



ALL-TERRAIN VEHICLE CONTROL BYLAW

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A Bylaw of the Hamlet of Fort Liard in the Northwest Territories to regulate the use and operation of All-terrain Vehicles pursuant to provisions of the All-terrain Vehicles Act, R.S.N.W.T. 1988, c. A-3, s. 5 and 6; Motor Vehicles Act, R.S.N.W.T. 1988, c. M-16, s. 347; Hamlets Act, R.S.N.W.T. 1988, c. H-1, s. 119 and 176.; and Summary Procedures Act, R.S.N.W.T., 1998, c. S-15, s. 11.

WHEREAS the Hamlet has found it necessary to regulate and control the use and operation of All-terrain Vehicles necessary for the safety of operators, passengers, or other persons;

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF FORT LIARD, at a duly assembled meeting enacts as follows:

SHORT TITLE

1. This By-law may be cited as the “**All-terrain Vehicle Control Bylaw**”.

INTERPRETATION

2. In this Bylaw:

“Accompanied By” means either seated on the All-terrain Vehicle behind the driver or

“Airport” means the premises defined as the Fort Liard Airport;

“Council” means the Council of the Hamlet;

“Hamlet” means the Hamlet of Fort Liard, Northwest Territories;

“Municipality” means the geographic area of jurisdiction of the Hamlet as established

“Roadway” means a road, place, bridge, or structure, whether publicly or privately include primary highways designated under the *Highways Traffic Act* or roadways on the Airport other than those designated by Hamlet Bylaw;

“Juvenile” means a person who has not yet reached the age of fourteen (14) years:

“Mayor” means the Mayor of the Hamlet;

- “Officer” means a person appointed by Council to enforce Hamlet Bylaws;
- “Pedestrian” means a person on foot or in a wheelchair and includes a child in a
- “Permit” means the written authority issued pursuant to this Bylaw;
- “S.A.O.” means the Senior Administrative Officer of the Hamlet;
- “Schedule” means a schedule attached and forming part of the Bylaw; and,
- “Towed Conveyance” means any sled, cuter, trailer, toboggan, or carrier that may

3. Where words and expressions used in this Bylaw are defined in a section of the *Motor Vehicles Act*

APPLICATION

4. This Bylaw applies to All-terrain Vehicles operated within the Municipality.

EQUIPMENT

5. No person shall operate, or permit the operation of an All-terrain Vehicle that is in the such a co

6. An All-terrain must be equipped as follows:

- (a) with a headlight at the front that projects a white light for a distance of thirty (30) meters;
- (b) with a taillight at the rear that shows a red visible light for a distance of fifty
- (c) with a breaking system which is maintained in good working order.

RULES OF THE ROAD

7. No person shall operate a All-terrain Vehicle on the roadway without due care and attention.

8. No person shall operate an All-terrain Vehicle in such a manner as:
- (a) to constitute a nuisance or create annoyance to residents, pedestrians, or other
 - (b) to drive, harass, chase, run over, injure or kill any wildlife or domestic animal(s).

9. The operator of an All-terrain Vehicle shall keep the lights of the All-terrain vehicle illuminated

10. The owner or operator of an All-terrain Vehicle is responsible for the safety of all passengers

11. The operator of an All-terrain Vehicle shall obey the command that is set out in words, or by signals or symbols on a traffic control device that applies to the driver the driver is otherwise directed by an Officer.

12. Council may, by resolution, authorize the erection of traffic control devices, applicable only to All-terrain Vehicles.

SPEED RESTRICTIONS

13. No driver shall operate a All- terrain Vehicle on a roadway at a speed greater than

- (a) the maximum speed limit that is set out by a traffic control device: or,
- (b) 30 km/h if there is no maximum speed set out by a traffic control device.

14. No driver shall drive at a rate of speed that is unreasonable having regard to all circumstances.

- (a) the condition of the roadway;
- (b) the amount of traffic on the roadway; and,
- (c) the mechanical condition of any All-terrain Vehicle safety item in respect of

AGE RESTRICTIONS

15. No juvenile shall operate an All-terrain Vehicle. Penalties for any such contravention shall be assessed.

16. No owner shall permit a juvenile to operate an All-terrain Vehicle. Penalties for any such contravention shall be assessed.

17. Where a juvenile is found operating an All-terrain Vehicle without the knowledge or expressed consent of the owner, the owner shall be liable for the costs of the investigation.

RESTRICTIONS OF USE

18. No person shall operate an All-terrain Vehicle between the hours of 11:00 P.M. [23:00 hrs.] and 7:00 A.M. [07:00 hrs.]

19. Permits pursuant to section 18 may be issued where an owner requires; and has proven, that an All-terrain Vehicle is necessary for the operation of a business.

20. No person shall operate an All-terrain Vehicle:

- (a) in any area designated as a park or playground;
- (b) on any sidewalk, or designated ski paths;
- (c) on private property without the express permission of the owner or occupant of the property;
- (d) in the property of the school; or,
- (e) on any other area where signs prohibit the use and operation of All-terrain Vehicles.

21. No person shall use an All-terrain Vehicle to carry more persons at one time than the number of seats provided for the vehicle.

22. No person shall operate an All-terrain Vehicle with a towed conveyance unless the towed conveyance
23. No person shall operate an All-terrain Vehicle with a towed conveyance, in a manner that is likely to b

USE OF HELMET

24. No person shall operate or ride on an All-Terrain Vehicle unless he/she is wearing a helmet fa
25. A helmet required to be worn must meet one of the following standards:
 - (a) Can 3-D230-M85 of the Canadian Standards Association;
 - (b) DOT FMVSS 218 of the United States Department of Transportation.
26. A helmet must have attached a label indicating it meets on of the standards set out in section 2

DIRECTION BY OFFICER

27. An Officer may direct a driver of an All-terrain Vehicle in a direction, the compliance of which is a c
 - a) to ensure the orderly movement to traffic or to prevent injury or damage to
 - b) because of an emergency.
28. A driver who receives and complies with a direction referred to in section 24 shall obey the direction

ENFORCEMENT

29. Where a person operating an All-terrain Vehicle contravenes any provision of this Bylaw and he/s
All-terrain Vehicle at the time of the contravention.
30. Where a person operating an All-terrain Vehicle contravenes section 15 of this Bylaw the perso

OFFENCES AND PENALTIES

31. Any person who contravenes provisions this Bylaw is guilty of an offence against this Bylaw an
months.
32. An Officer may issue a ticket in the form prescribed by the *Summary Convictions* Procedur
in Schedule "A" prior to the court date specified on the ticket.

ADMINISTRATIVE

33. An Officer or the SAO shall issue Permits required under the authority of this Bylaw.

EFFECTIVE DATE

34. This By-law shall come into effect April 1, 2003. Should a section or part of the Bylaw be found to be effective and enforceable.

REPEAL

35. Bylaw 76 is hereby repealed.

READ a First Time this 13th day of February 2003.

READ a Second Time this day of 27th day of February 2003.

READ a Third Time and finally passed this day of 27th day of February 2003.

<u>Offence</u>	<u>Section</u>	<u>Fine Cdn Dollars</u>
Operating with unsafe/required equipment	5, 6 & 9	100.00
Failure to drive with due care and attention	7	250.00
Creating a nuisance/anoyance or harassment	8	50.00
Failure to obey traffic control device	11 & 12	75.00
Failure to obey restrictions on use	13 & 14	75.00
Use by juvenile (fine to parent/guardian)	15	100.00
Owner permitting use by juvenile (fine owner)	16	100.00
Use by juvenile without knowledge of owner (fine parent/guardian)	17	75.00
Failure to use/ improper type of helmet	24, 25 & 26	75.00
Failure to provide identification of driver or ownership	29 & 30	75.00
Driving in excess the speed limit	13 & 14	
Over by 10 kilometres or less		50.00
Plus for next 10 to 20 kilometres in excess		75.00
Plus for next 20 kilometres or more in excess		100.00

ALL TERRAIN VEHICLE OPERATING PERMIT

Pursuant to Traffic Control Bylaw 163

OWNER _____

ADDRESS _____

THIS PERMIT IS ISSUED TO PERMIT THE OWNER TO USE AN ALL-TERRAIN VEHICLE DURING RESTRICTED HOURS FOR THE FOLLOWING REASON -

DESCRIPTION OF ROUTE AND ROADWAYS -

THE FOLLOWING CONDITIONS WILL APPLY -

THIS PERMIT PERMITS TRAVEL ON THE MUNICIPAL ROADWAY ONLY ON THE FOLLOWING DATES AND TIMES -

DATE	TIME FROM	TIME TO

FAILURE TO COMPLY WITH THE CONDITIONS SET OUT IN THIS PERMIT WILL RESULT IN THE PERMIT BECOMING VOID AND MAY RESULT IN PROSECUTION PURSUANT TO ALL TERRAIN VEHICLE BYLAW 163.

THIS PERMIT IS NON TRANSFERABLE

Owners Signature	Date
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Approval	Date
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