

MAKKOVIK TOWN COUNCIL

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Published By Authority

Pursuant to the powers conferred by Part XVI, Regulations #414 (2) (s) and #414 (jj) (iv) of the Municipalities Act 1999, the Makkovik Town Council of The Town of Makkovik has made the following Regulations:

Herbert Jacque
(MAYOR)

Terry Rice
(CLERK)

October 13, 2002
(DATE)

The Makkovik Town Council Recreational Vehicles (Snowmobile and Recreational Vehicle) Regulations 2002.

**The Makkovik Town Council Recreational Vehicles,
Snowmobile and Recreational Vehicles,
Regulations, 2002.**

1. Interpretations: In these Regulations, unless the context otherwise requires:

- (a) "Act" means the Municipalities Act, 1999 and any amendment to it.
- (b) "Council" means the Town of Makkovik, Makkovik Town Council.
- (c) "Town" means the Town of Makkovik as defined by Order in Council dated the 26th day of March, 1970 or any amendments thereto, issued under the Community Councils Act, 1972 and continued under the Municipalities Act.
- (d) "Snowmobile" means a motorized vehicle designed and constructed for travel over snow and ice.
- (e) "Child's Sled" means any snow sled or snow toy designed and made for a child.
- (f) "Recreational Vehicle" means All Terrain Vehicles (ATV's) and motorcycles.
- (g) "Skis" means any cross country or downhill skis.
- (h) "Owner" means;
 - (i) The person who holds legal title to the vehicle, except in the case of a mortgaged vehicle, then the mortgagor if he or she is entitled to the possession of the vehicle.
 - (ii) In the case of a registered vehicle, the person in whose name it is registered.
 - (iii) In the case of a vehicle which is subject to a rental agreement or hire-purchase agreement, the person in possession of the vehicle under such agreement.
 - (iv) In the case of a vehicle which is subject to a conditional sales contract, the buyer or purchaser under the contract except in the case where the holder of the conditional sales contract is entitled to possession of the vehicle.

2. No snowmobile or recreational vehicle shall be operated at night, within the Town's Limits" unless it's lights, white light(s) to the front and red light(s) to the rear, are on and working properly.

3. Any snowmobile or recreational vehicle operated within the Town's Limits must be equipped with an adequate braking system that is in proper working order.

**The Makkovik Town Council Recreational Vehicles,
Snowmobile and Recreational Vehicles,
Regulations, 2002.**

4. Any snowmobile or recreational vehicle operated within the Town Limits **must be equipped with a noise muffler** or other noise reducing equipment, which shall be kept in good working condition and which shall prevent excessive or unusual noise. A person shall not equip a vehicle with a muffler cut-off, straight exhaust, gutted muffler, hollywood muffler, by-pass or other device which has the effect of by-passing or reducing the efficiency of that noise reducing equipment.
5. There shall be no towing of any person or persons **at any time** by snowmobiles or recreational vehicles within the Town Limits **unless** the person or persons being towed are in or on a suitable komatik (sled) or trailer which is attached to the towing vehicle by way of a fixed tow-bar.
6. The operator of a snowmobile or recreational vehicle **shall not** be permitted to tow any person or persons on a "child's sled" or "skis" within the Town Limits.
7. (i) No person under the age of thirteen (13) years shall operate a snowmobile within the Town Limits unless accompanied, on the same snowmobile, by a responsible adult person of nineteen (19) years of age or older.
7. (ii) No person under the age of sixteen (16) years shall operate a recreational vehicle (ATV) within the Town Limits unless accompanied, on the same ATV, by a responsible adult person of nineteen (19) years of age or older.
8. The speed limits for recreational vehicles and snowmobiles within the Town Limits of the Town of Makkovik are at thirty (30) kilometres per hour with the exception of the School Zone which is set at twenty (20) kilometres per hour. "The School Zone", is the area located from Randy Winters' property at 86-88 Andersen Street, Robert Gear's at 36 Laura's Lane up to the beginning of Spruce Avenue and vice-versa when traveling in the other direction.
9. (a) The owner of the snowmobile shall not knowingly permit any person under the age of thirteen (13) years to operate his or her snowmobile, subject to part 7 (i), above.
9. (b) The owner of a snowmobile who permitted anyone under the age of thirteen (13) years to operate his or her snowmobile, subject to part 7 (i) above, is in contravention of these Regulations and can be charged.

**The Makkovik Town Council Recreational Vehicles,
Snowmobile and Recreational Vehicles,
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10. (a) The owner of the recreational vehicle shall not knowingly permit any person under the age of sixteen (16) years to operate his or her recreational vehicle, subject to part 7 (ii) above.

10. (b) The owner of the recreational vehicle who permitted anyone under the age of sixteen (16) years to operate his or her recreational vehicle, subject to part 7 (ii) above, is in contravention of these Regulations and can be charged.

11. All recreational vehicles, ATV's and Motorcycles, shall be duly registered and insured before they are operated on any and all public roads within the Town Limits.

12. Violations of these Regulations, as per section 419 (1) (j) of the Municipalities Act, 1999, are subject to the general penalty as per section 420 (1) (a) & (b) of the Municipalities Act, 1999, which reads:

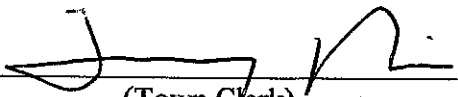
A person who commits an offence under section 419 or whom otherwise contravenes this Act is liable, on summary conviction

(a) For a first offence, to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment.

(b) For a subsequent offence, to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than three months or both the fine and imprisonment.

13. These Regulations, known as the Makkovik Town Council Snowmobile and Recreational Vehicle Regulations, 2002 will replace all previous Regulations relating to snowmobiles, ATV's and motorcycles.

These Regulations were adopted by Motion # 02-0 at a regular meeting of the Makkovik Town Council on the 13th day of October, 2002 and will come into effect two weeks after the day they were Adopted by the Makkovik Town Council.



(Town Clerk)

OCTOBER 13, 2002

(Date)

These Regulations may be cited as, The Makkovik Town Council Recreational Vehicle, Snowmobile and Recreational Vehicle, Regulations, 2002.