



MUNICIPALITY OF CLYDE RIVER BY-LAWS

By-Law Title: All-Terrain Vehicle (ATV)

By-Law Number:

67

21. (1) Notwithstanding the provisions of Section 20, a person may apply in writing to the SAO to operate a snowmobile exceeding the maximum speed limits set out in Section 20 if participating in a race or rally organized and conducted by a snowmobile club.
- (2) Upon receiving a written application from a snowmobile club to conduct a race or rally and exceed the maximum speed limits set out in Section 20, the SAO may, in writing, approve the application and set out the times and locations of the race or rally.
22. No person shall operate an ATV within the Municipality between the hours of twelve (12:00) am and six (6:00) am except in an emergency, or when traveling to and from hunting, trapping, fishing, camping, his/her place of employment or his/her principal place of residence provided that the most direct route is taken or, otherwise, when permission is provided by resolution of Council.
23. Upon the immediate approach of an enforcement or emergency vehicle that is emitting an audible signal by bell or siren, or that has its flashing lights activated, a driver shall:
 - a) yield the right of way to the enforcement or emergency vehicle;
 - b) immediately drive to a position clear of an intersection and parallel to and as close as is practicable to the right-hand curb or edge of a two-way roadway; and
 - c) stop and remain in that position until the enforcement or emergency vehicle has passed.
24. No person shall operate an ATV without liability insurance.
25. No person shall operate an ATV without valid licence plates.
26. No person under the age of fourteen (14) shall operate an ATV.
27. Sections 24, 25 and 26 do not apply to persons operating a snowmobile.

PARKING

28. No person shall stop, park or leave an ATV so as to:
 - a) obstruct the free passage of traffic along any roadway; or
 - b) abandon the ATV without first properly ensuring the ATV does not obstruct the free passage of traffic along any roadway within the Municipality.
29. No person shall leave an ATV to stand unattended without first taking such action as may be necessary to prevent the ATV from being set in motion.
30. No person shall park or operate an ATV on private property without authority from the owner, tenant, occupant or person in charge or control of the property.

ACCIDENTS

31. (1) Where an accident occurs on a roadway, each driver of an ATV that is directly or indirectly involved in the accident shall, if he/she is capable of doing so:



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35. Where a person operating an ATV contravenes any provisions of this by-law and he/she is not known to the Officer, the owner of the ATV shall, at the request of the Officer, supply the name and address of the person operating the ATV at the time of the contravention, within twenty-four (24) hours of the request.
36. Every owner who fails, refuses, neglects or is unable to supply the name and address of the person operating the ATV at the time of the contravention within twenty-four (24) hours after being requested shall incur the penalty for the contravention.
37. In any prosecution under Sections 25, 26, 33 and 34, it is a defence if the owner is able to prove that the ATV was being operated at the time of the contravention without the owner's consent, either implied or expressed.
38. No person shall obstruct, molest or interfere with an Officer in the performance of his/her duties with respect to the enforcement of this by-law.
39. No person shall knowingly make a false statement in any application or other document required by this by-law or utter a false statement to an Officer while in the lawful execution of his/her duties.

PENALTIES

40. Any person who contravenes any provisions of this by-law is guilty of an offence and is liable to the penalties prescribed in Schedule 'B'.
41. Every person who contravenes a provision of this by-law, for which no other penalty is provided in Schedule 'B', is guilty of an offence and is liable, on summary conviction, to a fine not exceeding five hundred dollars (\$500.00) or, in default of payment of the fine, to imprisonment for a term not exceeding two (2) months.

