

# THE CORPORATION OF THE TOWN OF HANOVER

## BY-LAW NO. 2416-03

**BEING** a By-law to regulate, govern and prohibit the operation of motorized snow vehicles with the municipality.

**WHEREAS** pursuant to Section 7 of the *Motorized Snow Vehicles Act*, R.S.O. 1990, c.M.44, the Council of a local municipality may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality, including any highways therein or any part or parts thereof;

**AND WHEREAS** it is deemed desirable and expedient to enact a by-law to prohibit the operation of motorized snow vehicles within the municipality.

**NOW THEREFORE** the Council of The Corporation of the Town of Hanover hereby enacts as follows:

1. In this By-law:

**“Corporation”** means the Corporation of the Town of Hanover.

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles.

**“Motorized Snow Vehicle”** means a self-propelled vehicle designed to be driven primarily on snow or ice or both.

**“Municipality”** means the Corporation of the Town of Hanover.

**“Park”**, **“Parking”** or **“Parked”** means the standing or stopping of a motorized snow vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

**“Public Place”** means any land, place or area owned or controlled by the Corporation of the Town of Hanover other than a highway, and includes: a public park; trail system; a cemetery; and a sidewalk, a pathway or footpath used by or set apart for the use of pedestrians and forming part of any highway, boulevard, park-lot, garden or other place set apart for ornament or embellishment or for public recreation.

**“Roadway”** – means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.

**“Sidewalk”** – means municipal property that is or hereafter may be physically set apart or made available and intended for pedestrian use by the public as a sidewalk, or that is designated for use as a park or Town sidewalk by by-law or otherwise;

**“Stop”** or **“Stopping”** means the halting of a motorized snow vehicle, even momentarily whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the direction of a Police Officer.

2. Where the operation of a motorized snow vehicle is permitted, no person shall operate or drive a motorized snow vehicle;
  - i. within the limits of the Corporation other than for the purpose of entering, leaving, or crossing said Town in as nearly a direct route as possible, or on a clearly designated snowmobile trail approved by the Council of the Corporation of the Town of Hanover, as outlined in Schedule ‘A’ to this By-law;

- ii. within the limits of the Corporation between the hours of 12:00 o'clock midnight and 8:00 o'clock in the forenoon of the next following day;
  - iii. within a public place;
  - iv. on a roadway;
  - v. on a sidewalk;
  - vi. on any private property in the municipality unless the operator of such motorized snow vehicle has obtained the prior consent of the owner or occupant of the private property.
- 3. No person shall operate or drive a motorized snow vehicle;
  - i. within the limits of the Town of Hanover at a greater rate of speed than twenty (20) kilometers per hour.
- 4. No person shall park or stop a motorized snow vehicle on a roadway.
- 5. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a penalty not exceeding three thousand dollars (\$3,000.00), exclusive of costs, and every such penalty shall be recoverable under the *Provincial Offences Act* R.S.O. 1990 c.P.33, all provisions of which shall apply.
- 6. By-law No. 1109 is hereby repealed in its entirety.
- 7. Notwithstanding anything herein contained, a motorized snow vehicle shall be permitted to operate and to be driven within the municipality during an official emergency declared by the Head of the Council of the Corporation or a duly designated party thereof and in accordance with the emergency regulations as may be contained within the emergency declaration.
- 8. This By-law comes into force and takes effect upon third and final reading thereof.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED this 8th day of December, 2003.

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Bob White, Mayor

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William Roberts  
Chief Administrative Officer & Clerk

## **SCHEDULE 'A' to BY-LAW NO. 2416-03**

### **Motorized Snow Vehicles – Council Approved Snowmobile Trail**

Commencing on the east side of 7th Avenue at the Hanover Cemetery and going north to County Road 10 (7<sup>th</sup> Avenue), crossing County Road 10 (7<sup>th</sup> Avenue) to the east side of County Road 10 and then traveling north to the parking lot at the Hanover Raceway.