

BYLAW NO. 2015-015

TOWN OF CHURCHBRIDGE

ALL TERRAIN VEHICLES BYLAW

A BYLAW of the Town of Churchbridge in the Province of Saskatchewan, to regulate all terrain vehicles within Town Limits of Churchbridge.

THE COUNCIL, FOR THE TOWN OF CHURCHBRIDGE IN THE PROVINCE OF SASKATCHEWAN, ENACTS AS FOLLOWS:

1. *Definitions*

In this bylaw, including this section:

(a) **all terrain vehicle and or ATV** as defined in *The All Terrain Vehicles Act* as a self propelled vehicle that:

- is designed primarily for the movement of people or goods on unprepared surfaces; and
- has wheels in contact with the ground;

and includes:

- a restricted use motorcycle;
- a mini bike
- all terrain cycle

but does not include:

- a golf cart;
- a snowmobile as defined in *The Snowmobile Act*;
- an agricultural implement or special mobile machine as defined in *The Traffic Safety Act*; or
- any vehicle that is required to be registered pursuant to *The Traffic Safety Act*.

(b) **street** shall include any traveled portion of a street or lane up to but not including the boulevard section.

(c) **Crown land** as defined in *The All Terrain Vehicles Act* is any land, other than a highway owned by Her Majesty the Queen in right of Saskatchewan

(d) **provincial highway** means a highway as defined in *The Highways and Transportation Act*. This includes Highways 80 and 16

(e) **public land** as defined in *The All Terrain Vehicles Act* is crown land or any land vested in a municipality.

(f) **private land** means lands other than public land.

(g) **vehicle** means a vehicles as defined in *The Traffic Safety Act*.

2. *General Rules*

1 Pursuant to section 9 of *The All Terrain Vehicles Act* a person is authorized to operate an all terrain vehicle on the traveled portion of any municipal street or lane, for the purpose of leaving or entering the Town of Churchbridge at its shortest distance.

2. Pursuant to Sections 4 and 5 of *The All Terrain Vehicles Act* no person under the age of 16 years shall operate an all terrain vehicle, unless he is of the age between 12 and 16 and is accompanied by a person that has held a driver's license for the previous 365 days or has successfully completed a specified training course.

A person is authorized to operate a snowmobile on the traveled portion of any municipal street or lane, for the purpose of leaving or entering the Town of Churchbridge at its shortest distance.

3. Pursuant to section 7 of *The All Terrain Vehicles Act* no person shall operate an all terrain vehicle on the traveled portion of a provincial highway, unless it is for the purpose of crossing the highway

- where the operator stops his all terrain vehicle before crossing the highway
- (b) and any passenger on the all terrain vehicle leave the vehicle before crossing the highway
- the operator yields the right of way to any vehicles or pedestrians lawfully using the provincial highways

4. Pursuant to section 14 of *The All Terrain Vehicles Act* no person shall operate an all terrain vehicle on any street, lane, provincial highway or public land unless:

(a) they hold automobile insurance within the meaning of Part VI of

The Saskatchewan Insurance Act insuring the owner and every person who operates the all terrain vehicle in an amount of not less than the prescribed amount against liability imposed by law on the insured named in the contract or that other person for loss or damage:

- resulting from the ownership, use or operation of the all terrain vehicle and
- resulting from bodily injury to or the death of any person, and damage to property
- and must be able to produce proof of financial responsibility as required by this section to any peace officer if requested.

5. Pursuant to section 17 and 18 of *The All Terrain Vehicles Act* the following are Rules of operation of an all terrain vehicle:

Every operator of an all terrain vehicle shall:

1. When approaching an oncoming vehicle, pass the vehicle to the right;
2. Yield the right of way to vehicles approaching from his left;
3. When overtaking another vehicle, pass the vehicle on the left;
4. Yield the right of way to all pedestrians
5. Maintain a safe distance behind any other vehicle;
6. Signal his intentions to turn abruptly by using light or hand signals
7. On being signaled by a peace officer, stop the all terrain vehicle
8. Wear a helmet and protection for the eyes as prescribed
9. Be able to produce a driver's licence if requested by a peace officer or produce it within 48 hours after that time at any time and place requested.

6. Pursuant to section 19 of *The All Terrain Vehicles Act* the occupier of land owes no duty of care or has any liability toward a person who is the operator of, or a passenger on an all terrain vehicle, unless the occupier of the land has given express permission for a purpose in which the person and the occupier have a common material or business interest.

3. Penalties

Any person who contravenes any provision of this bylaw is guilty of an offense and is subject to penalties as outlined in section 32 of *The All Terrain Vehicles Act* which states:

- is liable in summary conviction to a fine of not more than a thousand dollars (\$1000.00)
- in default of payment of the fine to imprisonment of a term of not more than 30 days.

Pursuant to section 33 of *The All Terrain Vehicles Act* a peace officer may, without warrant, seize any all terrain vehicle that he believes is:

- operating against this bylaw
- or the operation of the all terrain vehicle constitutes a hazard to person who is or who might be expected to be in the area

and may retain the all terrain vehicle in his possession or store it in a suitable place.

The owner of the all terrain vehicle which has been seized may obtain release if:

- he obtains written consent of the board to do so;
- pays the expenses of the seizure and storage fees
- pays the cost of any prescribed examination or test applied

4. *In Effect*

This bylaw shall come into force and effect on the date of the signing thereof and repeals Bylaw 1-2003.

Mayor

Administrator

Date