

The Corporation of the City of Hamilton

BY-LAW NO.71-23

A By-law Respecting Motorized Snow Vehicles

WHEREAS The Motorized Snow Vehicles Act, 1968 does in subsection 1 of Section 6 provide that,

6.-(1) 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 it is expedient to prohibit the operation of motorized snow vehicles as in this By-law set forth.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this By-law,
 - (a) "Board" means Board of Park Management under The Public Parks Act;
 - (b) "corporation" means The Corporation of the City of Hamilton;
 - (c) "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 vehicles;
 - (d) "operate" means render mobile by driving;
 - (e) "motorized snow vehicle" means a self-propelled vehicle designed to be driven exclusively on snow or ice or both;
 - (f) "municipality" means the Municipality of the City of Hamilton;
 - (g) "parks" means parks, avenues, boulevards and drives and all properties real and personal, applicable to the maintenance of parks belonging to the municipality, the general management, regulation and control of which is vested in the Board under The Public Parks Act except as may be exempted in whole or in part by by-law of the Board;
 - (h) "The Public Parks Act" means The Public Parks Act, R.S.O. 1960, chapter 329, as amended from time to time, and any successor thereto.
2. No person shall operate a motorized snow vehicle upon, across, over or along,
 - (a) any highway within the municipality;
 - (b) parks;
 - (c) lands owned or used by the corporation for playground or other recreational purposes under the direction of the Department of Recreation of the corporation, including the lands set forth in Schedule "A" hereto annexed.

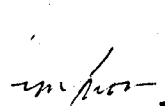
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3. This By-law does not apply to any motorized snow vehicle,
- (a) owned by the corporation;
 - (b) engaged in works by or on behalf of the corporation.

4.-(1) Every person who contravenes this By-law is liable to a fine of not more than \$300.00, exclusive of costs.

(2) Every such fine is recoverable under The Summary Convictions Act, in accordance with Part XX1 of The Municipal Act.

PASSED this 20th day of January A.D. 1971.


City Clerk


Mayor

(1970) 20 R.T.T.C. 8, December 15
Board of Park Management, Resolution, January 13, 1971
Recreation Committee, Resolution, January 12, 1970

SCHEDULE "A"

To By-law No. 71- 23 -

Bayview Playground	-	Corner of McNab and Burlington Streets
Birge Playground	-	Birge Avenue & Cheever Street
Jackson Playground	-	Jackson St. West and Dundurn Street
Kinsman Playground	-	Beach Blvd. near Lakeside Avenue
McLaren Playground	-	John Street N., east side, north of Cannon
Myrtle Playground	-	Myrtle Avenue and Delaware Avenue
Powell Playground	-	Birch Avenue and Huron Avenue
Richwill Playground	-	Richwill Road, s.s. opposite West 2nd St.
St. Christopher's Playground	-	Holly and McAnulty Avenues
Steele Playground	-	Ellis Avenue and Campbell
Wellington Playground	-	Wellington N., west side, north of Cannon
Wentworth Playground	-	Wentworth and Oliver Streets
Woodward Playground	-	Woodward and Brampton
Woolverton Playground	-	Charlton Avenue East, opposite Catharfine St. S.
Hayward Playground	-	Corner of Rosslyn and Dalkeith
Skyway	-	Beach Boulevard and Station "5"
Huntington Centre	-	Brentwood Drive - Broker Drive and Sandalwood Avenue
Central Memorial Centre	-	Stinson Street and West Avenue
Barton Centre	-	1389 Upper James
Mountain Arena	-	25 Hester Street

The Corporation of the City of Hamilton

BY-LAW NO. 71- 59

To Amend:

Motorized Snow Vehicles By-law No. 71-23

Respecting:

Prohibiting the Operation of Motorized Snow Vehicles in
Confederation Park

WHEREAS By-law No. 71-23, passed on the 20th day of January, 1971 does prohibit the operation of motorized snow vehicles within the Municipality of the City of Hamilton, as therein set out;

AND WHEREAS it is expedient to prohibit motorized snow vehicles from operating in Confederation Park.

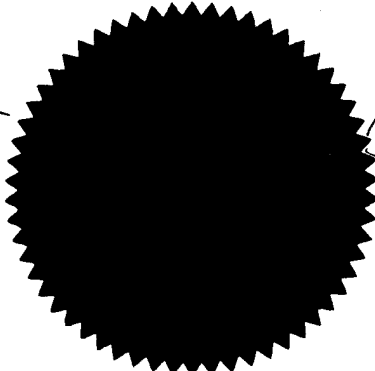
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (g) of Section I is repealed and the following substituted therefor:

- (g) "parks" means parks , avenues, boulevards, drives and all properties real and personal, applicable to the maintenance of parks belonging to the municipality, the general management, regulation and control of which is vested in,
 - (i) the Board under The Public Parks Act, R.S.O. 1960, chap. 328, except as may be exempted in whole or in part by by-law of the Board;
 - (ii) the corporation.

PASSED this 23rd day of February A.D. 1971.

E.A. Simpson
City Clerk



Victor Coppo
Mayor

(1970) Confederation Park Committee, February 10

The Corporation of the City of Hamilton

BY-LAW NO. 76-34

To Amend:

Motorized Snow Vehicles By-law No. 71-23

Respecting:

USE OF PART OF KING'S FOREST PARK
FOR MOTORIZED SNOW VEHICLES

WHEREAS By-law No. 71-23, passed on the 20th day of January, 1971 as amended by By-law No. 71-59, passed on the 23rd day of February, 1971, in accordance with Subsection 1 of Section 6 of The Motorized Snow Vehicles Act, R.S.O. 1970, C. 283 (now The Motorized Snow Vehicles Act, 1974) provided for the regulating, governing and prohibiting the operation of motorized snow vehicles with the municipality or any part or parts thereof.

AND WHEREAS Part XXI of The Municipal Act, R.S.O. 1970, C. 284 respecting penalties and enforcement of by-laws applies and establishes the maximum penalty of \$1,000.00 for breach of the by-law.

AND WHEREAS it is desirable to permit the operation of motorized snow vehicles in part of King's Forest Park as hereinafter set out and to establish a maximum penalty.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 71-23, passed on the 20th day of January, 1971 as amended by Section 1 of By-law No. 71-59, passed on the 23rd day of February, 1971, is amended by inserting at the beginning thereof, "Except as provided in Section 2a" so that the first and second lines shall read as follows:

2. Except as provided in Section 2a no person shall operate a motorized snow vehicle upon, across, over or along,

2. By-law No. 71-23 is amended by adding thereto the following section:

2a. Motorized snow vehicles may be operated upon, across, over or along a park or part thereof set forth or described in Schedule "B" hereto annexed.

3. Section 4 of By-law No. 71-23 is repealed and the following substituted therefor:

4. Every person who contravenes any provision of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00 exclusive of costs.

PASSED this 27th day of January, A.D. 1976.

E.A. Simpson
City Clerk
Victor C. Cope
Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 78 - 80

To Amend:

By-law No. 71-23

MOTORIZED SNOW VEHICLES

WHEREAS By-law No. 71-23, enacted under the authority of subsection 1 of section 6 of The Motorized Snowmobile Vehicles Act, 1968, now section 6 of The Motorized Snow Vehicles Act, 1974, provided for the regulation of Motorized Snow Vehicles in parks under the control of the Board of Park Management;

AND WHEREAS on December 31, 1973 the said Board of Park Management was dissolved and the assets and liabilities thereof became on the 1st day of January, 1974, assets and liabilities of The Corporation of the City of Hamilton, pursuant to section 136 of The Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS The Corporation of the City of Hamilton may exercise all or any of the powers that are conferred on boards of park management by The Public Parks Act, pursuant to section 352, paragraph 68 of The Municipal Act, R.S.O. 1970, Chapter 284;

AND WHEREAS it is desirable to revise By-law No. 71-23 to eliminate any reference to the Board of Park Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of section 1 of By-law No. 71-23, passed on the 20th day of January, 1971, is repealed.

2. Clause (g) of section 1 of By-law No. 71-23 is repealed and the following substituted therefor:

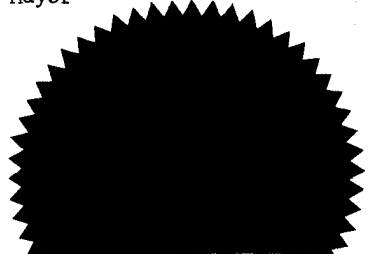
(g) "parks" means parks, avenues, boulevards, drives and all properties real and personal, applicable to the maintenance of parks belonging to the municipality.

PASSED this 14th day of March 1978.

[Signature]
City Clerk

[Signature]
Acting Mayor

(1978) 3 R.P.R.C. 1, March 14



The Corporation of the City of Hamilton

BY-LAW NO. 79- 313

To Amend:

By-law No. 71-23

Respecting:

PUBLIC UTILITY MOTORIZED SNOW VEHICLES

WHEREAS By-law No. 71-23 was enacted under the authority of subsection 1 of section 6 of The Motorized Snow Vehicles Act, 1968, now subsection 2 of section 6 of The Motorized Snow Vehicles Act, 1974;

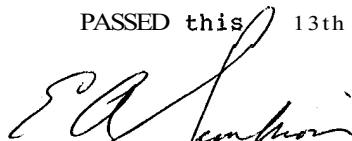
AND WHEREAS subsection 2 of section 6 of the said Act provides that the council of a city may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highway therein or any part thereof, except a highway not under the jurisdiction of the city;


AND WHEREAS it is desirable to exempt public utility vehicles.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

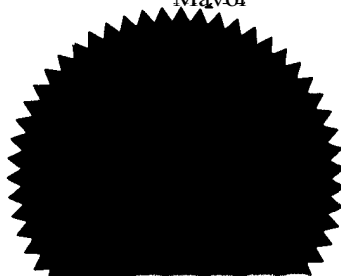
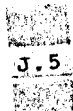
1. Clause (h) of section 1 of By-law No. 71-23 is repealed.
2. Section 1 of the said By-law is amended by adding thereto the following clause:
 - (i) "public utility" has the same meaning as in The Public Utilities Act.
3. Section 3 of the said By-law is amended by adding thereto the following clause:
 - (c) owned by a public utility or engaged in works by or on behalf of the public utility and clearly identified as being operated by or on behalf of the public utility.

PASSED this 13th day of November A.D. 1979.


City Clerk


Mayor

(1979) 14 R.P.R.C. 2, October 9



SCHEDULE "B"

TO

BYLAW NO. 71-23

1. That part of King's Forest Park bound by Limeridge Road, Mountain Brow Boulevard, Mohawk Road East and the C.N.R. Railway Tracks.