



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1511

A By-Law of the Rural Municipality of Victoria Beach to regulate the use of off-road vehicles within the Municipality.

WHEREAS Subsection 232(1) of The Municipal Act provides, in part, as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (g) the operation of off-road vehicles on public or private property;
- (o) the enforcement of by-laws;

AND WHEREAS Subsection 236(1) of The Municipal Act provides, in part, as follows:

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions

- (a) remedying contraventions of by-laws, including
  - (i) creating offences,
  - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,

AND WHEREAS the Council of the Rural Municipality of Victoria Beach deems it necessary to pass a by-law to regulate the use of off-road vehicles within the Municipality;

NOW THEREFORE the Council of the Rural Municipality of Victoria Beach, in council duly assembled, enacts as follows:

(1) THAT for the purposes of this By-Law:

- (a) "Off-Road Vehicle" shall mean any wheeled or tracked motorized vehicle designed or adapted for cross-country travel on land, water, marsh, swamp land or other natural terrain and includes, but is not limited to,
  - (i) an all-terrain vehicle,
  - (ii) a mini-bike, dirt-bike and trail-bike,
  - (iii) a miniature vehicle such as a dune or sport buggy,
  - (iv) an amphibious vehicle, and
  - (v) any other similar motorized vehicle not registered under The Drivers and Vehicles Act
- (b) "Operate" shall mean to drive or to be in actual physical control of an off-road vehicle
- (c) "Off-Road Vehicle" shall not include a snowmobile

(2) THAT no person shall operate an off-road vehicle on municipal land within the territorial limits of the Municipality, except as follows and as outlined on Schedule A attached hereto;

- (i) At any time on all those lands shaded in grey, including all municipal public reserve lands and beaches, but excluding that portion of abandoned CNR ROW Plan 2509 east of PTH #59 to Saffie Road;
- (ii) From June 1<sup>st</sup> to Labour Day inclusively, in each year, on all those lands identified RMVB;
- (3) THAT a peace officer may detain an off-road vehicle where an offence has been committed by means of, or in relation to, an off-road vehicle pursuant to the enforcement provisions of The Off-Road Vehicles Act;
- (4) THAT notwithstanding the provisions of this By-Law where a storm or blizzard or natural disaster renders a roadway impassable to vehicular traffic, and where the use of off-road vehicles is necessary to protect property or a matter of public safety, the operation of off-road vehicles by authorized personnel on municipal roadways or road allowances shall be permitted for the duration of the emergency as determined by the Municipality;
- (5) That any person guilty of a breach of any of the provisions of this By-law shall, upon summary conviction, be liable to a fine not exceeding One Thousand Dollars (\$1,000.00) and the costs of prosecution or in default of payment to imprisonment for a period not exceeding thirty (30) days and the provisions of The Manitoba Summary Convictions Act shall apply to any prosecution hereunder;
- (6) THAT By-Law No. 1483 be and the same is hereby repealed.

DONE AND PASSED in Council assembled, in the City of Winnipeg, in the Province of Manitoba, this 17<sup>th</sup> day of February, A.D. 2009.

*Original Signed By*

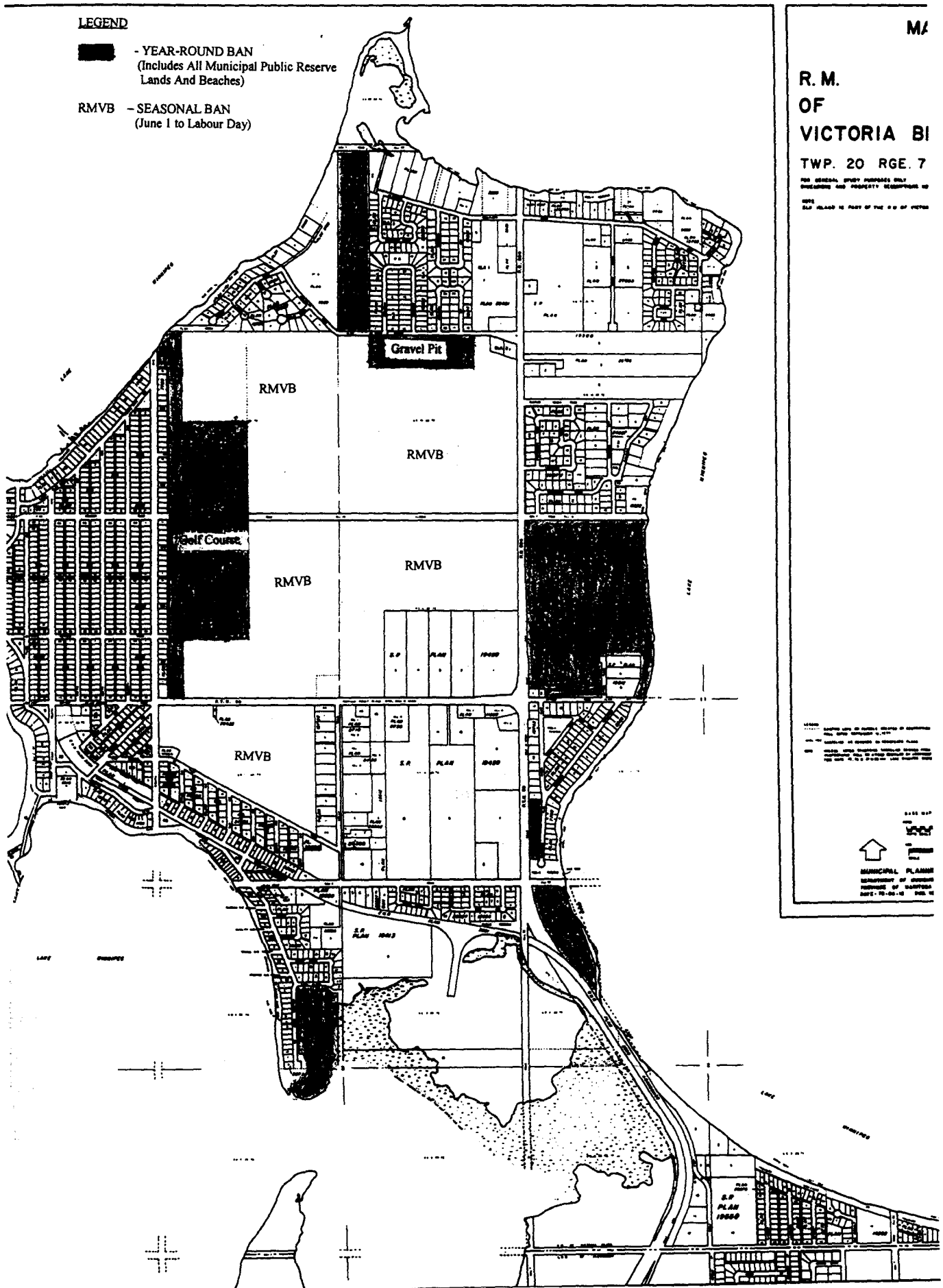
"W. McDonald"  
Reeve

"R. Moreau"  
CAO

Read a first time this 20<sup>th</sup> day of January A.D. 2009.

Read a second time this 17<sup>th</sup> day of February A. D. 2009.

Read a third time this 17<sup>th</sup> day of February A.D. 2009.



**LEGEND**

- YEAR-ROUND BAN  
(Includes All Municipal Public Reserve Lands And Beaches)
- RMVB - SEASONAL BAN  
(June 1 to Labour Day)

MA

**R. M.  
OF  
VICTORIA B.I.**

TWP. 20 RGE. 7

FOR GENERAL STUDY PURPOSES ONLY  
RENDERING AND PROPERTY DESCRIPTIONS OF  
THESE ARE SHOWN AS PART OF THE R.M. OF VICTORIA

NOTES:  
1. SHADING WITH STIPPLES INDICATES SEASONAL BAN  
2. SHADING WITH SOLID BLACK INDICATES YEAR-ROUND BAN  
3. SHADING WITH SOLID BLACK INDICATES MUNICIPAL PUBLIC RESERVE LANDS AND BEACHES  
4. SHADING WITH SOLID BLACK INDICATES MUNICIPAL PUBLIC RESERVE LANDS AND BEACHES

DATE: 1980  
MUNICIPAL PLANNING  
DEPARTMENT OF VICTORIA  
NOTE: 70-00-18 100% 10