

TOWN OF KAMSACK

BYLAW 16/2016

A BYLAW OF THE TOWN OF KAMSACK, IN THE PROVINCE OF SASKATCHEWAN, TO REGULATE THE OPERATION OF ALL- TERRAIN VEHICLES, SNOWMOBILES AND GOLF CARTS.

This Bylaw may be cited as the “ATV, Snowmobile and Golf cart Bylaw.”

The Council of the Town of Kamsack, in the Province of Saskatchewan, enacts as follows.

1. INTERPRETATION

- a. “All Terrain Vehicles” and /or “ATV” means all-terrain vehicles as defined in the *All-Terrain Vehicles Act*.
- b. “Snowmobile” means a vehicle as defined in the *Snowmobile Act*.
- c. Golf cart shall mean a small motorized vehicle that can carry no more than two golfers, including the driver, and their golf clubs at a speed not in excess of 25 KPH (15 MPH) around a golf course.
- d. Highway means a highway as defined in the *Traffic Safety Act*.
- e. Public land means public land as defined in the *All-Terrain Vehicles Act*.
- f. Private land means land other than Public land.
- g. Vehicle means a vehicle as defined in the *Highway Traffic Act*.
- h. Town means Town of Kamsack.

2. ALL- TERRAIN VEHICLES

- a. Notwithstanding the provisions contained in Section 9, Subsection 1 of *The All-Terrain Vehicles Act*, it shall be lawful to operate an All-Terrain Vehicle (ATV), from a place of residence or place of business to the closest point of exit from the Town and from the closest point of exit from the Town to a place of residence or place of business, in any back alley or traveled portion of any public roadway, where necessary, in the Town of Kamsack. The route shall be the shortest distance from a place of residence/business to the exit and from the closest exit to the place of residence/business.
- b. Notwithstanding Section 2, Subsection (a) , except for the purposes of crossing, it shall be unlawful to operate an All-Terrain Vehicle (ATV) at any time on:
 - i. Provincial Highways No. 5 and No. 8 within the Town.
 - ii. That portion of Third Avenue South between Nykolaishen Drive and Queen Elizabeth Blvd.
 - iii. Queen Elizabeth Blvd between Dixon Avenue and Second Avenue.
 - iv. Kamsack walking trail.
- c. An All-Terrain Vehicle (ATV) may be operated between the hours of seven (7:00) A.M. and ten (10:00) P.M. only.
- d. All Applicable sections of the *All-Terrain Vehicles Act* and corresponding Regulations shall apply to the operation of All Terrain Vehicles within the Town Limits.

- e. All-Terrain Vehicles (ATV) operators shall follow the rules of the road as set out in the *Traffic Safety Act* and corresponding *Regulations*.
- f. Any All-Terrain Vehicle (ATV) Crossing a highway must:
 - i. Come to a full stop prior to crossing
 - ii. Take the most direct route across the highway, and
 - iii. When entering onto a highway, shall do so from an established public highway approach.

3. SNOWMOBILES

- a. In accordance with Section 2.21, Subsection 1b of the *Snowmobile Act*, it shall be **lawful** to operate a snowmobile from a place of residence or place of business to the closest point of exit from the Town and from the closest point of exit from the Town to a place of residence or place of business, in any back alley or traveled portion of any public roadway, where necessary, in the Town of Kamsack. The route shall be the shortest distance from a place of residence/business to the exit and from the closest exit to the place of residence/business. Snowmobiles are not allowed to use the Kamsack walking trail.
- b. Notwithstanding Section 3, Subsection (a) it shall be lawful to operate a snowmobile at any time, except for the purposes of crossing, on
 - i. Provincial Highways No. 5 and No. 8 within the Town
 - ii. That portion of Third Avenue between Nykolaishen Drive and Queen Elizabeth Blvd
 - iii. Queen Elizabeth Blvd between Dixon Avenue and Second Avenue.
- c. A snowmobile may be operated between the hours of seven (7:00) A.M. and ten (10:00) P.M only
- d. All applicable sections of the *Snowmobile Act* and corresponding *Regulations* shall apply to the operation of snowmobiles within the Town limits.
- e. All snowmobile operators shall follow the rules of the road as set out in the *Traffic Safety Act* and corresponding *Regulations*.
- f. Any snowmobiles crossing a highway must:
 - i. come to a full stop prior to crossing
 - ii. Take the most direct route across the highway , and
 - iii. When entering onto a highway, shall do so from an established public highway approach.

4. GOLFCARTS

- a. It shall be lawful to operate a golf cart during the hours of sunrise and one-half hour after sunset on all the public highways within the limits of the Town of Kamsack with the exception of Third Avenue between Nykolaishen Drive and Queen Elizabeth Blvd and both Provincial Highways No. 5 and No. 8 within the Town of Kamsack.
- b. Notwithstanding Section (a) of this Bylaw it shall be lawful to operate a Golf cart on Third Avenue between Nykolaishen Drive and Queen Elizabeth Blvd. and Provincial

highways No. 5 and No. 8 within the Town of Kamsack for the purpose of crossing the street or highway.

- i. Any Golf cart crossing such street or highway must come to a full stop prior to crossing.
 - ii. Whenever entering onto Highway 5 or 8, it shall be done from an established Public Highway approach.
 - iii. Any Golf cart crossing such street or highway must take the most direct route across.
- c. Persons operating a Golf cart within the limits of the Town of Kamsack must be using the Golf cart for the sole purpose of transportation to and from the golf course.
- d. The most direct route between the golf course and where the cart is stored must be used.
- e. Golf carts shall carry a slow moving warning device at the rear of the Golf cart, as near to the center as practicable, with one side parallel to the ground and not less than 30 cm (12 inches) or more than 120 cm (47 inches) from the ground.
- f. No person shall operate a Golf cart on the public highways within the limits of the Town of Kamsack without a valid driver's license.
- g. No person shall operate a golf cart on the Kamsack walking trail.

5. Permitted Operation:

- a. The operation of a snowmobile, all-terrain vehicle or golf cart within any area of the Town of Kamsack is permitted:
 - i. By a member of the Royal Canadian Mounted Police, Conservation Officer, Auxiliary police or Bylaw Officer while exercising their duties as an Officer of the Law.
 - ii. During a declaration of a local emergency within the Town of Kamsack.
 - iii. During special events by the approval of the Town Council.
 - iv. While in the operation of snow removal or landscaping on private or Town owned property, directly from the place of residence of the owner, by the most direct route and return,
 - v. A land surveyor or Contractor registered in the Province of Saskatchewan in the performance of the duties of surveying land or construction work within the Town of Kamsack.

6. No person shall operate an All-Terrain Vehicle or Snowmobile or Golf Cart at a speed greater than 40 KPH (25 MPH) in the limits of the Town of Kamsack.

7. No Section of this Bylaw shall supersede or preside over any section of the *Traffic Safety Act and corresponding Regulations*, *The All-Terrain Vehicles Act and corresponding Regulations* or the *Snowmobile Act and corresponding Regulations*. Any person found guilty of an infraction of this Bylaw concerning the *Traffic Safety Act and corresponding Regulations*, *the All-Terrain Vehicles*

Act and corresponding Regulations or the Snowmobile Act and corresponding Regulations shall be liable on Summary conviction to the penalties as set out in the Acts.

8. Any person who contravenes any portion of this Bylaw is guilty of an offence and liable on Summary Conviction to a fine of not less than \$100.00 or more than \$500.00
9. All personal and public liability will be the responsibility of the owner/operator of the said ATV/Snowmobile/Golf cart.
10. This Bylaw shall come into force and take effect on the day it is approved by the Highway Traffic Board.
11. Bylaw No. 20/2013 is hereby repealed.

Mayor

Administrator

Read a third time and adopted this
_____ day of _____, 2016