

**THE SUMMER VILLAGE OF JARVIS BAY
BYLAW NO. 113-11**

Being a bylaw of the summer village of Jarvis Bay to establish regulations for the control and operation of off-highway vehicles and snow vehicles within the summer village of Jarvis Bay.

WHEREAS the Municipal Government Act, R.S.A. 2000, C M-26 and amendments thereto allows a municipality to pass bylaws and delegate authority with respect to streets under its direction, control and management and transportation thereon; and

WHEREAS under the authority of the Traffic Safety Act, R.S.A. 2000, Chapter T-6 and amendments thereto, Council deems it necessary to regulate and control the operation of Off-Highway Vehicles and Snow Vehicles within the Summer Village limits; and

WHEREAS it is Councils intention to allow the owner of an Off-Highway Vehicle or a Snow Vehicle access to trails and the Lake outside the Summer Village limit and services within the Summer Village limits; and

WHEREAS the purpose of the bylaw is to permit residents to travel by Off-Highway Vehicles or Snow Vehicles using the most direct route to the lake.

Now therefore the Municipal Council of the Summer Village of Jarvis Bay duly assembled enacts as follows:

TITLE:

This Bylaw may be called the “Off-Highway Vehicle and Snow Vehicle Bylaw”.

PART 1 DEFINITIONS

In this Bylaw:

1. “Off-Highway Vehicle” means any motorized mode of transportation built for cross country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain, and, without limiting the generality of the foregoing, includes when specifically designed for such travel:
 - A. 4 wheel drive vehicles
 - B. Low pressure tire vehicles
 - C. All terrain vehicle
2. “Snow Vehicle” means a motor vehicle designed or intended to be driven exclusively or chiefly on snow or ice or both;

PART 2 GENERAL

1. No person shall operate an Off-Highway Vehicle or a Snow Vehicle between the hours of 23:00 and 7:00 the next day succeeding.
2. No person shall operate an Off-Highway Vehicle or a Snow Vehicle in any area marked with Prohibiting signage.
3. All Off-Highway Vehicles and Snow Vehicles operated on public property must:
 - (a) have a certificate of registration issued under the Traffic Safety Act
 - (b) display a license plate issued under the Traffic Safety Act
 - (c) be insured motor vehicles as defined under the Traffic Safety Act
4. Off-Highway Vehicles and Snow Vehicles are permitted to operate on all roads, streets, and laneways.
5. The maximum speed limit for Off-Highway Vehicles and Snow Vehicles is 20 Kilometers per hour.
6. A person who is less than 14 years old shall not drive an Off-Highway Vehicle or Snow Vehicle on public property unless:
 - (a) the person is supervised by a person who is occupying the passenger seat on the Off-Highway Vehicle or Snow Vehicle, or is in or on a vehicle that is travelling in close proximity to the Off-Highway Vehicle or Snow Vehicle, and
 - (b) the person supervising is 18 years old or older.

7. A person operating an Off-Highway Vehicle or Snow Vehicle must wear head protection in the form of a helmet.
8. Off-Highway Vehicles and Snow Vehicles are only allowed to operate in the Summer Village of Jarvis Bay during the period from December 1st to April 15th of each calendar year.
9. A person operating an Off-Highway Vehicle or a Snow Vehicle can not tow a person(s) on a device within the Summer Village of Jarvis Bay.

PART 3 PENALTIES AND POWERS OF PEACE OFFICERS

1. Any person that contravenes any of the provisions or requirements of this Bylaw is guilty of an offense and is liable for and subject to the penalties attached as Schedule 'A' which forms part of this Bylaw.
2. Where a Peace Officer has reasonable grounds to believe a person has contravened any of the sections of this Bylaw he/she may issue and serve upon such person an offense ticket.
3. Any Peace Officer is hereby authorized by the Summer Village of Jarvis Bay to enforce the provisions of this Bylaw and to issue offense tickets (in accordance with Schedule 'A' which is attached to and forms part of this Bylaw) to any person to whom they reasonably believe has contravened the provisions of this Bylaw.

MISCELLANEOUS:

1. If any part of this Bylaw is found to be invalid, then that part shall be severed and the remaining Bylaw shall be maintained.
2. This Bylaw shall come into force and effect upon the date of the passing of the third and final reading.

**INTRODUCED AND GIVEN first reading this 3rd day of February, 2011.
GIVEN second reading this 3rd day of February, 2011.
UPON UNANIMOUS CONSENT, GIVEN THIRD AND FINAL READING this 3rd day of
February, 2011.**

Mayor Robert Thomlinson

Chief Administrative Officer Myra Reiter