

Celebrating Municipal Excellence

Nomination Form

Deadline: 4:00 p.m. on Friday, November 5, 2021

Nominee Contact Information		
Name of municipality/ municipalities being nominated: <small>(please include the names of all partner municipalities)</small>	Town of Pilot Butte	
Contact Name:	Zac Forster	
Telephone #:	(306) 535-5323	
Mailing Address:	222 Diamond Place Pilot Butte, SK	
E-mail Address:	councillor.forster@pilotbutte.ca	
Name of Nominated Practice or Project:	ATV Bylaw Working Committee	
Date of Project or Practice Initiation:	November 23, 2020	
Date of Project or Practice Completion: <small>(If ongoing, please indicate)</small>		Ongoing: <input checked="" type="checkbox"/>

Nominator Contact Information	
Name:	Allen Mullen
Organization:	Town of Pilot Butte
Position:	Chief Administrative Officer
Mailing Address:	222 Diamond Place Pilot Butte, SK
Telephone #:	(306) 536-0281
E-mail Address:	cao@pilotbutte.ca

Please remember when filling out your nomination that winning practices are posted in the Best Practices Library, so be sure to include all information that may be helpful to others if it were to be used as a reference or resource.

The Practice

1. What was the issue that inspired the nominated project or practice?
2. What has this project or practice done to address the issue?

The Town of Pilot Butte, like some other communities, have challenges with ATV riders leaving their residence either stunting, riding very loud, and/or driving excessively fast while heading out of Town to ride with other friends. The Town allowed ATV's to drive from point A to Point B while leaving town limits. The small percentage of ATV drivers driving recklessly was beginning to have residents voice strong opposition to having ATV drivers allowed to drive within Town limits due to noise and safety. Some residents wanted the ATV's to be trailered in and out of the Town. Council passed a Bylaw not allowing ATV's within Town limits and must be trailered out. The new Bylaw created a strong division between the Town.

Council held a public forum to hear both sides. Council formed an ATV Bylaw Committee made up of 2 council members, administration and a small group of residents who support and opposed the ATV's. Meetings were held monthly, with everyone contributing for a safer, respectful community. The project has resulted in cohesion of both sides with the following results:

- Creating of a New ATV Bylaw for Pilot Butte (See attached file).
- The Bylaw outlines permitted areas for ATV's to safely exit and enter Town limits as well as areas NO ATV's are allowed.
- A permitting process was agreed to for all riders. Pilot Butte plates are required for all drivers within Pilot Butte (see attached picture).
- ATV members are taking a proactive approach to meet with any drivers who drive unsafe or unregistered.
- ATV routes have been determined with required signage.
- Some routes include use of internal roadways.
- All concerns with any ATV drivers is shared with the ATV Bylaw Committee and tracked through administration.
- ATV complaints are close to nil and residents have seen a great improvement as a result of working together and understanding both sides.

The Process

This section should be the longest and most detailed part of your nomination. Include enough information so that a municipality interested in applying the same project or practice can follow your steps.

3. Indicate who had a direct role in this project or practice:

- ☒ Municipal Council
- ☒ Municipal Administration
- ☒ Other

4. What was the role of the municipal council and/or municipal staff in this project or

practice?

5. Were other groups were involved in developing this project or practice? If so, who were they and what role did they play?
6. What resources were involved?
7. How was the project or practice developed?

Council and administration worked together to coordinate public meetings, create an ATV Bylaw Committee, with a goal of having a new ATV Bylaw that would provide a safe environment for all residents.

Other groups involved included residents who supported and opposed the use of ATV's within the Town. Members worked together to better understand each other and work together on a framework that could benefit everyone.

After a number of meetings, the following communication has been agreed to and is on the Town of Pilot Butte website:

- All ATV's being operated on town property must be registered and display a registration tag provided by the Town of Pilot Butte.
- Golf Carts are NOT Permitted
- Use of the travelled portion of the roadway is permitted at a maximum of 30km/h within town limits.
- The Town recommends residents use the paved streets when accessing the most direct route to and from place of residence.
- Riders must be 16 years of age and hold a valid driver's license OR
- Riders age 12-15 must be directly supervised by an adult, or hold a valid ATV course certificate.
- All Terrain Vehicle are NOT permitted at any time on Town of Pilot Butte Public Reserve land (Parks), buffer strips, walkways, and crown owned land.
- Please follow and obey all posted signs.

- Please respect our residents and their right to quiet enjoyment of their property.

The Results

8. What effect did this project or practice have on the community?
9. Was a formal evaluation done after the project or practice was completed?
10. Describe any challenges faced.

The community has been monitoring the progress to date and concerns are close to nil. One resident who opposed the ATV within Pilot Butte has been quoted as saying this has resulted in almost 100% improvement.

The resident group wanted to organize a Rider Group. This has been delayed due to Covid-19 restrictions.

Some riders are still not registered, so the Town is promoting gift cards as a way of having the remaining drivers complete the registration process.

Please see attached ATV Minutes file.

Lessons Learned

11. What lessons were learned and what would you recommend doing differently?
Remember, all nominations will become part of the Best Practices Library, so be sure to include specific information.

Having everyone work together has resulted in a win-win situation. The Town and committee are working together to measure the project and make any necessary changes when required.

The use of ATV's is a challenge for most communities. This has proven to be the best solution with a win-win outcome!!!! Has taken time, with some challenges, and the outcome could have not been better.



BYLAW NO. 03-2021**TOWN OF PILOT BUTTE****A BYLAW RESPECTING THE OPERATION OF ALL TERRAIN VEHICLES WITHIN THE
CORPORATE LIMITS OF THE TOWN OF PILOT BUTTE**

The Council of The Town of Pilot Butte, in the Province of Saskatchewan enacts as follows:

1. TITLE

This bylaw shall be known and may be cited as "The ATV Bylaw".

2. DEFINITIONS

For the purpose of this bylaw, all the words and expressions shall have the same meaning as contained in the All Terrain Vehicles Act and the Traffic Safety Act as amended from time to time, as follows:

(a) "Administrator" means the Administrator of the Town of Pilot Butte.

(b) "all-terrain vehicle" and/or "ATV" as described in The All Terrain Vehicles Act and may be amended from time to time, means a self propelled vehicle that:

- i) is designed primarily for the movement of people or goods on unprepared surfaces; and
- (ii) has wheels in contact with the ground;

and includes:

- (iii) a restricted use motorcycle;
- (iv) a mini-bike and dirt bikes; and
- (v) an all terrain cycle; including quads and side by sides

but does not include:

- (vi) a snowmobile as defined in The Snowmobile Act;
- (vii) an agricultural implement or special mobile machine as defined in The Traffic Safety Act; or
- (viii) any vehicle that is required to be registered pursuant to The Traffic Safety Act
- (ix) a golf cart

(c) "Certificate of registration" means a valid certificate of registration issued for an All Terrain Vehicle pursuant to Section 3 of this Bylaw.

(d) "Crown land" means any land, other than a highway, owned by Her Majesty the Queen in right of Saskatchewan;



(e) "highway" as defined in The Traffic Safety Act means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area.

(f) "Street" means any street, or lane within the Town of Pilot Butte and includes a public highway, within the Town of Pilot Butte.

(g) "Town" means Town of Pilot Butte.

3. No person shall operate or authorize or permit any other person to operate an All Terrain Vehicle within the Town of Pilot Butte unless:

- a. that person has obtained a certificate of registration from the Town of Pilot Butte;
- b. the identification sticker is attached to the All Terrain Vehicle; and
- c. ATV registration stickers must be displayed in a manner that is visible and easily identifiable.

4. The Administrator shall provide an owner of an All Terrain Vehicle a certificate of registration for the ATV if:

- a. the owner of the ATV applies on a form provided by the administrator and pays the prescribed fee as provided in Schedule 'A' of this Bylaw;
- b. provides proof of liability insurance in regards to operating and All Terrain Vehicle in the amount of a minimum of \$200,000.

5. Pursuant to the provisions of Section 3 to 9 of the *All Terrain Vehicles Act*;

- a. It shall be unlawful to operate an All Terrain Vehicle between the hours of 11:00p.m. and 7:00 a.m. in the Town of Pilot Butte.
- b. All Terrain Vehicles may be operated on the traveled portion of the streets, other than provincial highways, in the Town, for the purpose of travelling from privately owned property to the corporate limits of the Town and return, by the most direct route to the owner's privately owned property.
- c. No All Terrain Vehicle shall be operated at any time on Town of Pilot Butte Public Reserve land (Parks), buffer strips, walkways, and crown owned land.

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- d. No All Terrain Vehicle shall be operated on private owned land that has been posted as disallowing the operation of AllTerrain Vehicles as Per Appendix A.
- e. A person must be 16 years of age and hold a valid driver's license to operate in any public area.

6. EXCEPTIONS

Youth between 12 and 15 years of age can operate an all-terrain vehicle in the Town of Pilot Butte:

- a. if they have successfully completed an approved ATV training course, or
- b. if they are directly supervised by a person who has held a driver's license for the previous 365 days,
- c. Persons with registered ATVs living along the restricted areas of Butte Street, 3rd Avenue, 5th Street, 6th Street and 2nd Avenue may utilize the travelled portion of the road when travelling from privately owned property to the corporate limits of the Town and return, by the most direct route.
- d.

7. NOISE AND SPEED PROVISIONS:

- a. Subject to Bylaw 12-2004 of the Town of Pilot Butte, no person shall create an excessive or unusual noise in the operation of an All Terrain Vehicle within the Town whether or not the noise is caused by the mechanical state of the All Terrain Vehicle or the manner in which the All Terrain Vehicle is operated and whether or not it is stationary or moving at the time the noise is created.
- b. No person shall operate an ATV at a speed in excess of 30km/hr.

8. OPERATION PERMITTED

Under the provision of Subsections 9(1 and 2) of The All Terrain Vehicles Act, the operation of All-Terrain Vehicles shall be permitted within the corporate limits of the Town of Pilot Butte as follows:

- a. For the purpose of conducting municipal business when operated by a municipal employee or designate, and;
- b. For the purpose of special occasions during times, dates and at locations where a permit has been issued by Council
- c. For use during a declaration of a local emergency with the Town

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9. ENFORCEMENT

- a. Any RCMP or duly appointed peace officer shall be authorized to operate an all terrain vehicle within the corporate limits of the Town of Pilot Butte for enforcement purposes.
- b. Any member of the Royal Canadian Mounted Police, any Peace Officer appointed pursuant to the Traffic Safety Act or the Town's Bylaw Enforcement Officer/Designated Agent are hereby authorized to remove and impound or store any all-terrain vehicle that does not comply to the regulations within this bylaw of the Town of Pilot Butte.
- c. Registration sticker numbers can and may be used to report any unlawful or misuse of ATVs within town limits to the RCMP or Town's Bylaw Enforcement.

10. PENALTY

Any person who contravenes any provision of this bylaw is liable to a fine of \$200, with the exception of Section 7(a).

- a. Any ATV being operated in breach of this bylaw, or if being operated by an unlicensed operator or if the ATV does not have adequate proof of insurance under the *All Terrain Vehicles Act* the ATV may be seized and impounded by the Town of Pilot Butte. Impounding fees will be \$100 for first impounding, plus incidental costs and expenses arising from the impounding, and \$200 for second instance involving the same ATV. Such impounding fees shall be in addition to any fine.

In the event the owner has not paid all costs within 90 days of notice, the Town will sell the ATV for poundage and incidental costs at a public auction.

In the event the owner is acquitted of the offence for breach of bylaw for which the ATV was impounded, the poundage fees and incidental costs paid by the owner will be refunded.

- b. Any person convicted of a breach of the provisions of Section 6(a) of this bylaw shall be liable for a penalty as provided in the Noise Bylaw of the Town of Pilot Butte.

11. REPEAL OF FORMER BYLAW

That Bylaw No. 8-2020 is hereby repealed.

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12. EFFECTIVE

This Bylaw shall come into force once it is approved and given third reading by the Council of the Town of Pilot Butte.

First Reading: February 22, 2021

Second Reading: Mar 8, 2021

Third Reading: Mar 8, 2021

PER: _____

MAYOR: Peggy Chorney *Ref*

PER: Allen Mullen

ADMINISTRATOR: Allen Mullen

SEAL



CERTIFIED TRUE COPY OF A BYLAW PASSED
BY RESOLUTION OF COUNCIL OF THE TOWN
OF PILOT BUTTE AT A MEETING HELD THE
8 DAY OF Mar, 2021 AD.
Allen Mullen
ADMINISTRATOR





SCHEDULE 'A'

A Certificate of Registration shall not be issued nor considered valid without payment of fees as prescribed in the following table: Certificate of Registration:

Identification Sticker	\$30.00
Annual Registration	\$15.00



SCHEDULE 'B'

CERTIFICATE OF REGISTRATION APPLICATION FOR ALL TERRAIN VEHICLES

Name of Applicant: _____

Civic Address: _____

Mailing Address: _____
(if different than Civic)

Telephone: _____ Cell: _____

Email: _____

Description of ATV: _____

Office Use Only: _____

Proof of Insurance Reg# _____

Attach a copy of the proof of liability insurance to this application

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CERTIFICATE OF REGISTRATION APPLICATION FOR ALL TERRAIN VEHICLES

Municipal Bylaw requires anyone wanting to operate an ATV on identified municipal land to have a plate issued and affixed to their ATV, and to maintain liability insurance. Please consult the Town where you plan to operate for complete rules and regulation.

Application Fee: \$30.00 - Annual Fee: \$15.00

Please attach proof of insurance in amount of not less than \$200,000 for the ATV you are registering with the Town of Pilot Butte.

Please initial each statement acknowledging the general information as to the rules and responsibilities associated with the issuance of a plate.

- ☐ I have a valid driver's license to operate an ATV on a highway as permitted by bylaw.
- ☐ I will maintain liability insurance to operate an ATV as permitted by bylaw and the Act.
- ☐ I will be able to produce identification; a copy of insurance as may be requested by any designated officer.
- ☐ I know and agree that a person without a licence between the ages of 12 and 15 must be supervised by a person who has held a continuous/valid license for one year, and or have taken a course.
- ☐ I know that it is recommended that anyone operating an ATV, or anyone being a passenger on an ATV shall have an approved helmet and eye protection.
- ☐ I agree as an owner, I am responsible for the operation of my ATV and may be held liable for violations and or damage as a result of the operation of the ATV.
- ☐ I will check in with the municipal partners so as to ensure planned route is lawful and permitted.

Declaration of Owner Applicant

To the maximum extent permitted by applicable law, in no event shall the Town of Pilot Butte or any of its partners, its elected officials, Officers, Employees, Agents, Volunteers, Contractors, and Representatives be liable for any action arising as a result of this application and shall forever be released from any and all actions, expense, claims, or demands that I, any authorized or unauthorized persons using my ATV, my assignees, heirs, guardians, next of kin, spouse and legal representatives now have, or may have in the future, for injury, death, or property damage, related to my issuance of a plate and authorization to operate an ATV as permitted by bylaw.

I further understand it is my sole responsibility to comply with any and all other municipal, provincial and federal law, and that I undertake to ensure anyone using my ATV operates in a safe and lawful manner.

I have carefully read these terms and fully understand its contents and that I undertake to sign it of my own free will. I further certify that all statements contained within this application are true and I make this application knowing and believing them to be true.

Owners Signature

Date

Internal use only:

Payment Amount

Owner Identification Type / No.

Plate No. issued

Date Received

Designated Officer Processing Application

10/18/21, 2:15 PM

Inbox (48) - tracey@pilotbutte.ca - pilotbutte.ca Mail

ATV Committee Meeting

10/13/21 – 7PM – 7:45PM

Attendance – Zac Forster, Ed Sigmeth, Tracey Hendriks, Chris Lutz, Greg Mallet

Notes:

1. Sign rental for a reminder to residents to register ATVs.
 - a. It was decided that we should wait until the spring to rent a sign that would be placed in a central location in town to remind residents to register their ATV's
 - b. Domo was discussed as a possible location
2. Speed signs to be installed below the "ATV Route" signs in town.
 - a. The wrong size was ordered accidentally but can be re-purposed in the school zone in town.
 - b. Tracey will be ordering new one asap and Robert will have them installed upon arrival
3. Registration numbers
 - a. 25 registrations have been received so far
 - b. Below what we wanted but we are happy with the progress. White city received less than 10 registrations with their program
4. Strategies to increase registration and promote safe operation in town.
 - a. A social media push will be done to promote new registrations as well as renewals for 2022.
 - b. As incentive for registering either a new or renewal of a registered ATV, we will do a draw for 1-3 \$50 gift certificates to local businesses in town. This will depend on the number of registrations received. i.e. 10 registrations is 1 gift card, 25 is 2, 50 is 3 available.
 - c. Domo gas card, Broncos, Happy Hour were the locations mentioned to purchase gift cards from.
 - d. Tracey will check with Dallas at D's Signs on an ETA for 2022 registration stickers.
 - e. Social media push will begin early next week and run until December 31, 2021.
5. Roundtable:
 - a. Greg noted an almost 100% improvement in riders speeding past his place or using the reserve on Railway avenue. He also mentioned he identified an under age rider and made the youth's father aware that there was a new bylaw in town. The youth wasn't seen riding in the area again
 - b. Tracey provided an update to a conversation she had with the CSO around ticketing and impounding of ATVs in violation of the Bylaw
 - c. Next meeting will be mid-late November. Date TBD.