

MUNICIPALITY OF Harvey
BY-LAW 2015-06
FOR THE REGULATION OF OFF-ROAD VEHICLES, ALL-TERRAIN VEHICLES
and MOTORIZED SNOW VEHICLES

WHEREAS the Council of the Municipality of Harvey deems it in the public interest to regulate the operation of off-road vehicles, all-terrain vehicles and motorized snow vehicles, The Council of the Municipality of Harvey ENACTS AS FOLLOWS:

1. INTERPRETATION

- (1) "All-terrain vehicle" means,
 - (a) an amphibious vehicle,
 - (b) a utility vehicle,
 - (c) a side-by-side, and
 - (d) any other off-road vehicle, other than a motorized snow vehicle as defined within the *Off-Road Vehicle Act*, S.N.B. 1985, c.0-1.5.
 - (2) "Highway" means the entire width between the boundary lines of every street, road, lane, alley, park, parking lot, drive-in theatre, school yard, picnic site, beach, winter road across ice or place when any part thereof is ordinarily used by the general public for the passage or parking of motor vehicles primarily designed for use on a roadway, and includes the bridges thereon.
 - (3) "Motorized snow vehicle" means a self-propelled vehicle designed to be driven primarily on snow or ice within the meaning of the *Off-Road Vehicle Act*, S.N.B. 1985, c.0-1.5.
 - (4) "Municipality" means the Municipality of Harvey.
 - (5) "Municipal land" means land, including any water on the surface of the land that is owned or leased by the Municipality.
 - (6) "Off-road vehicle" means any motor vehicle designed or adapted for off-road use within the meaning of the *Off-Road Vehicle Act*, S.N.B. 1985, c.0-1.5.
 - (7) "Operate", includes the acts of driving, stopping, parking, pushing or towing the vehicle or leaving the vehicle standing within the meaning of the *Off-Road Vehicle Act*, S.N.B. 1985, c.0-1.5.
2. Subject to the provisions of this by-law, motorized snow vehicles, all-terrain vehicles and off-road vehicles may be operated on any highway within, and under the jurisdiction of the Municipality.
 3. Motorized snow vehicles, all-terrain vehicles and off-road vehicles shall not be operated on any sidewalks in the Municipality other than for the purpose of crossing sidewalks when travelling from private property to the Highway.
 4. No person shall operate a motorized snow vehicle, an all-terrain vehicle or an off-

road vehicle where a sign is posted prohibiting such operation within the Municipality.

5. No person shall operate a motorized snow vehicle, an all-terrain vehicle or an off-road vehicle on Municipal land at a speed greater than:
 - (a) 20 kilometres per hour, if the speed limit established for that part of the highway is not greater than 50 kilometres per hour.
 - (b) 50 kilometres per hour if the speed limit established under the *Highway Act* or by Municipal By-law is greater than 50 kilometres per hour.
6. The provisions of this by-law shall be subject to the provisions of the *Highway Act*, R.S.N.B. 1973, c. H-5, *Motor Vehicle Act*, 1973, c.M-17, and the *Off-Road Vehicle Act*, S.N.B. 1985, c.0-1.5., and any amendments thereto.
7. Any person found in contravention of this by-law is guilty of an offence and upon conviction is liable to a fine of \$100.00 excluding court costs.
8. This By-Law shall be deemed to have come into force on June 17th, 2015.

Winston Gamblin
Mayor

Amber Binney
Clerk

Read First time this 13th day of May 2015

Read Second time this 13th day of May 2015

Read Third time this 17th day of June 2015