

TOWN OF WATSON LAKE

BY-LAW 02-07

A By-law to control the use of snowmobiles, motorcycles, motor vehicles, boats, watercraft, aircraft, motorized recreational equipment in certain specified areas of the Town of Watson Lake.

WHEREAS pursuant to the provisions of Sections 265 and 272 of the Municipal Act 1998, provides in part as follows:

265. A Council may pass bylaws for Municipal purposes respecting the following matters.

(f) Activities, including recreation and cultural activities, in, on, or near a public place or a place that is open to the public, including parks, roads, recreation and cultural centres, and facilities.

272. Subject to this Act and the Highway Act, a municipality has jurisdiction and control over all highways within the boundaries of the municipality other than a highway excepted by order of the Commissioner or Executive Council.

AND WHEREAS it has been deemed to be expedient and in the best interest of the Town of Watson Lake to control the use of snowmobiles, motorcycles, motor vehicles, boats, watercraft, aircraft, motorized recreational equipment, whether on or off a highway within the Municipality.

NOW THEREFORE, be it and it is hereby enacted as a By-Law of the Town of Watson Lake AS FOLLOWS:

Interpretation

1. (1) In this By-Law

- (a) Designated Snowmobile/Motorcycle Access means a corridor designated under this by-law for use by snowmobiles and motorcycles to access areas designated as Hinterland.
- (b) Emergency Vehicle means a vehicle used
 - (i) for police duty
 - (ii) by a fire department
 - (iii) as an ambulance
- (c) Highway is as defined in the Motor Vehicles Act, including all streets in the Town of Watson Lake.
- (d) Hinterland means all areas within the municipal boundaries marked with the letter "H" and appearing outside of the heavy border on Schedule "A" attached to and forming part of this By-Law.
- (e) Motorcycle means a motor vehicle mounted on two, three, or four wheels and includes those motor vehicles known to the trade as motor vehicles, motor scooters, power bicycles, trikes, quads and all-terrain vehicles.
- (f) Motor Vehicle means a vehicle designed to be self propelled in any manner except solely by muscular power, but does not include a vehicle operated exclusively on rails; a vehicle not primarily designed to carry a load and operated exclusively for purposes of road maintenance or construction, mining, forestry, or farming or a traction engine or power assisted wheelchair.

- (g) Officer means
 - (i) a By-Law Enforcement Officer
 - (ii) an R.C.M.P. Officer
 - (iii) any person who from time to time is designated by the Town of Watson Lake to enforce this By-Law.
- (h) Owner means the owner of a snowmobile, motorcycle, or motor vehicle, and includes any person renting a snowmobile, motorcycle or motor vehicle or having the exclusive use thereof under a lease or otherwise.
- (i) Property Owner means whoever owns or is occupying the property.
- (j) Service Vehicle means a vehicle that is used by its owner or driver for the business of transporting goods or providing services such as:
 - (i) fuel delivery
 - (ii) utility service and repair
 - (iii) maintenance
- (k) Snowmobile means a vehicle designed to be self propelled and that in place of wheels is equipped with tractor treads, skis, or propellers, or a combination thereof, and that is designed or intended to be driven primarily upon snow or ice or both.
- (l) Town means the Town of Watson Lake.
- (m) Prohibited area means an area designated by the posting of signs where the use of any motor vehicle, snowmobile, or motorcycle is prohibited.
- (n) Vehicle means a motor vehicle, snowmobile, motorcycle, boat, watercraft, airplane or any motorized recreational equipment propelled by anything other than muscle-power or a battery powered electric motor within any area designated by the Town as Park. Specifically, but not exclusively, this includes the body of water known as First Wye Lake and Hour Glass Lake. Save as herein otherwise provided, the terms and expressions in the By-Law have the same meaning as the Interpretation Act, the Motor Vehicles Act and the Municipal Act respectively.

Designated Vehicle Access

- 2. (1) The corridors outlined in heavy border on Schedule "A" to this By-Law, located on 7th Street North, the South Firebreak Access, the West Firebreak Access, and the C.N. Telegraph Right of Way north of Ravenhill Drive, shall be designated vehicle access.
- (2) The Town of Watson Lake has authority to designate parks, walking trails and ski trails within town limits as being "Prohibited Areas" and such areas shall be clearly marked by the posting of visible signs as deemed necessary by the Town Manager, showing the area to be a "Motor Vehicles prohibited Area".

General Regulations

3. (1) no person shall operate a vehicle on Town property within the limits of the Town of Watson Lake except
 - (a) In compliance with the Motor Vehicle Act with respect to insurance, registration and operator's license requirements.
 - (b) On a direct path between the residence of the operator of the vehicle and the nearest designated access point, and
 - (c) in an area designated as Hinterland on Schedule "A" attached to and forming part of this By-Law.
- (2) No person shall operate any vehicle in a Town Park, such parks are outlined in red on Schedule "B" attached hereto and forming part of this By-Law, on a sidewalk, or in any other area listed as being a "Prohibited Area".
- (3) No person shall operate any vehicle on private property without the consent of the property owner.
- (4) The provisions of Sections 3(1) and 3 (2) shall not apply to:
 - (a) Officers acting in the course of their duties, or
 - (b) Operators of Emergency or Service Vehicles.

Offences

4. Every person who violates or fails to comply with the provisions of this By-Law is guilty of an offence and is liable on summary conviction to a fine not exceeding \$500.00 (five hundred dollars) or to imprisonment for a term not to exceed one month or to both fine and imprisonment.

Enforcement Provisions

5. (1) The owner of a vehicle shall incur the penalties provided for any contravention of the By-Law, unless, at the time of the contravention, such vehicle was without the owners consent, express or implied, in the possession of some other person; the driver of a vehicle not being the owner thereof shall also incur the penalties provided for any such contravention.
- (2) (a) An Officer may seize any vehicle being operated in breach of this By-Law and may retain custody of the same until the final disposition of any proceedings that may be taken under this By-Law.
- (b) If proceedings are not taken under this By-Law, the vehicle shall be returned to the owner of same within 10 days of the date of seizure.
- (c) Notwithstanding anything in this section, the owner of a vehicle seized pursuant to this By-Law may make application before a Justice of the Peace for the release of the said vehicle pending disposition of proceedings and the Justice of the Peace may order the release of the seized vehicle.

6. By-Laws #91-29, 92-17, and 95-17 are hereby resinded.
7. This By-law shall come into full force and effect upon the final passing.

Read a First time this 07 day of May, 2002.

Read a Second time this 21 day of May, 2002.

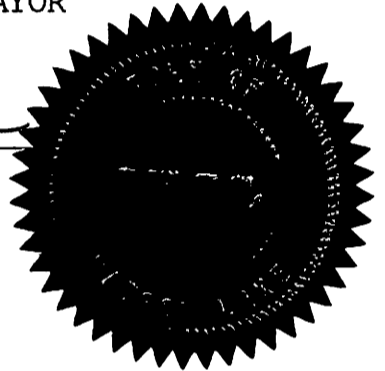
Read a Third time and Finally Passed this 21 day of May, 2002.



RICHARD DUROCHER - MAYOR



HILDA PRICE - CAO

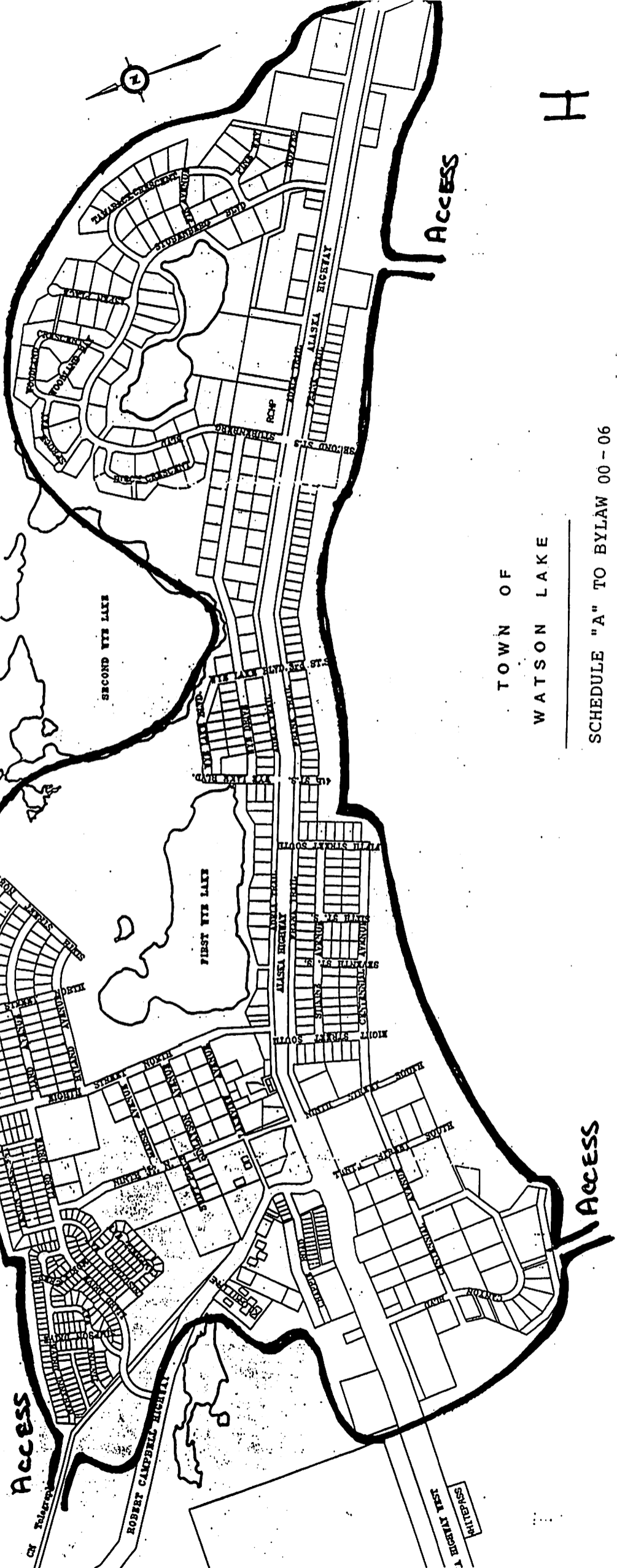


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TOWN OF
WATSON LAKE

SCHEDULE "A" TO BYLAW 00-06

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1 HIGHWAY
RATERS