THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-076

BEING A BY-LAW TO PROHIBIT VEHICLES ON PUBLIC LANDS OR PROPERTY IN THE CITY OF PETERBOROUGH

WHEREAS Section 10(2) paragraph 6, of the Municipal Act, 2001, permits a municipal council to pass by-laws and to make regulations for the health, safety and well-being of persons;

AND WHEREAS The Corporation of The City of Peterborough by its Council has determined that it is in the public interest to regulate the storage, keeping, driving and operating of vehicles on public land in order to protect persons from injury and property from damage;

AND WHEREAS this by-law is intended to promote the health, safety and well-being of persons through encouraging non-vehicular use of public land for recreational purposes while prohibiting the storage, keeping, driving and operating of vehicles on public land;

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law the following words shall have the following meaning:

   (a) “Corporation” means The Corporation of the City of Peterborough and its local boards;

   (b) “Police” means the Peterborough Lakefield Community Police Service;

   (c) “Public Land” means land or property owned, occupied, managed, maintained or controlled by the Corporation;

   (d) “Vehicle” means a motor vehicle, motor cycle, motorized snow vehicle, trail bike, gas motor-assisted bicycle, and any other vehicle or conveyance drawn, propelled or driven by any kind of non-muscular power excluding a wheelchair, electric motor-assisted bicycle, and Segway; and

   (e) “Wheelchair” means a chair mounted on wheels propelled or driven by muscular or any other kind of power and used for the carriage of a person with a physical disability;

PROHIBITIONS AND EXCEPTION

2. No person shall have, store, keep, operate, propel or drive a Vehicle in and upon Public Land other than in and upon:

   (a) the traveled portion of a public highway; or

   (b) any area designated for the driving, operating, parking or stopping of such Vehicle.

3. No person shall operate or drive a Vehicle, bicycle, electric motor-assisted bicycle, Segway or Wheelchair on Public Land in a manner that is dangerous to the well-being and safety of the public.
4. No person shall operate or drive a Vehicle, bicycle, electric motor-assisted bicycle, Segway or Wheelchair on Public Land in a manner that causes damage to Public Land or public property.

5. Notwithstanding the provisions of Section 2 herein, a servant, agent or employee of the Corporation or the Police may operate, propel or drive a Vehicle at any time on Public Land if such Vehicle is engaged in work undertaken by or on behalf of the Corporation or the Police.

OTHER OFFENCE

6. The driver of a Vehicle not being the owner is liable to any penalty provided under this by-law and the owner of the Vehicle is also liable to such penalty, unless at the time the offence was committed the Vehicle was in the possession of a person other than the owner without the owner's consent.

SET FINE AND PENALTY

7. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to pay a set fine in the amount of one hundred dollars ($100.00) for each offence or any other penalty as provided for in the *Provincial Offences Act*.

COMING INTO FORCE

8. This by-law shall come into force and take effect on the date that it is approved by the Council of The Corporation of the City of Peterborough, and, subject to the date that the Regional Senior Justice of the Ontario Court of Justice approves the set fine as set out in Section 7.

REPEAL

9. By-law Number 1986-91 is hereby repealed.

By-law read a first, second and third time this 15th day of June, 2009

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) John Kennedy, Deputy Clerk
THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 09-164

BEING A BY-LAW TO PROHIBIT VEHICLES ON PUBLIC LANDS OR PROPERTY IN THE CITY OF PETERBOROUGH

WHEREAS Section 10(2) paragraph 6, of the Municipal Act, 2001, permits a municipal council to pass by-laws and to make regulations for the health, safety and well-being of persons;

AND WHEREAS The Corporation of The City of Peterborough by its Council has determined that it is in the public interest to regulate the storage, keeping, driving and operating of vehicles on public land in order to protect persons from injury and property from damage;

AND WHEREAS this by-law is intended to promote the health, safety and well-being of persons through encouraging non-vehicular use of public land for recreational purposes while prohibiting the storage, keeping, driving and operating of vehicles on public land;

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. In this by-law the following words shall have the following meaning:

   (a) “Corporation” means The Corporation of the City of Peterborough and its local boards;

   (b) “Police” means the Peterborough Lakefield Community Police Service;

   (c) “Public Land” means land or property owned, occupied, managed, maintained or controlled by the Corporation, including a Sidewalk and a Sidewalk Walkway but excluding the traveled portion of a public highway;

   (d) “Sidewalk” means any paved or concrete surface maintained by the City adjacent to the traveled portion of a public highway;

   (e) “Sidewalk Walkway” means any paved or concrete surface maintained by the City on Public Land that is not adjacent to the traveled portion of a public highway which resembles a Sidewalk and which typically connects a Sidewalk to another Sidewalk or to a public highway;

   (f) “Vehicle” means a motor vehicle, motor cycle, motorized snow vehicle, trail bike, gas motor-assisted bicycle, and any other vehicle or conveyance drawn, propelled or driven by any kind of non-muscular power excluding a Wheelchair, electric motor-assisted bicycle, and Segway;

   (g) “Wheelchair” means a chair mounted on wheels propelled or driven by muscular or any other kind of power and used for the carriage of a person with a physical disability;
PROHIBITIONS AND EXCEPTION

2. No person shall have, store, keep, operate, propel or drive a Vehicle in and upon Public Land other than within:
   (a) the traveled portion of a public highway; or
   (b) any area designated for the driving, operating, parking or stopping of such Vehicle.

3. No person shall operate or drive a Vehicle, bicycle, electric motor-assisted bicycle, Segway or Wheelchair on Public Land in a manner that
   (a) is dangerous to the well-being and safety of the public; or
   (b) causes damage to Public Land.

4. No person shall operate or drive a bicycle or electric motor-assisted bicycle on any Sidewalk or Sidewalk Walkway.

5. No Owner shall permit a Vehicle to be operated or driven on Public Land in a manner prohibited by this by-law.

6. It is not an offence for a servant, agent or employee of the Corporation or the Police to operate, propel or drive a Vehicle on Public Land provided such Vehicle is engaged in work undertaken by or on behalf of the Corporation or the Police.

SET FINE AND PENALTY

7. Any person who contravenes any provision of this by-law, is, upon conviction, guilty of an offence and is liable to pay a set fine in the amount of one hundred and twenty dollars ($120.00) for each offence or any other penalty as provided for in the Provincial Offences Act.

COMING INTO FORCE

8. This by-law shall come into force and take effect on the date that it is approved by the Council of The Corporation of the City of Peterborough, and, subject to the date that the Regional Senior Justice of the Ontario Court of Justice approves the set fine as set out in Section 7.

Repeal

9. By-law Number 09-076 is hereby repealed.

By-law read a first, second and third time this 14th day of December, 2009

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) Kevin Arjoon, Deputy Clerk