

CITY OF STEINBACH

By-Law No. 1564

BEING A BY-LAW for the purpose of regulating the operation of snowmobiles within the limits of the City of Steinbach.

WHEREAS “*The Off-Road Vehicle Act*”, C.C.S.M. Cap. 031 (The “Act”) provides as follows:

s.33(4) The minister may authorize a traffic authority to make by-laws to permit the operation of an off-road vehicle upon a roadway or the shoulder thereof.

AND WHEREAS Council of the City of Steinbach deems it advisable to pass a by-law regulating the use of snowmobiles within the limits of the City of Steinbach.

NOW THEREFORE, BE IT ENACTED AS FOLLOWS:

1. Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in this by-law shall be as follows:

a) Operate means to drive or to be in actual physical control of an off-road vehicle;

b) Operator means a person operating or driving an off-road vehicle or a person in actual physical control of an off-road vehicle;

c) Owner includes a person who has exclusive use of an off-road vehicle under a lease or other agreement for a period of more than 30 days;

d) Snowmobile means a vehicle that has a gross vehicle weight not exceeding 454 kilograms and

(a) is not equipped with wheels, but in place thereof is equipped with tractor treads alone or with tractor treads and skis, or with skis and a propeller, or is a toboggan equipped with tractor treads or a propeller,

(b) is designed primarily for operating over snow or ice, and is used primarily for that purpose, and

(c) is designed to be self-propelled;

e) Roadway means the portion of a highway that is improved, designed or ordinarily used for vehicular traffic, and includes that portion thereof that, but for the presence of a safety zone, would be ordinarily so used, 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 all the roadways collectively;

2. No person shall operate a snowmobile within the limits of the City of Steinbach except as permitted in this by-law.

3. No person shall operate a snowmobile

(a) in a careless manner or without due care and attention; or

(b) without reasonable consideration for other persons and property or in a manner likely to cause damage or injury to other persons and property.

4. A person who is qualified under the Act to operate a snowmobile may operate a snowmobile within the City of Steinbach on any street for the purpose of taking the most direct route in or out of the City of Steinbach to or from his or her place or residence

within the City of Steinbach provided that in doing so said operator shall not go on or across the following routes:

- (a) PTH No. 12 between the designated snow route to the south and to Penfeld Drive to the north; and
- (b) PTH No. 52 between Hespeler Street to the east and Industrial Road to the west.

5. No person shall operate a snowmobile within the City of Steinbach at a speed that is greater than 20 kilometers per hour.

6. No person shall operate a snowmobile within the City of Steinbach between the hours of 11:00 p.m. of one day and 7:00 a.m. of the next day.

7. Where a snowmobile is being operated on a street as permitted in this by-law the operator shall:

- (a) drive the snowmobile as close to the right hand edge of the street as possible; and
- (b) drive in a single line with other snowmobiles.

8. Notwithstanding any other provision of this by-law and the Act, where a storm or blizzard renders a street impassable to vehicular traffic, the Council of the City of Steinbach may authorize, for a fixed period, the operation of snowmobiles on all streets within the City of Steinbach.

9.1 Where an offence, resulting from the violation of any provision of this by-law

- (a) is committed by means of, or with respect to, a snowmobile; or
- (b) occurs by reason of, or with respect to, the ownership, use, or operation of a snowmobile

the owner of the snowmobile may be charged with the commission of the offence and, if the judge or justice before whom the charge is tried is satisfied that the offence was committed, the owner is guilty of the offence and is liable, on summary conviction, to the penalty herein provided, unless the owner satisfies the judge or justice that at the time of the violation, the snowmobile was in the possession of a person without the consent of the owner.

9.2 Nothing in subsection (1) relieves the operator of a snowmobile from any liability for any offence or violation of any provision of this by-law.

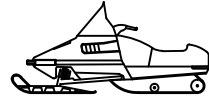
10. Any person who violates, contravenes, or disobeys or refuses, omits, neglects, or fails to observe, obey or comply with any provision of this by-law is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$25.00 or more than \$100.00 or, in default of payment thereof, to imprisonment for a term of not more than 30 days.

DONE AND PASSED by the Council of the City of Steinbach, duly assembled this 20th day of October, 1998.



Mayor

City Manager

Read a first time this 16th day of June, 1998.
Read a second time this 7th day of July, 1998.
Read a third time this 20th day of October, 1998.



**SNOWMOBILE ROUTE
BY-LAW 1564**

-  SNOWMOBILE TRAIL
-  NO CROSSING

