



LABRADORCITY

OFF-ROAD VEHICLE REGULATIONS, 2023

Pursuant to the authority conferred by section 15(1) of the *Off-Road Vehicles Act*, SNL 2021 Chapter O-5.1 and section 414(2)(s) of the *Municipalities Act*, SNL 1999 Chapter M-24 as amended, the Town of Labrador City enacts the following Regulations respecting the licensing and operation of Off-Road Vehicles.

1. TITLE

These Regulations may be cited as the '*Town of Labrador City Off-Road Vehicle Regulations, 2023*'.

2. INTERPRETATION

For the purpose of these Regulations unless the context otherwise requires:

ACT	means the <i>Off-Road Vehicle Regulations Act</i> .
COUNCIL	means the Town Council of the Town of Labrador City.
DRIVER/OPERATOR	means a person who is operating or in physical control of a vehicle.
DRIVER'S LICENCE	means a licence which has been issued under the <i>Highway Traffic Act</i> , RSNL 1990, c H-3 including a licence issued to a novice driver, authorizing the person to whom it is issued to drive a motor vehicle and which has not expired or been suspended or cancelled.
ENFORCEMENT AUTHORITY	means Council or its authorized administrator.
HIGHWAY	means a place or way, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic or the parking of vehicles and includes all the space between the boundary lines of the place or way.

MOTORIZED SNOW VEHICLE

means a tracked off-road vehicle, commonly known as a snowmobile, where the driver sits astride a seat and which is designed for operation over snow covered land and ice.

OFF-ROAD MOTORCYCLE

means any two-wheeled motorized vehicle that is being used off-road or is not registered under the *Highway Traffic Act*, and specifically includes, but it not limited to, trail/dirt bikes.

OFF-ROAD VEHICLE

means a wheeled or tracked motorized vehicle, designed or adapted for cross-country travel on land, water, ice, snow, marsh, swamp land or other natural terrain as defined under the *Off-Road Vehicles Act, SNL 2021. c O-5.1* and for the purposes of these Regulations, does not include a motorized snow vehicle.

ROAD RESERVATION

means a street, road, highway or other way designed for the passage of vehicles and pedestrians and includes the sidewalk and interstice between the street and a property.

STREET

means the portion of the road reservation intended for vehicular traffic.

TOWN

means the Town of Labrador City as defined by Order-in-Council dated the 27th day of June, 1961, and any amendments thereto, according to the *Municipalities Act*.

3. APPLICATION

- a. These Regulations shall apply to off-road vehicles operated within the municipal boundaries of the Town of Labrador City.
- b. If there is a conflict between a provision of these Regulations and a provision of any other act or regulation in force within the municipal boundaries, the provisions as established under these Regulations shall prevail.
- c. These Regulations shall be read in conjunction with the *Off-Road Vehicles Act* and regulations formed under the Act.

4. EXEMPTIONS

The provisions of these Regulations shall not apply to:

- a. Any municipal vehicle engaged in municipal work;
- b. An all-terrain vehicle responding to an emergency;
- c. Operators of off-road vehicles who have the expressed permission by the Town or by an employee or agent of the Town with duties pertaining to the supervision, or maintenance of a park, play area, open space area, playground or recreation ground.

5. GENERAL PROVISIONS

- a. In addition to approved areas, as defined under the Act, the operation of Off-Road Vehicles shall also be permitted on all highways under the management and control of the Municipality, which include all streets and road reservations within the Municipal Boundary, and excludes the provincial highway Route 500.
- b. An operator of an Off-road Vehicle shall at all times yield the right of way to:
 - a. Drivers of all classes of motor vehicles on a highway;
 - b. Pedestrians on a highway; and
 - c. Persons riding bicycles on a highway.

6. GENERAL PROVISIONS

A person shall not drive an off-road vehicle, upon a highway or street unless that person is at least 16 years of age, and the holder of a class of driver's licence issued under the *Highway Traffic Act*.

7. PROHIBITIONS

In addition to prohibitions detailed under the Act, a person shall not operate an off-road vehicle:

- a. In such a manner that, in the sole opinion of the Enforcement Authority, constitutes a nuisance or create annoyance to residents or other persons.
- b. Upon any parks, walking trails, municipal easements, sidewalks, open space areas, playgrounds or recreational grounds.
- c. On private property without the express permission of the owner or occupant of the property.
- d. In any area where the Enforcement Authority has erected signage prohibiting the use and operation of an off-road vehicle.

8. TIME OF OPERATION

- a. No person shall operate an off-road vehicle on a highway or street located within the Town limits outside the period of May 15th - November 1st in a given calendar year.
- b. No person shall operate an off-road vehicle within the Town and upon its highways earlier than 7 A.M. and no later 10 P.M.

9. SIGNAGE

The Enforcement Authority may erect warning, cautionary, directional, limiting or prohibiting signs as to the operation of all-terrain vehicles, and the operator of any all-terrain vehicle, who fails to obey such signs is guilty of an offence under these Regulations.

10. OFFENCE AND PENALTY

Pursuant to Section 37 of the *Off-Road Vehicles Act*, and Section 16 of the *Off-Road Vehicles Regulations*, a person whom contravenes these regulations is subject to a fine and as prescribed in the Schedule of those statutes, and;

- a. A person who is guilty of an offence under the Act or the regulations for which a penalty has not been prescribed in the Schedule shall be liable on summary conviction
 - i. where the offence is a first offence, to a fine of not less than \$100 and not more than \$400 and in default of payment of a fine to imprisonment for a period not exceeding 3 months; and
 - ii. where the offence is a second or subsequent offence, to a fine of not less than \$200 and not more than \$800 and in default of payment of a fine to imprisonment for a period not exceeding six (6) months.

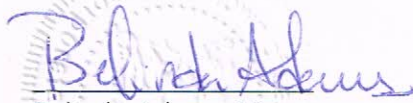
11. SEVERABILITY

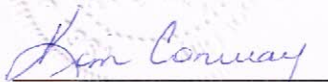
If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such declaration shall not affect the remainder of these Regulations and the remainder of these Regulations should be valid and shall remain in force.

12. REPEAL

The 'Town of Labrador City Recreational Vehicle Regulations, 2012' are hereby rescinded.

Adopted by the Town Council of the Town of Labrador City on the 25 day of April, 2023 and to come into effect as of the 25 day of April, 2023.


Belinda Adams, Mayor


Kim Conway, Town Clerk