

THE RURAL MUNICIPALITY OF VICTORIA BEACH

BY-LAW NO. 1420

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

WHEREAS Chapter 78 Statutes of Manitoba 1933 empowers the Council of the Rural Municipality of Victoria Beach to pass by-laws forbidding the use of motor vehicles on any highway, street, road or boulevard within its limits or restricting the use thereof;

AND WHEREAS the present By-law does not appear to be protecting residents from the problems of motor vehicle traffic in the manner which was originally intended;

NOW THEREFORE 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) For the purposes of this By-law:
  - (a) "Municipality" shall mean the Rural Municipality of Victoria Beach;
  - (b) "Council" shall mean the council of the Rural Municipality of Victoria Beach;
  - (c) "Motor Vehicle", "Motor Home", "Owner", "Taxi Cab" and "Motorcycle" shall have the same meaning as provided for in the "Highway Traffic Act" being Chapter H60 of the Continuing Consolidated Statutes, Province of Manitoba;
  - (d) "Business" shall mean such enterprise designated as "business" by the Council of the Rural Municipality of Victoria Beach;
  - (e) "Restricted Area" shall consist of that area described as follows:
    - (i) All portions of the Municipality which lie to the West of the most Easterly limits of the lane as said lane is shown on the Eastern limits of Blocks 52, 53, 54, 55 and 56 of the registered Plan No. 7785 and the Northerly and Southerly extensions of the Easterly limits of this lane to the shore of Lake Winnipeg;
    - (ii) All those portions of the Municipality in fractional Southwest quarter of Section Ten (10) and fractional Northwest quarter of Section Three (3), both in Township Twenty (20) and Range Seven (7), East of the Principal Meridian in Manitoba which lie within the limits of the plans of subdivision or parcel plans registered in the Winnipeg Land Titles Office as No.'s 1755, 2483, 2919, 2968, 3424, 9067, 9167, 9390, 9516, 10502, 11464, 13306, 13728, 14409, 14771, 14787, 17682, 18329, 20208, 20358, 20927, 23256, 26795, 28661, 28738, 31055, 31914, 32537, 32744, 33264, 33684 and any new subdivisions of land or parcel plans subsequently registered or filed within the limits of said quarter sections;
    - (iii) The Northwest quarter of Section Ten (10) and the Southwest quarter of Section Fifteen (15) both in Township Twenty (20) and Range Seven (7) East of the Principal Meridian in Manitoba;
    - (iv) All that portion of the fractional Northwest quarter of said Section Fifteen (15) which lies to the Southwest of the Southwest limit of McCawley Road and the extension in a straight line in a Northwesterly direction of said Southwest limit to the waters of Lake Winnipeg, but excepting therefrom any lands contained within the limits of any plan of subdivision;

- (f) "Restricted Period" shall mean that period from 12:00 midnight on the Thursday closest to June 23 of each year until 06:00 hours on Labour Day of each year, or any period designated by the Council as the "Restricted Period";
- (3) No motor vehicle, motor home or motorcycle shall be operated and/or parked on any highway, street, road or boulevard within the limits of the "Restricted Area" of the Municipality during the "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 limits of the "Restricted Area" of the Municipality during the said "Restricted Period", provided that this restriction shall not apply to any road designated as a Provincial Trunk Highway within the Municipality;
- (4) (a) 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 "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;
- (b) The Council of the Municipality reserves the absolute discretion to decide whether a person applying for a permit pursuant to this paragraph, is or is not carrying on a "business" within the Municipality;
- (c) The 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) The designation by any person of a principal permanent residence within the "Restricted Area" shall not constitute a "business" within the meaning of this By-law;
- (6) Permits will not be granted to persons living in the "Restricted Area" for the purpose of driving to their residence. Exceptions may be made to this section when the Council is in approval of such a permit and the applicant has previously held such a permit. No new permits shall be issued to any persons establishing a principal permanent residence in the "Restricted Area" for the purpose of driving to and from their residence after the date this By-law is passed;
- (7) The Secretary-Treasurer shall cause to be issued to every holder of a permit under Section (4) hereof, a numbered permit sticker bearing the year of issue and the type of "business" for which the permit was issued and shall cause to be entered in a book, kept for such purpose the name of the registered owner, his address, the licence number and description of the motor vehicle and the particulars of the permit;
- (8) 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;
- (9) Notwithstanding anything hereinbefore stated, no motor vehicle shall be operated in the "Restricted Area" during the "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 summer cottagers in residence in that area;
- (10) During the "Restricted Period" no person shall operate any motor vehicle, motor home or motorcycle upon any highway, street, road or boulevard within the "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 "Restricted Area", who for "business" purposes only, are required to drive during the "Restricted Period" and then only to proceed directly to their place of residence;
- (11) Notwithstanding anything herein to the contrary, motor vehicles, motor homes and motorcycles

shall not be operated at any time on Sunset Boulevard or any portion thereof;

- (12) All permits issued pursuant to this By-law shall expire on Labour Day in the year in which the permit is issued;
- (13) 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 on summary conviction to a fine not exceeding One Hundred (\$100.00) Dollars plus costs or to imprisonment for a term not exceeding Ten (10) days or both a fine and such imprisonment. Should any person, the holder of a valid permit issued pursuant to Section (4) hereof, be guilty of an offence under this By-law in addition to any fine, such permit may be cancelled for the duration of the "Restricted Period";
- (14) 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;
- (15) By-law No, 1305 is hereby repealed.

DONE AND PASSED in Council assembled, in the Rural Municipality of Victoria Beach, in the Province of Manitoba, this 21st day of July A.D. 1998.

*Original Signed By*

"W. McDonald"  
Reeve

"R. Moreau"  
CAO

Read a 1st time this 16th day of June A.D. 1998.

Read a 2nd time this 21st day of July A.D. 1998.

Read a 3rd time this 21st day of July A.D. 1998.