

THE CORPORATION OF THE TOWNSHIP OF SCUGOG

BY-LAW NUMBER 28-04

BEING A BYLAW TO REGULATE, PROHIBIT AND GOVERN THE OPERATION OF MOTORIZED SNOW VEHICLES WITHIN THE TOWNSHIP OF SCUGOG.

WHEREAS, The Council of the Corporation of the Township of Scugog deems it expedient to regulate, prohibit and govern the operation of motorized snow vehicles within the Township of Scugog;

AND WHEREAS, the Motorized Snow Vehicles Act, S.O. 1980, Chapter 301, provides that a Council of a local municipality may pass bylaws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality;

NOW THEREFORE, the Council of the Corporation of the Township of Scugog enacts as follows:

Section 1

DEFINITIONS

Council	means the Council for the Corporation of the Township of Scugog;
Highway	shall have the same meaning as it has under the Ontario Highway Traffic Act S.O. 1990 and under the jurisdiction of the Corporation of the Township of Scugog;
Motorized Snow Vehicle	means a self propelled vehicle designed to be driven primarily on snow;
Municipal Property	means property owned, managed or controlled by or made available by lease, agreement or otherwise to the Corporation of the Township of Scugog;
Municipal Law Enforcement Officer	means the Municipal Law Enforcement Officer appoint by the Council of the Corporation of the Township of Scugog;
Park	means municipal property that is or hereafter may be established, dedicated, set apart or made available for use as a public park or garden by the Corporation of the Township of Scugog;

Person	means an individual and the words he and she are interchangeable with respect of this bylaw;
Police Officer	means any Police Constable sworn in for the province of Ontario or for a member of the Royal Canadian Mounted Police Services;
Sidewalk	means that portion of any highway set apart or made available for the express purpose of conveying pedestrians, and shall also include any pedestrian sidewalk, path or other walkway within a park and shall include any specific area that may be designated by Council;
Township	means the Corporation of the Township of Scugog and the word Municipality and Township shall be interchangeable within the meaning of this Bylaw.

Section 2

GENERAL PROVISIONS

- 2.1 No person shall drive a motorized snow vehicle along any highway under the jurisdiction of the Township of Scugog or on any municipal lands or property unless he is licenced pursuant to the Motorized Snow Vehicles Act S.O. 1980, Chapter 301.
- 2.2 No person shall operate a motorized snow vehicle on Queen Street, Simcoe Street, Kellett Street or on Bigelow Street from Kellett Street northerly to Regional Road Eight (8).
- 2.3 No person shall operate a motorized snow vehicle along any sidewalk within the Township of Scugog except where crossing such sidewalk at as close to a ninety degree angle as is practicable.
- 2.4 No person shall operate a motorized snow vehicle in any public park in areas designated by sign or poster to be prohibited and notwithstanding the foregoing no person shall operate a motorized snow vehicle along any sidewalk within a park.
- 2.5 No person shall operate a motorized snow vehicle within any park at a speed greater than 20 kilometers per hour.
- 2.6 No person shall operate a motorized snow vehicle on any highway, or part thereof at a speed of greater than 50 kilometers per hour.
- 2.7 No person shall operate a motorized snow vehicle within any hamlet or town between the hours of one o'clock a.m. and seven o'clock a.m. on the same day.

2.8 No person shall operate a motorized snow vehicle with the Township of Scugog without it being equipped with a muffler in good working order, and no person shall have any cut through muffler, straight pipe, bypass gutted or any other type of muffler or device designed or altered to increase the noise created by the motor of any such vehicle.

2.9 The owner of any motorized snow vehicle operated within the Township of Scugog, in contravention of any condition of this Bylaw shall be equally responsible as the actual operator of the vehicle, except where there is evidence that the vehicle was being operated without the consent of the owner at the time of the contravention, the burden of proof of which shall be the responsibility of the owner of such vehicle.

Section 3 ADMINISTRATION and ENFORCEMENT

3.1 This bylaw shall be administered by the Municipal Law Enforcement Officer for the Township of Scugog;

3.2 This bylaw shall be enforced by the Municipal Law Enforcement Officer or any Police Officer;

Section 4 PENALTY

4.1 Every person who contravenes any of the provisions of this bylaw is guilty of an offence and upon conviction is liable to a fine or penalty for each offence, exclusive of any incurred costs, as prescribed by the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.

Section 5 SHORT TITLE

5.1 This bylaw may be referred to as the Motorized Snow Vehicle Bylaw.

Section 6 REPEAL OF BYLAWS

6.1 Bylaw Numbers 83-89 and 100-98 are hereby repealed in their entirety.

Section 7 SEVERABILITY

7.1 If a court of competent jurisdiction should declare any section or part of any section of this bylaw 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 this bylaw and it is hereby declared that the remainder of this bylaw shall be valid and shall remain in force.

Section 8

DATE EFFECTIVE

This bylaw shall come into force as of the date of its passing

Read a First, Second and Third time and finally passed this 8th day of March, 2004.

(Signed) Marilyn Pearce _____
MAYOR, Marilyn Pearce

(Signed) Kim Coates _____
CLERK, Kim Coates