

**HAMLET OF TULITA  
BY-LAW NO. 274-23**

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A by-law of the Municipal Corporation of the Hamlet of Tulita in the Northwest Territories for the control, use, and operation of All-Terrain Vehicles on highways within the Hamlet

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**WHEREAS** the Hamlet can regulate All-Terrain Vehicles pursuant to the provisions of the *All-Terrain Vehicles Act*, R.S.N.W.T., 1988, c. A-3, ss. 5 to 7; the *Motor Vehicles Act*, R.S.N.W.T., 1988, c. M-16, s. 347; and the *Hamlets Act*, R.S.N.W.T., 1988, c. H1, s. 173

**AND WHEREAS** the Council of the Hamlet of Tulita deems it desirable to regulate the control, use, and operation of All-Terrain Vehicles within the municipal boundaries of Tulita;

**NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF TULITA**, duly assembled, enacts as follows:

**1. NAME OF BYLAW**

1.1 This Bylaw may be cited as the "All-Terrain Vehicle Bylaw".

**2. INTERPRETATION**

2.1 In this by-law:

- (a) "All-Terrain Vehicle" has the same meaning as in the *All-Terrain Vehicles Act*, R.S.N.W.T., 1988, c. A-3, as amended.
- (b) "Council" means Council of the Hamlet of Tulita.
- (c) "Hamlet" means the Hamlet of Tulita.
- (d) "Helmet" means a helmet that meets CSA standards.
- (e) "Highway" has the same meaning as in the *Motor Vehicles Act*, R.S.N.W.T., 1988, c. M-16, as amended
- (f) "Peace Officer" means a bylaw officer or a peace officer appointed by the Hamlet to enforce bylaws of the Hamlet, and includes a member of the Royal Canadian Mounted Police.

- (g) “Sidewalk” has the same meaning as in the *Motor Vehicles Act*, R.S.N.W.T., 1988, c. M-16, as amended.

### **3. APPLICATION AND INTERPRETATION**

- 3.1 This Bylaw applies to Highways and other areas in the Hamlet but does not authorize the operation of an All-Terrain Vehicle on Highways designated as primary highways under the *Public Highway Act*, R.S.N.W.T. 1988, c P-13, as amended, that are not subject to an agreement made under that Act.
- 3.2 If any provision of this Bylaw is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity or enforceability of the remaining provisions of this Bylaw. The remaining provisions shall continue to be in full force and effect.

### **4. RULES OF OPERATION AND EQUIPMENT**

- 4.1 No person shall operate an All-Terrain Vehicle in the Hamlet:
  - (a) without due care and attention;
  - (b) in a manner that constitutes a nuisance as reasonably determined by a Peace Officer;
  - (c) in a manner or condition that endangers the safety of the driver, a passenger, or the public;
  - (d) in any of the areas designated in Schedule “A” where All-Terrain Vehicles are prohibited;
  - (e) contrary to a traffic control sign or device;
  - (f) at a speed greater than 30 km/hour if there is no maximum speed limit set out by a traffic control device;
  - (g) on a Sidewalk;
  - (h) equipped with a muffler cut-out, bypass, straight exhaust, stock, high performance or tuned pipe, or similar device; and
  - (i) in any manner that causes damage to the Highway.

- 4.2 No person shall operate or park an All-Terrain Vehicle on private property without authorization from the owner, tenant, occupant, or person in control of the property.
- 4.3 No person shall operate or ride as a passenger on an All-Terrain Vehicle where the number of persons on the All-Terrain Vehicle exceeds the number of persons the All-Terrain Vehicle is designed to carry.
- 4.4 No person shall drive an All-Terrain Vehicle to the left of the center of the Highway except when:
  - (a) overtaking and passing another vehicle proceeding in the same direction;
  - (b) the Highway to the right of the center is obstructed by a parked vehicle or other object or is closed to traffic; or
  - (c) making a left turn at an intersection or onto a private road or driveway.
- 4.5 No person shall operate or ride as a passenger on an All-Terrain Vehicle on a Highway unless the person is wearing a Helmet securely fastened by a chinstrap.
- 4.6 No person shall operate an All-Terrain Vehicle within the Hamlet between the hours of 11:00 p.m. and 7:00 a.m. except when traveling to and from hunting, trapping, fishing, camping, their place of employment, or to their principal place of residence, or to respond to an emergency health or safety situation, provided that the most direct route is taken.
- 4.7 No person shall stop, park, or leave an All-Terrain Vehicle so as to obstruct the free passage of traffic along any Highway.

## **5. REGISTRATION OF AN ALL-TERRAIN VEHICLE**

- 5.1 All owners of an All-Terrain Vehicle shall:
  - (a) register the All-Terrain Vehicle with the Hamlet by providing, to the satisfaction of the Hamlet, proof of insurance, the completed form attached as Schedule "C", and paying any prescribed fees in Schedule "B";
  - (b) obtain a one-time licence plate from the Hamlet by submitting a form, as prescribed by the Hamlet, and paying the fee prescribed in Schedule "B". The licence plate shall be affixed to the back or front of the All-Terrain Vehicle or as otherwise directed by the Hamlet.

5.2 Without limiting the generality of section 4 of this Bylaw, no person shall operate an All-Terrain Vehicle in the Hamlet unless:

- (a) the All-Terrain Vehicle is registered and licenced in accordance with section 5.1 of the Bylaw;
- (b) the All-Terrain Vehicle is licenced in accordance with the *All-Terrain Vehicles Act*, R.S.N.W.T., 1988, c. A-3, as amended, and *Motor Vehicles Act*, R.S.N.W.T., 1988, c. M-16, as amended;
- (c) the person has public liability insurance and holds a valid driver's licence in accordance with the *All-Terrain Vehicles Act*, R.S.N.W.T., 1988, c. A-3, as amended, and *Motor Vehicles Act*, R.S.N.W.T., 1988, c. M-16, as amended.

5.3 A licence issued under section 5.1(b) of the Bylaw cannot be transferred.

5.4 No person shall destroy, obliterate, or alter a license plate on an All-Terrain Vehicle.

## **6. ENFORCEMENT**

6.1 A Peace Officer may direct a person operating an All-Terrain Vehicle on a Highway to stop and park the All-Terrain Vehicle to determine if the person operating the All-Terrain Vehicle and the All-Terrain Vehicle and its equipment, comply with this Bylaw.

6.2 When a person operating an All-Terrain Vehicle contravenes any provisions of this Bylaw and they are not known to the Peace Officer, the legal owner of the All-Terrain Vehicle shall, at the request of the Peace Officer and within 24 hours of the request, supply the name and address of the person operating the vehicle at the time of the contravention.

6.3 Every owner who fails, refuses, neglects, or is unable to supply the name and address of the person operating the All-Terrain Vehicle is liable for the penalty for the contravention,

6.4 No person shall obstruct a Peace Officer in the performance of their duties.

6.5 No person shall knowingly make a false statement in any application or other document required by this Bylaw or utter a false statement to a Peace Officer while the officer is in the lawful execution of his or her duties.

## **7. PENALTIES**

- 7.1 Any person who contravenes any provisions of this Bylaw is guilty of an offence.
- 7.2 A person who is guilty of an offence is liable, on summary conviction, to a fine in an amount not less than that established in this section, and not exceeding \$2,000, or to imprisonment for a term of not more than six months in default of payment of the fine.
- 7.3 Without restricting the generality of section 7.2 the fine amounts set out in Schedule “B” are established for use on tickets if a voluntary payment option is offered.
- 7.4 A Peace Officer may issue a ticket, in the form prescribed by the *Summary Conviction Procedures Act*, R.S.N.W.T. 1988, c S-15, as amended, to any person who violates any provision of this Bylaw and may indicate, on the ticket, the specified penalty, established in Schedule “B”, that may be paid to the Hamlet prior to the date specified on the ticket in place of appearing in answer to the summons.

## **8. Effective Date**

- 8.1 This Bylaw will come into force four months after it has received Third Reading. During the four months after passing the Bylaw, the Hamlet will undertake through social media and printed flyers, to make residents of the community aware of the requirements for owners and drivers of ATV's, and the offenses and fees for those receiving summary tickets under the ATV Bylaw.

READ a first time this 19 day of June, 2023.

READ a second time this 31 day of July, 2023

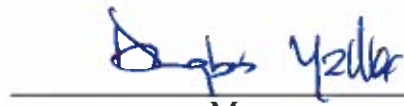
  
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Mayor


  
\_\_\_\_\_

Senior Administrative Officer

READ a third time and passed this 20 day of December, 2023.

  
\_\_\_\_\_

Mayor

  
\_\_\_\_\_

Senior Administrative Officer

**I hereby certified that this Bylaw No. 274-23 has been made in accordance with the requirements of the Hamlets Act and the bylaws of the Hamlet of Tulita.**

Certified this 20<sup>th</sup> day of December, 2023.

  
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Senior Administrative Officer

**HAMLET OF TULITA**

**BY-LAW NO. 274-23**

**SCHEDULE "A"**

**PROHIBITED AREAS FOR USE OF ALL-TERRAIN VEHICLES**

1. private property without the authorization of the owner
2. access driveways
3. school zone
4. playgrounds
5. graveyards
6. airport zone
7. commercial establishment zone (except for patronage)
8. sidewalks
9. the arbor
10. outdoor ice rink

**HAMLET OF TULITA**  
**BY-LAW NO. 274-23**  
**SCHEDULE "B"**  
**OFFENSES AND FEES**

OFFENCE	SECTION	Tickets	
		First Offence	Second and Subsequent Offences
Operating an ATV without due care and attention	4.1(a)	\$100.00	\$300.00
Operating an ATV in a manner that constitutes a nuisance	4.1(b)	\$75.00	\$150.00
Operating an ATV in a manner or condition that endangers the safety of the driver, a passenger or the public	4.1(c)	\$100.00	\$300.00
Operating an ATV in any area designed by Bylaw as prohibited	4.1(d)	\$75.00	\$150.00
Operating an ATV contrary to a traffic sign or signal	4.1(e)	\$75.00	\$150.00
Operating an ATV at a speed greater than 30 km/hour if there is no maximum speed limit set out by a traffic control device	4.1(f)	\$75.00	\$200.00
Operating an ATV on a sidewalk	4.1(g)	\$75.00	\$150.00
Operating an ATV equipped with a muffler cut-out, bypass, straight exhaust, stock, high performance or tuned pipe, or similar device	4.1(h)	\$75.00	\$150.00
Operating an ATV in any manner that causes damage to a Highway	4.1(i)	\$75.00	\$150.00
Operating or parking an ATV on private property without authorization	4.2	\$75.00	\$150.00
Exceeding the number of persons the ATV is designed to carry	4.3	\$100.00	\$200.00
Driving an ATV to the left of centre of Highway	4.4	\$100.00	\$200.00
Operating or riding an ATV without a Helmet	4.5	\$75.00	\$200.00



Operating an ATV within the Hamlet between the hours of 11:00 p.m. and 7:00 a.m.	4.6	\$75.00	\$150.00
Stopping, parking or leaving an ATV so as to obstruct the free passage of traffic along a Highway	4.7	\$75.00	\$150.00
Operating an ATV within the Hamlet without registration and license	5.2(a)	\$75.00	\$200.00
Operating an ATV within the Hamlet without license under the All-Terrain Vehicles Act and Motor Vehicles Act	5.2(b)	\$75.00	\$200.00
Operating an ATV without insurance	5.2(c)	\$75.00	\$200.00
Operating an ATV without a valid driver's license	5.2(c)	\$75.00	\$200.00
Destroying, obliterating, or altering a license plate on an ATV	5.4	\$75.00	\$150.00
Failing to provide to Peace Officer the name and address of person operating ATV	6.3	\$100.00	\$200.00
Obstructing a Peace Officer	6.4	\$100.00	\$300.00
Knowingly making false statements in any application or other documents, or uttering false statements to a Peace Officer	6.5	\$100.00	\$300.00

### **REGISTRATION FEE**

The registration fee for a registered owner of an All-Terrain Vehicle is \$25.00.

### **LICENCE FEE**

The license fee to obtain a license plate is a one-time fee of \$20.00.

**HAMLET OF TULITA  
BY-LAW NO. 274-23  
SCHEDULE "C"**

**ALL-TERRAIN VEHICLE REGISTRATION FORM**

Full Name: \_\_\_\_\_

Civic Address: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Cell #: \_\_\_\_\_

**Description of All-Terrain Vehicle**

Type: \_\_\_\_\_ Serial Number: \_\_\_\_\_

Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_

Colour: \_\_\_\_\_ Year: \_\_\_\_\_

I, \_\_\_\_\_ hereby certify that I am the legal owner of  
the described All-Terrain Vehicle and the information provided is true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

License Number issued by Hamlet: \_\_\_\_\_

Date of Issue: \_\_\_\_\_