

All Terrain Vehicles

REGULATION OF ALL TERRAIN VEHICLES TOWN OF BIENFAIT BYLAW NO. 7 (2014)

A BYLAW OF THE TOWN OF BIENFAIT, IN THE PROVINCE OF SASKATCHEWAN, TO PROVIDE FOR THE REGULATION OF ALL TERRAIN VEHICLES

The Council of the Town of Bienfait, in the Province of Saskatchewan, enacts as follows:

1. 1. This bylaw shall be known as “The ATV Bylaw”.
1. 2. In this bylaw, including this section:
 1. a. “All Terrain Vehicle” and/or “ATV” shall mean all terrain vehicles as defined in *The All Terrain Vehicles Act*;
 1. b. “Highway” shall mean a highway as defined in *The Highway Traffic Act* and includes a road, parkway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area;
 1. c. “Municipality” shall mean the Town of Bienfait;
 1. d. “Private Land” shall mean the land other than public land as defined in *The All Terrain Vehicles Act*;
 1. e. “Public Land” shall mean Crown land or any land vested in the municipality as defined in *The All Terrain Vehicles Act*;
 1. f. “Travelled Portion” shall mean the part of the highway designed for vehicle travel including the shoulder of the road;
 1. g. “Untraveled Portion” shall mean the part of a highway not designed for vehicle travel including the ditch and the centre median;
 1. h. “Vehicle” shall mean a vehicle as defined in *The Highway Traffic Act*.

1. 3. No person shall operate an All Terrain Vehicle on any Public Land within the corporate limits of the Municipality.
1. 4. No person shall operate an All Terrain Vehicle on any Private Land not owned by that person or a member of that person's family within the corporate limits of the Municipality without written consent from the owner of the said land.
1. 5. Under the provisions of Section 9 of *The All Terrain Vehicle Act*, it shall be lawful for a person to operate an All Terrain Vehicle in any back lane or travelled portion of any highway within the Municipality from his/her residence or place of business to the closest point of exit from the Municipality and from the closest point of entrance to the Municipality to his/her residence or place of business.
1. 6. Notwithstanding Section 5 of this bylaw, All Terrain Vehicles shall not be operated on any street or Provincial Highway No. 18 within the limits of the municipality, except for the purpose of crossing by the most direct route Provincial Highway No. 18.
1. 7. Any applicable sections of *The All Terrain Vehicles Act* and corresponding *Regulations* shall apply to the operation of All Terrain Vehicles within the jurisdictional boundaries of the Municipality.
1. 8. Any All Terrain Vehicle crossing a highway must:
 1. a. come to a full stop prior to crossing;
 2. b. take the most direct route to access the highway; and
 3. c. when entering onto a highway, shall do so from an established public highway approach.
1. 9. The provisions of this Bylaw shall not apply to:
 1. a. a member of the Royal Canadian Mounted Police, Conservation Officer, Auxiliary Police, or Bylaw Enforcement Officer, while exercising his or her duties as an officer of the law;
 2. b. the use of All Terrain Vehicles by a member of the Public Works Department or a volunteer for a Municipal purpose;
 3. c. the use of All Terrain Vehicles during a declaration of a local emergency within the Municipality;
 4. d. special events by the approval of the Municipal Council;

5. e. the use of All Terrain Vehicles is approved by Council while in the operation of snow removal or landscaping on private or Municipal-owned property, directly from the place of residence of the owner, by the most direct route and return; and
 6. f. a land surveyor or contractor registered in the Province of Saskatchewan in the performance of duties of surveying land or construction work within the Municipal boundaries.
1. 10. No person shall operate an All Terrain Vehicle at a speed greater than twenty (20) kilometers per hours within the jurisdiction limits of the Municipality.
 1. 11. Subject to the Municipality's Noise Abatement Bylaw, no person shall create an excessive or unusual noise in the operation of an All Terrain Vehicle within the Municipality whether or not the noise is caused by the mechanical state of the All Terrain Vehicle or the manner in which the All Terrain Vehicle is operated and whether or not it is stationary or moving at the time the noise is created.
 1. 12. It shall be unlawful to operate an All Terrain Vehicle in the Municipality:
 1. before 7:00 a.m. and after 10:00 p.m. Monday to Friday inclusive, excluding Statutory Holidays; and
 2. before 8:00 a.m. and after 10:00 p.m. Saturday, Sunday, and Statutory Holidays
 1. 13. Any person who contravenes any provision of this bylaw is liable to a fine of:
 1. a. First Offence \$100.00 (one hundred dollars)
 2. b. Second Offence \$200.00 (two hundred dollars)
 3. c. Third and Subsequent Offences \$300.00 (three hundred dollars)

Sections 11 and 12 shall be exempt. The fines for the contravention of these sections shall be as set out in Section 7 of the Nuisance Abatement Bylaw.

14 No section of this Bylaw shall supersede or preside over any section of *The Traffic Safety Act* and corresponding *Regulations* or *The All Terrain Vehicles Act* and corresponding *Regulations*.

15 This Bylaw shall come into force and take effect on the date of the final passing thereof.

Mayor

Read a third time and adopted
Act
this ____ day of _____

Administrator
Section 8 (f) *The Municipalities*

Administrator