

BYLAW NUMBER 2015-31
THE MUNICIPALITY OF MARMORA AND LAKE

Being a bylaw to amend Bylaw 2004-10
Regulating the Operation of All-Terrain Vehicles on Municipal Highways within the
Municipality of Marmora and Lake

WHEREAS subsection 191.8(3) of the Highway Traffic Act, RSO 1990, CH.8, or as amended provides that the Municipality may pass by-laws,

- a) Permitting the operation of off-road vehicles and recreational off-highway vehicles with four or more wheels and low pressure bearing tires on any highway within the Municipality that is under the jurisdiction of the Municipality, or on any part or parts of such highway'
- b) Prescribing a lower rate of speed for All-Terrain Vehicles by regulation on any highway within the municipality that is under its jurisdiction, or any parts of such highway, including prescribing different rates of speed for different highways or parts of highways.

THEREFORE the Council of the Municipality of Marmora and Lake hereby enacts as follows:

DEFINITIONS

In this by-law,

"All-Terrain Vehicle" means an off-road vehicle that,

- (a) has four 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, and
- (d) is designed to carry,
 - (i) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle,
 - (A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - (B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver;

"Recreational Off-Highway Utility Vehicle" means an off road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has a steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has an engine displacement equal to or less than 1,000 cubic centimetres

"highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for use or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof

“Low Pressure Bearing Tire” means a wide, balloon type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressures of no greater than 70 KPA (10 psi)

“Off-Road Vehicle” means an off-road vehicle within the meaning of the Off-Roads Vehicles Act O.Reg. 316/03, s.1

REGULATION OF ALL-TERRAIN VEHICLES ON HIGHWAYS

1. An All-Terrain Vehicle shall not be operated on highways unless it meets the equipment requirements of Section 7-15 of O.Reg 316/03 and it is operated in accordance with Sections 16-24 of O.Reg 316/03, s.6
2. The All-Terrain Vehicle shall not be driven at a rate of speed greater than,
 - a) 20 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-Law for that part of the highway is not greater than 50 kilometres per hour, or
 - b) 50 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-Law for that part of the highway is greater than 50 kilometres per hour.

GENERAL

1. Operation of All-Terrain Vehicles shall be permitted by By-Law upon the highways under the jurisdiction of the Municipality of Marmora and Lake and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and Off Roads Vehicles Act, as amended.


PENALTIES

1. 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 for in the Provincial Offences Act.

EFFECTIVE

1. This By-Law shall come into force and take effect on the day of its passing and shall remain in effect until otherwise amended or repealed.

READ A First, Second and Third time and finally passed this 11th day of August, 2015.


Mayor


Clerk