

## BYLAW NO. 1050

### A BYLAW OF THE TOWN OF OXBOW TO PROHIBIT THE OPERATION OF ALL TERRAIN VEHICLES

Whereas the Town of Oxbow may, by bylaw, prohibit the operation of any or all terrain vehicles in the municipality pursuant to Section 11 of The All Terrain Vehicles Act as amended,

The Council of the Town of Oxbow, enacts as follows:

1. In this bylaw:
  - a) “all terrain vehicle” and/or “ATV” 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;
    - v. an all terrain bicyclebut does not include:
    - vi. a golf cart;
    - vii. a snowmobile as defined in The Snowmobile Act;
    - viii. an agricultural implement or special mobile machine as defined in The Traffic Safety Act; or
    - ix. any vehicle that is required to be registered pursuant to The Traffic Safety Act.
  - (b) “highway” means a highway as defined in The Highway Traffic Act, and includes a road, parkway, driveway, square or place 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 the area;
  - (c) “public land” means Crown land or any land vested in the municipality, as defined in the All Terrain Vehicles Act;
  - (d) “travelled portion” means a part of a highway designed for vehicle traffic including the shoulder of the road;
  - (e) “untraveller portion” means part of a highway not designed for vehicle traffic including the ditch and the centre median;
2.
  - a) No person shall operate an all terrain vehicle on public land or on the travelled or untraveled part of a highway within the boundaries of the Town of Oxbow or on public land owned by the municipality and located outside the boundaries of the Town of Oxbow.
  - b) Notwithstanding clause 2(a) the Chief Administrative Officer of the Town of Oxbow may authorize municipal staff to operate an ATV.
3. During an emergency, disaster, or search and rescue operation within the Town of Oxbow as determined by Council, Chief Administrative Officer or Emergency Measures Co-ordinator, the provisions of this Bylaw may be waived, varied or suspended by the Council, Chief Administrative Officer or Emergency Measures Co-ordinator.
4. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalty imposed by Section 32 of The All Terrain Vehicles Act.

5. This bylaw shall come into force on third reading.

1<sup>st</sup> reading: August 26, 2013

2<sup>nd</sup> reading: September 9, 2013

3<sup>rd</sup> reading: September 9, 2013

Mayor

Chief Administrative Officer