

TOWN OF THE PAS

BY-LAW NO. 4510

BEING A BY-LAW OF THE TOWN OF THE PAS TO PROVIDE FOR OFF-ROAD VEHICLE ACCESS ROUTES WITHIN THE TOWN OF THE PAS AND PROHIBIT IN CERTAIN AREAS AND TO REPEAL BY-LAW 4472.

WHEREAS under section 45(1) of The Off-Road Vehicle Act provision is made for the traffic authority to make by-laws;

AND WHEREAS under section 46(1) of The Off-Road Vehicle Act provision is made for the town to prescribe areas in which the operation of designated off-road vehicles shall be permitted or prohibited, and fixing penalties for violation of by-laws passed under this section;

AND WHEREAS "The Highway Traffic Act", S.M. 1985-86, c.3, Cap. H60, provides, inter alia, the council of a municipality may, by by-law, fix the maximum speed at which a vehicle may be driven on a highway of which the municipality is the traffic authority;

AND WHEREAS the Council of The Town of The Pas deems it advisable to pass a By-law regulating the use of off-road vehicles within the limits of The Town of The Pas;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

1. Definitions

- a. Any and all definitions have the same respective meanings attributed to those terms in The Off-Road Vehicle Act.

2. Prohibitions

- a. No person shall operate an off-road vehicle within the boundaries of the Town of The Pas;
 - i. on any day between the hours of eleven o'clock in the evening (11:00 p.m.) and seven o'clock in the morning (7:00 a.m.), or;
 - ii. on any sidewalk or boulevard, or;
 - iii. on any property owned by the Kelsey School Division No. 45
 - iv. on any park or playground properties
 - v. Upon private property without permission of owner thereof, or;
 - vi. Upon or across a roadway or the shoulder thereof or on or across the median of a divided highway within the Town of The Pas, except in accordance with Section 3 hereof.
- b. All routes designated in Schedule "A" shall be used only to provide access to and from the area outside of the Town boundaries and are not designed for any other use.

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- c. No person shall operate on off-road vehicle within the boundaries of the Town of The Pas at a speed that is greater than 20 kilometers per hour.

3. Exceptions

- a. Notwithstanding Section 2 hereof, a person may operate an off-road vehicle;
 - i. Across those roadways or shoulders thereof, or;
 - ii. Travel on back lanes.
 - iii. Travel on boulevards as described in Schedule "A".
- b. Notwithstanding any of the regulations or prohibitions or penalties contained in this by-law, it shall be lawful for authorized police officers of the Royal Canadian Mounted Police or the Province of Manitoba or for designated officers of The Town of The Pas to operate off-road vehicles anywhere within the limits of The Town of The Pas while in the performance of their lawful duty.

4. Regulations

- (1) The Town of The Pas shall cause to be erected warning signs referenced as "WC-10" in the manual of Uniform Traffic Control Devices at each and every intersection where off-road vehicles may be entering any highway, as designated in Schedule "A".
- (2) That the designated routes in Schedule "A" are for use of all off-road vehicles thereof.
- (3) Owners and operators shall abide by all regulations made in The Off-Road Vehicle Act or any other act or By-Law thereof.

5. Penalty

Any person who violates or fails to comply with any of the provisions of this by-law shall be guilty of an offence and liable to a fine of:

- 1st offence \$100.00
- 2nd offence \$250.00
- 3rd offence \$500.00

Furthermore every person violating any of the provisions of this by-law is liable to the Town for any expenses, loss or damage incurred by the Town by reason of such violation and such cost along with the fine may be charged against the property owner and treated and collected as taxes levied against the property.

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6. Detention of Off-Road Vehicles

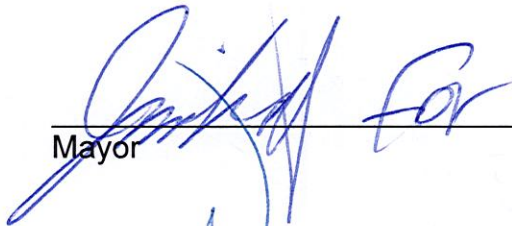
a. A Peace Officer may detain an off-road vehicle with which an offence has been or is alleged to have been committed under this by-law in accordance with Sections 53 and 54 of *The Off-Road Vehicles Act*.

i. At the discretion of the Peace Officer, may increase the detention period to a maximum of ninety (90) days.

7. Repeal

a. By-Law Number 4472 is hereby repealed

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 20th DAY OF Aug A.D., 2014 .



Mayor



Assistant Chief Administrative Officer

CERTIFIED THAT BY-LAW NO. 4510 WAS:

READ A FIRST TIME THIS 18th DAY OF June A.D. 2014.


READ A SECOND TIME THIS 20th DAY OF Aug A.D. 2014.

READ A THIRD TIME THIS 20th DAY OF Aug A.D. 2014.



Assistant Chief Administrative Officer



 SCHEDULE "A" TOWN OF THE PAS OFF ROAD VEHICLE ROUTES	DRAWING TITLE OFF ROAD VEHICLE ROUTES	DRAWN BY H.D.	SCALE N.T.S.
	CAD FILE OFFROAD_VEHICLE_ROUTES_DEC2012.DWG	DATE DECEMBER 2012	DRAWING NO. 1