

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 11-71

BEING A BY-LAW TO REGULATE THE OPERATION  
OF MOTORIZED SNOW VEHICLES WITHIN THE  
CITY OF NORTH BAY.

WHEREAS Section 6 of The Motorized Snow Vehicles Act of the Province of Ontario authorizes the Council of a local municipality to 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 it is considered advisable to pass such a by-law in respect of the operation of motorized snow vehicles within the limits of the said City.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. For the purposes of this By-law:
  - (a) "City" means the City of North Bay.
  - (b) "Motorized Snow Vehicle" means a self-propelled vehicle designed to be driven exclusively on snow or ice or both.
  - (c) "Highway" means a highway as defined in The Highway Traffic Act.
  - (d) "Roadway" means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
  - (e) "Park or Parking" means the standing of a vehicle, whether occupied or not except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
2. No motorized snow vehicle shall be brought upon, operated, used, drawn, hauled or propelled along or upon, any sidewalk, pathway, footpath, or other pedestrian way, used by or set apart for the use of pedestrians, within the limits of the City.
3.
  - (a) No motorized snow vehicle shall be brought into or used, drawn, hauled or propelled within any park within the City, except those listed in Schedule "A" attached hereto and forming part of this by-law, and except along such trail or trails as might be designated from time to time in other parks by Council of the City.
  - (b) No motorized snow vehicle shall be brought into, or used, drawn, hauled, or propelled within any playground or school yard within the said City.
4.
  - (a) No motorized snow vehicle shall be operated along any highway listed in Schedule "B" attached hereto and forming part of this by-law.
  - (b) Subject to Paragraph (a) above no motorized snow vehicle shall be operated along any highway in the said City of North Bay or on any lake within 500 feet of the closest building adjacent to the shore unless such motorized snow vehicle is being operated for the purpose of travelling via the most direct route between the area where it is

normally kept or stored and an area where the operation of motorized snow vehicles is permitted.

- (c) No motorized snow vehicle shall be operated within any area as defined in Schedule "C" attached hereto and forming part of this By-law between the hours of 11.00 p.m. and 7.00 a.m. unless if such motorized snow vehicle is being operated for the purpose of travelling via the most direct route between the area where it is normally kept or stored and an area where the operation of motorized snow vehicles is permitted.
5. No motorized snow vehicle shall be operated at a speed in excess of 10 m.p.h. on any highway within the said City.
6. This by-law shall not apply to prohibit the operation of a motorized snow vehicle on a highway in the City:
  - (a) When the need for the use of such motorized snow vehicle thereon is created by an emergency.
  - (b) When such motorized snow vehicle is only operated on such highway for the purposes of crossing such highway from a point on one side of the highway to a point on the other side of the highway that is directly opposite thereto.
  - (c) That is not normally plowed by the City for use by motor vehicles during the winter months.
  - (d) When such motorized snow vehicle is being driven in a parade or contest that is held under the authority of a permit from the Chief of Police of The Board of Commissioners of Police of the City.
  - (e) When such motorized snow vehicle is actually engaged in works undertaken by or on behalf of the City.
7. No person shall park a motorized snow vehicle on any highway or part of highway on which and at a time during which the operation of a motorized snow vehicle is prohibited thereon.
8. Where any expression of time occurs or where any year or period of time is stated, the time referred to shall be Eastern Standard Time, provided, however, if what is known as Daylight Saving Time has been adopted in the City for any period of the year. Whether such adoption is effective in law or not, such time shall be the time referred to in this by-law as applicable to such period.
9. The owner of a motorized snow vehicle shall incur the penalties provided for any contravention of this by-law unless at the time of the contravention the motorized snow vehicle was in the possession of some person other than the owner without the owner's consent, and the driver or operator of the motorized snow vehicle, not being the owner, shall also incur the penalties provided for any such contravention.
10. If any section or part of this by-law be found by any competent Court of Law to be bad, illegal or beyond the power of the Council to enact, such section or part thereof shall be deemed to be separate and independent therefrom and to be enacted as such.

Any person convicted of a breach of any provision of this by-law shall forfeit and pay, at the discretion of the convicting Judge, a fine or penalty not exceeding \$300.00 for each offence, exclusive of costs , recoverable under The Summary Convictions Act.

This by-law shall take effect on the date of its approval by the Department of Transport of Ontario.

READ A FIRST TIME IN OPEN COUNCIL THIS 11TH DAY OF JANUARY, 1971.

READ A SECOND TIME IN OPEN COUNCIL THIS 8TH DAY OF FEBRUARY, 1971.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 8TH DAY OF FEBRUARY, 1971.

  
.....  
MAYOR

  
.....  
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 11-71 OF THE CORPORATION OF THE  
CITY OF NORTH BAY

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PARKS IN WHICH MOTORIZED SNOW VEHICLES ARE PERMITTED

Champlain Park

Portage Park

Sunset Park

Birchaven Park

Kinsmen Beach

Amelia Park

Otter Lake

Old Tree Farm

THIS IS SCHEDULE "B" TO BY-LAW NO. 11-71

<u>STREET</u>	<u>FROM</u>	<u>TO.</u>
Airport Road	Algonquin Avenue	Little Down Lane
Algonquin Ave.	Oak Street	Lansdowne Ave.
Birch's Road	Lakeshore Drive	Highway No. 11
Cassells Street	Oak Street	Trout Lake Road
Chippewa Street	Fisher Street	Chippewa Secondary School
Ferguson Street	Oak Street	Chippewa Street
Fisher Street	Oak Street	Highway No. 11 & 17
Front Street	Algonquin Avenue	Cassells Street
Gertrude Street	Lakeshore Drive	Georgian Road
Gormanville Road	Harriet Street	McKeown Avenue@
Harriet Street	Main Street	City Limits
Jane Street	Algonquin Avenue	Gormanville Road
Lakeshore Drive	Main Street	Highway No. 11
Main Street	Harriet Street	Lakeshore Drive
Marshall Ave	Lakeshore Drive	Summit Drive
O'Brien Street	Cassells Street	Airport Road
Trout Lake Road	Cassells Street	Lees Road
McLaren Street	Algonquin Avenue	Bloem Street
Bloem Street	Algonquin Avenue	McLaren Street
Fraser Street	Main Street	Second Ave. W.
McIntyre Street	John Street	Algonquin Avenue
Scollard	Browning Street	Beattie Street
Vimy Street	Browning Street	Beattie Street
Browning St.	Vimy Street	Scollard Street
Beattie Street	Scollard Street	Vimy Street

