



The Corporation of the Town of Orangeville

By-law Number 41 - 2014

A by-law to regulate, govern and prohibit the operation of motorized snow vehicles within the Corporation of the Town of Orangeville and to repeal By-law 19-81.

Whereas the Municipal Act, 2001, S.O. 2001, c.25, S.9 provides a municipality with the powers of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas Subsection 7.(2) of the Motorized Snow Vehicles Act, T.S.O. 1990, c.M.44 as amended, provides that a municipality may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highways therein or any part or parts thereof that are under the jurisdiction of the municipality;

And whereas Council deems it expedient to regulate the operation of motorized snow vehicles within the Town;

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Orangeville as follows:

1 Definitions

In this By-law:

“Officer” means a municipal by-law enforcement officer, a provincial offences officer, a police officer or a fire chief or his designate.

“Council” means the Council of The Corporation of the Town of Orangeville.

“highway” has the same meaning as in the Highway Traffic Act.

“motorized snow vehicle” has the same meaning as in the Motorized Snow Vehicles Act.

“park or parking” has the same meaning as in the Highway Traffic Act.

“sidewalk” means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

“stand or standing” when prohibited has the same meaning as in the Highway Traffic Act.

“trail” means a recreational trail that is provided by the Town for use by pedestrians, cyclists and other users other than persons on motorized vehicles and horses, and which is located within road allowances, or other lands or easements owned by the Town.

“Town” means The Corporation of the Town of Orangeville and its locality, including its geographic area.

2. Enforcement

- 2.1 The provisions of this by-law shall apply within the Town and an Officer shall enforce the provision of this by-law.

3. Parking

- 3.1 Except when otherwise required by law, no person shall park, stand or stop a motorized snow vehicle on a highway within the Town.

4. Operation

- 4.1 No person shall drive or operate a motorized snow vehicle within the Town of Orangeville between the hours of eleven (11) p.m. to seven (7) a.m. of the following day.
- 4.2 No person shall operate a motorized snow vehicle within the Town of Orangeville except on a roadway when driving from his residence to a private property motorized snow vehicle trail, established or maintained in whole by private funds, or when driving from a private property motorized snow vehicle trail to his residence.
- 4.3 No person shall drive or operate a motorized snow vehicle at any time within the Town as set out below:
- 4.3.1 On any sidewalk or any walkway normally used by pedestrians, except to cross it at a right angle to reach the roadway.
 - 4.3.2 On any Town boulevard.
 - 4.3.3 On any Town trail or Town owned land.
 - 4.3.4 On private property within the Town limits, except when authorized to do so by the owner of the private property.

5. Exemptions

- 5.1 The provisions of this by-law shall not apply to motorized snow vehicle operated by the following while engaged in the performance of their required duties:
- 5.1.1 A member of the Orangeville Police Services
 - 5.1.2 An employee of the Town of Orangeville

- 5.1.3 County of Dufferin Paramedic Services and/or any other persons engaged in a bona fide rescue or emergency operation.
- 5.1.4 Employee of the Ministry of Natural Resources
- 5.1.5 Utility Services

5.2 Anyone operating a motorized snow vehicle for the purpose of participating in any event approved by Council or a Committee authorized by Council is exempted from the provisions of Section 4 of this By-law.

6. Enforcement and Penalty

6.1 Any person who contravenes any of the provisions of this by-law is guilty of an offence, and upon conviction is liable to a fine or penalty as provided for under the Provincial Offences Act.

7. Word usage

7.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.

7.2 The headings and subheadings used in this by-law shall not form part of the by-law, but shall be deemed to be inserted for convenience of reference only.

8. Severability

8.1 Should any section or subsection of this by-law or any part or parts thereof be found by law to be illegal or beyond the power of the Council to enact, such section or subsection or part or parts thereof shall be deemed to be severable so that the remainder of this by-law is separate and therefore enacted as such.

9. Conflict with any other By-laws

9.1 Where the provisions of this by-law conflict with the provisions of any other by-law, the provisions of this by-law shall apply.

10. Short Title

10.1 This by-law may be referred to as the "Snowmobile By-law".

11. Repealing Section

11.1 By-law No. 19-81 is hereby repealed.

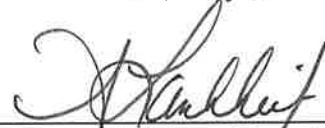
12. Effective Date

12.1 This by-law shall come into force and effect on the date of passing.

Passed in open Council this 12th day of May, 2014.



Rob Adams, Mayor



Susan Lankheit, Deputy Clerk