

**THE CORPORATION OF THE MUNICIPALITY OF NORTH BRUCE
PENINSULA**

BY-LAW NUMBER 2004-27

BEING A BY-LAW to regulate and control the movement and time of movement of "ALL TERRAIN VEHICLES" also known as A.T.V. (s) on any highway's or road allowance's under the control of the Municipality of Northern Bruce Peninsula.

WHEREAS the Municipal Act 2001, Section 8, the powers of natural person exercise of authority and section 11(1) spheres of jurisdiction.

AND WHEREAS the ATV vehicle legislation and the Highway Traffic Act have been amended by Bill 11 of the Provincial Legislation to allow municipalities the authority to pass by-law regulating and controlling the movement and time of movement on all roads under the jurisdiction of the Municipality of Northern Bruce Peninsula in regard to ATV(s).

NOW THEREFORE the Council of the Corporation of the Municipality of Northern Bruce Peninsula enacts as follows:

DEFINITIONS

- (1) Highways includes a common and public highway, street, avenue, parkway, square place, drive, bridge, viaduct or trestle, any part which is intended for or used by the general public for the passing of vehicles and includes the area between the lateral property lines thereof.
- (2) In this by-law an all-terrain vehicle, (ATV), means an off road vehicle that:
 - (a) Has four wheels, the tires of which are in contact with the ground.
 - (b) Has steering handle bars.
 - (c) Has a seat that is designed to be straddled by the driver.
 - (d) Is designed to carry a driver only.
 - (e) Has headlights, tail lights, that must be on at all times.
 - (f) Must have operating brake light.
 - (g) Has all terrain vehicle licence plate and insurance.
 - (h) Windshields must meet requirement of motorcycle windshields.


For the purpose of this By-law, ATV vehicle does not include argos, dune buggies, 2 or 3 wheeled vehicles, vehicles propelled or driven other than by muscular power or wind.

**GENERAL PROVISIONS
SECTION**

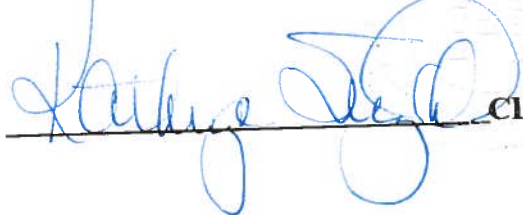
- (1) No driver of an ATV vehicle shall drive on a Municipal road without a motorcycle helmet that has been approved as such.
- (2) No driver of an ATV vehicle shall operate such vehicle on any Municipal road without a valid G2/M2 or greater driver's licence.
- (3) No driver of an ATV vehicle shall carry any passenger while operating on any Municipal road.

- (4) No driver of an ATV vehicle shall operate without valid insurance coverage on said vehicle on any Municipal road covered by this by-law.
- (5) No driver of an ATV vehicle shall operate on any Municipal road covered by this by-law without licencing such vehicle.
- (6) Driver must operate ATV in same direction as traffic.
- (7) All ATV's shall travel on shoulder of road, but may operate on road if shoulder is not safe.
- (8) No person shall operate an ATV in any park that is under the jurisdiction of the Council of the Municipality of Northern Bruce Peninsula.
- (9) Schedule "A" list person(s) or companies exempt from this by-law.
- (10) No person shall interfere with an officer carrying out his/her duties enforcing this by-law.
- (11) Every person(s) who violates a provision of this by-law is guilty of an offence and on conviction is liable to the penalty as provided in section 61 of the Provincial Offences Act R.S.O. 1990 Chapter .33 as amended from time to time.
- (12) This by-law shall come into effect after approval has been given by Council of the Municipality of Northern Bruce Peninsula.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this day 26th
of April, 2004.**



MAYOR



CLERK