

CITY OF MARTENSVILLE  
ALL TERRAIN VEHICLE BYLAW  
BYLAW NO. 11-2013  
Consolidated to 17-2014

A BYLAW TO CONTROL THE OPERATION OF ALL TERRAIN VEHICLES WITHIN THE CITY OF MARTENSVILLE.

The Council of the City of Martensville in the Province of Saskatchewan enacts as follows:

1. This Bylaw is enacted pursuant to Section 9(1) of the *All Terrain Vehicles Act*.
2. In this Bylaw:
  - i. “City Manager” means the City Manager of the City of Martensville or any person delegated by the City Manager.
  - ii. “All Terrain Vehicle” has the meaning ascribed to it in the All Terrain Vehicles Act, Section 2(1)(b)
  - iii. “Certificate of Registration” means proof of insurance issued for an All Terrain Vehicle pursuant to Section 3 of this Bylaw.
  - iv. “Street” means any street, or lane within the City of Martensville.
  - v. “City” means City of Martensville.
3. No person shall operate or authorize or permit any other person to operate an All Terrain Vehicle within the City unless:
  - i. The ATV has obtained a certificate of registration under the All Terrain Vehicles Act, and has provided the City Manager registration information; or
  - ii. That person has obtained a certificate of registration from the City
  - iii. The identification tag is attached to the All Terrain Vehicle; and
4. The City Manager shall provide an owner of an All Terrain Vehicle a certificate of registration for the ATV if:
  - i. The owner of the ATV applies on a form provided in Schedule “A” by the City and pays the prescribed fee as provided in Schedule “B” of this Bylaw;
  - ii. Provides proof of liability insurance in regards to operating an All Terrain Vehicle in the amount of a minimum of \$300,000.
5. Pursuant to the provisions of Section 9 of the All Terrain Vehicles Act;

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- i. It shall be unlawful to operate an All Terrain Vehicle between the hours of 11:00 P.M. and 7:00 A.M. in the City of Martensville.
  - ii. No person shall operate an All Terrain Vehicle on the travelled portion of any street in the City except to cross a street when travelling from private property to the corporate limits of the City of Martensville.
  - iii. Subject to the foregoing, All Terrain Vehicles may be operated on the untraveled portion of the streets, other than provincial highways, in the City, for the purpose of travelling from private owned property to the corporate limits of the City and return, by the most direct route from the owner's privately owned property.
  - iv. No All Terrain Vehicle shall be operated at any time on the City of Martensville's Municipal Reserves (Parks), Buffer Strips, Walkways, any area that is ditched or designed to provide drainage and Crown Owned Land.
  - v. No All Terrain Vehicle shall be operated on private owned land that has been posted as disallowing the operation of All Terrain Vehicles.
6. No Person shall operate an All Terrain Vehicle;
- i. Unless they hold a subsisting driver's license;
  - ii. If they are under the age of 16 years;
  - iii. Without due care and attention;
  - iv. Without a helmet;
  - v. At a speed in excess of 30km/hr;
  - vi. With a passenger on the All Terrain Vehicle unless the All Terrain Vehicle was designed by the original manufacturer of the All Terrain Vehicle for the transportation of passengers;
  - vii. With a passenger being towed on any type of equipment attached to the All Terrain Vehicle;
  - viii. Which creates excessive or unusual noise within the City limits
  - ix. Sections i and ii do not apply to a person:
    - a) While that person is operating an All Terrain Vehicle on private land owned or occupied by the operator or a member of their immediate family;

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b) Of the age of 12 years or more but under the age of 16 years, while the person is operating an All Terrain Vehicle on:

- 1) Any public or private land
- 2) A highway for the purpose of crossing the highway by the most direct and shortest route of travel available; or
- 3) The untraveled portion of a highway; and the operator of the All Terrain Vehicle;
- 4) Is 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 license that permits them to operate the vehicle;
- 5) Is supervised by a person who holds and has held continuously for the immediately preceding 365 days a license that permits them to operate the All Terrain Vehicle; or
- 6) Has successfully completed a training course, approved by the Highway Traffic Board, 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; or

c) While the person is operating an All Terrain Vehicle;

- 1) That is equipped with not more than two wheels;
- 2) On an enclosed race track or trail on private land; and
- 3) During the course of an event carried out, promoted or sponsored by a person or organization approved by the City of Martensville or the Highway Traffic Board.

7. (a) Any person who contravenes any of the provisions of this Bylaw or fails to comply with any provisions of this Bylaw is guilty of an offence and liable, upon summary conviction:

- i. For an offence under Section 5 of this Bylaw to a fine of not less than \$200 and
- ii. For the first offence under all other Sections of this Bylaw, to a fine of not less than \$100

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(b) **VOLUNTARY PAYMENT TO AVOID PROSECUTION**

(i) Where any Martensville Bylaw Enforcement officer or Peace Officer believes that a person has contravened any provision in Section 5 or 6 of this Bylaw, he may serve upon such person a Notice of Violation Ticket either personally or by mailing or leaving same at his or her last known address and such service shall be adequate for the purpose of this Bylaw.

(ii) A Notice of Violation Ticket shall state the Bylaw and the section of the Bylaw, which was contravened, and the amount that will be accepted by the City in lieu of prosecution.

(iii) Upon production of a Notice of Violation Ticket issued pursuant to this section within thirty (30) days from the issue thereof, together with the payment of the fee as provided in Schedule "C" to City Hall, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued. A reduced voluntary payment, in Schedule "C", may also be given and if paid within 10 days of the offence date on the Notice of Violation Ticket, the individual shall not be liable to further prosecution if so paid.

(Bylaw 17-2014)

8. This Bylaw shall come into force on final passing thereof.

Read a first time this 18<sup>th</sup> day of June, 2013.

Read a second time this 18<sup>th</sup> day of June, 2013.

Read a third time this 18<sup>th</sup> day of June, 2013.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

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SCHEDULE "A"

CERTIFICATE OF REGISTRATION APPLICATION FOR ALL TERRAIN VEHICLES

Name of Applicant: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_  
(if different from Civic) \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Description of ATV: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Office Use Only:

Certificate of Registration # \_\_\_\_\_

SGI Registration # \_\_\_\_\_

***A COPY OF THE PROOF OF LIABILITY INSURANCE MUST BE ATTACHED TO APPLICATION.***

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SCHEDULE "B"

1. A Certificate of Registration shall not be issued nor considered valid without payment of fees as prescribed:

(a)	Certificate of Registration – Identification Tag	\$25
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(b)	Annual Registration	\$10
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2. An annual license shall be valid from the first day of January of that year until the last day of December of that same year. (Bylaw 17-2014)

3. If an individual requires a new Identification Tag to replace a lost or damaged tag there will be a fee of \$15.00. (Bylaw 17-2014)

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SCHEDULE "C"

**Voluntary Payment**

**Fine amounts for all the offences in Sections 5 and 6 of this Bylaw:**

- First offence to a fine not more than One Hundred Dollars (\$100.00) and a reduced rate of Sixty Dollars (\$60.00).
- Subsequent offences to a fine of not more than Two Hundred Dollars (\$200) and a reduced rate of One Hundred and Twenty Five Dollars (\$125.00).

(Bylaw 17-2014)