

**TOWN OF HUMBER ARM SOUTH**  
**RECREATIONAL VEHICLES REGULATIONS 2021**

Pursuant to section 10 (2) of the Motorized Snow Vehicles and All-Terrain Vehicles Act, R.S.N.L 1990 and section 414 (2) (5) of the Municipalities Act 1999 and all other power enabling it the Town of Humber Arm South hereby enacts the following regulations adopted by Council at a public Council meeting held on the

11<sup>th</sup> day of May A.D. 2021.

Glenn Savard

Glenn Savard

Mayor

Marion Evoy

Marion Evoy

Town Clerk/Manager

1. These regulations will be known as the Town of Humber Arm South Recreational Vehicles Regulations 2021.

Definitions

2. In these regulations:

- a. "All-terrain vehicle" means a wheeled motorized vehicle, excluding two wheeled vehicles or vehicles modified with the wheels removed and replaced by tracks, designed or adapted for off-road use
- b. "Town" means the Town of Humber Arm South
- c. "Council" means the town council of the Town of Humber Arm South
- d. "Designated route" means any public roadway approved by council for all-terrain vehicle use.
- e. "Roadway" means any public streets, roads, roadways or road reserves, owned or maintained under the jurisdiction of the Town of Humber Arm South.
- f. "Highway Traffic Act" means the Newfoundland and Labrador Highway Traffic Act RSNL 1990.
- g. "Public pathway" means any pathway or trail owned or maintained under

the jurisdiction of the Town of Humber Arm South.

#### Designated Routes and Times of Operation

3. All-terrain vehicles are permitted to be operated on any highway or public pathway in the Town of Humber Arm South unless otherwise restricted by these regulations and in the manner as set forth in these regulations.

#### Prohibited Operations

4. A person shall not operate an ATV:

- (a) Without due care and attention or without reasonable consideration for persons or property;
- (b) In any area designated as a park or playground;
- (c) On a public pathway (Unless otherwise specified);
- (d) On a sidewalk or designated walking and/or bicycling path;
- (e) On private property without the express permission of the owner
- (f) Snowmobiles and Dirt Bikes are not permitted to be used on any roadway within the Town of Humber Arm South.

5. A person shall not operate an ATV in such a manner as to:

- (a) Constitute a nuisance or create annoyance to residents or other persons;
- (b) Be hazardous to himself/herself or to other persons or property; or
- (c) Drive, harass, chase, run over, injure or kill any wildlife or domestic animal(s).

#### Rules of Operation

6. No person shall operate an all-terrain vehicle upon a Town Roadway unless:

- a. That person travels upon a designated route as outlined in Section 3 of these regulations
- b. The vehicle and its driver operate in accordance with the Motorized Snow Vehicles and All-Terrain Vehicles Act.
- c. That person is at least 16 years of age and the holder of a class of drivers licence issued under the Highway Traffic Act.
- d. That person or the vehicle being driven carries a valid liability insurance

policy and proof thereof can be readily produced when requested by a law enforcement officer

e. The all-terrain vehicle must be equipped with an exhaust system that is of the original equipment manufacturer design and has not been modified to increase sound. The exhaust system must be in working order and in constant operation.

f. The all-terrain vehicle must never exceed any posted speed limit and town roadways.

g. The driver of an all-terrain vehicle must at all times yield the right of way to drivers of all other classes of vehicles on the roadway.

h. A person may drive, operate or move a vehicle across Route 450 only at those points where the driver has not less than 100 yards visibility in both directions along the Highway.

i. Unless otherwise stipulated in these regulations, the driver of an all-terrain vehicle must adhere to the "rules of the road" as described in the Highway Traffic Act.

#### Signage

7. Council may erect warning, cautionary, directional, limiting, or prohibiting signs regarding the operation of all-terrain vehicles and the operator of any vehicle who fails to obey such signs is guilty of an offence under these regulations.

#### Penalty

8. A persons who contravenes or fails to comply with these regulations is guilty of an offence and where no penalty is otherwise prescribed for such offence in the Motorized Snow Vehicles and All-Terrain Vehicles Act, the Highway Traffic Act, or any other provincial statutes or regulations, is liable on summary conviction to a fine or to a period of imprisonment in accordance with section 420 of the Municipalities Act 1999.

(a) For a first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or to both the fine and the imprisonment; and

(b) For a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

These Regulations were adopted and passed by Council at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021 and are effective as of that date.

**Council reserves the right to Rescind/Amend immediately if ATVs on Town streets create circumstances that are a persistent danger to residents and/or property.**

**\*The RCMP will monitor and enforce all regulations as required by the Government of NL and Labrador Highway Traffic Act and MOTORIZED SNOW VEHICLES AND ALL-TERRAIN VEHICLES ACT.**

## **“Appendix A”**

Town Roads included in the ATV Shared Route are listed by community as follows:

### Halfway Point:

Chaytor’s Road

Shoreline Road

### Benoit’s Cove:

Hillview Road

Webcon Road

Pit Road

Graveyard Road

Vincent’s Lane

Maple Lane

Hynes Road

Russell’s Road

### John’s Beach:

Wildwood Ave

Companions Road

### Frenchman’s Cove:

Boland’s Ave

John Frank’s Road

## **“Appendix A”**

As the ATV Shared Route is on a trial basis, the following town roads will be included in these regulations:

### **Benoit’s Cove:**

Hillview Road

Pit Road

Webcon Road

Graveyard Road

Hynes Road

Russell’s Road

Maple Lane

Vincent’s Lane

Rumbolt’s Road