

## **CITY OF NIAGARA FALLS**

### **A CONSOLIDATED BY-LAW**

Being **By-law No. 83-275** as amended by:

By-law 88-33.

#### **A by-law respecting motorized snow vehicles.**

**WHEREAS** subsection 2 of section 6 of the Motorized Snow Vehicles Act, being chapter 301 of the Revised Statutes of Ontario, 1980, provides that 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** subsection 3 of the said section 6 provides that where a by-law is passed under subsection 2, the provisions regulating or governing the operation of motorized snow vehicles under the by-law do not apply to highways or any part or parts thereof that are not under the jurisdiction of the local municipality.

#### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:**

1. In this by-law,
  - (a) “highway” means a common and public highway, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles, and includes the entire width between the boundary lines of the highway and every sidewalk within such boundary lines;
  - (b) “motorized snow vehicle” means a self-propelled vehicle designed to be driven primarily on snow;
  - (c) “sidewalk” means all that part of a highway intended for the use of pedestrians.
2. No person shall operate a motorized snow vehicle along or across any highway under the jurisdiction of The Corporation of the City of Niagara Falls within the area described in Schedule “A” attached hereto and forming part of this by-law and shown hatched on the plan Schedule “B” attached hereto and forming part of this by-law except for the purpose of crossing such highway in the manner prescribed by Regulation 669, Revised Regulations of Ontario 1980, made under the Motorized Snow Vehicles Act.
3. No person shall operate a motorized snow vehicle on any land owned by, leased to or under the control of The Corporation of the City of Niagara Falls within the said area described in Schedule “A” attached hereto and shown hatched on the said plan Schedule “B” attached hereto.
4. No person shall operate a motorized snow vehicle along or across any part of a highway set out in Column 1 of Schedule “C” attached to and forming part of this by-law between the points set out opposite thereto in Columns 2 and 3 of said Schedule “C” except for the purpose of crossing any such highway in the manner prescribed by Regulation 669, Revised Regulations of Ontario 1980, made under the Motorized Snow Vehicles Act.

5. This by-law shall not apply to prohibit the operation of a motorized snow vehicle on a highway in the City of Niagara Falls;
  - (a) when the need for the use of such motorized snow vehicle thereon is created by an emergency;
  - (b) when such motorized snow vehicle is being driven in a parade or contest that is held with the approval of the Council of The Corporation of the City of Niagara Falls; or
  - (c) when such motorized snow vehicle is actually engaged in works undertaken by or on behalf of The Corporation of the City of Niagara Falls.
6. Schedules “A”, “B” and “C” attached hereto are hereby declared to be and form part of this by-law.
7. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.00.
8. By-law No. 72-40 and all amendments thereto are hereby repealed.
9. This by-law shall not come into force unless it has been approved by the Council of The Regional Municipality of Niagara.

(Original By-law 83-275 was) passed this 19th day of December, 1983.

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PAUL J. BRENNAN / CITY CLERK

WAYNE THOMSON / MAYOR

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First Reading: December 19th, 1983  
Second Reading: December 19th, 1983  
Third Reading: December 19th, 1983

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**SCHEDULE “A”**

**to**  
**CITY OF NIAGARA FALLS**  
**By-law No. 83-275**

**DESCRIPTION OF AREA OF THE CITY OF NIAGARA FALLS IN WHICH THE OPERATION OF  
MOTORIZED SNOW VEHICLES ON HIGHWAYS AND ON CITY OWNED LANDS IS  
PROHIBITED**

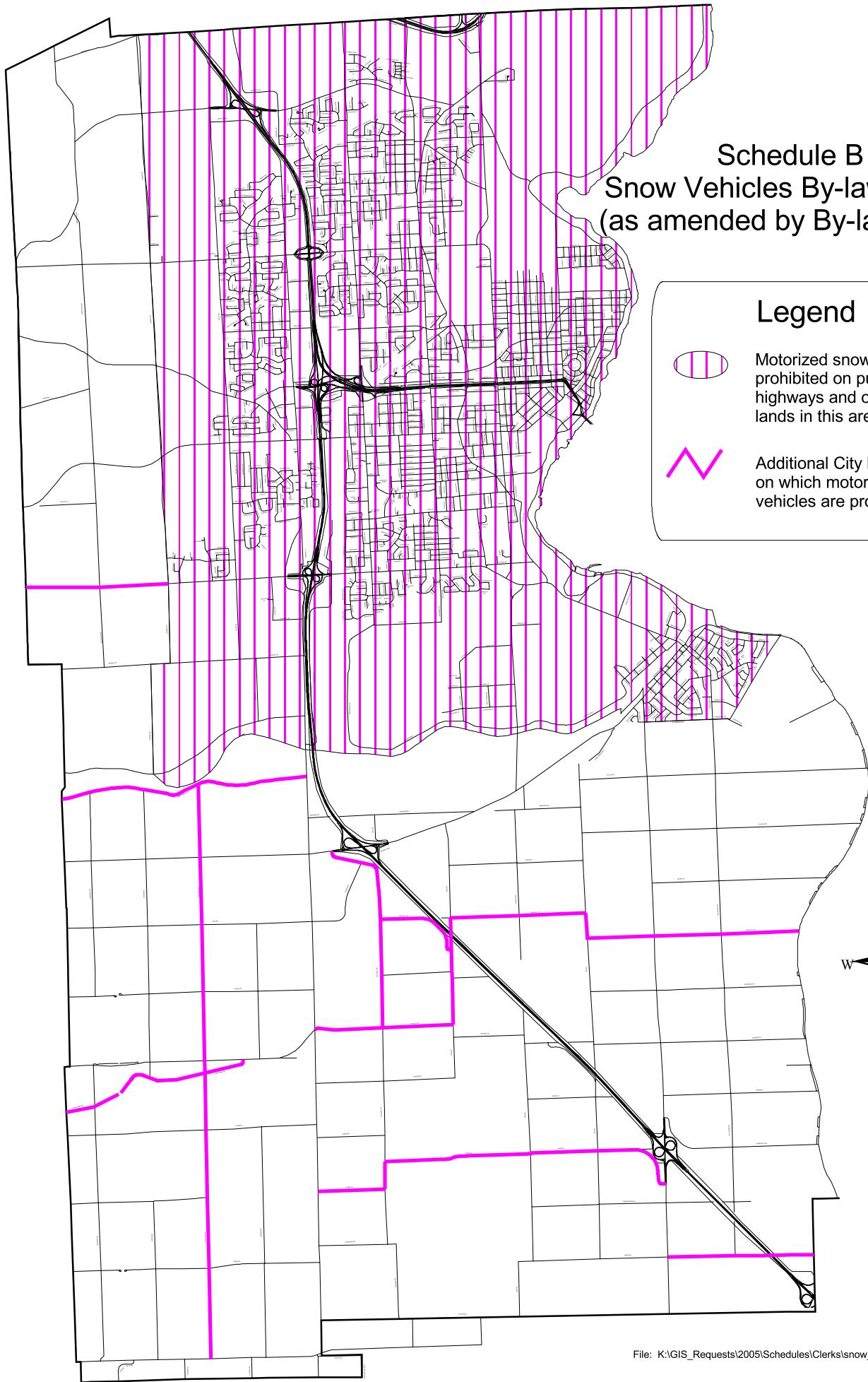
All of the former Village of Chippawa, now in the City of Niagara Falls, and all that part of the City of Niagara Falls bounded on the north by the northerly City limits, bounded on the west by the westerly limits of Garner Road (including all of Garner Road and including all the part of Brown Road between the easterly and westerly limits of Township Lot 205 of the former Township of Stamford), bounded on the south by the Welland River and bounded on the east by the Niagara River.

**Schedule B  
Snow Vehicles By-law 83-275  
(as amended by By-law 88-33)**

**Legend**

 Motorized snow vehicles prohibited on public highways and other City lands in this area.

 Additional City highways on which motorized snow vehicles are prohibited



**SCHEDULE "C"**  
to  
**CITY OF NIAGARA FALLS**  
**By-law No. 83-275**

LIST OF HIGHWAYS OUTSIDE THE AREA DESCRIBED IN SCHEDULE "A" ON WHICH THE OPERATION OF MOTORIZED SNOW VEHICLES IS PROHIBITED

| <b><u>HIGHWAY</u></b>   | <b><u>FROM</u></b>  | <b><u>TO</u></b>  |
|---|---|---|
| 1. McLeod Road  | Garner Road   | Westerly City Limit   |
| 2. Grassy Brook Road<br>(formerly Creek Road in<br>former Twp. of Crowland) | Montrose Road   | Westerly City Limit   |
| 3. Lyons Creek Road<br>(in former Twp. of Crowland)                         | Schisler Road   | Westerly City Limit   |
| 4. Crowland Avenue  | Grassy Brook Road   | Netherby Road   |
| 5. Marshall Road  | Niagara Parkway   | Ort Road  |
| 6. Ort Road   | Road Allowance between Lots 12<br>& 13, Concession 3 of former<br>Twp. of Willoughby (Marshall<br>Road) | Road Allowance between Lots 12<br>& 13, Concession 4 of former<br>Twp. of Willoughby (Marshall<br>Road) |
| 7. Marshall Road  | Ort Road  | Willodell Road  |
| 8. Beck Road  | Road Allowance between Lots 12<br>& 13, Concession 5 of former<br>Twp. of Willoughby (Marshall<br>Road) | Schisler Road   |
| 9. Willodell Road   | Biggar Road   | Schisler Road   |
| 10. Schisler Road   | Beck Road   | Montrose Road   |
| 11. Sauer Road  | Sodom Road  | Willodell Road  |
| 12. Willodell Road  | Sauer Road  | Koabel Road   |
| 13. Koabel Road   | Willodell Road  | Montrose Road   |
| 14. Baker Road  | East City Limit   | Sodom Road  |