

**A BYLAW TO REGULATE THE OPERATION OF NON-LICENSED  
MOTORIZED VEHICLES AND LICENSED MOTORCYCLES WITHIN  
THE RESORT VILLAGE OF MISTUSINNE**

WHEREAS the Council of the Resort Village of Mistusinne deems it desirable to allow but regulate the use of non-licensed motorized vehicles and motorcycles within the Resort Village limits,

NOW, THEREFORE, the Council of the Resort Village of Mistusinne in the Province of Saskatchewan, enacts as follows:

1. Definitions:

a) "**all terrain vehicle**" means a self-propelled vehicle that:

- i) is designed primarily for the movement of people or goods on unprepared surfaces; and
- (ii) has wheels in contact with the ground;

and includes:

- (iii) a restricted use motorcycle;
- (iv) a mini-bike;
- (v) a motorized go-cart; and
- (vi) an all terrain cycle;

but does not include:

- (vii) a golf cart;
- (viii) a snowmobile as defined in *The Snowmobile Act*;
- (ix) an agricultural implement or special mobile machine as defined in *The Traffic Safety Act*; or
- (x) any vehicle that is required to be registered pursuant to *The Traffic Safety Act*.

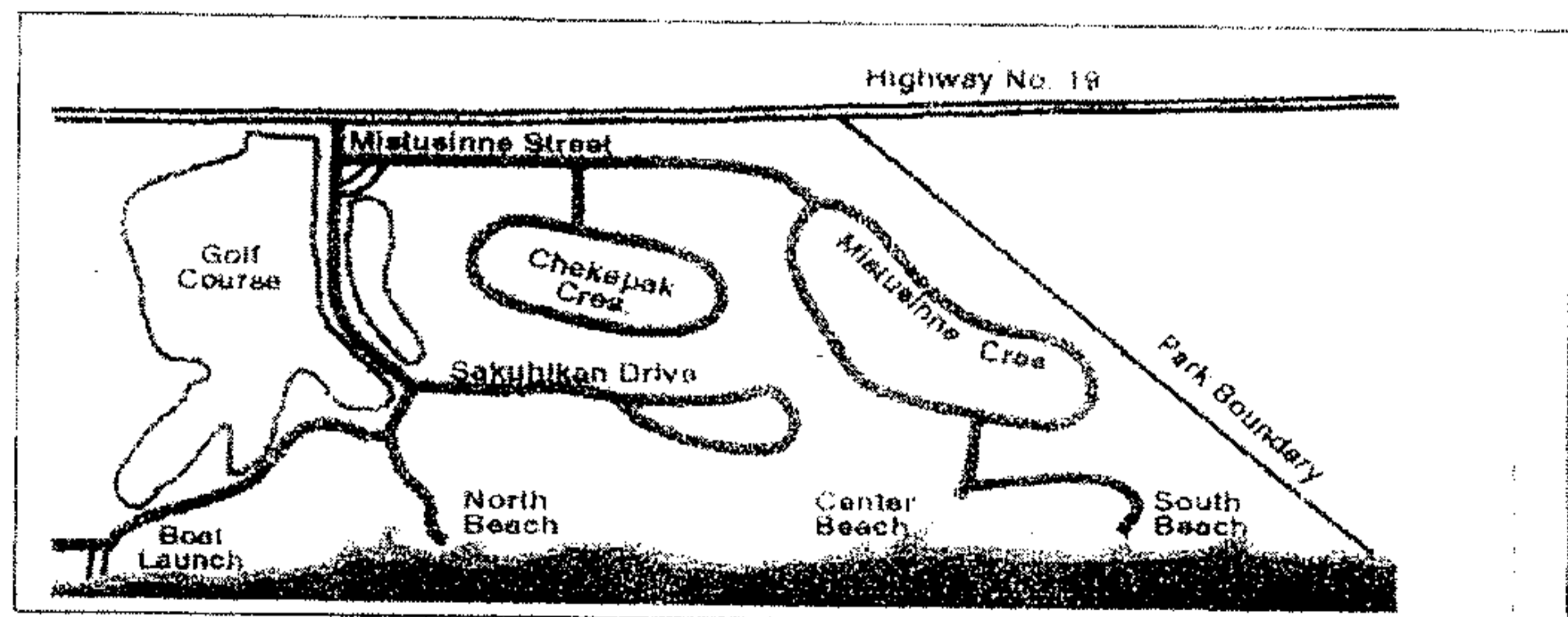
b) "**licensed motorcycles**" means a vehicle that:

- (i) is propelled or driven by any means other than by muscular power;
- (ii) has two or three wheels;
- (iii) is designed for use on a highway; and
- (iv) does not have a cab for the driver;

but does not include:

- (v) industrial vehicles; farm equipment; or all terrain vehicles.

c) "**main access roads**" mean the roads designated as Mistusinne Street, Mistusinne Crescent, Chekepak Crescent, Sakuhikan Avenue, Sakuhikan Drive, the Boat Launch Road, the North Beach Road, the Center Beach Road, and the South Beach Road as outlined on the map below:



d) "**public land**" means Crown land or any land vested in a municipality.

e) "**Resort Village**" means the Resort Village of Mistusinne.

2. Licensed motorcycles and under Section 9 of *The All Terrain Vehicles Act*, all terrain vehicles shall be permitted to operate within the Resort Village subject to the following conditions:
- a) All travel is to be on paved or main access roads within the Resort Village.
  - b) No travel will be allowed in roadway ditches or Resort Village leased green spaces (public land) with the exception of the leased area north of the golf course and south of the railway tracks.
  - c) No person shall operate an all terrain vehicle or licensed motorcycle on the beach area extending from the boat launch south to the boundary of Douglas Provincial Park, except in the following circumstances, exemptions will be allowed:
    - i) for a person who needs to use a non-licensed motorized vehicle to access the beach because of a disability who can apply for a free permit from the Administration Office in Elbow. It is understood that the vehicle needs to return to the designated area to park;
    - ii) during the period from November 1<sup>st</sup> to March 31<sup>st</sup> to accommodate the ice fishing season; and
    - iii) for maintenance vehicles authorized by the Resort Village Council.
  - d) No person shall operate an all terrain vehicle or licensed motorcycle within the Resort Village in such a manner as to create a nuisance or undue annoyance to residents or other persons within the Resort Village.
  - e) No person shall operate an all terrain vehicle or licensed motorcycle upon any property in such a manner that is dangerous to other persons or property.
  - f) No person shall operate an all terrain vehicle or licensed motorcycle to travel two (2) abreast on a street or roadway.
  - g) No person shall operate an all terrain vehicle or licensed motorcycle who is under the age of sixteen (16) years.
  - h) Subsection 2(g) does not apply to a person while that person is operating an all terrain vehicle on private land owned or occupied by him or a member of his immediate family.
  - i) Subsection 2(g) does not apply to a person between the age of 12 years or more but under the age of 16 years, while operating an all terrain vehicle on:
    - i) any public or private land;
    - ii) a highway for the purpose of crossing the highway by the most direct and shortest route of travel available to him;  
or
    - iii) the untravelled portion of a highway;and the operator of the all terrain vehicle:
    - iv) must be accompanied on the all terrain vehicle, if it is designed for the transportation of one or more passengers, by a person who holds and has held continuously for the immediately preceding 365 days a licence that permits him to operate the all terrain vehicle;
    - v) must be supervised by a person who holds and has held continuously for the immediately preceding 365 days a licence that permits him to operate the all terrain vehicle;  
or



vi) has successfully completed an approved training course, with respect to the operation of all terrain vehicles and provides evidence of having successfully completed the course to a peace officer making a request for that evidence.

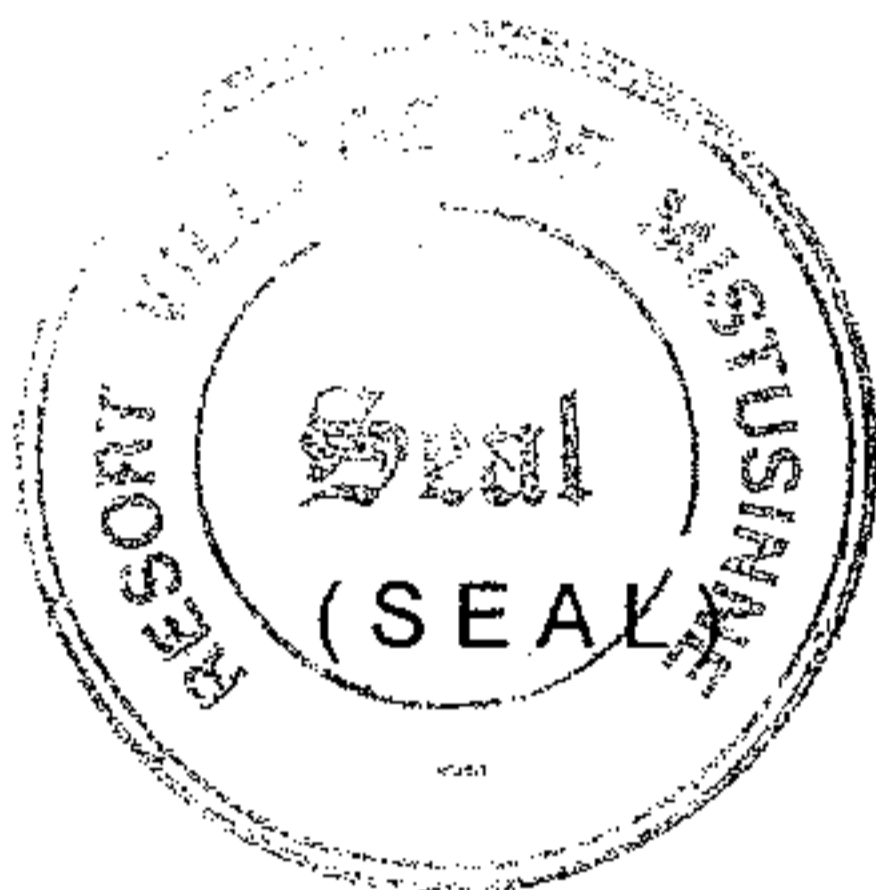
- j) No person shall operate an all terrain vehicle or licensed motorcycle at night without using prescribed lights.
- k) The operator of and any passenger on an all terrain vehicle or licensed motorcycle that is being operated, shall wear a helmet in the manner prescribed.
- l) The operator shall meet all applicable requirements of *The All Terrain Vehicle Act* and *The Traffic Safety Act* and any bylaw of the Resort Village of Mistusinne regulating the operation of vehicles.

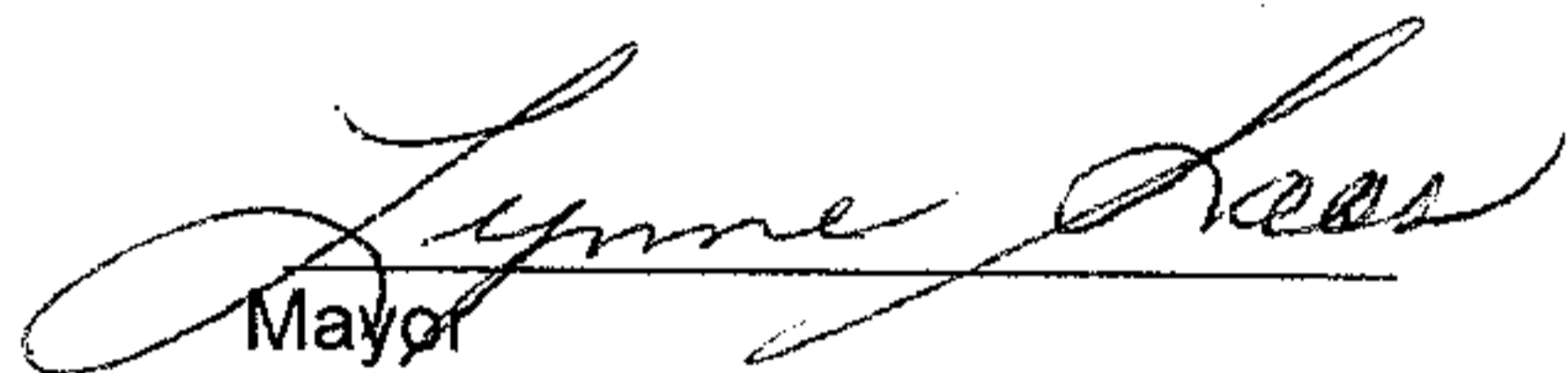
4. An operator who does not comply with the conditions set forth in Section 2 or 3 shall be guilty of an offence and subject to the following penalty:

1<sup>st</sup> offence..... \$250  
2<sup>nd</sup> or repeated offence..... \$500

5. Bylaws numbered 02-07 and 03-07 are hereby repealed.

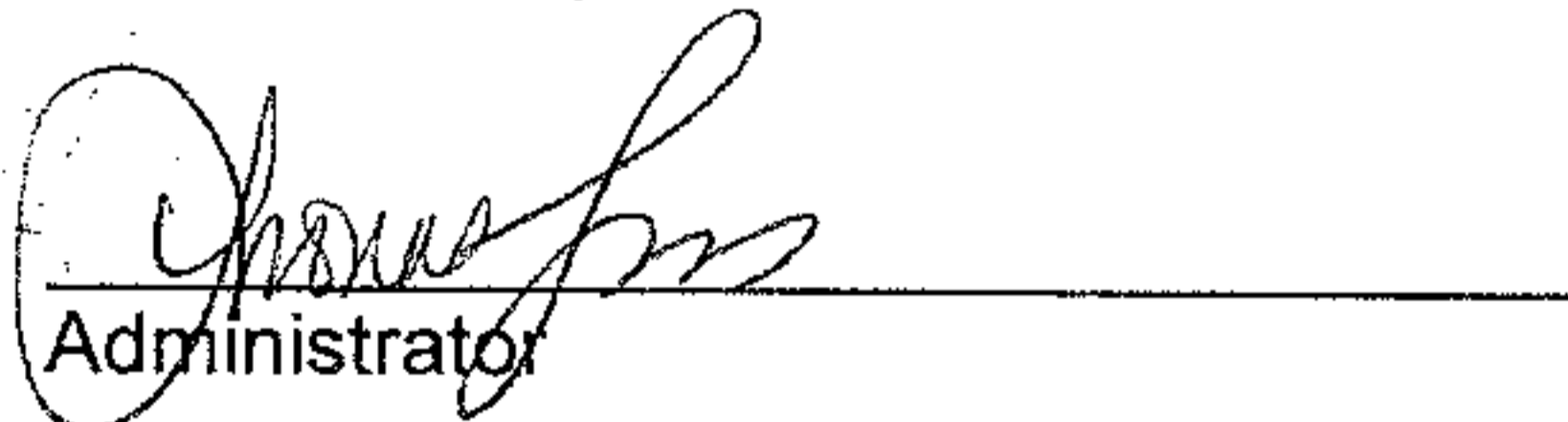
6. This Bylaw shall come into force and take effect upon its date of adoption.



  
Mayor

  
Administrator

Certified a true copy of Bylaw No. 11-07  
adopted by resolution of Council  
on the 15<sup>th</sup> day of June, 2007.

  
Administrator

