

**CITY OF CORNER BROOK
RECREATIONAL VEHICLES REGULATION 2019**

Pursuant to the provision of section 10 Motorized Snow Vehicles and All-Terrain Vehicles Act, R.S.N.L 1990 c. M-20 and sections 201 and 202 of the City of Corner Brook Act, R.S.N.L. 1990 c. C-15 and all other powers it enabling the Corner Brook City Council in a session convened on the ___ day of May, 2019, hereby passes and enacts the following regulations:

Title

1. These Regulations may be cited as the City of Corner Brook Recreational Vehicles Regulation 2019.

Definitions

2. In these Regulations:
 - a. "All-terrain vehicle" means a wheeled motorized vehicle, excluding a two wheeled vehicle, designed or adapted for off-road use;
 - b. "City" means City of Corner Brook;
 - c. "Council" means Corner Brook City Council;
 - d. "Designated route" means any highway or public pathway approved by Council for all-terrain vehicle use and set out in Schedule A;
 - e. "Director" means the Director of Protective Services;
 - f. "Enforcement officer" means a municipal enforcement officer as defined by the *City of Corner Brook Act R.S.N.L. 1990 ch.C-15 as amended* or a peace officer as defined by the *Highway Traffic Act*;
 - g. "Highway" means any public highways, streets, roads or roadways, assumed and maintained under the ownership and jurisdiction of the City of Corner Brook;
 - h. "Highway Traffic Act" means the Newfoundland and Labrador Highway Traffic Act RSNL 1990 Chapter H-3 as amended;

- i. "Motorized snow vehicle" means a tracked vehicle, commonly known as a snowmobile, where the driver sits astride a seat and which is designed for operation over snow covered land and ice; such a vehicle is not permitted to be operated on City highways;
- j. "Motorized Snow Vehicles and All-Terrain Vehicles Act" means the Newfoundland and Labrador Motorized Snow Vehicles and All-Terrain Vehicles Act, RSNL 1990 Chapter M-20;
- k. "Public pathway" means any pathway or trail assumed under the ownership of the City of Corner Brook or maintained under the jurisdiction of the City of Corner Brook;

Designated Routes

- 3. All-terrain vehicles, as defined by these regulations, are permitted to be used on any highway or pathway set out in Schedule A provided that they are operated in the manner as set forth in this regulation.

Prohibited Routes

- 4. Except as set out in Schedule A, no person shall use or permit to be used, an all-terrain vehicle on a highway or public pathway within the City unless:
 - a. prior written permission has been obtained from the Director and/or City Manager; and
 - b. the person adheres to any or all additional conditions and restrictions set out by the Director or City Manager.

Snowmobiles

- 5. No person shall use or permit to be used a motorized snow vehicle on any highway within the City.

Rules of Operation

- 6. No person shall operate an all-terrain vehicle upon a City highway unless:
 - a. that person travels upon the designated route as outlined in Section 3 of these regulations;

- b. the vehicle and its driver operate in accordance to the *Motorized Snow Vehicles and All-Terrain Vehicles Act* ;
- c. that person is at least 16 years of age and the holder of a class of driver's licence issued under the *Highway Traffic Act*;
- d. that person or the vehicle being driven carries a liability insurance policy and proof thereof can be readily produced when requested by an enforcement officer;
- e. the all-terrain vehicle is equipped with an exhaust system that is of the original equipment manufacturer and has not been modified to increase sound. The exhaust system must be in working order and in constant operation to prevent excessive or unusual noise;
- f. the all-terrain vehicle must not ever exceed any posted speed limit and further shall be operated at a rate of speed not greater than 40 kilometres per hour on highways and not greater than 20 kilometres per hour on trails or pathways;
- g. the driver of an all-terrain vehicle at all times yields the right of way to drivers of all other classes of motor vehicles on a highway.

Rules of the Road

7. Unless otherwise stated in these regulations, the driver of an all-terrain vehicle shall adhere to the "rules of the road" as described in Part V of the Newfoundland *Highway Traffic Act* or any similar or successor legislation.

Times of Operation

8. No person shall operate an all-terrain vehicle in accordance with this bylaw before June 1st or after October 31st of any year.
9. No person shall operate an all-terrain vehicle within the City and upon its highways earlier than 7 A.M. and no later 10 P.M.

Signage

10. Council may erect Warning, Cautionary, Directional, Limiting or Prohibiting signs as to the operation of all-terrain vehicles and the operator of any vehicle who fails to obey such signs is guilty of an offence under these regulations.

Penalty

11. A person who contravenes or fails to comply with these regulations is guilty of an offence and where no penalty is otherwise prescribed for such offence in the *Motorized Snow Vehicles and All-Terrain Vehicles Act RSNL Ch.M-20, Highway Traffic Act RSNL 1990 ch. H-3* or any other Provincial Statutes or Regulations, is liable on summary conviction to a fine or to a period of imprisonment or both in accordance with section 438 of the City of Corner Brook Act RSNL 1990 Ch. C-15, as amended.

Exemption

12. These regulations do not apply to vehicles owned and operated by the Council or those operated by Emergency and or Enforcement Services and other persons who are exempt by the provisions of the Motorized Snow Vehicles and All-Terrain Vehicles Regulations 1163/96.

Interpretation

13. These Regulations include the Schedules attached to them, and the Schedules are hereby declared to form part of these Regulations.
14. If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Regulations and it is hereby declared that the remainder of the Regulations shall be valid and shall remain in force..

Coming into Force and Repeal

15. These regulations shall come into force as of the date enacted by Council and the City of Corner Brook Recreational Vehicles Regulations April 5, 2008 are hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of The Corner Brook City Council and subscribed by and on behalf of Council by Jim Parsons, Mayor and Marina Redmond, City Clerk, at the City of Corner Brook, this ___ day of April, 2019.

Mayor

City Clerk

Published by The Western Star –

First Reading –

Second Reading –

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Schedule "A"

Permitted All-Terrain Vehicle Routes

All-Terrain Vehicles are permitted to travel on or along the following highways:

- Riverside Drive, west from intersection of the Northshore Highway;
- Main Street;
- Herald Avenue;
- Broadway;
- Pier Road;
- Griffin Drive;
- Petries Street (from the intersection of Curling Street to the intersection of Hilliards Road);
- Hilliards Road.

All-Terrain Vehicles are permitted to travel on or along the following public pathways:

- Trail between the end of Pier Road and Griffin Drive.

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