

The Corporation of the City Of Kenora

By-Law Number 141 - 2011

A By-law to Regulate, Govern and Control Motorized Snow Vehicles in the City of Kenora

Whereas The Motorized Snow Vehicles Act permits the Council of a municipality to pass by-laws to regulate motorized snow vehicles; and

Whereas Council for The Corporation of the City of Kenora deems it desirable to regulate, govern and prohibit the operation of motorized snow vehicles within the Municipality; and

Now Therefore the Corporation of the City of Kenora enacts as follows:

1. **Definitions:**

- a. **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridges, viaduct or trestle, and any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- b. **"Motorized Snow Vehicle"** means a self-propelled vehicle designed to be driven primarily on snow.
- c. **"Municipality"** means The Corporation of the City of Kenora.
- d. **"Race"** means any competition of speed between two or more snowmobiles and/or drivers thereof.
- e. **"Sidewalk"** means that portion of a highway which has been raised or elevated, and covered with a hard surface such as concrete or asphalt, located at the edge of the portion of the highway travelled by motor vehicles, and designated for pedestrian traffic.

2. **Restricted Areas:**

No person shall operate a motorized snow vehicle in any of the areas set out in Schedule "A" attached hereto and forming part of this By-law.

3. **Sidewalks:**

No person shall operate a motorized snow vehicle on any sidewalk.

4. **Racing:**

No person shall engage in or organize a race within the Municipality involving motorized snow vehicles unless such a race has been approved by the Council of the City of Kenora.

5. **Curfew:**

No person shall operate a motorized snow vehicle in the area shown in the attached Schedule "B" during the hours of 11:00 p.m. until the following morning at 7:00 a.m.

6. **Exhaust Systems:**

No person shall operate a motorized snow vehicle within the Municipality where the exhaust system on that motorized snow vehicle has been tuned or otherwise modified from the original manufacturer's specifications at the time of manufacture.

7. **Trail Corridor:**

The Municipality authorizes Sunset Trail Riders Snowmobile Club Inc. (STR) to maintain a snowmobile trail under the auspices of the Ontario Federation of Snowmobile Clubs in the location as marked on Schedule "C" attached to this By-law, and to utilize Municipal property where such trail crosses same, provided that the STR has entered into a written agreement with the Municipality in respect of the utilization of such municipal property, and the agreement has not expired or been terminated.

8. **Exemptions:**

The provisions of this By-law shall not operate to prevent the operation of a motorized snow vehicle by a Peace Officer or a Provincial Offences Officer in the performance of his or her duties within the Municipality.

9. **Offence:**

Every person who contravenes any of the provisions of this By-law is guilty of an offence and shall upon conviction thereof, be subject to punishment pursuant to the provisions of the Provincial Offences Act.

10. **Repeal:**

By-law numbers 149-2007, 158-2008 and 21-2009 of The Corporation of the City of Kenora be and there hereby repealed.

That the Mayor and Clerk be hereby authorized to execute all documents related to this Agreement on behalf of The Corporation of the City of Kenora.

By-law read a First & Second Time this 19th day of December, 2011

By-law read a Third & Final Time this 19th day of December, 2011

The Corporation of the City of Kenora:

.....**Mayor**
David S. Canfield

.....**Deputy Clerk**
Heather L. Kasprick