

TOWN OF RADVILLE

BYLAW NO. 2005-02

A BYLAW OF THE TOWN OF RADVILLE TO PERMIT THE REGULATED OPERATION OF SPECIFIED ALL TERRAIN VEHICLES FOR COMMERCIAL USE ONLY IN THE TOWN OF RADVILLE.

The Council of the Town of Radville, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw is made pursuant to s.9 of *The All Terrain Vehicles Act* c. A-17.02 S.S. (“the Act”).
2. This Bylaw only permits the use of an all terrain vehicle, which is defined in the definition of “all terrain vehicle” set out in section 2(1)(b)(v) of the Act.
3.
 - a) Where an all terrain vehicle (ATV) falls within the description specified in section 2 above, then the owner of the ATV may apply to the municipality (Town of Radville) for a permit to operate an ATV.
 - b) All applications must be in writing and include:
 - i) Proof of Ownership of the ATV;
 - ii) Proof of insurance coverage in an amount of not less than:
\$200,000 for property damage; and
\$200,000 for injury damages.
 - iii) Proof that the ATV has been equipped as specified in any regulation passed pursuant to this Bylaw.
 - iv) A sworn declaration that the ATV will be used only for commercial use by the owner in the owner’s commercial operations.
 - v) A list of all persons who will operate the ATV including proof of age equal to or exceeding 16 years and proof that each holds a valid Saskatchewan drivers’ license.
 - vi) Identification of the ATC, including make, model and serial number.
 - vii) A sworn declaration that the ATV and its parts are all in good and proper working order as of the date of the application.
 - c) Upon the approval of an application, the owner must present the ATV to the municipality (Town of Radville) for inspection and identification.
 - d) Provided that the municipality approves the application, inspection and identification, then the owner/applicant shall on payment of the license fee receive a license permitting the use of the identified ATV for the use outlined in the declaration.
 - e) License fees shall be set by council annually no later than July 1st of each year.
 - f) Each license fee shall be valid for a period of one year from the date of issuance and shall end at 11:59 p.m. on the day 364 days after issuance.
 - g) A license may be renewed by application containing all information as specified for in an original application. An application for renewal may not be made more than 60 days prior to the expiry of a current valid license.
 - h) A license may be revoked by Council for a breach of this Bylaw or the Act on 5 days notice to the license holder. Without limiting the generality of the foregoing a use of an ATV that is not contained in the license application may be held by Council to be a breach of this Bylaw.

- i) The Council specifies the following highways or parts thereof where operation of a properly licensed ATV is permitted pursuant to this Bylaw.
 - i. All roads and streets within the limits of the Town of Radville **BUT** excluding any designated Provincial Highways within those limits.
- j) It is the responsibility of each operator of an ATV licensed pursuant to this Bylaw to know the highway or part thereof where operation of a properly licensed ATV is permitted pursuant to this Bylaw. If an operator is found operating a licensed ATV on any highway or part thereof not specified in section 3i) above and that operator claims either;
 - a. To have not known that the highway or part thereof on which that operator was operating the ATV was not so specified; or
 - b. That they thought the highway they were operating on was so specified when it was not;

Then in either case the license for that ATV may be revoked by Council on 5 days notice to the license holder.
- k) This Bylaw shall permit use only for the restricted purposes as set out herein. **It is not intended to, nor shall it be interpreted to, in any way otherwise limit the application of *The All Terrain Vehicles Act c.A-18.02 SS.***

4. This Bylaw shall come into force and take effect this 21st day of March 2005.

Mayor

Administrator.

READ a first time this 21st day of March, A.D., 2005.

READ a second time this 21st day of March, A.D., 2005.

READ a third time and adopted this 21st day of March, A.D., 2005.

REGULATION #2005-1

Being a regulation passed pursuant to Bylaw No. 2005-02 (ATV Commercial Use Bylaw)

In order to be eligible for a license, an All Terrain Vehicle specified in the Bylaw must be as follows:

Safety Equipment:

The following safety equipment must be mounted on the ATV and operating at all times that the ATV is in use:

- a) *Flashing all directional amber lights.***

Certified a true copy of Bylaw No. 2005 - 02
Adopted by Council on the 21st day of March 2005.

Town Administrator.