

**CITY OF THOMPSON
BY-LAW NUMBER 1317-89**

[As amended by AM B/Ls 1435-92, 1638-97, 1664-2000, 1703-2005, 1752-2007, 1777-2008 and 1914-2014]

BEING A BY-LAW TO REGULATE THE OPERATION OF OFF-ROAD VEHICLES IN THE CITY OF THOMPSON.

WHEREAS Section 46 of *The Off-Road Vehicles Act* authorizes the City of Thompson to make rules by By-Law supplementary to or in addition to, but not contrary to any other provision of the said Act or regulations made thereunder prescribing the periods of the day, or of the year, during which designated off-road vehicles shall not be operated, prescribing areas in which the operation of designated off-road vehicles shall be permitted or prohibited and fixing penalties for violation of By-Laws passed under that Section;

AND WHEREAS Section 45 of *The Off-Road Vehicles Act* authorizes a traffic authority of a highway to make By-Laws supplementary to or in addition to, but not contrary to any provision of that Act or regulations made thereunder permitting or prohibiting the operation of designated off-road vehicles across a roadway and shoulder at any place or at a designated place along the highway or on any portion thereof and prohibiting the operation of designated off-road vehicles upon a designated right of way or a specified portion thereof;

AND WHEREAS the City of Thompson is a traffic authority;

AND WHEREAS the City of Thompson deems it expedient to enact a By-Law regulating the operation of off-road vehicles in the City of Thompson as follows:

1. DEFINITIONS:

Wherever used in this By-Law, unless the context otherwise requires: "City" means the City of Thompson;

"**Highway**" means any place or way, including any structure forming part thereof which, or any part of which, the public is ordinarily entitled or permitted to use for the passage of vehicles, with or without fee or charge therefore, and includes all the space between the boundary lines thereof, and includes any area designated or intended and primarily used for the parking of vehicles and the necessary passage ways thereon;

“Owner” includes a person, in possession of an off-road vehicle under a contract providing that the ownership, title, and property therein is to vest in the person at a subsequent time upon payment of the whole or part of the price or the performance of any other condition;

“Playground” means an area owned by the City which is primarily intended for outdoor recreation use by children;

“Private Property” does not include unoccupied City property;

“Sidewalk” means “footpath”, whether improved or not that is intended primarily for use by pedestrians but does not include a sidewalk located on private property;
[AM B/L 1435/92]

“Highway”, “off-road vehicle”, “all terrain vehicle”, “peace officer”, “roadway”, “shoulder”, “snowmobile and snow vehicle” have the same respective meanings attributed to those terms in *The Off-Road Vehicle Act*.
[AM B/L 1703-2005]

2. No person shall operate a four wheel drive motor vehicle, motorcycle or snow vehicle which has been registered and licensed under the Highway Traffic Act of Manitoba, other than upon a roadway, shoulder, or any area designed or intended, and primarily used for the parking of vehicles and the necessary passage ways thereon, within the limits of the City of Thompson.

3. **PROHIBITIONS:**

- (1) Except as hereinafter provided, no person shall operate an off-road vehicle within the boundaries of the City of Thompson, including without limiting the generality of the foregoing, public reserves, park areas, road allowances, public parking lots, playgrounds, pool areas and recreation areas.
- (2) The operation of off-road vehicles is permitted between the hours of 7:00 a.m. and 11:00 p.m.
 - (a) in that portion of the City of Thompson bounded on east by Cree Road, on the north by Weir Road, on the west by Manasan Drive, and on the south by the south boundary of the City of Thompson, and;
 - (b) in that portion of the City of Thompson north of the Burntwood River and west of Provincial Road 391.

- (3) This section does not apply to snowmobiles or all terrain vehicles.
[AM B/L 1703-2005]

4. SNOWMOBILES:

- (1) No person shall operate a snowmobile within the City of Thompson:
- (a) on any day between the hours of eleven o'clock in the afternoon (11:00 p.m.) and seven o'clock in the forenoon (7:00 a.m.), or;
 - (b) on any sidewalk or boulevard, or;
 - (c) on any property owned by the School District of Mystery Lake or on any playground, or;
 - (d) on that area commonly known as Thompson Golf Course and located on Block 2 in the City of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as Number 6028, or;
 - (e) on that area commonly known as City Centre Park being Lot 1, in the City of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as Number 896 and that portion of Parcel C in the City of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as Number 5929, or;
 - (f) upon private property without the permission of owner thereof, or;
 - (g) upon or across a roadway or the shoulder thereof or on or across the median of a divided highway within the City of Thompson, except in accordance with Section 4(2) hereof.
- (2) Notwithstanding Section 4(1)(e) and (g) hereof, a person may operate a snowmobile across those roadways or shoulders thereof at the locations specified and upon those trails specified in Schedule "A" attached hereto provided that the operator of the snowmobile complies with Sections 35(4) and (5) of *The Off-Road Vehicle Act*.
[AM B/L 1435/92]

- (3) Notwithstanding subsection 4(2) hereof no person shall operate a snowmobile on any roadway or shoulder thereof or on any of the crossings or trails designated in Schedule "A1" hereof between May 15 and October 30 in any year unless said trails and crossings are declared open by the Mayor by virtue of a notice published in the local media.
[AM B/L 1664-97]

5. **ALL TERRAIN VEHICLES**

- (1) no person shall operate an all-terrain vehicle within the city of Thompson:
- (a) on any day between the hours of eleven o'clock in the afternoon (11:00 p.m.) and seven o'clock in the forenoon (7:00 a.m.); or
 - (b) on any sidewalk or boulevard; or
 - (c) on any property owned by the school district of mystery lake or on any playground; or
 - (d) on that area commonly known as the Thompson golf course and located on block 2 in the city of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as number 6028; or
 - (e) on that area commonly known as City Centre park being lot 1, in the City of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as number 896 and that portion of parcel c in the City of Thompson, in Manitoba, as shown on a plan registered in the Neepawa Land Titles Office as number 5929; or
 - (f) upon private property without the permission of the owner thereof; or
 - (g) upon or across a roadway or the shoulder thereof or on or across the median of a divided highway within the City of Thompson, except in accordance with section 5(2) hereof.

[AM B/L 1703-2005]

- (2) notwithstanding section 5(1)(g) hereof, a person may operate an all-terrain vehicle across those roadways or shoulders thereof at the locations specified in schedule "b" attached hereto provided that the operator of the all-terrain vehicle complies with sections 35(4) and (5) of the Off-Road Vehicles Act.

[AM B/L 1703-2005]

6. USE OF OFF-ROAD VEHICLES BY DESIGNATED PERSONNEL:

- (1) Notwithstanding any of the regulations or prohibitions or penalties contained in this by-law, it shall be lawful for authorized Police Officers of the Royal Canadian Mounted Police or the Province of Manitoba or for designated officers of the City of Thompson to operate off-road vehicles anywhere within the limits of the City of Thompson while in the performance of their lawful duty.
[AM B/L 1435/92]

7. PENALTY:

- (1) Penalties will be assessed in accordance with the terms and provisions of the City of Thompson Compliance By-law No. 1735-2007.
[AM B/L 1752-2007]

8. DETENTION OF OFF-ROAD VEHICLES:

A Peace Officer may detain an off-road vehicle with which an offense has been or is alleged to have been committed under this By-Law in accordance with Sections 53 and 54 of The Off-Road Vehicles Act.

9. REPEAL:

By-Law Number 951-78 and By-Law number 1096-82 are hereby repealed.

10. SEVERABILITY:

In any provision of this By-Law be contrary to any express provision of any applicable statute, such provision shall be read subject thereto and except as aforesaid this By-Law and all provisions thereof shall be valid and binding.

That the proper officers be and they are hereby authorized to execute and deliver, under the corporate seal of the City of Thompson, the above By-Law.

That this By-Law shall come into full force and effect on the day following the date of third reading being given by Council.

11. This By-Law may be cited as the "Off-Road Vehicles" By-Law.

READ A FIRST TIME THIS	9 TH	DAY OF JANUARY	A.D. 1989
READ A SECOND TIME THIS	23 RD	DAY OF JANUARY	A.D. 1990
READ A THIRD TIME THIS	11 TH	DAY OF JUNE	A.D. 1990

DONE AND PASSED IN COUNCIL DULY ASSEMBLED THIS 11TH DAY OF JUNE
A.D. 1990.

THE CITY OF THOMPSON

PER: Bill Comaskey
MAYOR

PER: Wayne Morrissey
CITY CLERK

SCHEDULE "A"
(PAGE 1 of 2)
[AM B/L 1914-2014]

SNOWMOBILE CROSSINGS

- (1) Provincial Highway 391 at seaplane base entrance road.
- (2) Provincial Highway 6 south of Miles Hart Bridge.
- (3) River Road Y.
- (4) River Road Creek.
- (5) Manasan Drive and Inco Road.
- (6) Weir Road at the Northwest corner of the Norplex Pool.
- (7) Burntwood Road, between Mid and Paint Road.
- (8) Arctic Drive.
- (9) Wolf Street west of Burntwood Road.
- (10) Cree Road east of Burntwood Road.
- (11) Burntwood Road at middle of Centennial West.
- (12) Oak Street at Burntwood Road.
- (13) Mystery Lake Road at Stock Car Club sign.
- (14) Thompson Drive South Hospital corner.
- (15) Spruce Road parallel to Mystery Lake Road.
- (16) Seal Road at Hillcrest Car Wash.
- (17) Seal road and Severn Crescent.
- (18) Highway 6 West of Seal Road.
- (19) T1 Inco Road at Hydro Line.
- (20) Station Road at Hydro Line.
- (21) Thompson Drive at Lynx Ravine.
- (22) Westwood Drive at Westwood Playground.
- (23) Mystery Lake Road at Inco T1 Road.
- (24) Cree Road at Elder Avenue.
- (25) Riverside Drive at Mystery Lake Road.
- (26) Riverside Drive at Nickel Drive.
- (27) Station Road.
- (28) Selkirk Avenue east of Caribou Road.
- (29) Caribou Road north of Deerwood Drive.
- (30) Seal Road at Hayes Road.
- (31) Severn Crescent at Hayes Road.
- (32) Thompson Drive south of Cree Road (as the Shell service station).
- (33) Oak Street at Thompson Drive.
- (34) Juniper Drive at Ash Street.
- (35) Ash Street at Juniper Drive.
- (36) Mystery Lake Road south of Nelson Road.
- (37) Nelson Road at southern bend.
- (38) Thompson Drive North at Moak Crescent.
- (39) Moak Crescent at Thompson Drive North.

DESIGNATED ROUTES

SEE ATTACHED MAP.

SCHEDULE "A"
(PAGE 2 of 2)
[AM B/L 1914-2014]

CITY OF THOMPSON
AND
THOMPSON TRAILBREAKERS
SNOWMOBILE TRAIL



**SCHEDULE "B" PAGE 1
TO BY-LAW 1703-2005****STAGING AREAS**

- (1) West side of Recreation Centre parking lot, adjacent to the Thompson Wildlife Building.
- (2) The area South of the Norplex Pool parking lot on Weir Road.
- (3) Burntwood Trailer Court, the area West of the playground bordered by Mid, Paint and Weir Roads.
- (4) Roadside Restaurant, (Grey Goose Bus Depot), parking lot.

ALL-TERRAIN VEHICLE CROSSINGS

- (1) Provincial Highway 6 South of Miles Hart Bridge.
- (2) River Road y.
- (3) River Road creek.
- (4) Manasan Drive and Inco road.
- (5) Weir Road at the Northwest corner of the Norplex Pool.
- (6) Burntwood Trailer Court staging area crossing Burntwood Road, between Mid and Paint Road.
- (7) Arctic Drive.
- (8) Wolf Street (West of Burntwood Road)
- (9) Mystery Lake Road (at Stock Car Club sign).
- (10) Thompson Drive South (hospital corner)
- (11) Spruce Road (parallel to Mystery Lake Road).
- (12) Seal Road at Hillcrest Car Wash.
- (13) Seal Road and Severn Crescent.
- (14) Highway 6 (West of Seal Road)
- (15) T1 Inco road (at hydro line)
- (16) Station Road (at hydro line)
- (17) Thompson Drive (at Lynx ravine)
- (18) Westwood Drive (at Westwood playground)
- (19) Mystery Lake Road at Inco T1 road.

SCHEDULE "B" PAGE 2
TO BY-LAW 1703-2005

