

# Village of Vibank



## Village of Vibank

### Bylaw 2020-002

#### **A BYLAW TO CONTROL THE OPERATION OF ALL TERRAIN VEHICLES WITHIN THE VILLAGE OF VIBANK**

In accordance with Section 8(l)(i) of The Municipalities Act, the Council of the Village of Vibank in the Province of Saskatchewan hereby enacts as follows:

#### **Authority**

1. This Bylaw is enacted pursuant to Section 9(1) of the All-Terrain Vehicles Act.

#### **Definitions**

2. In this Bylaw:

- (i) "Administrator" means the Administrator of the Village of Vibank.
- (ii) "The All-Terrain Vehicles Act" means *the All Terrain Vehicles Act*, R.S.S A-18.02.
- (iii) "All Terrain Vehicle" has the meaning ascribed to it in section 2(1)(b) of the All Terrain Vehicles Act.
- (iv) "Certificate of registration" means a valid certificate of registration issued by the Village of Vibank for an All Terrain Vehicle pursuant to Section 8 of this Bylaw.
- (v) "Street" means any street, or lane within the Village of Vibank and includes a public highway, roadway alleyway or pathway accessible to vehicular traffic;
- (vi) "Greenspace" means any public greenspace, park, sportspark, buffer strip, sidewalk, ditch, walkway or path within the Village of Vibank.
- (vii) "Village" means the Village of Vibank.

### **Permissible and Non-Permissible activity**

3. No person shall operate or authorize or permit another person to operate an All Terrain Vehicle on any greenspace within the Village of Vibank shown in Yellow on Appendix A.
4. No person shall operate an All Terrain Vehicle on any street within the Village of Vibank except to go directly from private property within the Village of Vibank to the corporate Village limits or from the corporate Village limits directly to private property within the Village of Vibank, in the most direct path possible.
5. No person shall operate an All Terrain Vehicle within the Village of Vibank unless that person has first successfully completed an All Terrain Vehicle Safety Course approved by the Saskatchewan Safety Council.
6. No person shall authorize or permit another person to operate an All Terrain Vehicle on any street within the Village of Vibank unless the owner of that All Terrain Vehicle:
  - (i) has first obtained a certificate of registration under the All Terrain Vehicles Act for that All Terrain Vehicle;
  - (ii) provides proof of liability insurance in regards to operating an All-Terrain Vehicle in the amount of a minimum of \$200,000; and
  - (iii) has satisfied him or herself that the operator of the All Terrain Vehicle has completed an All-Terrain Vehicle Safety Course approved by the Saskatchewan Safety Council.
7. No person shall operate an All Terrain Vehicle on any street within the Village of Vibank unless that person has first satisfied him or herself that the owner of the All Terrain Vehicle has obtained a certificate of registration under the All Terrain Vehicles Act.
8. No person shall operate an All Terrain Vehicle within the Village of Vibank at a speed greater than 30 kilometers per hour.
9. No person shall operate an All Terrain Vehicle between the hours of 10:00 p.m. and 7:00 a.m. within the Village of Vibank.
10. Subject to Bylaw 83-001 of the Village of Vibank, no person shall create an excessive or unusual noise within the Village of Vibank, in the operation of an All Terrain Vehicle whether or not the noise is caused by the mechanical state of the All Terrain Vehicle or the manner in which the All Terrain Vehicle is operated and whether or not it is stationary or moving at the time the noise is created.

### Responsibility to provide documentation

11. The owner of an All Terrain Vehicle is responsible to provide the information in section 6 of this Bylaw to any agent of the Village, including but not limited to a Bylaw enforcement officer, the Public Works Manager, and any member of the Royal Canadian Mounted Police.

### Offence

12. Any person who contravenes any provision of this bylaw is liable to a fine of \$200.

### Authority to Seize and Impoundment fees

13. In addition to any fines issued pursuant to section 12 of this Bylaw, any All Terrain Vehicle being operated in breach of this bylaw may be seized and impounded by the Village of Vibank. Impounding fees shall be \$100 for the first instance during which the All Terrain Vehicle is impounded, plus incidental costs and expenses arising from the impounding, and \$200 for any second instance involving the same ATV; such impounding fees shall be in addition to any fine issued pursuant to section 12.

14. Where the Village of Vibank seizes an All Terrain Vehicle pursuant to section 13 of this Bylaw, it shall provide written notice to the operator of the All Terrain Vehicle, indicating that the vehicle has been seized and will be subject to impoundment.

15. In the event the impoundment fees are not paid within 90 days of notice to the operator, the Village of Vibank may sell the All Terrain Vehicle seized at public auction to cover the impounding fees. If the All Terrain Vehicle is sold for more than the cost of the impoundment listed in section 13, the owner of the All Terrain Vehicle shall be paid the amount

16. In the event the owner is acquitted of the offence for breach of bylaw for which the ATV was impounded, the poundage fees and incidental costs paid by the owner will be refunded.

This Bylaw shall come into force upon third and final reading of Council.

Bylaw 98-2A shall be repealed.

Dated this 5<sup>th</sup> day of May, 2020.

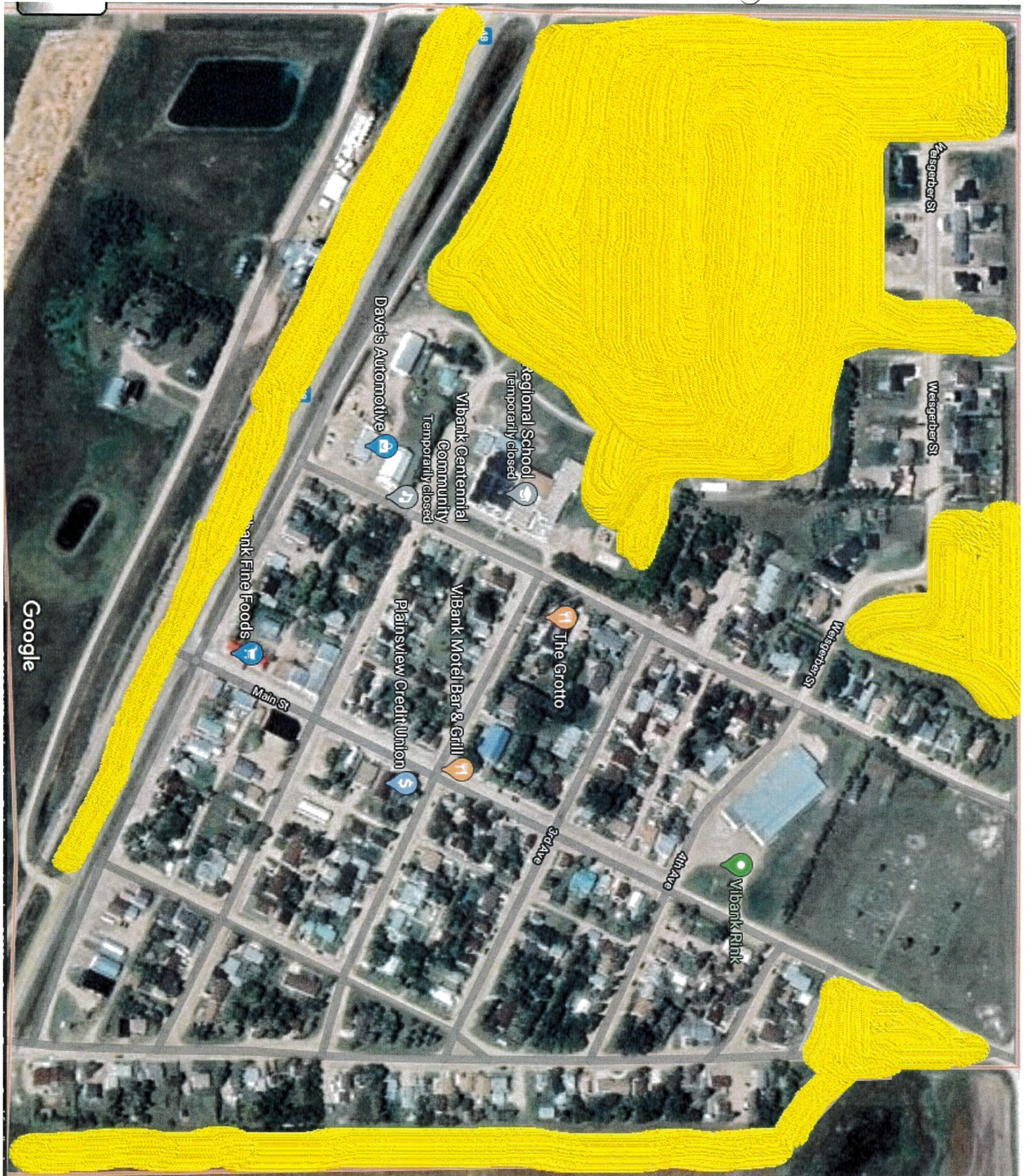
\_\_\_\_\_  
Mayor – Ryan Reiss

  
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Administrator – Dagmar Crumley





Bylaw 2020-002 ATU Bylaw  
Appendix "A" Prohibited driving areas



marked in yellow.

MAY 5, 2020.