

**CITY OF CORNER BROOK
RECREATIONAL VEHICLES REGULATION 2021**

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 44, 188, 201, 202, & 271 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 26th day of April, 2021, hereby passes and enacts the following regulations:

Title

1. These Regulations may be cited as the City of Corner Brook Recreational Vehicles Regulation 2021.

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 these Regulations.

Prohibited Routes

- 4. No person shall operate, use or permit to be used, an all-terrain vehicle on a highway or public pathway within the City that is not on a designated route prescribed in Schedule “A” unless they have a valid permit from the City issued in accordance with regulation 5 herein and the all-terrain vehicle is operated in compliance with all conditions, specifications, and restrictions prescribed by that permit.

Permit to Deviate from the Designated Routes

- 5.
 - a. Persons who otherwise qualify to operate an All-Terrain Vehicle in accordance with these Regulations and in accordance with all other laws applicable to operation of an All-Terrain Vehicle within the Province of Newfoundland and Labrador may make application to the City to obtain a permit to operate, use or permit to be used, an all-terrain vehicle on a highway or public pathway within the City that is not on a designated route prescribed in Schedule “A” for the sole purpose of travelling to or from a designated route.
 - b. An application for permission to deviate from the designated route shall be made only by the Owner of the All-Terrain Vehicle and every application shall be in the form prescribed by the City and shall include such documents or other information as the City may require and shall be accompanied by the permit fee required by the City as set forth in the City’s annual budget.

- c. Persons with a valid permit to deviate from a designated route must keep their permit on their person at all times during operation of their All-Terrain Vehicle on a non-designated route and shall immediately present the permit at the request of an Enforcement Officer.

Persons who are operating an All-Terrain Vehicle pursuant to a permit to operate in an undesignated route must abide by all conditions and restrictions set out in their permit, including but not limited to following the route prescribed in their permit.

Snowmobiles

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

Rules of Operation

7. 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 or the route prescribed by a permit issued pursuant to Section 5 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

8. 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

9. No person shall operate an all-terrain vehicle on a Highway located within the City outside of the season prescribed annually by Council resolution for operation of All-Terrain vehicles within the City. In the event that Council does not resolve to prescribe a season under these Regulations in any given year, the season shall commence on the 15th day of May and end on the 15th day of November. .
10. 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

11. 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

12. 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 as amended, the motorized Snow Vehicles and All-Terrain Vehicles Regulations NL 1163/96 as amended, Highway Traffic Act RSNL 1990 ch. H-3 as amended*, or any other Provincial Statutes or Regulations or similar or successor legislation, 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. The City may also, where applicable, proceed by way of issuance of a Violation Ticket under the *Motorized Snow Vehicles and All-Terrain Vehicles Regulations NL 1163/96 as amended*.

Exemption

13. These regulations do not apply to vehicles owned and operated on behalf of 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.

Coming into Force and Repeal

14. These regulations shall come into force as of the date enacted by Council and the City of Corner Brook Recreational Vehicles Regulations 2019 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 26th day of April, 2021.

Mayor

City Clerk

Published by The Western Wire – May 12, 2021

Published by The Gazette – April 30, 2021

First Reading – April 12, 2021

Second Reading – April 26, 2021

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;
- Confederation Drive;
- Massey Drive;
- Lundrigan Drive.

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

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