

BYLAW NO. 03-2021

TOWN OF PILOT BUTTE

A BYLAW RESPECTING THE OPERATION OF ALL TERRAIN VEHICLES WITHIN THE CORPORATE LIMITS OF THE TOWN OF PILOT BUTTE

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

1. TITLE

This bylaw shall be known and may be cited as "The ATV Bylaw".

2. DEFINITIONS

For the purpose of this bylaw, all the words and expressions shall have the same meaning as contained in the All Terrain Vehicles Act and the Traffic Safety Act as amended from time to time, as follows:

(a) "Administrator" means the Administrator of the Town of Pilot Butte.

(b) "all-terrain vehicle" and/or "ATV" as described in The All Terrain Vehicles Act and may be amended from time to time, means a self propelled vehicle that:

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

and includes:

- (iii) a restricted use motorcycle;
- (iv) a mini-bike and dirt bikes; and
- (v) an all terrain cycle; including quads and side by sides

but does not include:

- (vi) a snowmobile as defined in The Snowmobile Act;
- (vii) an agricultural implement or special mobile machine as defined in The Traffic Safety Act; or
- (viii) any vehicle that is required to be registered pursuant to The Traffic Safety Act
- (ix) a golf cart

(c) "Certificate of registration" means a valid certificate of registration issued for an All Terrain Vehicle pursuant to Section 3 of this Bylaw.

(d) "Crown land" means any land, other than a highway, owned by Her Majesty the Queen in right of Saskatchewan;

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(e) "highway" as defined in The Traffic Safety Act means a road, parkway, driveway, 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.

(f) "Street" means any street, or lane within the Town of Pilot Butte and includes a public highway, within the Town of Pilot Butte.

(g) "Town" means Town of Pilot Butte.

3. No person shall operate or authorize or permit any other person to operate an All Terrain Vehicle within the Town of Pilot Butte unless:

- a. that person has obtained a certificate of registration from the Town of Pilot Butte;
- b. the identification sticker is attached to the All Terrain Vehicle; and
- c. ATV registration stickers must be displayed in a manner that is visible and easily identifiable.

4. The Administrator shall provide an owner of an All Terrain Vehicle a certificate of registration for the ATV if:

- a. the owner of the ATV applies on a form provided by the administrator and pays the prescribed fee as provided in Schedule 'A' of this Bylaw;
- b. provides proof of liability insurance in regards to operating and All Terrain Vehicle in the amount of a minimum of \$200,000.

5. Pursuant to the provisions of Section 3 to 9 of the *All Terrain Vehicles Act*;

- a. It shall be unlawful to operate an All Terrain Vehicle between the hours of 11:00p.m. and 7:00 a.m. in the Town of Pilot Butte.
- b. All Terrain Vehicles may be operated on the traveled portion of the streets, other than provincial highways, in the Town, for the purpose of travelling from privately owned property to the corporate limits of the Town and return, by the most direct route to the owner's privately owned property.
- c. No All Terrain Vehicle shall be operated at any time on Town of Pilot Butte Public Reserve land (Parks), buffer strips, walkways, and crown owned land.

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- d. No All Terrain Vehicle shall be operated on private owned land that has been posted as disallowing the operation of All Terrain Vehicles as Per Appendix A.
- e. A person must be 16 years of age and hold a valid driver's license to operate in any public area.

6. EXCEPTIONS

Youth between 12 and 15 years of age can operate an all-terrain vehicle in the Town of Pilot Butte:

- a. if they have successfully completed an approved ATV training course, or
- b. if they are directly supervised by a person who has held a driver's license for the previous 365 days,
- c. Persons with registered ATVs living along the restricted areas of Butte Street, 3rd Avenue, 5th Street, 6th Street and 2nd Avenue may utilize the travelled portion of the road when travelling from privately owned property to the corporate limits of the Town and return, by the most direct route.

7. NOISE AND SPEED PROVISIONS:

- a. Subject to Bylaw 12-2004 of the Town of Pilot Butte, no person shall create an excessive or unusual noise in the operation of an All Terrain Vehicle within the Town 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.
- b. No person shall operate an ATV at a speed in excess of 30km/hr.

8. OPERATION PERMITTED

Under the provision of Subsections 9(1 and 2) of The All Terrain Vehicles Act, the operation of All Terrain Vehicles shall be permitted within the corporate limits of the Town of Pilot Butte as follows:

- a. For the purpose of conducting municipal business when operated by a municipal employee or designate, and;
- b. For the purpose of special occasions during times, dates and at locations where a permit has been issued by Council
- c. For use during a declaration of a local emergency with the Town

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9. ENFORCEMENT

- a. Any RCMP or duly appointed peace officer shall be authorized to operate an all terrain vehicle within the corporate limits of the Town of Pilot Butte for enforcement purposes.
- b. Any member of the Royal Canadian Mounted Police, any Peace Officer appointed pursuant to the Traffic Safety Act or the Town's Bylaw Enforcement Officer/Designated Agent are hereby authorized to remove and impound or store any all-terrain vehicle that does not comply to the regulations within this bylaw of the Town of Pilot Butte.
- c. Registration sticker numbers can and may be used to report any unlawful or misuse of ATVs within town limits to the RCMP or Town's Bylaw Enforcement.

10. PENALTY

Any person who contravenes any provision of this bylaw is liable to a fine of \$200, with the exception of Section 7(a).

- a. Any ATV being operated in breach of this bylaw, or if being operated by an unlicensed operator or if the ATV does not have adequate proof of insurance under the *All Terrain Vehicles Act* the ATV may be seized and impounded by the Town of Pilot Butte. Impounding fees will be \$100 for first impounding, plus incidental costs and expenses arising from the impounding, and \$200 for second instance involving the same ATV. Such impounding fees shall be in addition to any fine.

In the event the owner has not paid all costs within 90 days of notice, the Town will sell the ATV for poundage and incidental costs at a public auction. In the event the owner is acquitted of the offence for breach of bylaw for which the ATV was impounded, the poundage fees and incidental costs paid by the owner will be refunded.

- b. Any person convicted of a breach of the provisions of Section 7(a) of this bylaw shall be liable for a penalty as provided in the Noise Bylaw of the Town of Pilot Butte.

11. REPEAL OF FORMER BYLAW

That Bylaw No. 8-2020 is hereby repealed.

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12. EFFECTIVE

This Bylaw shall come into force once it is approved and given third reading by the Council of the Town of Pilot Butte.

First Reading: February 22, 2021

Second Reading: Mar 8, 2021

Third Reading: Mar 8, 2021

PER: _____

MAYOR: Peggy Chorney *PC*

PER: Allen Mullen

ADMINISTRATOR: Allen Mullen

SEAL



CERTIFIED TRUE COPY OF A BYLAW PASSED
BY RESOLUTION OF COUNCIL OF THE TOWN
OF PILOT BUTTE AT A MEETING HELD THE
8 DAY OF Mar, 2021 AD.
Allen Mullen
ADMINISTRATOR



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SCHEDULE 'A'

A Certificate of Registration shall not be issued nor considered valid without payment of fees as prescribed in the following table: Certificate of Registration:

| | |
|------------------------|---------|
| Identification Sticker | \$30.00 |
| Annual Registration | \$15.00 |

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SCHEDULE 'B'

CERTIFICATE OF REGISTRATION APPLICATION FOR ALL TERRAIN VEHICLES

Name of Applicant: _____

Civic Address: _____

Mailing Address: _____
(if different than Civic)

Telephone: _____ Cell: _____

Email: _____

Description of ATV: _____

Office Use Only:

Proof of Insurance Reg# _____

Attach a copy of the proof of liability insurance to this application

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SCHEDULE 'B'

CERTIFICATE OF REGISTRATION APPLICATION FOR ALL TERRAIN VEHICLES

Name of Applicant: _____

Civic Address: _____

Mailing Address: _____
(if different than Civic)

Telephone: _____ Cell: _____

Email: _____

Description of ATV: _____

Office Use Only: _____

Proof of Insurance Reg# _____

Attach a copy of the proof of liability insurance to this application

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