

TOWN OF FORT FRANCES

BY-LAW NO. 66/90

(Being a by-law to regulate the use of motorized snow vehicles within the Town of Fort Frances. The Motorized Snow Vehicles Act, Chapter 301, R.S.O. 1980.)

WHEREAS the Council of a local municipality may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highways therein or any part or parts thereof;

AND WHEREAS the Sunset Country Snowmobile Club has requested Council to provide for access routes for motorized snow vehicles within the limits of the Town;

AND WHEREAS the said Club has committed itself and its membership to the observance of certain restrictions, and general rules of conduct while operating their snow machines inside the Town limits and to provide the Town with certain resources necessary for effective policing of observance of the provisions of this by-law;

AND WHEREAS by resolution passed September 10th, 1990, Council approved in principle the concept of snowmobile access routes in the Town of Fort Frances and called for the preparation of this by-law;

AND WHEREAS it is deemed advisable and expedient to prohibit the driving of motorized snow vehicles upon all pedestrian ways and upon certain streets and lanes in the Town of Fort Frances;

NOW THEREFORE, the Council of the Corporation of the Town of Fort Frances HEREBY ENACTS as follows:

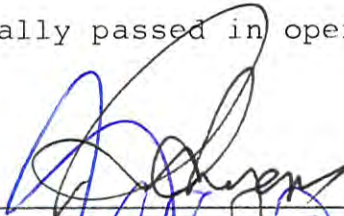
1. Town of Fort Frances By-Law No. 5/71 and amendments thereto are hereby repealed.
2. In this by-law:
 - a) "Highway" means a highway as defined in The Highway Traffic Act and includes a street or lane.
 - b) "Motorized Snow Vehicle" means a self-propelled vehicle designed to be driven primarily on snow or ice or both, or on wheels upon proper conversion from skis to wheels.
 - c) "Public property" means a property owned, maintained or made available by lease, agreement or otherwise, to:
 - 1) The Corporation of the Town of Fort Frances or any of its Boards, Commission or Committees;
 - 2) The Fort Frances-Rainy River Divisional Board of Education,; and
 - 3) The Fort Frances-Rainy River District Roman Catholic Separate School Board;including any and all parks, riverfront boulevards, gardens, lawns, athletic fields, playgrounds, playlots, recreational areas/centres, established cross country ski trails, squares, utility stations or sub-stations, school grounds, boulevards, sidewalks and walkways, but does not include municipal land fronting on Eighth Street, immediately north of the Day Care facility site, and designated snow machine crossings along established cross country ski trails.
 - d) "Regulations" means regulations made under The Motorized Snow Vehicles Act.
 - e) "Town" means the Corporation of the Town of Fort Frances.
3. No person under the full age of sixteen years shall drive a motorized snow vehicle within the limits of Town.

4. No person shall drive a motorized snow vehicle along or upon any public property, pathway, or foot path used by or set apart for the use of pedestrians and forming part of any highway or bridge, boulevard, or other means of public communication within the Town.
5. No person shall drive a motorized snow vehicle on the following highways in Town other than for the purpose of crossing at intersections with permitted highways:
 - King's Highway;
 - Second Street East;
 - Scott Street.
6. No person shall operate a motorized snow vehicle in the Town at a speed in excess of twenty-five (25) kilometres per hour (15 mph).
7. Except as provided in Section 8., no person shall operate a motorized snow vehicle in the Town unless the operation of the said vehicle is for the purpose of proceeding to or returning from a point located outside the corporate limits of the Town.
8. The driving of a motorized snow vehicle shall not be deemed to be in violation of Section 7. of this by-law under the following conditions:
 - a) While engaged in the actual act of loading or unloading a motorized snow vehicle on or from a vehicle or trailer to be used for transporting the motorized snow vehicle.
 - b) While being driven for purposes of demonstration or repairs on premises owned or rented by a sales or service establishment which is in possession of a current valid Vendor's Permit for the collection of Ontario Provincial Sales Tax.
 - c) While running the engine for repair purposes provided that the motorized snow vehicle remains stationary.
 - d) That in the event of an emergency weather situation, the Mayor or Deputy Mayor may waive the provisions of this by-law upon giving proper notice to its residents and also to reinstate and again enforce the provisions of this by-law once such emergency weather situation ceases to exist.
9. No person shall drive a motorized snow vehicle within the limits of the Town unless it is equipped with lights, both front and rear, and the lights are in the switched on mode.
10. All motorized snow vehicles shall be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise or excessive smoke, and no person shall use a muffler cut-out, by-pass, or similar device upon a motorized snow vehicle.
11. It is recommended that any motorized snow vehicle to be operated upon a highway within the Town be equipped with a red fluorescent safety flag attached to the rear of the motorized snow vehicle in such fashion that it is clearly visible not less than 1.5 metres (60") above ground level.
12. No person shall drive a motorized snow vehicle within the corporate limits of the Town during the hours as set out on Schedule "A" to this by-law, commencing with the time shown in column two and ending with the time shown in column three on the respective days shown in column one of said Schedule "A".
13. Every owner and operator of a motorized snow vehicle shall comply with the provisions of the Motorized Snow Vehicles Act and regulations thereto, and as well any other relevant Provincial statutes and regulations, as may be amended from time to time.

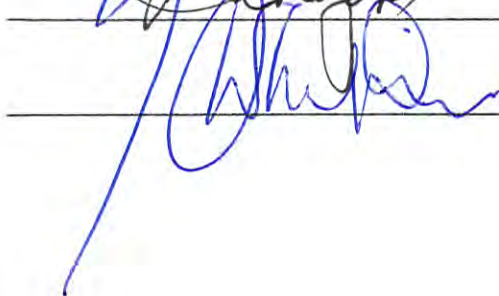
14. Failure by the Sunset Country Snowmobile Club or its members to honour its commitments to the Town as set out in Schedule "B" to this by-law or abide by the restrictive provisions of this by-law shall be sufficient cause for Council, on notice by regular mail to said Club at its address of record, to repeal this by-law at any time during the period identified in Section 15. below.
15. The provisions of this by-law shall be in effect on a probationary basis for a period from date of passing hereof to September 24th, 1991.
16. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction may be subject to a penalty not exceeding (exclusive of costs), the sum of Three Hundred Dollars (\$300.00) for each offence and such penalty shall be recoverable under the provisions of The Provincial Offences Act.

This by-law shall come into full force and take effect on final passing.

READ THREE TIMES and finally passed in open Council this 24th day of September 1990.



MAYOR



CLERK

TOWN OF FORT FRANCES

By-Law No. 66/90

Schedule "A"

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Sunday (morning)	1:00 A.M.	6:00 A.M.
Sunday (night)	11:00 P.M.	Midnight
Monday to Thursday inclusive (morning)	Midnight	6:00 A.M.
Monday to Thursday inclusive (night)	11:00 P.M.	Midnight
Friday (morning)	Midnight	6:00 A.M.
Saturday (morning)	1:00 A.M.	6:00 A.M.