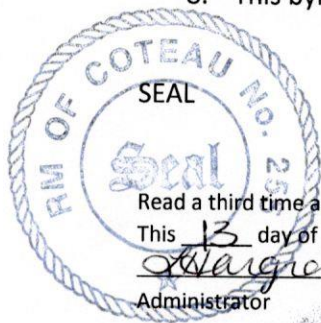
The following are exempt from the provision of this Bylaw;

- a. A public service vehicle of the Municipality.
 - b. An all terrain vehicle operated by:
 - i. A fire department while engaged by that fire department in their execution of duty;
 - ii. An ambulance while engaged by an employee in their execution of duty; or
 - iii. A peace officer, while engaged in the lawful execution of their duty.
 - c. An all terrain vehicle where it has been approved by the Municipality.
 - d. An all terrain vehicle operated by an employee or agent of a provincial or federal government agency while actively engaged in their duties.
6. The exemptions in Section 5 shall not preclude the operators from complying with other applicable Municipal, Provincial, or Federal Law.

7. Penalties

- a. Where any person has committed or is alleged to have committed a breach of any of the provisions of this bylaw, a Notice of Violation in form designated Appendix 2, attached to and forming part of this bylaw may be served on such person by the bylaw protection officer.
- b. A person who contravenes any provision of this bylaw, upon being served with a Notice of Violation, may voluntarily pay the amount set out in Appendix 1 at the RM office.
- c. If the RM receives voluntary payment of the Notice of Violation within seven days following the date the Notice of Violation was issued, the person who received the Notice of Violation shall not be liable for prosecution for the offense.
- d. If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the voluntary payment within the time allowed following service of the Notice of Violation, the person shall be liable to prosecution for the offense.

8. This bylaw shall come into force on the day of its final passing.



Read a third time and adopted
This 13 day of June, 2016
Margiore
Administrator

Clayton S. y. Hoja
Reeve

Margiore
Administrator

RM OF COTEAU, NO 255

BYLAW 7-2016

APPENDIX 1

Voluntary Payment Schedule

<u>Violation</u>	<u>Voluntary Payment</u>
1. First Violation for allowing pets to run at large	Written Warning
2. Second Violation for allowing pets to run at large	\$150.00
3. Third and Subsequent Violation for allowing pets to run at large	\$250.00

RM OF COTEAU, NO 255

BYLAW 7-2016

APPENDIX 2

Notice of Violation

Name of Violator _____

Address _____

Date Issued _____ Time _____

Served By: _____

Location of Violation _____

Description of Violation:

You may make voluntary payment at the RM office between the hours of 8:30am – 12:00 noon and 1:00pm – 4:30pm Monday through Friday, unless otherwise posted. If a person fails to pay the voluntary payment amount specified on this Notice of Violation within seven days following the date issued, the person shall be liable to prosecution for the offense.