

**A BYLAW OF THE VILLAGE OF ELBOW TO REGULATE
CERTAIN OPERATIONS OF ALL TERRAIN VEHICLES WITHIN
THE VILLAGE OF ELBOW**

Whereas *The All Terrain Vehicles Act* states in the following sections:

- "9 (1) The council of a municipality may, by bylaw, permit the operation of any all terrain vehicle or class or classes of all terrain vehicles on the traveled portion of the whole or any part of a highway, other than a provincial highway, in the municipality.
- (2) Where the council of a municipality passes a bylaw pursuant to subsection (1), the council shall specify in the bylaw the highway or part thereof where the operation of any all terrain vehicle is permitted pursuant to the bylaw."

and

- "11 The council of a municipality may, by bylaw, prohibit the operation of any all terrain vehicle or class or classes of all terrain vehicles on:
- (a) the untravelled portion of the whole or any part of a highway, other than a provincial highway, in the municipality;
 - (b) any private land in the municipality, including, in the case of a rural municipality, any private land in a hamlet or organized hamlet;
 - (c) any municipal land in the municipality; and
 - (d) any Crown land in the municipality that is used or occupied otherwise than by the Crown."

Now, therefore, the Village of Elbow in the Province of Saskatchewan enacts as follows

Interpretations

The interpretative used in this bylaw shall be the same as those defined in *The All Terrain Vehicles Act* Section 2.

"The Village" shall mean the Village of Elbow.

Permitted Operation on a Municipal Highway

1. Subject to subsections 2 and 3, an all terrain vehicle insured in compliance with Section 14 of *The All Terrain Vehicles Act* may be operated, by a person permitted by Sections 3, 4, and 5 of *The All Terrain Vehicles Act* on the traveled portion of any highway or alley in the Village except on:
 - (a) a provincial highway;
 - (b) Saskatchewan Street;
 - (c) Railway Avenue from Saskatchewan Street to Princess Street; and
 - (d) South Elbow Drive

Conditions to be Observed on Certain Highways

2. A person permitted by Sections 3, 4, and 5 of *The All Terrain Vehicles Act* may operate an all terrain vehicle insured in compliance with Section 14 of *The All Terrain Vehicles Act*:
 - (a) in the westerly ditch of Railway Avenue from Saskatchewan Street to South Elbow Drive;
 - (b) in the direction of traffic in the appropriate ditches of South Elbow Drive;
 - (c) for the purpose of crossing Saskatchewan Street;

Conditions to be observed

3. A person shall not operate an all terrain vehicle:
 - (a) between the hours of 11 p.m. and 7 a.m.;
 - (b) at a speed greater than what is reasonable and safe in the circumstances and, in no case, at a speed greater than 40 km/hr on any highway and 20 km/hr in any alley;
 - (c) except for the sole purpose of transportation to another location within the Village or the boundary of the Village by the shortest permitted route;
 - (d) in such a manner as to:
 - (i) create a nuisance to other persons;
 - (ii) cause danger to the health and property of other persons.
 - (e) unless that person stops the all terrain vehicle on the exit from any alley to travel on, or to cross a highway;
 - (f) unless that person and any other person on the vehicle are wearing CSA approved helmets in the prescribed manner;
 - (g) on any Village property other than a highway or alley way mentioned in sections 1 and 2;
 - (h) that is not in compliance with *The All Terrain Vehicles Act*; and
 - (i) that is not operated in compliance with *The All Terrain Vehicles Act*.

The All Terrain Vehicles Act

4. The operation of all terrain vehicles is regulated by *The All Terrain Vehicles Act* and *The Traffic Safety Act* and this bylaw.

Offences

5. Every person who:
 - (a) contravenes this bylaw; or
 - (b) permits or authorizes another person to contravene this bylaw;is guilty of an offence under Section 13 of *The All Terrain Vehicles Act*.

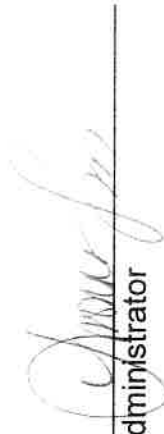
Penalty

6. A person who is guilty of an offence against this bylaw is liable to penalties under Section 32 of *The All Terrain Vehicles Act*.



Mayor

(S E A L)



Administrator

Certified a true copy of Bylaw No. 09-07
adopted by resolution of Council
on the 13th day of July, 2009.



Administrator