

Incorporated Hamlet of Gjoa Haven

**Bylaw # 18
All-Terrain Vehicle Bylaw**

BEING A BYLAW OF THE HAMLET OF GJOA HAVEN IN THE NORTHWEST TERRITORIES TO REGULATE THE CONTROL, USE AND OPERATION OF ALL-TERRAIN VEHICLES WITHIN THE BOUNDARIES OF THE HAMLET OF GJOA HAVEN PURSUANT TO SECTION 5 OF THE VEHICLE ACT, SECTION 154 AND 169 OF THE MUNICIPAL ACT AND SECTION 6 OF THE SUMMARY CONVICTION PROCEDURES ACT, R.S.N.W.T. 1988, c. A-3, c. H-1, c. 5-15

RRITORIES TO REGULATE THE BOUNDARIES OF ACT, SECTION 154 AND ON PROCEDURES ACT,

THE COUNCIL OF THE HAMLET OF GJOA HAVEN IN A REGULAR MEETING JULY ASSEMBLED ENACTS AS FOLLOWS:

WHEREAS BYLAW # 12 PROVIDED FOR ALL-TERRAIN VEHICLE AND WHEREAS NUMEROUS CHANGES TO THIS BYLAW WERE REQUIRED, NOW THEREFORE BYLAW # 12 KNOWN AS THE ALL-TERRAIN VEHICLE BYLAW IS HEREBY RESCINDED AND REPLACED WITH THIS BYLAW, BEING BYLAW # 18.

EREAS NUMEROUS 12 KNOWN AS THE WITH THIS BYLAW,

SHORT TITLE

1. This bylaw may be cited as the ALL-TERRAIN VEHICLE BYLAW.

DEFINITIONS

2. In this Bylaw:

- a) "All-Terrain Vehicle" means a motorized vehicle that runs on wheels, tracks, skis, air cushions or any combination thereof and is of a kind predominantly used in the Territories for cross-country travel or on land, water, snow, ice, marsh or swamp land or on other natural terrain, and, without limiting the generality of the foregoing includes:
- (i) an amphibious vehicle,
 - (ii) a snow vehicle,
 - (iii) a motorcycle with a motor that has a piston displacement of seventy-five cubic centimeters or less,
 - (iv) a motorized vehicle mounted on three wheels,
 - (v) a pedal bicycle with motor attachment, and
 - (vi) any other vehicle prescribed to be included but does not include any vehicle that weighs more than 900 kilograms or any other vehicle prescribed as an exception hereto.

wheels, tracks, skis, dominantly used in the , ice, marsh or swamp nerality of the foregoing

ment of seventy-five

not include any vehicle he vehicle prescribed as an

(3) An All-Terrain Vehicle shall be equipped with the following lights:

- (a) At least one headlight at the front of the All-Terrain Vehicle which will illuminate a non-reflective object at a distance of at least 100 meters in front of the All-Terrain Vehicle.
- (b) At least one tail light that shows red light visible at a distance of at least 150 meters behind the All-Terrain Vehicle.

- 6. (1) Every All-Terrain Vehicle, when operating within the Hamlet, shall be equipped with at least one braking system.
- (2) The brakes of an All-Terrain Vehicle shall be maintained in good working order and shall be adjusted as to prevent the All-Terrain Vehicle from swerving, pulling to one side or otherwise affecting the operator's control of the All-Terrain Vehicle when the brakes are applied.

HOURS OF OPERATION

- 7. No All-Terrain Vehicle shall be driven within the Hamlet between the hours of 12:00 midnight and 6:00 a.m.
 - (a) To go from one's place of residence to an area outside the built-up area of the Community providing that person is 14 years of age or older.

- 8. For the purposes of the Bylaw, those persons returning from or leaving for a hunting, trapping or fishing trip are exempt from Section 7.

MAXIMUM RATE OF SPEED

- 9. No person shall operate an All-Terrain Vehicle on any road within the Hamlet boundaries at a greater rate of speed than 40 kilometers per hour unless otherwise posted.

OPERATION

- 10. Drivers of All-Terrain Vehicles shall operate the All-Terrain Vehicle with due care and attention.
- 11. No person shall operate an All-Terrain Vehicle on private property within the Hamlet without the prior consent of the owner of such private property.
- 12. No person shall operate an All-Terrain Vehicle within the Hamlet.
 - (a) where signs posted by the Hamlet prohibit such operation;
 - (b) in any manner that may cause actual damage to that road by any reason whatsoever.

13. No person shall operate an All-Terrain Vehicle on a road within the Hamlet abreast of any other vehicle except when the All-Terrain Vehicle is overtaking or being overtaken by another vehicle.
14. No person shall carry any other person or object on a snow vehicle in the Hamlet in such a manner as to obstruct or interfere with;
- (a) the operation of the snow vehicle; or
 - (b) the view of the driver of the snow vehicle.
 - (c) operate an All-Terrain Vehicle without a chin strap helmet. C.A. approved.
15. No person shall operate an All-Terrain Vehicle within the Hamlet if it is mechanically unfit or in an unsafe condition as to endanger the driver or any other person or property.
16. For the purposes of this bylaw, Officers are exempt from all section while during the performance of their duties.

RULES OF THE ROAD

17. the provisions, as outlined in the Vehicles Act, Part 1V Rules of the Road, shall apply to All-Terrain Vehicles driven on any road within the municipal boundaries of the Hamlet.

REGISTRATION AND LICENSING

18. No person shall operate a snow vehicle within the Hamlet unless such snow vehicle has been properly registered in accordance with Schedule A of this Bylaw.
19. No person shall drive any snow vehicle on any road within the Hamlet unless that person has a valid operators licence issued under the Vehicles Act of the Northwest Territories or having attained the age of 14 years for a snow vehicle, or the age of 16 years for a motorcycle, obtained an operating permit from the Hamlet after passing the prescribed examination attached to this bylaw Schedule A.
20. Section 18 and 19 of this Bylaw do not apply to an All-Terrain Vehicle if:
- (a) the owner thereof has complied with the laws of the Province, State or Country of registration of the All-Terrain Vehicle with respect to the licensing thereof and the displaying of number plates thereon.
21. Nothing in subsection (1) releases a driver, owner or other person in charge of an All-Terrain Vehicle within the Hamlet from the obligation to comply with Section 22 of this Bylaw.

INSURANCE

22. Every owner of a snow vehicle in the Hamlet shall take out and maintain in force a policy of motor vehicle liability insurance for an amount of not less than one hundred dollars for bodily injury to or resulting from any one accident.
23. (1) Where a policy of insurance referred to in Section 22 expires or is cancelled, the owner of the snow vehicle in respect of which the policy of insurance was issued shall immediately deliver the number plate for such snow vehicle to the Senior Administrative Officer.
- (2) The number plate delivered to the Senior Administrative Officer pursuant to section (1) shall not be returned to the owner until satisfactory evidence of insurance coverage in accordance with Section 22 of this bylaw is provided to the Senior Administrative Officer.
24. No person shall operate a snow vehicle within the Hamlet unless there is a policy of insurance in force for that snow vehicle in accordance with Section 22 of bylaw # 18.
25. Every person operating an All-Terrain Vehicle in the Hamlet shall produce, when requested to do so by an Officer, evidence that there is a policy of insurance in force for the All-Terrain Vehicle in accordance with Section 22 of this Bylaw.

ACCIDENTS

26. When an accident involving an All-Terrain Vehicle occurs within the Hamlet, the Driver or other person in charge of such All-Terrain Vehicle shall:
- (a) render all reasonable assistance to any person injured in or as a result of such accident
- (b) produce in writing to any person sustaining loss or injury and to any Officer, his name and address;
- (c) remain at the scene of the accident until he has complied with sections (a) and (b) except as may be reasonably necessary for the purposes of obtaining medical or other assistance;
- (d) report the accident to an Officer immediately;
- (e) within 24 hours of the accident, produce to an Officer:
- (i) a valid operator's licence, if required by this bylaw;
- (ii) the name and address of the owner of the All-Terrain Vehicle involved in the accident; and
- (iii) a written description of the accident in such form as the Officer may direct.

PARKING

27. No person shall stop, park or leave an All-Terrain Vehicle:
- (a) in contravention of the provisions of any Bylaw of the Hamlet,
 - (b) so as to obstruct the free passage of traffic on a road within the Hamlet.
28. No person shall leave an All-Terrain Vehicle to stand unattended within the Hamlet without first taking such action as may be reasonably necessary in circumstances to prevent the All-Terrain Vehicle from moving or being set in motion.

ENFORCEMENT

29. (1) An Officer may inspect any All-Terrain Vehicle operated within the Hamlet to check the All-Terrain Vehicle and the equipment thereon for compliance with the provisions of the Bylaw.
- (2) Every person in charge or control of an All-Terrain Vehicle operated within the Hamlet shall, demand of the Officer, permit the Officer to inspect such All-Terrain Vehicle and the equipment thereon.
30. (1) Where any driver whose identity is unknown to the Bylaw Enforcement Officer contravenes any provisions of this Bylaw, the owner of the All-Terrain Vehicle which the driver is driving shall, at the request of the Senior Administrative Officer or an Officer, within 24 hours of his request supply the Senior Administrative Officer or the Officer with the name and address of the person in charge of the All-Terrain Vehicle at the time of the contravention.
- (2) Every owner who refuses, fails, neglects or is unable to supply the name and address of the person in charge of the All-Terrain Vehicle within 24 hours after being so requested is liable to the penalty prescribed for the offence of the driver.
- (3) In any prosecution under this section, it is a defence if the owner proves that the All-Terrain Vehicle was being operated at the time of the contravention without his knowledge or consent, either express or implied.

FALSE STATEMENT

31. No person shall knowingly make a false statement in any application or other document required by this Bylaw.

PENALTIES

32. Every person who contravenes the provisions of this Bylaw respecting the speed of All-Terrain Vehicles is guilty of an offence and is liable, upon summary conviction:
- (a) for the first offence, to a fine of \$ 50.00 and in default one day in jail.

- (b) for a second offence to a fine of \$ 100.00 and in default two days in jail.
- (c) for each subsequent offence, to a fine of \$ 100.00 or to imprisonment for a term not exceeding 30 days or both and in default of payment a fine of the same days in jail.
33. Every person who contravenes Section 26 and 27 of this Bylaw is guilty of an offence and is liable on summary conviction to a fine not exceeding two hundred dollars or to a term of imprisonment not exceeding one month or to both such fine and imprisonment.
34. The penalties provided for in Section 31 and 32 of this bylaw shall not be less than \$ 50.00 for each offence.

PAYMENT IN LIEU OF PROSECUTION

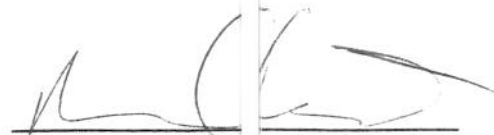
35. An Officer who finds a person violating or who has reasonable grounds to believe that a person has violated the provisions of this bylaw may give that person written notice of intention to prosecute, in the form of a traffic ticket, setting forth the date, time and place of the offence, briefly indicating the nature of the offence, and stating that payment may be made under section 35.
36. A person who has received notice under Section 33 in respect of an offence which alleged against him under this bylaw may within seven days after receipt of such notice in lieu of prosecution under this bylaw pay to the Senior Administrative Officer a sum in lieu of prosecution under this bylaw.

READ A FIRST TIME THIS 4 DAY OF August, 1992

READ A SECOND TIME THIS 4 DAY OF August, 1992

READ A THIRD TIME AND FINALLY PASSED THIS 18 DAY OF August, 1992


Mayor Uriash Puqignek


Sen. Adm. Off. Rayn and Kamookak

Incorporated Hamlet of Gjoa Haven

Bylaw # 18
Schedule "A"
Part 1

1. REQUIREMENTS FOR SPECIAL PERMIT

- a) Any person reaching the age of 14 must take a safety course which will include provisions of Bylaw # 18 as well as features of all - terrain vehicles and traffic safety rules; such course to be given by R.C.M.P. and/or the Hamlet of Gjoa Haven's Bylaw Enforcement Officer.
 - b) Upon completion of the course outlined in 1 (1) any person reaching the age of 14 must attain a mark of at least 75% on a written test - Schedule "A" Part Two hereto attached and forming part of this Bylaw.
 - c) Upon successful completion of the written test in 1 (2) any person reaching the age of 14 must correctly identify all of five main features of the all-terrain vehicle asked by the examiner (R.C.M.P. and/or the Hamlet of Gjoa Haven's Bylaw Enforcement Officer) from the list - Schedule "A" Part three hereto attached and forming Part of this bylaw.
 - d) Upon successful completion of the above, a permit - Schedule "A" Part four hereto attached and forming part of this bylaw will be issued to person reaching the age of 14.
2. Any persons reaching the age of 14 must carry the special permit when operating an all-terrain vehicle and supply it upon demand by the R.C.M.P. and/or the Hamlet of Gjoa Haven's Bylaw Enforcement Officer.

Incorporated Hamlet of Gjoa Haven

By-Law #18 Schedule "A" Part Two

Written Test - Passing Score 75% (11 correct answers)

In each of the following questions, please circle the correct answer.

1. The speed limit for All-Terrain Vehicles in the Hamlet of Gjoa Haven, unless otherwise posted, is:
 - a) 40 k/h
 - b) 35 k/h
 - c) 30 k/h
 - d) 15 k/h

2. An All-Terrain Vehicle being operated in the Hamlet must be equipped with:
 - a) a good braking system
 - b) a tail light
 - c) a brake light
 - d) all of the above

3. When you are driving at night, what does your All-Terrain Vehicle need to be equipped with?
 - a) a roll bar
 - b) a lighted head-lamp
 - c) a flashing amber light
 - d) clearance lights

4. You may drive an All-Terrain Vehicle on a public playground or school ground when there are no children playing in the area.
 - a) true
 - b) false

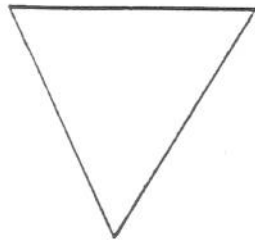
5. When a By-Law Officer stops you, how much time do you have to produce your permit.
- a) immediately
 - b) within 96 hours
 - c) within 48 hours
 - d) within 72 hours if the officer so allows
6. What is the most you can be fined, for the first offence, for breaking the All-Terrain Vehicle By-Law?
- a) \$100
 - b) \$200
 - c) \$ 50
 - d) \$ 10
7. No person shall drive an All-Terrain Vehicle between the hours of 10.00 p.m. and 8:00 a.m. during the school year and between the hours of 12 midnight and 8:00 a.m. during school's summer vacation.
- TRUE or FALSE
8. A tail light must project red light visible from a distance of not less than one hundred (100) metres
- TRUE or FALSE
9. A person operating an All-Terrain Vehicle must wear an approved helmet.
- TRUE or FALSE

Please identify the following signs by their shapes or wording and tell what they mean.

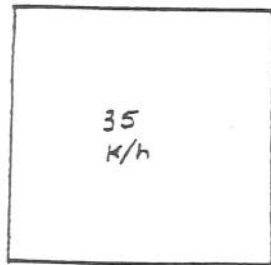
10.



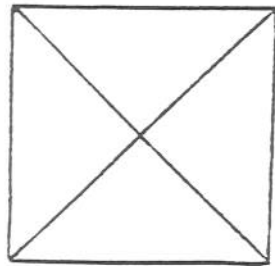
11.



12.



13.



14. When driving an All-Terrain Vehicle, which side of the road are you legally allowed to drive on? Explain.

**Incorporated Hamlet
of Gjoa Haven**

**By-Law #12
Schedule "A"
Part Three**

1. List of A.T.V. Parts of which 5 out of 5 must be correctly identified:

- 1) Brakes
- 2) Headlight
- 3) Tail-light
- 4) Gas Tank
- 5) Accelerator
- 6) On/off Switch
- 7) Emergency Switch
- 8) Pull Cord/starter
- 9) Spark Plugs
- 10) Gear Shift

**Incorporated Hamlet
of Gjoa Haven**

**By-Law #12
Schedule "A"
Part Four**

Special Permit as required under section 4 (6)