

The Corporation of the Town of Midland

BY-LAW #94-13

A By-law to regulate motorized snow vehicles within municipal parks

WHEREAS it has been deemed expedient that the use and operation of motorized vehicles within the municipal parks of the Corporation of the Town of Midland.

NOW THEREFORE THE CORPORATION OF THE TOWN OF MIDLAND ENACTS AND BE IT ENACTED AS FOLLOWS:-

1. Interpretation: - In this By-law
 - a) “motorized snow vehicle” means a self-propelled vehicle designed to be driven exclusively on snow or ice or both;
 - b) “municipal park” means any public park within the Corporation of the Town of Midland.
2. No person without an operating permit shall drive a motorized snow vehicle within any municipal park unless accompanied on the motorized snow vehicle by the owner of the motorized snow vehicle who shall be insured under a motor vehicle liability policy in accordance with the Insurance Act.
3. Except as provided in Paragraph 2 hereof for accompanied drivers, no person shall drive a motorized snow vehicle within any municipal park unless her is insured under a motor vehicle liability policy in accordance with The Insurance Act and the owner of a motorized snow vehicle shall not permit any person to drive the vehicle within a municipal park unless the driver is so insured.
4. The owner of a motorized snow vehicle who drives or permits the driving of the motorized snow vehicle within a municipal park shall upon the request of a Constable or other police officer produce evidence within a reasonable time that the motorized snow vehicle or the driver thereof, except as hereinbefore provided in Paragraph 2, is insured under a motor vehicle liability policy in accordance with The Insurance Act.
5. No person shall drive a motorized snow vehicle, and no owner shall permit the driving of a motorized snow vehicle within any area or part of a municipal park designated by the erection of signs prohibiting the driving therein of motorized snow vehicles.
6. No person shall drive a motorized snow vehicle within a municipal park in a race, or on a bet or wager.
7. No person shall drive a motorized snow vehicle within a municipal park to tow any skier.

8. All drivers of motorized snow vehicles within a municipal park shall yield the right of way to all pedestrians, skiers, snow-shoers, sleigh-riders and toboggan riders.
9. No person shall operate a motorized snow vehicle within a municipal park at a speed greater than 20 km per hour or in excess of such lesser speed as is reasonable and prudent under conditions then existing.
10. Every person is guilty of an offence within this By-law who drives a motorized snow vehicle within a municipal park without due care and attention or without reasonable consideration for other persons or vehicles.
11. Any person who contravenes any provision of the by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, as amended. (Amending By-law 98-04)
12. By-law # 16 of the former Midland Board of Park Management is hereby repealed.

This By-law shall come into force and take effect immediately after the final passing hereof.

BY-LAW read a **FIRST**, **SECOND** and **THIRD** time and finally passed in Open Council on the 28th Day of February, 1994.

E. F. Symons (signed)
Mayor

F. G. Flood (signed)
Clerk