

**BYLAW #13/07**  
**A BYLAW FOR THE PURPOSE OF PROHIBITING**  
**THE USE OF ATV'S WITHIN THE BOUNDRIES OF THE**  
**RESORT VILLAGE OF AQUADEO**

**THE COUNCIL FOR THE RESORT VILLAGE OF AQUADEO IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:**

1. The provisions of this bylaw shall apply within the boundaries of the Resort Village of Aquadeo.
2. In this Bylaw the expression:
  - a) "all terrain vehicle" means a self propelled vehicle that:
    - is designed primarily for the movement of people or goods and
    - has wheels in contact with the groundand includes:
    - a restricted use motorcycle
    - a mini-bike
    - an all terrain cyclebut does not include:
    - a golf cart
    - a snowmobile
    - an agricultural implement or special mobile machine as defined in "The Traffic Safety Act"
  - b) "private land" means land other than public land
  - c) "public land" means Crown land or any land vested in a municipality

**GENERAL PROHIBITION:**

3. No person shall operate any or all terrain vehicles or class or classes of all terrain vehicles within the boundaries of The Resort Village of Aquadeo which includes:
  - a) the traveled portion of the whole or any part of a street, roadway or the like
  - b) any private land in the municipality
  - c) any municipal land in the municipality
  - d) any Crown land in the municipality that is used or occupied otherwise than by the Crown

**ENFORCEMENT**

4. Subject to section 13, subsection (2)
  - no person shall operate an all terrain vehicle in contravention of a bylaw passed by a municipality pursuant to clause 11(a)
5. The administration and enforcement of this Bylaw is hereby delegated to the Administrator for the Resort Village of Aquadeo.

The Administrator of the Resort Village of Aquadeo is hereby authorized to further delegate the administration and enforcement of this Bylaw to:

- a) the Royal Canadian Mounted Police
- b) any special Constable as may be hired by the municipality
- c) any Conservation Officer
- d) any person designated in a resolution of Council

No person shall obstruct or interfere with any Designated Officer or any other person who is acting under the authority of this Bylaw.

#### **PENALTIES**

6. A person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
  - a) to a fine not exceeding \$1,000.00, and of not less than \$100.00 and in the case of a continuing offence, to a further fine of not more than \$2,000.00 for each day during which the offence continues.
  - b) In default of payment of a fine imposed under subsection 9 a) the municipality, under section 369 of the Municipalities Act, may add the amount of the conviction to the property taxes of the "owner"
  - c) In the case of a person who contravenes a provision of this Bylaw for the first time, a peace officer or person designated by council may issue a "Notice of Warning" or a "Notice of Violation" to that person
  - d) The notice of violation shall provide that, if the person pays the Resort Village the specified amount within 21 calendar days of the date of the Notice of Violation, the person shall not be prosecuted for the contravention
  - e) The fine may be paid:
    1. In person during regular office hours to the office of the Resort Village of Aquadeo
    2. By mail addressed to the Resort Village of Aquadeo at Box 160, Cochin, Sk., S0M 0L0
  - f) Notwithstanding subsection e), if it is, in the opinion of a peace

officer, in the public interest to compel a person who has contravened a provision of this bylaw to appear before a Justice under this bylaw, the peace officer may issue a summons that requires the person to appear before a Justice without the alternative of paying the specified amount to avoid prosecution.

- g) If, in the opinion of a prosecutor it is appropriate, the prosecutor may, on or before the Court appearance date, permit the person mentioned in subsection f) to pay the specified amount to avoid prosecution

**VEHICLE IMPOUNDMENT:**

- 7. Section 33, subsections 1-2-3 and 4 of the "All Terrain Vehicles Act" shall apply in addition to "Penalties – Section 6 subsection a-g" of this bylaw

**RECOVERY OF UNPAID EXPENSES AND COSTS:**

- 8. Any unpaid expenses and costs incurred by the Municipality in remedying a contravention of this Bylaw may be recovered:
  - a) by civil action for debt in a court of competent jurisdiction in accordance with Section 368 of The Municipalities Act; or
  - b) the "owner" may pay voluntarily or
  - c) under section 369 of the Municipalities Act – added to the property taxes of the "owner"

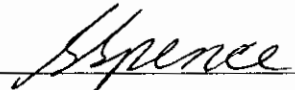
**COMING INTO FORCE**

- 9. This Bylaw shall come into force on the day of its final passing dated July 20, 2007

  
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Administrator

  
\_\_\_\_\_  
Mayor

Certified true copy of a bylaw passed  
By the R/V of Aquadeo Council July 20, 2007

  
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SEAL

