

# THE CORPORATION OF THE TOWNSHIP OF BONFIELD

## BY-LAW No. 2011-26

### “ Being a by-law to regulate Motor Vehicle Racing”

**WHEREAS** Section 165 of the Municipal Act, 2001 permits municipalities to prohibit or license, regulate and govern the racing of motor vehicles and the holding of motor vehicle races;

**AND WHEREAS** Council of the Corporation of the Township of Bonfield deems it appropriate to regulate the racing of motor vehicles;

**NOW THEREFORE** the Council for the Corporation of the Township of Bonfield enacts as follows:

#### 1.0 DEFINITIONS

Unless otherwise specifically defined in any other part of this By-law:

- (a) “By-law Enforcement Officer” shall mean the By-law Enforcement Officer of The Corporation of the Township of Bonfield, or a person delegated by him/her for the purposes of this by-law;
- (b) “Clerk” shall mean the Clerk for The Corporation of the Township of Bonfield;
- (c) “Corporation” or “Township” shall mean The Corporation of the Township of Bonfield;
- (d) “Council” shall mean the Council of The Corporation of the Township of Bonfield;
- (e) “Motor Vehicle” means an automobile, a motorcycle, motor assisted bicycle unless otherwise indicated in this Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990 as amended. In addition to the foregoing and for the purpose of clarity the definition of motor vehicles include off-road vehicles as defined in the Off-Road Vehicles Act and All-Terrain Vehicles (ATV) as defined in Ontario Regulation 316/03 passed under the *Highway Traffic Act*;
- (f) “Race Event” means those times and occasions during which 2 or more motorized vehicles are on the race track at one time;
- (g) “Race Track” means any lands, facility, structure, etc, used for the racing of motor vehicles.

#### 2.0 GENERAL PROVISIONS AND ADMINISTRATION

##### *Administration of by-law*

- 2.1. Unless otherwise indicated the administration of this by-law is assigned to the Clerk who may delegate the performance of his/her functions under this by-law from time to time as occasion requires.

##### *Enforcement - By-law Enforcement Officer*

- 2.2. The enforcement of this by-law is assigned to the By-law Enforcement Officer.

##### *Inspections - By-law Enforcement Officer - Other Designated Persons*

- 2.3. Any person designated by the Council to enforce this by-law may, at all reasonable times and upon producing proper identification, enter and inspect a racetrack and the property upon which it is located.

***No person - Obstruct - Person who Enforces***

- 2.4. No person shall obstruct, hinder or in any way interfere with any person designated to enforce this by-law.

**3.0 REGULATIONS**

***Restriction on Time for Racing***

- 3.1. No person shall operate or race a motor vehicle or permit the operation or racing of motor vehicles on a race track during the following hours:

1. Monday through Saturday inclusive (except where such day is a Statutory Holiday):

- a. between 12:00 a.m. and 9:00 a.m.; and  
b. between 9:00 p.m. to 12:00 am.

2. Sundays and Statutory Holidays:

- a. between 12:00 a.m. and 10:00 a.m.; and  
b. between 7:00 p.m. and 12:00 a.m.

***Application***

- 3.2 Section 3.1 does not apply to prohibit the operation of such motor vehicle or other machinery which is designed or intended for the purposes of maintenance or preparation of the racing track for racing between the hours of 7:00 a.m. and 9:00 a.m. Monday through Saturday inclusive or between 9:00 a.m. and 10:00 a.m. on Sundays or Statutory Holidays.

***Starting Race Events (Oval Track Racing)***

- 3.3 No person shall start or permit the start of a race event after 6:00 p.m. Monday to Saturday inclusive or after 5:00 p.m. on Sundays or Statutory Holidays.

***Mufflers (Oval Track Racing)***

- 3.4. No person shall race a motor vehicle or permit motor vehicle racing on a race track unless the motor vehicle or motor vehicles are equipped with an operating sound muffling and dampening device (mufflers).

***Schedules***

- 3.5. The owner or operator of a race track shall submit a schedule of main race events to the Township prior to April 15th of each calendar year.

***Race Records***

- 3.6. The owner or operator of race track shall record the start and finish times of the races on each race event day and shall submit this record to the Clerk within 7 days of the end of each month during which racing occurs.

***Exemption***

- 3.7 Council, upon receiving an application from the owner or operator of a race track may grant an exemption from section 3.1 and/or 3.3 of this by-law.



#### 4.0 ENFORCEMENT AND INTERPRETATION

##### *Fines for Contravention*

- 4.1. Every person who contravenes this by-law and every director or officer of a corporation who concurs in such contravention by a corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.

##### *Continuation - Repetition - Prohibited - By Order*

- 4.2. The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

##### *Integrity of by-law - Severability*

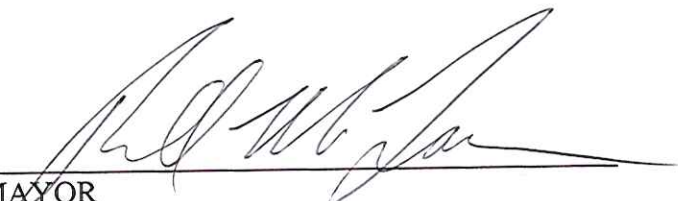
- 4.3. Notwithstanding that any Part or Parts, section or sections of this by-law, a part or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of the Council to enact, such Part or Parts, section or sections or a part or parts thereof shall be deemed to be severable, and all other sections of this by-law, or parts thereof, are separate and independent there from and enacted as such.

#### 5.0 EFFECTIVE DATE OF BY-LAW

- 5.1 This By-law shall come into force and take effect on the day of passing thereof.

**By-law read a FIRST and SECOND time this 12 day of April, 2011.**

**By-Law read a THIRD time and FINALLY PASSED this 28 day of June, 2011.**

  
MAYOR  
CLERK