

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 2877-90

BEING A BY-LAW TO REGULATE AND GOVERN THE OPERATION OF MOTORIZED
SNOW VEHICLES UPON HIGHWAYS, SIDEWALKS AND TOWN PROPERTY WITHIN
THE TOWN OF WHITBY

WHEREAS, Subsection 6(2) of the Motorized Snow Vehicles Act, R.S.O. 1980, c. 301, provides that 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 or any parts thereof;

AND WHEREAS, the Council of the Corporation of the Town of Whitby considers it appropriate to pass a by-law to regulate and govern the operation of motorized snow vehicles upon highways, sidewalks and Town property within the said Corporation;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

DEFINITIONS

1. In this by-law,
 - (a) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (b) "motorized snow vehicle" means a self-propelled vehicle designed to be driven primarily on snow;
 - (c) "sidewalk" means Town property which has been set aside and made available for public pedestrian use as a walkway by by-law or otherwise;
 - (d) "Town" means the Corporation of the Town of Whitby; and,
 - (e) "Town property" means land owned, managed, or controlled by the Town or made available to the Town by lease, agreement, or otherwise, but does not include a highway.

HIGHWAYS

2. No person shall operate a motorized snow vehicle upon any highway which is under the jurisdiction of the Town and is located south of Regional Road 4, municipally known as Taunton Road East and Taunton Road West, except to cross.

SIDEWALKS

3. No person shall operate a motorized snow vehicle upon any sidewalk except to cross.

TOWN PROPERTY

4. No person shall operate a motorized snow vehicle upon Town property except upon receipt of written approval of the Town or, where by means of signs erected by the Town, it is indicated that such vehicle operation is authorized.

EXCEPTIONS

5. The provisions of this by-law shall not apply to,
 - (a) an employee of the Town of Whitby operating a motorized snow vehicle while engaged in the performance of his or her municipal duties;
 - (b) a member of a police force operating a motorized snow vehicle while engaged in the performance of his or her police duties; or,
 - (c) a person operating a motorized snow vehicle for emergency purposes upon a highway which has been closed to regular vehicular traffic due to snow or ice conditions.

PENALTIES

6. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than \$1,000.00, exclusive of costs, which shall be recoverable under the provisions of the Provincial Offences Act and all the provisions of the said Act shall apply to any prosecution for any offence under the provisions of this by-law.

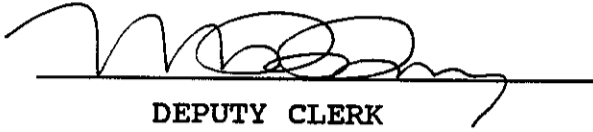
REPEAL OF EXISTING BY-LAWS

7. By-law No. 1639-84 is repealed.

EFFECTIVE DATE

8. This by-law shall come into force and take effect upon the final passing thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF JULY, A.D., 1990.


DEPUTY CLERK


MAYOR

