

TOWN OF PENSE

BYLAW 24/2013

A BYLAW TO REGULATE THE OPERATION OF ALL TERRAIN VEHICLES IN THE TOWN OF PENSE

The Council of The Town of Pense, in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be known and cited as "The All Terrain Vehicles Bylaw".
2. In this Bylaw:
 - a) "All Terrain Vehicle" and/or "ATV" means all terrain vehicles as defined in *The All Terrain Vehicles Act*.
 - b) "Crown Land" means Crown Land as defined in *The Highway Traffic Act*.
 - c) "Highway" means a highway as defined in *The Traffic Safety Act*.
 - d) "Public Land" means public land as defined in *The All Terrain Vehicles Act*.
 - e) "Private Land" means land other than public land.
 - f) "Vehicle" means a vehicle as defined in *The Highway Traffic Act*.
 - g) "Town" means the Town of Pense.
3. No person shall operate an all terrain vehicle on any Crown Land or Private Land within the corporate limits of the Town of Pense except under the following:
 - (a) Notwithstanding the provisions contained in Section 9, Subsection 1, of *The All Terrain Vehicles Act*, it shall be lawful for a resident to operate an all terrain vehicle, from their place of residence or place of business to the closest point of exit and from the closest point of exit to their place of residence or place of business, in any back alley or traveled portion of any public roadway, where necessary, in the Town of Pense. The route shall be the shortest distance from their place of residence to the exit and from the closest exit to the place of residence of the all terrain vehicle operator.

(b) Notwithstanding Section 3, Subsections (a), (b) and (c) of the Town of Pense Bylaw 14/2013 (A Bylaw to Control and Regulate Noise) an all terrain vehicle may be operated between the hours of seven (7:00) A.M. and eleven (11:00) P.M.

4. All applicable sections of *The All Terrain Vehicles Act* and corresponding *Regulations* shall apply to the operation of all terrain vehicles within the Town limits.
5. All Terrain Vehicle operators shall follow the rules of the road as set out in *The Traffic Safety Act* and corresponding *Regulations*.
6. Any all terrain vehicle crossing a highway must:
 - a) come to full stop prior to crossing,
 - b) take the most direct route across the highway and,
 - c) when entering onto a highway, shall do so from an established public highway approach.
7. The provisions of this Bylaw shall not apply to:
 - a) a member of the Royal Canadian Mounted Police, Conservation Officer, Auxiliary Police or Bylaw Enforcement Officer, while exercising his/their Duties as an officer of the law.
 - b) the use of all terrain vehicles during a declaration of a local emergency within The Town of Pense.
 - c) special events by the approval of Town council.
 - d) the use of all terrain vehicles as approved by council while in the operation of snow removal or landscaping on private or Town owned property, directly from the place of residence of the owner, by the most direct route and return.
 - e) a land surveyor or contractor registered in the Province of Saskatchewan in the performance of the duties of surveying land or construction work within the Town of Pense.
8. No person shall operate an All Terrain Vehicle at a speed greater than twenty (20) kilometres per hour in the limits of the Town of Pense.
9. No section of this Bylaw shall supersede or preside over, any section of *The Traffic Safety Act* and corresponding *Regulations* or *The All Terrain Vehicles Act* and corresponding *Regulations*.

10. Any person found guilty of an infraction of this Bylaw shall be liable on summary Conviction to the penalties set out in *The Traffic Safety Act*, *The All Terrain Vehicles Act* or any corresponding *Regulations*.



Michèle LeBlanc

Mayor

Jennifer

Administrator

Read a third time and adopted
this 10th day of July, 2013.

Jennifer

Administrator