



HAMLET OF FORT McPherson  
BY-LAW 164/00

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FURTHER INFORMATION: TEL: (867) 952-2426 FAX: (867) 952-2725  
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BEING A BY-LAW OF THE HAMLET OF FORT McPherson IN THE  
NORTHWEST TERRITORIES FOR THE CONTROL, USE AND OPERATIONS  
OF SNOWMOBILES WITHIN THE HAMLET  
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PURSUANT to the Hamlets Act, R.S.N.W.T., 1988, c.H-1, s.54 and the All-Terrain Vehicles Act,  
R.S.N.W.T., 1988, c.A-3, s.5(1);

NOW THEREFORE, the Council of the Hamlet of Fort McPherson, in a duly  
assembled meeting, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the "Snowmobile By-law".

INTERPRETATION

2. In this by-law:
  - a. "Council" means the elected Council of the Hamlet;
  - b. "Driver" means the person who is in physical control of a snowmobile;
  - c. "Hamlet" means the boundary of the Municipal Corporation of Fort McPherson;
  - d. "Officer" means a member of the Royal Canadian Mounted Police or a By-law Enforcement Officer appointed by Council to enforce its by-laws;
  - e. "Owner" means the person whose name a Snowmobile is or required to be registered pursuant to this by-law;
  - f. "Snowmobile" means a motorized vehicle that runs on tracks and skis and that are predominantly used during the winter months on snow and ice, and have an engine displacement of 110 c.c. or greater and does not exceed 680 kilograms;
3. Where words and expressions used in this by-law are defined in Section 1 of the All-Terrain Vehicles Act, their definitions in those sections shall apply to this by-law.

REGISTRATION AND LICENSING

4. Every person who owns a snowmobile within the Hamlet boundary shall cause such snowmobile to be described, licensed and numbered by the Hamlet office in accordance with Schedule "A" of this by-law. Each license shall be renewed for each winter between the first of October and the thirty-first of May. Failure to license a vehicle will be subject to fines set out in Schedule C.
5. Every person who obtains a Snowmobile license shall cause the snowmobile to display the plate, issued by the Hamlet office, in a conspicuous place on the snowmobile.
6. For the registration of a snowmobile, every person shall pay to the Hamlet a fee of \$15.00 for each snowmobile, per winter.
7. Should a plate issued under the provisions of this by-law be lost or stolen, the Hamlet office shall issue a replacement plate upon application and payment of \$10.00.
8. The Hamlet office shall maintain a register in which shall be recorded the name of the owner of every snowmobile registered under the provisions of this by-law, the date of registration, the description of the snowmobile, the registration number and the amount of the fee paid.
9. Nothing in these by-law releases a driver, owner or other person in charge of a snowmobile within the Hamlet from the obligation to comply with any section listed under ACCIDENT of this by-law.
10. No person shall drive any snowmobile on any road, within the Hamlet boundary, unless that person has a valid Drivers License issued under the Motor Vehicles Act of the NWT or having obtained the age of 14 years, attended the Snowmobile Driver's Safety Course provided by an officer and obtained a Snowmobile Operator's Permit from the Hamlet office, after passing the prescribed examination as per Schedule "B" Snowmobile Driver's Permit Examination attached to and forming part of this by-law.

ACCIDENT

11. When an accident involving a snowmobile occurs within the Hamlet boundary, the driver or person in charge of such snowmobile shall:
  - a. render all reasonable assistance to any person injured in or as a result of such accident;
  - b. report the accident to an officer immediately;
  - c. produce in writing to any person sustaining loss or injury and to any officer, his/her address;
  - d. remain at the scene of the accident until he/she has complied with subsections (a), (b) and (c), except as may be reasonably necessary for the purpose of obtaining medical or other assistance;
  - e. at the time of the accident, produce to an officer:
    1. a valid Snowmobile Operating Permit or Driver's License;

2. the name and address of the owner of the snowmobile involved in the accident;
3. a written statement of the accident in such a form as the Officer may direct.

#### OPERATORS

12. No person shall operate a snowmobile on private property within the Hamlet without prior consent of the owner.
13. No person shall operate a snowmobile within the Hamlet;
  - a. where signs posted by the Hamlet prohibit such operation;
  - b. in a manner that may cause actual damage to that road by any reason whatsoever; and
  - c. Where the Hamlet may prohibit from time to time.
14. No person shall carry more persons on a snowmobile at one time than the number for which the snowmobile is designed and equipped.
15. No person shall operate a snowmobile on a sidewalk.
16. No person shall operate a snowmobile within the Hamlet that is mechanically unfit or in an unsafe condition as to endanger the driver or any person or property.
17. No person who owns a snowmobile shall permit any other person to operate such snowmobile in contravention of the provisions of this by-law.

#### HOURS OF OPERATION

18. No snowmobile shall be operated within the Hamlet between the hours of 10:00 PM and 7:00 AM.
19. For the purpose of this by-law, those persons returning from or leaving for hunting, trapping or fishing trips are exempt from Section 18, at the discretion of the By-law Officer.

#### MAXIMUM RATE OF SPEED

20. No person shall operate a snowmobile on any road within the Hamlet at a greater speed than 30 kilometers per hour, unless otherwise posted.

#### EQUIPMENT

21. No person shall operate a snowmobile within the Hamlet unless it is equipped with a muffler that prevents unreasonable noise in the operation of the engine of the snowmobile.
22. No person shall operate a snowmobile unless the snowmobile is equipped with lights in accordance with this section:

- a. Requirements as to visibility of lights in terms of distance from a snowmobile shall mean that the lights are clearly visible under normal night conditions from the distance stated in this part.
23. A snowmobile shall be equipped with the following lights:
  - a. at least one headlight at the front of the snowmobile which will illuminate a non-reflective object at a distance of at least 100 meters in front of the snowmobile;
  - b. At least one taillight that shows red lights visible at a distance of at least 150 meters behind the snowmobile.
24. Every snowmobile when operating within the Hamlet shall be equipped with at least one braking system:
  - a. The brakes of a snowmobile shall be maintained in good working order and shall be so adjusted as to prevent the snowmobile from swerving, pulling to one side or otherwise affecting the operator's control of the snowmobile when brakes are applied.
25. No person shall pull a sleigh/toboggan behind a snowmobile unless the sleigh/toboggan is attached with a secure hitch.
26. No person shall pull a sleigh/toboggan that is designed for the recreational purposes i.e. child's play.

#### PARKING

27. No person shall stop, park or leave a snowmobile:
  - a. in contravention with the provisions of this by-law; or
  - b. As to obstruct the free passage of traffic on a road within the Hamlet.
28. No person shall leave a snowmobile running and unattended within the Hamlet without first taking such action as may reasonably necessary in circumstances as to prevent the snowmobile from moving, being set in motion or from being stolen.

#### ENFORCEMENT

29. An officer may inspect a snowmobile operating within the Hamlet, to check the snowmobile and equipment therein for compliance with provisions of this by-law.
30. Every person in charge or control of a snowmobile operating within the Hamlet shall, on demand of the officer permit the officer to inspect such snowmobile and equipment thereon.
31. Every person in charge or control of a snowmobile, on demand of an officer must produce a valid license or a valid snowmobile operator's permit.
32. Every person in charge or control of a snowmobile, on demand of an officer must produce the name and address of the registered owner.
33. Where a driver whose identity is unknown to the officer contravenes any provision of this by-law, the owner of the snowmobile which the driver is or was driving, shall at the request of an officer, supply the officer with the

- name of the person in charge of or driving the snowmobile at the time of the intervention.
34. Every owner, who refuses, fails, neglects or is unable to supply the name and address of the person in charge of the snowmobile, after being so requested may be liable to the penalty prescribed for the offence of the driver of the snowmobile.
  35. In the prosecution under this section, it is a defense, if the owner proves that the snowmobile was being operated at the time of the contravention without his/her knowledge or consent, either expressed or implied.
  36. No person who owns a snowmobile shall permit any person under the age of 14 years to operate such snowmobile in contravention of this by-law.
  37. No person who owns a snowmobile shall permit any other person to operate such snowmobile in contravention of the provisions of this by-law.
  38. An officer who on reasonable and probable grounds believes that any contravention of this by-law has been committed, may seize and detain the snowmobile in respect of which the contravention has been committed until the disposition of any proceedings that may be taken under this by-law.
  39. The owner of a snowmobile may make application to the Justice of the Peace and show just cause against the seizure within 7 days after such seizure.

#### FALSE STATEMENTS

40. No person shall knowingly make a false statement in any application or other document required by this by-law.

#### OFFENSE

41. Every person whose license is currently under suspension will not be allowed to drive a snowmobile on public roads.
42. Every person who contravenes sections 28 and 29 of this by-law, is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$200.00 or a term of imprisonment not exceeding 1 month or both such fine and imprisonment.
43. Every person who contravenes the provisions of this by-law, other than sections 28 and 29, is guilty of an offence and is liable upon summary conviction, to a fine not exceeding \$250.00 or term of imprisonment not exceeding 1 month or both such fine and imprisonment.
44. An officer who finds a person violating or has reasonable grounds to believe a person has violated the provisions of this by-law, may give that person written notice of intention to prosecute, in the form of a summary conviction information notice, setting forth the date, time and place of the offence, briefly indicating the nature of the offence and stating that payment may be made under section 44.

45. A person who has received notice under section 43, in respect of an offence alleged against him/her under this by-law, may within 7 days after receipt of such notice, in lieu of prosecution under this by-law, pay to the Hamlet office a sum calculated as in Schedule "C" Fines, attached to and forming part of this by-law.
46. The Bylaw Officer, at his/her discretion, may provide an individual with a Written Warning where the Officer deems fit. Such written Warnings shall be kept in a Log Register and the Officer may use the issued written warning as supporting documentation for issuing future summary convictions.
47. The decision to issue a Warning or a Summary Conviction by the Bylaw Officer shall be final.

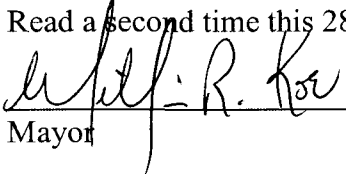
RULES OF THE ROAD


48. The provisions outlined in the Motor Vehicles Act, Part IV; Rules of the Road, shall apply to snowmobiles driven on any road within the Municipal boundaries of the Hamlet.

REPEAL

49. By-law # 138-99 is hereby repealed.

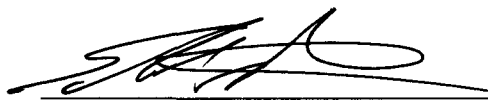
Read a first time this 28th day of November 2000.  
Read a second time this 28th day of November 2000.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

Read a third time and finally passed this 12 Day of DECEMBER 2000

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

HAMLET OF FORT McPherson  
SCHEDULE "A"  
SNOWMOBILE REGISTRATION APPLICATION FROM

Name: \_\_\_\_\_

Address: \_\_\_\_\_

NWT Diver's License Number: \_\_\_\_\_

**Snowmobile Operator's Permit Number:** \_\_\_\_\_

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Description of Snowmobile

Make: \_\_\_\_\_

Model: \_\_\_\_\_

Serial: \_\_\_\_\_

Color: \_\_\_\_\_

Weight: \_\_\_\_\_

Piston Displacement: \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that I am the legal owner of the above described snowmobile, that the above information is true to the best of my knowledge and that I am familiar with the provisions of the "Snowmobile By-law" and I agree to comply with the provisions thereof.

Registration # issued: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Issuing Officer

\_\_\_\_\_  
Date

HAMLET OF FORT McPherson  
SCHEDULE "B"  
SNOWMOBILE DRIVER'S PERMIT EXAMINATION

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In each of the following questions, circle the correct answer.

1. the speed limit for snowmobiles in the Hamlet of Fort McPherson, unless otherwise posted, is:
  - a) 60 km/h
  - b) 30 km/h
  - c) 50 km/h
  - d) 15 km/h
  
2. a snowmobile being operated in the Hamlet must be equipped with:
  - a) a good braking system
  - b) a tail light
  - c) a brake light
  - d) all of the above
  
3. When you are driving at night, what does your snowmobile need to be equipped with?
  - a) a roll bar
  - b) a lighted head light
  - c) a flashing amber light
  - d) clearance lights
  
4. When an officer stops you, how much time do you have to produce a valid license?
  - a) immediately
  - b) within 24 hours
  - c) within 48 hours
  - d) within 72 hours, if the officer so allows
  
5. What are the most you can be fined, for the first offence, for breaking the "Snowmobile By-law"?
  - a) \$50.00
  - b) \$100.00
  - c) \$150.00
  - d) \$250.00
  
6. No person shall drive a snowmobile within the Hamlet between the hours of 11:00 PM and 7:00 AM.

True                      or                      False

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Number of CORRECT answers: \_\_\_\_\_

Number of INCORRECT answers: \_\_\_\_\_

Percentage: \_\_\_\_\_

\_\_\_\_\_  
Issuing Officer  
Hamlet of Fort McPherson

HAMLET OF FORT McPherson  
SCHEDULE "C"  
FINES AND PENALTIES

OFFENCE	SECTION	FINE IN LIEU OF PROSECUTION
Unregistered Snowmobile	4	\$100 first offence \$200 subsequent offences & Machine may be seized
Driving where posted sign prohibits operation	13.a	\$100.00
Carrying more persons on a snowmobile than It was designed for	14	<b>\$50.00 first offense</b> <b>\$100.00 second offense</b> <b>150.00 third offense</b> <b>\$200 fourth offense</b> <b>Plus \$50.00 extra each</b> <b>Subsequent offence</b>
Operating a snowmobile on a public sidewalk	15	\$50.00
Failure to comply with equipment requirements	16	\$50.00
Driving after hours	18	\$100.00
<u>Speeding</u> Exceeding the maximum speed limit by not more than 15 km/h	20	\$50.00
Exceeding the maximum speed limit by more than 15 km/h, but not more than 30 km/h	20	\$100.00
Exceeding the maximum speed limit by more than 30 km/h	20	\$150.00
<b>Unreasonable noise (between 10 PM- 7 AM)</b>	21	\$50.00
Inadequate lighting	22	\$50.00
Inadequate braking	24	<b>\$50.00</b>
Illegal parking	28	\$50.00
<b>Failure to produce license</b>	<b>32</b>	<b>\$100.00</b>
<b>Failure to give name registered owner</b>	<b>33</b>	<b>\$100.00</b>
Careless driving	36	<b>\$250.00</b>
False statement	39	<b>\$150.00</b>
<b>Interest charges on unpaid fine</b>		<b>1 ½ % per month</b>

**Any snowmobile operator having outstanding fines over sixty days may have their snowmobile confiscated/impounded until all fines and interest charges have been paid.**



HAMLET OF FORT McPherson  
SNOWMOBILE OPERATOR'S PERMIT

THIS IS TO CERTIFY THAT           name of operator           IS PERMITTED TO OPERATE A SNOWMOBILE WITHIN THE MUNICIPAL BOUNDARY OF THE HAMLET OF FORT McPherson, ACCORDING TO THE PROVISIONS OF THE "SNOWMOBILE BY-LAW" 138/99.

ISSUED THIS   #           DAY OF           month          ,           year          .

VALID FOR THE WINTER OF   year/year          .

\_\_\_\_\_  
Name of Issuing Officer