

**THE CORPORATION OF THE
MUNICIPALITY OF WAWA**

BY-LAW NO. 2546-12

BEING A BY-LAW to regulate, govern, and restrict the operation of motorized snow vehicles within the Municipality of Wawa.

WHEREAS the Motorized Snow Vehicles R.S.O. 1990, Chapter M.44, Section 7 (2), 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 the Council of The Corporation of the Municipality of Wawa deems it expedient to regulate, govern and restrict the operation of motorized snow vehicles within the Municipality of Wawa;

NOWHEREFORE BE IT RESOLVED that the Council of The Corporation of the Municipality of Wawa enacts the following as a By-Law:

SECTION 1 – DEFINITIONS

1.01 In this By-Law:

- (a) “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 vehicle;
- (b) “motorized snow vehicle” means a self-propelled vehicle designed to be driven primarily on snow;
- (c) “municipality” means the Municipality of Wawa;
- (d) “Police Service” means the Ontario Provincial Police;
- (e) “public parkland” means land owned by the municipality and shall include:
 - (i) all parks owned by the Municipality of Wawa;
 - (ii) all cemeteries;

- (iii) school board property owned by the Algoma District School Board, Conseil scolaire publique du Grand Nord de l'Ontario, Conseil scolaire Catholique du Nouvel l'Ontario and Huron Superior Catholic District School Board;
- (f) "serviced roadway" means the part of highway that is improved, designed or ordinarily used for vehicular traffic, and includes the ploughed portion of the shoulder, and, where a highway includes two or more separate serviced roadways, the term "serviced roadway" refers to any one serviced roadway separately and not to all of the serviced roadways collectively;
- (g) "trail" means the whole of any trail established and maintained by a recreational organization for the use of motorized snow vehicles.

SECTION 2 – OBEDIENCE TO MOTORIZED SNOW VEHICLE REGULATIONS

- 2.01 The Ontario Provincial Police of the Municipality shall enforce the provisions of this By-Law as well as the Motorized Snow Vehicles Act.
- 2.02 Any person in charge of a motorized snow vehicle shall promptly obey all signals given by a police officer for the purpose of directing or regulating motorized snow vehicles as hereinafter provided, and shall comply with the requirements of every sign, symbol or mark legally erected or placed for the purpose of regulating, directing, prohibiting, or permitting motorized snow vehicles.

SECTION 3 – OPERATION OF MOTORIZED SNOW VEHICLES

- 3.01 No person shall drive a motorized snow vehicle so as to contravene any of the restricted areas listed in Schedule "A" to this By-Law, provided that suitable signs have been erected clearly indicating the prohibited highways, serviced roadways and public parklands.

SECTION 4 – SPEED LIMIT

- 4.01 In accordance with Section 14 (1) of the Motorized Snow Vehicles Act, no person shall drive a motorized snow vehicle at a greater rate of speed than 20 kilometres per hour upon any highway or serviced roadway or part thereof within the settlement of Wawa, the settlement of Michipicoten River Village, and all other settled areas.

SECTION 5 – GENERAL REGULATIONS

- 5.01 All motorized snow vehicles traveling upon highways and serviced roadways under the jurisdiction of the municipality shall cause at least one head lamp on the front of the motorized snow vehicle to be illuminated at all times and shall cause one or more red lights to be illuminated on the rear of the motorized snow vehicle at all times. Any lamp so used shall be clearly visible at a distance of at least 150 metres from the front or rear, as the case may be.
- 5.02 Any person in charge of a motorized snow vehicle who ^{rides} ~~resides~~ on a restricted street as indicated in Schedule “A” shall be permitted to travel or cross the above-mentioned restricted street as a means of direct access to and from a public or private trail or as a direct means of access to or from a street with permitted use.
- 5.03 A police officer, upon discovery of any motorized snow vehicle found to be in contravention of this By-Law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof shall be chargeable to and collected from the owner of such motorized snow vehicle.

SECTION 6 – PENALTIES

- 6.01 Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in Section 61 of the Provincial Offences Act.

SECTION 7 – EFFECTIVE DATE

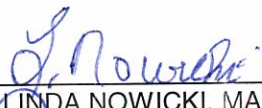
- 7.01 That this By-Law shall come into force and take effect immediately upon the passing thereof by the Council for The Corporation of the Municipality of Wawa.

SECTION 8 – REPEAL BY-LAWS

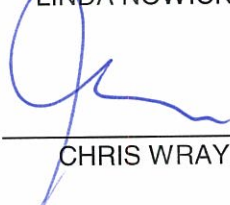
- 8.01 That By-Law No. 845-93 and By-Law No. 1111-97 be and are hereby repealed.

READ a first, second and third time and be finally passed this 7th day of February, 2012.





LINDA NOWICKI, MAYOR



CHRIS WRAY, CLERK

MOTORIZED SNOW VEHICLES PROHIBITIONS
(Not Effective Until Signs Are Erected)

That the owner or operator of an motorized snow vehicle who drives, crosses, parks or stands a motorized snow vehicle on any of the highways or streets, parts of streets or sides of streets or public parklands as provided for hereunder is hereby declared to have contravened the provisions of this By-Law.

| PROHIBITED STREETS | FROM | TO |
|--|---------------------------------|-------------------|
| 1. Broadway Avenue (Except at Intersections) | Main Street | Algoma Street |
| 2. Mission Road (Except at Intersections) | Broadway Avenue/ Main Street | Chris Simon Drive |
| 3. Any sidewalk or public walkway in the municipality. | | |

| PROHIBITED AREAS |
|---|
| 1. Queen's Park |
| 2. Centennial Park |
| 3. Centennial Sportsfield |
| 4. Beck Park |
| 5. Mission Park, Michipicoten River Village |
| 6. Mr. Vallee Park |
| 7. St. Margaret Mary Cemetery |
| 8. Woodland Cemetery |
| 9. McKenzie Cemetery |
| 10. St. Margaret Cemetery |
| 11. Lighthouse Keeper's Grave |
| 12. Tremblay Cemetery |
| 13. Wawa Municipal Airport, except the designated parking area |
| 14. Michipicoten Golf Course |
| 15. Broadway Avenue Park (adjacent to the cul-du-sac) |
| 16. Broadway Avenue Heritage Corner |
| 17. Wawa Lake Beachfront (includes Lion's Beach and Dr. Rose's Beach) |
| 18. Scenic High Falls |

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|---|
| 19. Sir James Dunn Public School |
| 20. École Publique L'Escalade |
| 21. Michipicoten High School |
| 22. École Carrefour Supérieur Nord |
| 23. École Saint Joseph (Elementary & Secondary) |
| 24. Lady Dunn Health Centre |

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
NORTHEAST REGION

159 CEDAR STREET
3rd FLOOR, SUITE 303
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DU NORD-EST

159, RUE CEDAR
3^e ÉTAGE, BUREAU 303
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624
FAX/TÉLÉCOPIEUR (705) 564-7620

July 4, 2012

Ms. Cathy Cyr
Deputy Clerk
The Corporation of the
Municipality of Wawa
P.O. Box 500, 40 Broadway Ave
Wawa, Ontario, P0S 1K0



Dear Ms. Cyr:

Re: Set Fines – Provincial Offences Act – Part I
Municipality of Wawa– Algoma District

Enclosed herewith is a copy of an Order and a copy of a schedule of set fines for By-law No. 2546-12, the By-law indicated in the schedule. Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Municipality of Wawa.

The setting of the fines does not constitute my approval of the short form of wording used to describe the Offences.

I have forwarded the original of the Order and the schedule of the set fines to the Ontario Court of Justice in Sault Ste. Marie.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Martin Lambert', with a long horizontal flourish extending to the right.

Martin Lambert
Regional Senior Justice
Ontario Court of Justice

ML/sp
Enc.

c.c.: Her Worship Kathleen Bryant, Regional Senior Justice of the Peace
His Worship Philip Stanghetta, Sault Ste. Marie

Set Fine Schedule

The Corporation of the Municipality of Wawa

PART I – PROVINCIAL OFFENCES ACT

By-Law No. 2546-12

A by-law to regulate, govern and restrict the operation of motorized snow vehicles within the Municipality of Wawa.

| ITEM | COLUMN 1 Short Form Wording | COLUMN 2 Offence creating provision or defining offence | COLUMN 3 Set fine |
|------|--|--|----------------------|
| 1 | Fail to promptly obey all signals given by a law enforcement officer for the purposes of directing or regulating motorized snow vehicles | 2.02 | \$205.00 |
| 2 | Fail to comply with the requirements of every sign, symbol and mark legally erected or placed | 2.02 | \$205.00 |
| 3 | Drive in restricted area, signed areas | 3.01 | \$205.00 |
| 4 | Drive motorized snow vehicle at a greater rate of speed greater than 20 kilometres per hour upon any highway or serviced roadway or part thereof | 4.01 | \$205.00 |
| 5 | Fail to have one or more illuminated headlamp on the front of the motorized snow vehicle | 5.01 | \$205.00 |
| 6 | Fail to have one or more red lights to be illuminated on the rear of the motorized snow vehicle | 5.01 | \$205.00 |

Note: Penalty provision for the offences indicated above is Section 6 of By-Law No. 2546-12. A certified copy of which has been filed.

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| 2 | Fail to comply with the requirements of every sign, symbol and mark legally erected or placed | 2.02 | |
| 3 | Drive in restricted area, signed areas | 3.01 | |
| 4 | Drive motorized snow vehicle at a greater rate of speed greater than 20 kilometres per hour upon any highway or serviced roadway or part thereof | 4.01 | |
| 5 | Fail to have one or more illuminated headlamp on the front of the motorized snow vehicle | 5.01 | |
| 6 | Fail to have one or more red lights to be illuminated on the rear of the motorized snow vehicle | 5.01 | |