



THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1588

A By-law of the Rural Municipality of Victoria Beach to regulate the use by motor vehicles of the highways, streets, roads and boulevards within the Municipality.

WHEREAS *The Rural Municipality of Victoria Beach Act, SM 1989-90, c 88* provides as follows:

By-laws to regulate motor vehicles

1 Notwithstanding the provisions of *The Highway Traffic Act*, the Rural Municipality of Victoria Beach may enact by-laws forbidding the use by motor vehicles of a highway, street, road or boulevard, or restricting the use to motor vehicles operated by or for permanent residents of the municipality, or by other persons operating motor vehicles for the purpose of carrying on business in the municipality.

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

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

1. This By-law may be cited as the "Motor Vehicle By-law";
2. DEFINITIONS AND INTERPRETATION
 - 2(1) Unless otherwise expressly provided in this by-law, or unless the context otherwise requires, words and expressions in this by-law have the same meaning as the same words and expressions in *The Highway Traffic Act*.
 - 2(2) The following definitions apply in this by-law:
 - a. "Council" means the elected council of the Municipality;
 - b. "Municipality" means the Rural Municipality of Victoria Beach;
 - c. "Business" shall mean such enterprise designated as "business" by the Council of the Rural Municipality of Victoria Beach;
 - d. "Taxicab" and "Taxi-truck" means a motor vehicle had, kept, used, intended for use, or operated, for the transportation of persons for compensation which has been approved by the Municipality for that purpose;
 - e. "Vehicle Restricted Area" means that area within the Municipality outlined on the Map attached as Schedule A hereto;
 - f. "Vehicle Restricted Period" shall mean that period from 11:59 P.M. on the Thursday closest to June 23 of each year until 6:00 A.M. on Labour Day of each year, or any other period that may be designated by the Council as the Vehicle Restricted Period;
3. No motor vehicle shall be operated and/or parked on any highway, street, road or boulevard within the limits of the Vehicle Restricted Area of the Municipality during the Vehicle Restricted Period, unless the registered owner thereof is the holder of a current permit issued pursuant to this By-law permitting the operation of such vehicle within the Vehicle Restricted Area of the Municipality during the said Vehicle Restricted Period, provided that this restriction shall not apply to any road designated as a Provincial Trunk Highway within the Municipality;
4. (1) Any person, firm or corporation carrying on a designated "business" within the Municipality or any municipal employee, being the registered owner of a motor vehicle may apply annually to the Council and a permit may then be issued entitling the registered owner of such vehicle or any employee of the registered owner, to drive such motor vehicle on such highways, streets, roads or boulevards within the limits of the Vehicle Restricted Area of the Municipality as shall constitute a direct route to or between such

places in the conduct of the designated "business" and while on the specific business contemplated by such registered owner at the time of application for such permit and which has been designated as "business" by the Council subject to the further provision of this By-law;

- (2) Council reserves the absolute discretion to decide whether any person applying for a permit pursuant to this paragraph, is or is not carrying on a "business", for the purposes of this By-Law, within the Municipality;
 - (3) Council may issue a special permit to a person applying therefore to permit a delivery to be made to a location to be specified in the permit and any such special permit shall expire at six o'clock in the afternoon on the day such permit is issued;
5. Any Person who cannot be transferred safely to and from a Motor Vehicle to a Taxicab to be taken to and from his or her destination within the Vehicle Restricted Area during the Vehicle Restricted Period may apply to Council for a Medical Permit to allow him or her to use a Motor Vehicle for that purpose. In order to be granted a Medical Permit, an Applicant must submit an application to Council on a form approved for that purpose and providing the necessary information as determined by council;
6. The designation of a principal permanent residence by any person within the Vehicle Restricted Area shall not constitute a "business" within the meaning of this By-law;
7.
 - (1) Permits will not be granted to persons living in the Vehicle Restricted Area for the purpose of driving to their residence. Exceptions may be made, at Council's sole discretion, when the Council is in approval of such a permit and the applicant has previously held such a permit. No new permit shall be issued to any person establishing a principal permanent residence in the Vehicle Restricted Area after July 21, 1998 for the purpose of driving to and from their residence;
 - (2) Every holder of a permit under Section (4) hereof, shall be issued a numbered permit sticker bearing the year of issue and the type of "business" for which the permit was issued;
 - (3) Every registered owner of a motor vehicle granted a permit under the provisions of this By-law, shall have the permit prominently displayed on the lower right hand corner of the windshield of the motor vehicle for which it was issued. The failure to so display such permit shall be a violation of this By-law;
 - (4) Notwithstanding anything hereinbefore stated, no motor vehicle shall be operated in the Vehicle Restricted Area during the Vehicle Restricted Period except while in the pursuance of the business carried on by the registered owner and for which the permit was issued and then only in such manner and at such times as to least interfere with the comfort and convenience of the residents in that area;
 - (5) During the Vehicle Restricted Period no person shall operate any motor vehicle upon any highway, street, road or boulevard within the Vehicle Restricted Area between the hours of 10:30 P.M. and 5:00 A.M. providing that this section shall not apply to taxi-cabs, taxi-trucks and vehicles owned and operated by municipal employees in the course of their duties who have complied in all other respects with this By-law and excepting also those holding approved permits who reside in the Vehicle Restricted Area, who for "business" purposes only, are required to drive during the Vehicle Restricted Period and then only to proceed directly to their place of residence;
8. All permits issued pursuant to this By-law shall expire on Labour Day in the year in which the permit is issued;
9. Every person who contravenes or refuses, neglects, omits or fails to obey or observe the provisions of this By-law is guilty of an offence and is liable to a fine not exceeding One Hundred (\$100.00) Dollars. In addition to the imposition of a fine, any contravention of this or any other By-Law by a permit holder may result in revocation of the vehicle permit by council for the duration of the Vehicle Restricted Period;
10. Any restriction contained in this By-law shall not apply to officials or employees of the Federal or Provincial Governments while engaged in official government business;

11. By-law No. 1560 be and is hereby repealed.

DONE AND PASSED in Council assembled, in the City of Winnipeg, in the Province of Manitoba,
this 1st day of October A.D. 2019.

Penny McMorris - Reeve

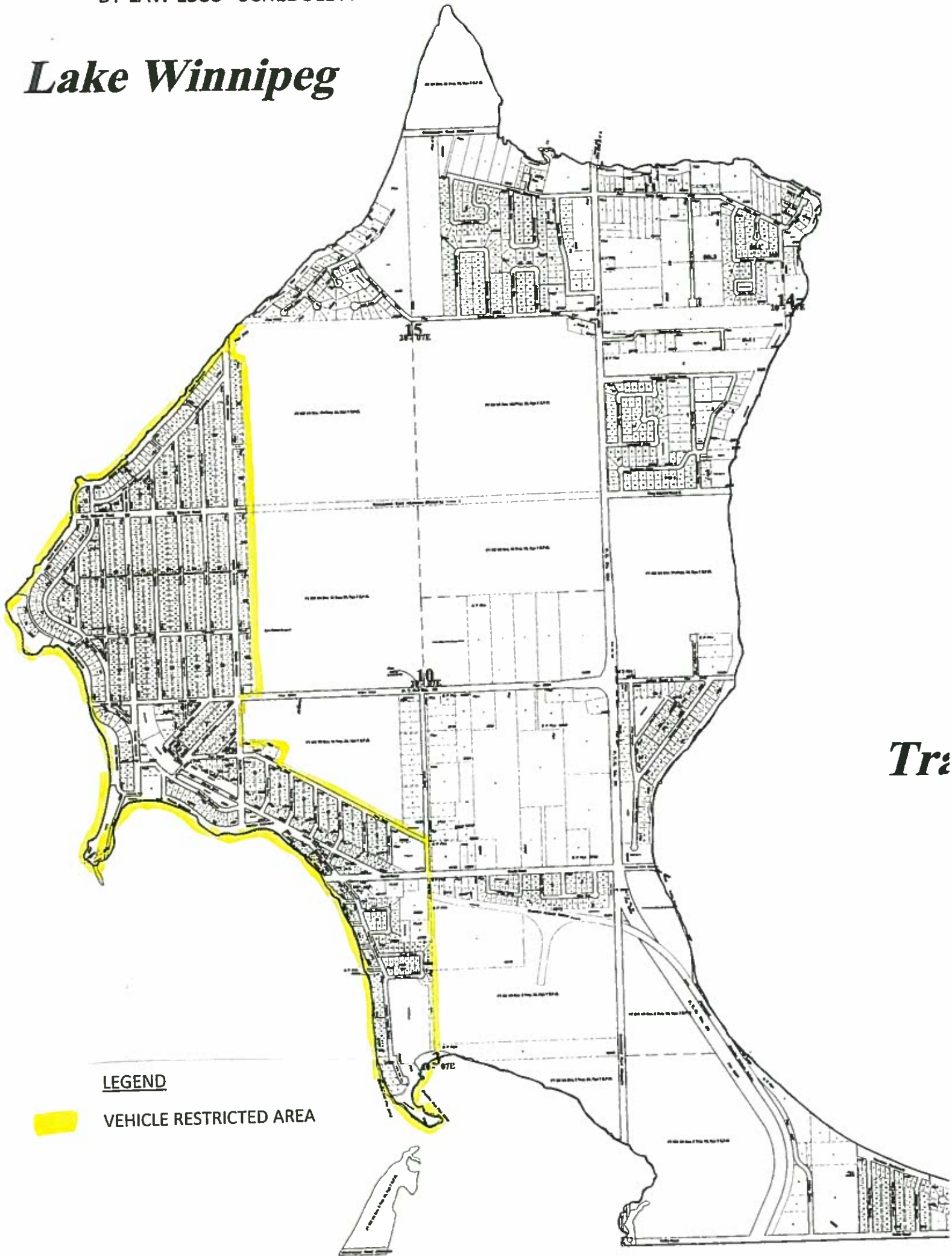
Raymond Moreau - CAO

Read a 1st time this 17th day of September A.D. 2019.

Read a 2nd time this 1st day of October A.D. 2019.

Read a 3rd time this 1st day of October A.D. 2019.

Lake Winnipeg



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LEGEND

 VEHICLE RESTRICTED AREA

RM of Victoria Beach

Legal Description Map
Twp 20, Rge. 7E

Legend:



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