

THE CORPORATION OF THE TOWNSHIP OF SOUTH DUNDAS

BY-LAW NO. 2005-07

A BY-LAW of the Corporation of the Township of South Dundas to regulate the operation of All-Terrain Vehicles on Municipal Roads within the Township of South Dundas.

WHEREAS the *Highway Traffic Act*, Chapter 8, R.S.O. 1990, Section 3 as amended, and Ontario Regulation 316/03 authorizes Municipalities to pass by-laws permitting ATVs to be operated on highways or part of highways within the Municipality and during specified months and hours as set out;

AND WHEREAS it is deemed in the best interest to regulate, govern, and limit the operation of ATVs within the Municipality;

NOW THEREFORE the Council of the Corporation of the Township of South Dundas enacts as follows:

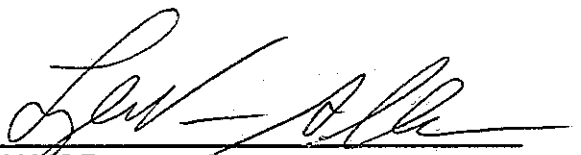
Section 1: Definitions

In this By-law:

- 1.1** "All Terrain Vehicles (ATVs)" means an off road vehicle that:
- a) has four (4) wheels, the tires of all of which are in contact with the ground;
 - b) has steering handlebars;
 - c) has a seat that is designed to be straddled by the driver;
 - d) is designed to carry a driver only and no passengers; and
 - e) does not include Argos, dune buggies, etc.
- 1.2** "Highway" includes a common and open public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- 1.3** "Roadway" means the part of the highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not all of the roadways collectively.

2. **THAT** all the provisions of Ontario Regulation 316-03 "Operation of Off Road Vehicles on Highways" shall apply to this by-law.
3. **THAT** the operation of those Off Road Vehicles described as "All Terrain Vehicles" shall be permitted on those Township roads or portions thereof listed in Schedule "A".
4. **THAT** the operation of ATV units shall be permitted only during the hours specified in Schedule "B".
5. **THAT** any person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine as provided in the *Provincial Offences Act*.
6. **THAT** this by-law is to be reviewed annually.
7. **THAT** this by-law shall have full force and effect from the date of its passing.

READ and passed in open Council, signed and sealed this 1st day of February, 2005.


MAYOR


CLERK

SCHEDULE "A"

To By-Law No. 2005-07

It is the Township's policy to permit off road vehicles use of the following Township roads:

1. All Township roads on the north side of King's Highway 401.
2. Flagg Road (from County Road 18 to County Road 2).
3. Muttonville Road
4. Nudell Bush Road north of 401 to boundary

SCHEDULE "B"

To By-Law No. 2005-07

It is the Township's policy to permit All Terrain Vehicles use of specific Township of South Dundas roads during the following periods:

Daily – permitted period from 6:00 a.m. to 10:00 p.m.