

Office Consolidation

CITY OF WHITEHORSE

BYLAW 2012-01

A bylaw to regulate the control, use and operation of snowmobiles on motorized multiple use trails and in other areas of the City of Whitehorse

WHEREAS section 265 (a) of the *Municipal Act* RSY 2002 Chapter 154 (the “Act”) provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property; and

WHEREAS section 265(i) of the *Act* provides that council may, subject to the *Motor Vehicles Act*, pass bylaws for the use of motor vehicles or other vehicles, on or off highways, and the regulation of traffic; and

WHEREAS section 265(o) of the *Act* provides that council may pass bylaws for vegetation and activities in relation to it; and

WHEREAS section 266(a) of the *Act* provides that, without restricting section 265, a council may in a bylaw passed under this division regulate, control, or prohibit;

WHEREAS section 124(1)(a) and (b) of the *Motor Vehicles Act* RSY 2002 Chapter 13 (the “MVA”) provides that, with respect to highways subject to its direction, control and management, a municipality may by bylaw prescribe a maximum speed in excess of, or less than, 50 kilometres per hour for all or part of a highway; and

WHEREAS section 126(1)(b) and (c) of the *MVA* provides that a municipality may, with respect to highways under its direction, control and management, make bylaws controlling and regulating the use of all highways, sidewalks, and other public places and delegating to the chief constable or municipal manager any powers in connection therewith including delegating to the municipal manager the power to prescribe where traffic control devices are to be located which shall be deemed to be made by bylaw of the municipality and that records of all such locations shall be kept and be open to public inspection during normal business hours; and

WHEREAS section 126(2)(i) and (m) of the *MVA* provides that, without limiting the generality of subsection (1), a municipality may make bylaws under and for the purposes of subsection (1) prohibiting a class or classes of motor vehicles from using wholly or partially for a certain period, or periods, a highway in the municipality and restricting the use of a highway in whole or in part to a particular class of vehicle; and

WHEREAS section 126(4) of the *MVA* provides that a municipality may make bylaws prohibiting, controlling and regulating the use of vehicles, including vehicles operated exclusively off-highway, on land that is not a highway; and

WHEREAS section 249(2) of the *MVA* provides that a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133-136, 181, 203, 217, 230, and 232 of the *MVA*;

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NOW THEREFORE the council of the municipality of the City of Whitehorse in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Snowmobile Bylaw**".

DEFINITIONS

2. Whenever the singular, masculine or feminine is used in this bylaw it shall be considered as if plural, feminine or masculine has been used where the context of the bylaw so requires.

3. In this bylaw:

"BOULEVARD" means the land fronting or along the side of residential property between the property line and the curb;

"CAMPGROUND" means Robert Service campground in the City of Whitehorse;

"CEMETERY" means an area of land that is set aside for the burial of human bodies or ashes;

"CERTIFICATE OF REGISTRATION" means a certificate issued under section 45 of the *Motor Vehicle Act* or any future amended provisions dealing with the registration of snowmobiles. (*Bylaw 2015-10 passed 2015-02-23*)

"CITY" means the City of Whitehorse;

"DAMAGE" means by one's actions, whether intentional or unintentional, public or private property has been injured, harmed or deteriorated and includes, but is not limited to, the making of ruts or displacement of vegetation from its place of growth.

"DESIGNATED OFFICER" means a member of the Royal Canadian Mounted Police, or a bylaw officer employed by the City who has a duty to enforce bylaws;

"DOWNTOWN AREA" means that area of the City, the boundaries of which are on the map, attached hereto as Schedule "A"; (*Page 13 of this document*)

"ENVIRONMENTALLY SENSITIVE AREA" means areas determined to have high wildlife values and/or high environmental sensitivity, where protection of natural areas, wildlife habitat, and ecological values is ensured and which have been identified in the Trail Plan Snowmobile Trail Map as may be amended from time to time;

"FEE" means a fee as set out in the City's Fees and Charges Bylaw as amended from time to time; (*Bylaw 2015-10 passed 2015-02-23*)

"GROOMED TRAIL" means a motorized multiple use trail which has been maintained with equipment by the City, or a City designated agent, for the purpose of packing down the trail and/or levelling moguls;

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“GROUND” means the solid surface of the earth including sand, clay, soil, bog, turf, vegetation and lichen;

“MANAGER OF BYLAW SERVICES” means the Manager of the City’s Bylaw Services Department or designate;

“MANAGER OF PARKS AND COMMUNITY DEVELOPMENT” means the Manager of the City’s Parks and Community Development Department or designate; (*Title amended throughout this bylaw by Bylaw 2015-10 passed 2015-02-23*)

“MILLENNIUM TRAIL” means the paved and accessible trail that is situated in the Downtown Area and Riverdale areas of Whitehorse connecting across the Yukon River with a pedestrian bridge;

“MOTORIZED MULTIPLE USE TRAILS” means those trails designed and designated by the City to be used by motorized vehicles including snowmobiles as identified in the Trail Plan;

"MUNICIPAL MANAGER" means the City Manager or designate;

“MVA” means the *Motor Vehicles Act* and Regulations as may be amended from time to time;

“NIGHT” means the period between sunset and the next following sunrise;

“OPEN WATER” means water, on, or at a lake, pond, river or stream;

"OPERATE" means to have physical control and operation of a snowmobile, whether or not the snowmobile’s engine is running, and includes the act of driving, stopping, parking, pushing, or towing;

“OPERATOR’S LICENCE” means a driver’s licence issued under the *MVA*, or a class 7 learner’s licence under listed conditions; (*Bylaw 2015-10 passed 2015-02-23*)

"OWNER" means the registered owner, driver, or lessee of a snowmobile and includes any person, partnership, association or corporation that owns, possesses or has control of a snowmobile;

“PERMITTED AREA” means those areas of the City, identified in this bylaw, on which snowmobile travel is allowed;

“PLAYGROUND” means any public outdoor area or lot in the City on which a play structure, or other similar apparatus or equipment, has been installed by the City and shall include a school playground;

“PRESCRIBED SAFETY HELMET” means a safety helmet prescribed by the *MVA* or *MVA Regulations*; (*Bylaw 2015-10 passed 2015-02-23*)

“PROHIBITED AREA” means those areas of the City, identified in this bylaw and includes Environmentally Sensitive Areas, on which snowmobile travel is not allowed unless it is a Motorized Multiple Use Trail;

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“RESTRICTED ROADWAY” means those roadways where snowmobile travel is prohibited and as identified in the list attached hereto as Schedule “B” as may be amended from time to time;

"ROADWAY" means that portion of any road, street, lane or alley designed, improved or ordinarily used for vehicular travel by the general public;

“SAFE SNOWMOBILER CARD” means the permanent card or temporary certificate issued to a person by the City or City approved agency upon such person satisfying the requirements contemplated by this bylaw;

“SCHOOL PLAYGROUND” means a Playground that is a part of a school and shall include the school yard;

“SIDEWALK” means that part of a Roadway ordinarily used by pedestrians;

"SKI TRAIL" means recognized and developed cross-country ski trails as identified in the attached Schedule “C” as may be amended from time to time;

“SNOWMOBILE” means a motor vehicle, designed primarily for travel on snow or ice, having one or more steering skis, and self-propelled by means of an endless belt or belts driven in contact with the ground and includes a snowmobile Conversion Vehicle;

“SNOWMOBILE CONVERSION VEHICLE” means a vehicle designed to be capable of conversion to a snowmobile by the repositioning, removal or addition of parts, which may or may not include steering skis;

“SNOWMOBILE DEALERSHIP” means a business which is licensed under the City’s Licensing Bylaw to sell, service or rent snowmobiles;

“SPECIAL EVENT” means an event with ceremonies, festivities or activities, such as parades, celebrations, rallies, races, and sports functions at which snowmobiles will be present;

“SNOWMOBILE SAFETY COURSE” means a City approved course taught by a City approved course facilitator relating to this bylaw and the Trail Plan, the successful passing of which shall be a score of 80% or higher;

“SNOWMOBILE SAFETY AND TRAIL USE EXAMINATION” means the City approved on-line test, the contents of which shall include questions relating to this bylaw and the Trail Plan, the successful passing of which shall be a score of 80% or higher;

“SPECIAL PERMIT” means the City’s written approval to operate a snowmobile in a prohibited area or to hold a special event, with or without conditions, by the Managers of Parks and Community Development or Bylaw Services for which a fee shall be payable as per the Fees and Charges Bylaw;

“TRAFFIC CONTROL DEVICE” means any sign, signal, marking or device placed, marked or erected under the authority of this bylaw or other Territorial Legislation for the purpose of regulating, warning, or guiding traffic;

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“TRAIL PLAN” means the document approved by council which provides guidance for trail planning and the development of trails and trail networks;

“TRAILER” means a vehicle so designed that it may be attached to or drawn by a snowmobile and is intended to transport property or persons;

“VEGETATION” means all trees, shrubs, plants, flowers, grass, and all ground cover, whether it is in its wild, natural, or landscaped state.

EXEMPTIONS

4. This bylaw shall not apply to a Designated Officer, an enforcement officer appointed by the Federal Government of Canada, or an enforcement officer appointed by the Government of Yukon, who is acting in the course of his lawful duties.

DRIVER ELIGIBILITY

5. In addition to satisfying all requirements of the *MVA*, in particular to Part 13.1 relating to operating a snowmobile on a maintained roadway, no person shall operate a snowmobile in any area of the City of Whitehorse unless that person:
 - (1) holds a valid operator’s license that has been issued for the operation of a motor vehicle; and
 - (2) has ensured that there is a current subsisting certificate of registration issued pursuant to the *MVA* in respect of the snowmobile, and that the registration plate is attached to the snowmobile with the current registration sticker affixed; and
 - (3) has a valid policy of public liability/property damage insurance in the minimum amount of \$200,000.00 for the operation of the snowmobile, for bodily injury or death of any one person, and for loss or damage to property resulting from any one accident, the specifics of which are detailed in the *MVA* in relation to off-road vehicles being operated on a maintained roadway as defined by the *MVA*, and the proof of which shall be on an insurance card; and
 - (4) has a valid Safe Snowmobiler Card unless such person is not a resident of the City and is in the City’s jurisdiction for a period of less than two weeks; and
 - (5) including any passenger or passenger of a trailer being towed by the snowmobile, is wearing a prescribed safety helmet attached firmly to his or her head.

(Section 9 amended by Bylaw 2015-10 passed 2015-02-23)

6. A Safe Snowmobiler Card shall be issued by the City or a City-approved agency to any person who has paid a fee and has successfully completed and passed:
 - (1) a snowmobile safety course; or
 - (2) a snowmobile safety and trail use examination.

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7. At no time shall a Safe Snowmobiler Card be issued to a person who does not meet all driver eligibility requirements of the *MVA* for operating a motor vehicle.
8. Everyone who operates a snowmobile shall carry a valid operator's license, a valid certificate of registration with respect to the snowmobile, a valid Insurance Card, and a valid Safe Snowmobiler Card with them at all times while operating a snowmobile, and shall produce any or all of these documents for inspection on demand of a Designated Officer. (*Bylaw 2015-10 passed 2015-02-23*)
 - (1) If a person produces an operator's license, certificate of registration in respect of a snowmobile, an Insurance Card and/or Safe Snowmobiler Card that is illegible, mutilated, defaced or altered, such person, upon demand of the Designated Officer, shall produce a properly issued duplicate of such card or cards by a date determined by the Designated Officer. (*Bylaw 2015-10 passed 2015-02-23*)
9. A person who operates a snowmobile is guilty of an offence if, on demand of a Designated Officer, he or she fails to produce any of the following:
 - (1) a valid operator's license as required by this bylaw;
 - (2) a valid certificate of registration in respect of the snowmobile;
 - (3) a valid registration plate affixed to the snowmobile;
 - (4) a valid insurance card in respect of the snowmobile; and
 - (5) a valid Safe Snowmobiler Card as required by this bylaw.(*Section 9 amended by Bylaw 2015-10 passed 2015-02-23*)

EQUIPMENT

10. The *MVA Equipment Regulations* apply to snowmobiles operated within the City of Whitehorse, notwithstanding that the snowmobile is being operated on a surface other than a maintained roadway, and references to a motor vehicle or vehicle in the *Equipment Regulations* includes a snowmobile for the purposes of this bylaw unless a provision specifically excepts or refers to snowmobiles. (*Bylaw 2015-10 passed 2015-02-23*)
11. In addition to satisfying all requirements of the *MVA* relating to equipping a snowmobile or any object being towed by a snowmobile, no person shall tow any sleigh, trailer or other object whatsoever behind a snowmobile in any area of the City unless the sleigh, trailer or other object is attached to the snowmobile by a rigid tow bar.
 - (1) An operator may not tow anyone behind a snowmobile unless the trailer has been specifically designed and manufactured to tow persons behind a snowmobile and is attached by a rigid tow bar.
12. A snowmobile may tow a disabled snowmobile without meeting the specific requirements prescribed in this bylaw if a person who is capable of operating the disabled snowmobile is sitting on the towed snowmobile and is controlling the steering and braking at the time of the tow.

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13. No snowmobile from which any part intended for the suppression of exhaust noises has been removed or the exhaust outlet enlarged, shall be operated within the City, and no person shall use a muffler cut out, by pass, straight exhaust or similar device upon a snowmobile.

PERMITTED OR EXCLUDED AREAS

14. A person may drive a snowmobile on a motorized multiple use trail and any other area of the City not specifically excluded herein.
15. At no time shall a person drive a snowmobile in or on the following prohibited areas of the City:
- (1) a boulevard
 - (2) a campground;
 - (3) a cemetery;
 - (4) an area designated as environmentally sensitive;
 - (5) the Downtown area;
 - (6) the Millennium Trail;
 - (7) a playground;
 - (8) a restricted roadway;
 - (9) a roadway;
 - (10) a school playground;
 - (11) a ski trail; or
 - (12) open water.
16. Notwithstanding any other provision of this bylaw, a person may drive a snowmobile on a roadway when travelling from his or her residence to the nearest permitted area, subject to adhering to the following while on the roadway:
- (1) drivers shall proceed by the most direct route from their residence to the nearest permitted area;
 - (2) drivers shall return to their residence by the most direct route from the nearest permitted area;
 - (3) drivers shall drive the snowmobile as near as practical to the right hand curb or edge of the roadway; and
 - (4) a person shall not drive a snowmobile at a speed greater than 30 kilometres per hour on a roadway.
17. It is the responsibility of all persons driving snowmobiles in the City to inform themselves of the location and boundaries of the prohibited areas, and at no time shall such persons rely upon traffic control devices as the sole means of identifying such prohibited areas.
18. Notwithstanding any other provision of this bylaw, a person may drive a snowmobile on a ski trail for safety purposes such as for evacuating an injured skier.

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19. Notwithstanding any other provision of this bylaw, a person may drive a snowmobile in a prohibited area if directed or given permission in writing to do so by the Manager of Parks and Community Development for the maintenance of property under the care and/or control of the City.

GENERAL OPERATING RULES

20. Any snowmobile being operated anywhere within the City of Whitehorse shall comply with the requirements in PART 13.1 of the *MVA* respecting the operation of off-road vehicles on a maintained roadway, notwithstanding that the snowmobile is being operated on a surface other than a maintained roadway. (*Bylaw 2015-10 passed 2015-02-23*)
21. At no time shall a person operate a snowmobile in any area of the City;
- (1) contrary to a traffic control device;
 - (2) on private property, whether enclosed or not, without the consent of the owner, tenant, occupant or person in charge or control of the private property; and
 - (3) in such a manner as to constitute or create an annoyance to residents or other persons in the City.
22. Upon approaching, meeting or passing a person including a pedestrian, skier, or dog, the driver of a snowmobile shall reduce their speed to no greater than 15 kilometres per hour and drive the snowmobile as far away as practicable from such person or animal, so as to permit the safe passing of the snowmobile.
23. At no time shall a person operate a snowmobile in any area of the City at a speed greater than 50 kilometres per hour unless otherwise posted by a traffic control device or otherwise provided by this bylaw.
24. At no time shall a person, while operating a snowmobile in any area of the City, damage any vegetation or ground and upon causing such damage, in addition to any other penalty or fine imposed for a breach of this bylaw, such person shall be liable for the costs to repair the damage .
25. At no time shall a person, while operating a snowmobile, cross a roadway, sidewalk or restricted roadway from any area of the City unless such person has:
- (1) brought the snowmobile to a complete stop before crossing;
 - (2) yielded the right-of-way to pedestrians and other traffic before crossing;
 - (3) crossed at an angle of 90 degrees to the direction of the roadway, sidewalk or restricted roadway; and
 - (4) a clear view of traffic for a sufficient distance to cross in safety.
26. The operator of a snowmobile shall at all times yield the right of way to pedestrians.

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27. Once a person stops a snowmobile before crossing a sidewalk situated immediately adjacent to a roadway or restricted roadway, such person shall be deemed to have stopped the snowmobile before crossing the roadway or restricted roadway.

DESIGNATION OF MOTORIZED MULTIPLE USE TRAILS

28. The City may design and designate trails as motorized multiple use trails in accordance with the Trail Plan and this bylaw.
29. The Manager of Parks and Community Development may temporarily or permanently close a motorized multiple use trail or trail, or a portion thereof, and upon so doing, shall erect signage, which shall for the purpose of this bylaw be considered a traffic control device, in a conspicuous location at each end of the trail or portion of trail which indicates such closure.
30. Notwithstanding any other provision of this bylaw, at no time shall a person operate a snowmobile on a motorized multiple use trail or trail that has been temporarily or permanently closed.
31. At no time shall a person cause damage to a groomed trail and upon causing such damage, in addition to any other penalty or fine imposed for a breach of this bylaw, such person shall be liable for the costs to repair the damage.

TRAFFIC CONTROL DEVICES

32. The Municipal Manager may prescribe where traffic control devices are to be located and installed, including traffic control devices restricting the speed of snowmobiles, and wherever such a location is so prescribed, it shall be deemed to be made by this bylaw.
33. A record of traffic control devices and their locations shall be kept at the City and shall be open for public inspection during normal City business hours.
34. No person shall erect or maintain a device or structure that in the opinion of a Designated Officer interferes with the effectiveness of a traffic control device.

SPECIAL PERMITS

35. No person, organization, association or club shall hold a special event in any area of the City without first obtaining a special permit, the application for which shall be made in writing to the Manager of Parks and Community Development or Manager of Bylaw Services no later than 30 days prior to the special event and has paid the prescribed fee.
36. No owner, lessee, or employee of a snowmobile dealership shall operate, or permit the operation of, a snowmobile in the downtown area without first obtaining a special permit, the application for which shall be made in writing to the Manager of Bylaw Services.

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37. Notwithstanding any other provision of this bylaw, the Manager of Parks and Community Development or the Manager of Bylaw Services may issue special permits and may impose such conditions or restrictions deemed necessary or required to ensure that the provisions of this bylaw are met.
38. The person to whom the special permit was issued shall comply with the special permit, including any conditions or restrictions imposed therein.
39. Any breach of a special permit, including its conditions or restrictions, by someone other than the person to whom the special permit was issued shall be deemed to have been committed by the person to whom the special permit was issued.

ENFORCEMENT

40. Every person operating a snowmobile in any area of the City, immediately when signalled or requested by a Designated Officer, shall:
 - (1) bring the snowmobile to a stop;
 - (2) furnish any information respecting the snowmobile and themselves as requested by the Designated Officer;
 - (3) remain stopped until such time as the Designated Officer permits them to leave; and
 - (4) comply with any request or direction made by the Designated Officer.

POWER OF A PEACE OFFICER

41. Every Designated Officer has the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133-136, 181, 203, 230, and 232 of the MVA while engaged in the lawful execution of their duties under this bylaw.
42. A Designated Officer may enter upon any land in any area of the City with a reasonable and probable purpose which shall include obtaining particulars of ownership and determining the identity of the operator of a snowmobile to prevent the continuation of an offence.
43. A Designated Officer may seize and impound any snowmobile being operated by a person in any area of the City:
 - (1) if an operator fails, or refuses to produce identification or a safe snowmobile card upon being requested to do so by a designated officer; or
 - (2) once a charge has been laid under this bylaw and there are reasonable and probable grounds to believe that the offence may continue and there are safety concerns associated with such continuation.
44. A snowmobile that has been impounded under this bylaw shall not be released until all costs associated with the impoundment have been paid including:
 - (1) all fines owing have been paid; and
 - (2) all fees have been paid for the impoundment of the snowmobile as prescribed in the *Fees and Charges Bylaw*.

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45. Where an impounded snowmobile is not claimed within six months from the date of seizure, the Manager of Bylaw Services may direct its disposal by public auction, and where the Designated Officer has determined the value of such snowmobile to be less than \$500.00, the Manager of Bylaw Services may direct that it be disposed of at the City of Whitehorse Landfill or scrap yard.

COMMITTING AN OFFENCE

46. Every person who offends any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing which violates any of the provisions of this bylaw, shall be deemed to be guilty of an infraction of this bylaw, and shall be liable to the penalties hereby imposed.
47. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
- (1) a voluntary fine, under section 20 of the *Summary Convictions Act*, issued in respect of an offence which shall be increased for second and subsequent offences as specified in Schedule "D" attached hereto and forming part of this bylaw; or
 - (2) a fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary convictions provisions of the *Criminal Code of Canada*; or
 - (3) a fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant of the *Summary Convictions Act* of the Yukon.
48. The fine imposed against any person who commits an offence under this bylaw shall increase for second and subsequent offences.
49. Where a person is convicted of an offence under this bylaw the Judge may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to section 738 of the *Criminal Code of Canada*, as amended.
50. Where an offence is committed or continues on more than one day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
51. Should any person owning or occupying real property within the City refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Designated Officer may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, they shall be added to, and form part of, the taxes payable in respect of that real property as taxes in arrears.

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OWNER'S AND OPERATOR'S RESPONSIBILITY

52. Where an offence under this bylaw:
- (1) is committed by means of, or with respect to, a snowmobile; or
 - (2) occurs by reason of, or with respect to, the ownership, use, or operation of a snowmobile,
- the owner of the snowmobile may be charged with an offence and, if the Judge is satisfied that the offence was committed, the owner is guilty of the offence and is liable, on summary conviction, to the penalty herein provided for that offence, unless the owner satisfies the Judge that, at the time of the violation, the snowmobile was in the possession of a person without the consent of the owner, at which time such person may also be charged with, and shall incur the penalties provided for, any such contravention.

BYLAW REPEAL

53. Bylaw 370, including all amendments thereto, is hereby repealed.

COMING INTO FORCE

54. This bylaw shall come into full force and effect upon final passage thereof.

FIRST READING: January 30, 2012
PUBLIC NOTICE: City Pages: February 3 and February 10, 2012
PUBLIC INPUT: February 13, 2012
SECOND READING: February 27, 2012
THIRD READING and ADOPTION: February 27, 2012

ORIGINAL BYLAW SIGNED BY:

"Bev Buckway"

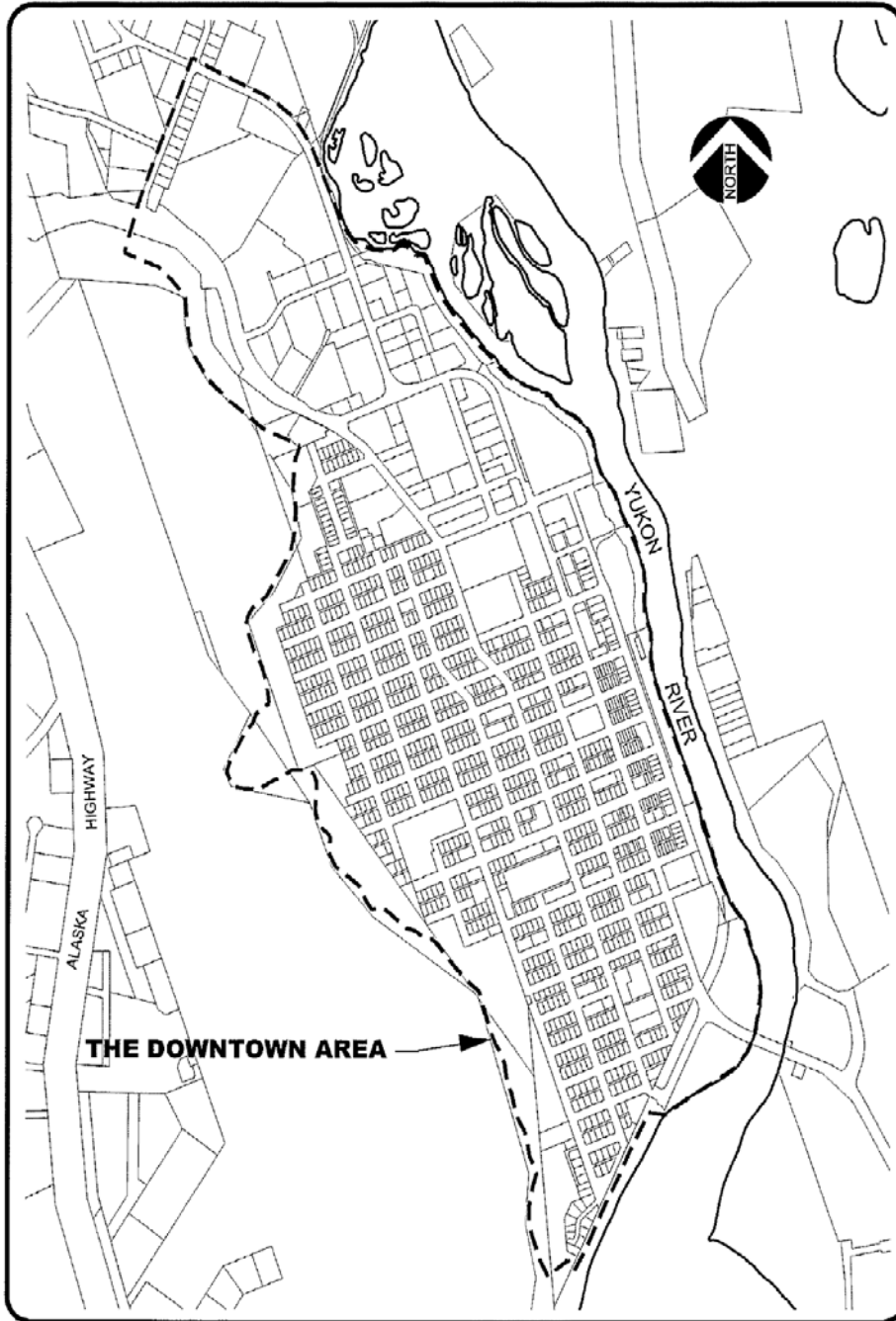
Bev Buckway, Mayor

"Robert I. Fendrick"

Robert I. Fendrick, FCGA, City Clerk

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SCHEDULE "A" MAP OF THE DOWNTOWN AREA



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SCHEDULE "B"

LIST OF RESTRICTED ROADWAYS

1. Hamilton Boulevard (from the intersection of the Alaska Highway and Hamilton Boulevard at Two Mile Hill to the intersection of Alaska Highway and Hamilton Boulevard at Robert Service Way)
2. Mountainview Road
3. Hospital Road
4. Lewes Boulevard (from the north intersection of Alsek Road and Lewes Boulevard to the Robert Campbell Bridge)
5. Two Mile Hill (up to the Alaska Highway)
6. Robert Service Way (from the intersection of Robert Service Way and Fourth Avenue to the intersection of Robert Service Way and Alaska Highway)
7. Sumanik Drive (from the intersection of Sumanik Drive and Valleyview Drive to the intersection of Sumanik Drive and the Alaska Highway)

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SCHEDULE "C" LIST OF SKI TRAILS

1. Chadburn Lake Ski Trails
2. Mount McIntyre Ski Trails
3. Magnussun Ski Trails
4. Biathlon Ski Trails

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SCHEDULE "D" VOLUNTARY FINES

<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 5 (1)	Operate snowmobile without valid operator's license	\$300.00
Section 5 (2)	Operate snowmobile without certificate of registration/registration plate	\$300.00
Section 5 (3)	Operate snowmobile without insurance	\$500.00
Section 5 (4)	Operate snowmobile without Safe Snowmobiler card	\$150.00
Section 5 (5)	Operate snowmobile without a helmet	\$300.00
Section 8	Fail to carry required documents while operating a snowmobile	\$150.00
Section 8 (1)	Fail to produce required duplicates	\$150.00
Section 9 (1)	Fail to produce valid operator's license	\$150.00
Section 9 (2)	Fail to produce valid certificate of registration	\$150.00
Section 9 (3)	Fail to display valid registration plate on snowmobile	\$300.00
Section 9 (4)	Fail to produce valid insurance card	\$150.00
Section 9 (5)	Fail to produce valid Safe Snowmobiler card	\$150.00
Section 10	Fail to have required equipment	\$150.00
Section 11	Tow without rigid tow bar	\$150.00
Section 12	No capable operator on towed snowmobile	\$150.00
Section 13	Operate snowmobile with no exhaust suppression or altered exhaust	\$150.00
Section 15	Operate snowmobile in prohibited area	\$300.00
Section 15	Operate snowmobile in prohibited area (second offence)	\$500.00
Section 16 (1)&(2)	Driver not proceeding by most direct route	\$150.00
Section 16 (1)&(2)	Driver not proceeding by most direct route (second offence)	\$300.00
Section 16 (3)	Fail to drive as near as practical to right hand edge of roadway	\$150.00
Section 16 (4)	Drive over 30 kilometres per hour on roadway	\$150.00
Section 16 (4)	Drive over 30 kilometres per hour on roadway (second offence)	\$300.00
Section 19	Drive snowmobile in area without permit or permission	\$300.00
Section 20	Fail to comply with snowmobile operating requirements	\$150.00
Section 21 (1)	Operate snowmobile contrary to a traffic control device	\$150.00
Section 21 (2)	Operate snowmobile on private property without owner's consent	\$150.00
Section 21 (2)	Operate snowmobile on private property without consent (2 nd offence)	\$300.00
Section 21 (3)	Operate a snowmobile so as to create an annoyance to residents	\$150.00
Section 21 (3)	Create an annoyance residents (2 nd offence)	\$300.00
Section 22	Fail to pass in safe manner	\$500.00
Section 23	Operate at a speed greater than 50 kilometres per hour	\$150.00
Section 24	Damage vegetation or ground	\$300.00

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<u>Authority</u>	<u>Description of Offence</u>	<u>Penalty</u>
Section 25 (1)	Fail to bring snowmobile to complete stop	\$150.00
Section 25 (2)	Fail to yield right of way before crossing roadway	\$150.00
Section 25 (3)	Fail to cross roadway at angle of 90 degrees	\$150.00
Section 25 (4)	Fail to cross roadway safely	\$500.00
Section 26	Fail to yield right of way to pedestrians	\$150.00
Section 30	Operate snowmobile in closed area	\$300.00
Section 34	Erect device that interferes with traffic control device	\$500.00
Section 35	Hold special event without permit	\$300.00
Section 36	Dealership operates snowmobile in downtown area without permit	\$150.00
Sections 38 & 39	Fail to abide by conditions of permit	\$150.00
Sections 38 & 39	Fail to abide by conditions of permit (2 nd offence)	\$300.00
Section 40 (1)	Fail to bring snowmobile to stop for designated officer	\$500.00
Section 40 (2)	Fail to furnish information to designated officer	\$500.00
Section 40 (3)	Fail to remain stopped	\$500.00
Section 40 (4)	Fail to comply with request or direction of designated officer	\$500.00

(Schedule D amended by Bylaw 2015-10 passed 2015-02-23)

■2015-02-24