

TOWN OF PILOT BUTTE

BYLAW NO. 1-2018

A BYLAW TO REGULATE AND CONTROL THE OPERATION OF SNOWMOBILES WITHIN MUNICIPAL BOUNDARIES OF THE TOWN OF PILOT BUTTE AND OTHER PROPERTY OWNED BY THE OF PILOT BUTTE

The Council of the Town of Pilot Butte in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known and may be cited as “The Snowmobile Bylaw”.
2. In this bylaw:
 - a. “Designated Officer” means the Royal Canadian Mounted Police, Peace Officer (appointed pursuant to *The Highways and Transportation Act*), Community Safety Officer, Bylaw Enforcement Officer or any other person appointed to enforce municipal bylaws.
 - b. “Lagoon” means Lot A Plan, 72R17161, Lot A Plan 83R46870, Lot A Plan 87R46418, Lot AA Plan 101516431, Lot BB Plan 101514631 and PT NE 17 18 18 W2.
 - c. “Snowmobile” means a vehicle as defined by the *The Snowmobile Act*.
 - d. “School Grounds” means Pilot Butte School (All Lot 10, Plan BB4312 & All Lot 28, Plan 86R17347).
 - e. “St. George Cemetery” means Lot B, Plan 101516464.
 - f. “Pilot Butte Rodeo Grounds” means PT SE 4 18 18 W2.
 - g. “Provincial Highway” means a public highway as defined in the *Highways and Transportation Act, 1997* within the municipal boundaries of the Town of Pilot Butte.
 - h. “Parks Areas” means all that area in the Town of Pilot Butte described as Municipal Reserve (MR1 Plan 102173262, MR5 Plan 102150302, MR3 Plan 102066511, MR2 Plan 102089246, MR1 Plan 102139286, MR4 Plan 102168637, MR3 Plan 102165904, MR5 Plan 102154508, MR1 Plan 102111107, MR Plan 80R00140, MR2 Plan 102093274, MR Plan 102137329, MR1 Plan 97R77150 and Environmental Reserve (ER2 Plan 97R45578, ER2 Plan 88R35294)
 - i. “Operator” means a person who uses or operates, or is in actual physical control of a snowmobile.
 - j. “Owner” includes a person who is in possession of a snowmobile vehicle under a contract by which he/she may become the owner a snowmobile upon full compliance with the
 - k. “Town” means the Town of Pilot Butte.
3. (a) Subject to subsection (b) authorization is hereby granted, under the authority of The Snowmobile Act, to operate a snowmobile upon any street or alley in the Town of Pilot Butte provided that such use is restricted to moving the snowmobile directly from the operator’s residence to municipal limit (Town of Pilot boundary) and back again.

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(b) Operation of a snowmobile under the authority of subsection (a) is restricted to that time of day of 7:00 a.m. to 10:00 p.m. and at a speed not to exceed 20 kilometers (12.5 miles) per hour.

4. No person shall operate a snowmobile on the School Grounds, St. George Cemetery, Pilot Butte Rodeo Grounds, Lagoon and Park Areas, whether or not marked by a signage prohibiting or restricting the operation of a snowmobile.

5. (a) No person shall operate a snowmobile on a Provincial Highway except as follows:

- i. any snowmobile entering onto Provincial Highway shall do so from an established public highway approach;
- ii. any snowmobile crossing a Provincial Highway shall come to a full stop prior to crossing, and;
- iii. the snowmobile shall take the most direct route across the highway.

(b) Notwithstanding Section 5(a) it shall be lawful to operate a snowmobile on a highway during an emergency when all other vehicular traffic is unable to travel on said highway due to weather conditions.

6. Any person who contravenes any of the provisions of this Bylaw shall be guilty of an offence and liable upon summary conviction:

- a. for the first offence to a fine of not more than \$100.00 and in default of payment of the fine the person convicted may be imprisoned for a term of not more than thirty (30) days;
- b. for a second or subsequent offence to a fine of not more than \$200.00 and in default of payment of the fine the person convicted may be imprisoned for a term of not more than sixty (60) days.

7. (a) In addition to, and notwithstanding any penalties provided herein, any Designated Officer may seize a snowmobile, of a repeat offender, for a period not exceeding ten (10) days.

(b) When a snowmobile has been seized pursuant to Section 6(a), it shall be held for the period specified and shall only be released upon full payment of the following costs:

- i. The actual cost of removal with a minimum charge of thirty five (35) dollars and;
- ii. The cost of storage at a rate of five (5) dollars per day to a maximum of one hundred (100) dollars.

(c) If the costs of removal, impoundment and storage are not paid with a period of thirty (30) days from seizure, the Town shall have the right to recover same from the owner of the snowmobile by:

- i. legal action in a Court of competent jurisdiction, or
- ii. by sale of the impounded snowmobile by public tender of publication of a notice designating time and place of sale at least ten (10) days prior to the sale, in a newspaper or any other publication circulating in the Town and on such notice, by registered mail, to the owner at the address appearing on the last registration of the snowmobile.

(d) The costs of any legal action, as stated in Section 7(c), shall also be recoverable by the Town from the owner of the snowmobile.

8. The owner of the snowmobile is liable for a contravention of any provisions of this bylaw in connection with the operation of the snowmobile unless he/she proves that at the time of the offence the snowmobile was not being operated by him/her or by any person with his/her consent.

9. The provisions of the bylaw shall not apply to:

- a. a member of the Royal Canadian Mounted Police, Conservation Officer, Community Safety Officer or Bylaw Enforcement Officer while exercising his/her duties as an officer of the law.
- b. the use of snowmobiles during the declaration of an emergency within the Town of Pilot Butte.

10. Unless otherwise specified in the bylaw pertaining to the operation of snowmobiles shall be as contained in *The Traffic Safety Act, The Snowmobile Act, Snowmobile Regulations* and any amendments thereto.





Mayor



Administrator

Certified a true and correct copy of a Bylaw passed by resolution of Council of the Town of Pilot Butte at a meeting held on the 22th day of January, 2018.



ADMINISTRATOR

