

THE RURAL MUNICIPALITY OF STANLEY

BY-LAW NO. 8-06

BEING a By-law to regulate the operation of all terrain vehicles within Stanley and Haskett Parks.

WHEREAS Section 232 of *The Municipal Act*, S.M. 1996, c. 58 - Cap. M225, provides in part as follows:

(1) A council may pass by-laws for municipal purposes respecting the following matters:

(a) the safety, health, protection and well-being of people, and the safety and protection of property;

(b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;

(c) the enforcement of by-laws.

(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

(a) regulate or prohibit.

AND WHEREAS Council deems it necessary and expedient and in the best interests of the residents of the municipality to regulate the operation of all terrain vehicles, as more particularly defined herein, within certain parks in the municipality;

NOW THEREFORE be it enacted as a by-law of the Rural Municipality of Stanley in council duly assembled, as follows:

1. In this by-law the following definitions shall apply:

(a) "Municipality" means the Rural Municipality of Stanley;

(b) "All-terrain Vehicle" means an off-road vehicle that

(i) operates or travels on three or more low-pressure tires;

(ii) has a seat designed to be straddled by the operator of the vehicle; and

(iii) has handlebars for steering the vehicle;

(c) "Off-road Vehicle" means any wheeled or tracked motorized vehicle designed or adapted for cross-country travel on land, water, ice, snow, marsh, swamp land or other natural terrain and includes, but is not limited to,

(i) a snowmobile,

(ii) an all-terrain vehicle,

(iii) a mini-bike, dirt-bike and trail-bike,

(iv) a miniature vehicle such as a dune or sport buggy,

(v) an off-road maintenance machine,

(vi) an amphibious vehicle, and

(vii) a four-wheel drive motor vehicle, motorcycle or snow vehicle that is being driven elsewhere than on a highway, whether or not it is registered under *The Drivers and Vehicles Act* C.C.S.M. c. D104,

but does not include an implement of husbandry, farm tractor, special mobile machine, garden tractor, lawn tractor or golf cart;

(d) "Off-Road Vehicles Act" means *The Off-Road Vehicles Act* C.C.S.M. c. O31.

2. Any words and expressions used in paragraph 1 above and not defined therein have the meaning given to them in *The Highway Traffic Act*, C.C.S.M. c. H60.

3. Subject to Section 39 of the Off-Road Vehicles Act, no person shall operate an Off-road Vehicle within the boundaries of Stanley Park located within the lands and premises described as follows:

The most Northerly 48 Rods in width and the most Southerly 20 Rods in width of the most Northerly 68 Rods in width of the most Westerly 56 Rods in depth of the NW ¼, 22-2-6 WPM, and;

The most Southerly 80 Feet in width of the most Northerly 1,202 Feet in width of the most Westerly 924 Feet in depth of the NW¼, 22-2-6 WPM.

4. Subject to Section 39 of the Off-Road Vehicles Act, no person shall operate an Off-road Vehicle within the boundaries of Haskett Park located within the lands and premises described as follows:

Lots 11 to 27, both inclusive, in Block 2, Plan 178, MLTO including the lanes within Block 2 in the W½, 8-1-4 WPM.

5. Every person who contravenes or fails to comply with any provision of this by-law is guilty of an offence and liable, on summary conviction, to a fine of not more than \$250.00.

6. This by-law shall come into force and effect upon the date of final reading.

DONE AND PASSED by the Council of the Rural Municipality of Stanley, this 22nd day of June, 2006.

RURAL MUNICIPALITY OF STANLEY



Reeve



Chief Administrative Officer

Read a first time this 25th day of May, 2006.

Read a second time this 22nd day of June, 2006.

Read a third time this 22nd day of June, 2006.