

THE CORPORATION OF THE TOWN OF BLIND RIVER

BY-LAW NO. 15 - 65

Being a By-law to regulate the use of ATV's (All Terrain Vehicles) & UTV's (Utility Task Vehicles) with four wheels.

WHEREAS the Highway Traffic Act, R.S.O. 1990, Section 191.8, subsection (3), Chapter H.8, as amended, provides that the Council of a municipality may pass by-laws permitting the operation of off-road vehicles must be four (4) 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 highways;

AND WHEREAS the Council of the Corporation of the Town of Blind River deems it in the best public interest to regulate, govern or prohibit the operation of off-road vehicles within the Municipality.

NOW THEREFORE the Council of the Corporation of the Town of Blind River ENACTS as follows:

1. DEFINITIONS:

In this By-law:

- a) **Administrator** – means the Clerk-Administrator for the Town of Blind River;
- b) **All-Terrain Vehicle** – means an off-road vehicle that,
 - i) has four wheels, the tires of all of which are in contact with the ground,
 - ii) has steering handlebars,
 - iii) has a seat that is designed to be straddled by the driver, and
 - iv) is designed to carry a driver only or to carry a driver and no more than one passenger; (``vehicule polyvalent``)
- c) **Corporation** – means the Corporation of the Town of Blind River;
- d) **Low pressure bearing tire** – means a wide, balloon type tire with a round cross-section and no distinct shoulder area and that is designed to operate with inflation pressures of no greater than 70kpa (10 psi)(pounds per square inch);
- e) **Off road vehicle** – means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel,
 - i) on not less than four (4) wheels; or
 - ii) on more than three (3) wheels and being of a prescribed class of vehicle

- f) **Street, highway and laneway** – means a highway as defined within the Highway Traffic Act, R.S.O. 1990, Chapter H. 8.;
 - g) **Town** – means the Corporation of the Town of Blind River
 - h) **Utility task vehicle** – means an off-road vehicle that,
 - i) is designed for utility applications or uses on all terrains.
 - ii) has four or more wheels,
 - iii) has a seat that is not designed to be straddled by the driver, and
 - iv) is designed to carry a driver and one or more passengers; (``autoquad``)
2. Off road vehicles shall be prohibited from traveling in, over or upon the following streets within the Town of Blind River and the said streets shall hereinafter be referred to as restricted streets, namely:
- a) Woodward Avenue commencing at a point where Woodward Avenue intersects with Causley Street to Hudson Street;
 - b) Causley Street commencing at the point where the ``connecting link agreement`` begins at a point 45 meters west of the intersection of Birch Street and proceeding easterly to the eastern intersection of Causley Street and East Industrial Park Road.
3. No person shall operate an off road vehicle:
- 3.1) Over or upon the following areas, namely:
- a) Blind River Town Park – bounded by Park Street, Woodward Avenue, the Blind River and 221 Woodward Avenue;
 - b) All other parks and playgrounds within the Town of Blind River;
 - c) Blind River Marine Park and breakwall;
 - d) Blind River Golf Course;
 - e) Municipal gravel pit area south of Colonization Road;
 - f) South of the canal bridge, namely Island No. 9/Boom Camp and the Marshy Bay area, except and only for the surface of the Boom Camp Road as identified on the attached Schedule "A"
 - g) Multi-use trails as identified:
 - i) along the north side of Hwy 17 from the Leacock Street East/Causley Street intersection east to the Hwy 17/Huron Beach Road (4th Sand Beach) intersection;

- h) All ball parks and athletic fields;
 - i) All public beaches within the Town of Blind River;
 - j) All cemeteries within the Town of Blind River;
 - k) Eldorado Road; and
 - l) On any private property without the consent of the owner.
- 3.2) On any sidewalk within the Town of Blind River.
- 3.3) On any boulevard within the Town of Blind River.
- 4. Off road vehicles may drive along, upon, or across municipal streets and/or highways and trails within the designated urban portion of the Town of Blind River at a speed not to exceed twenty (20) kilometres per hour.
- 5. Off road vehicles may cross restricted streets in the following manner only:
 - a) The operator shall first ensure that this movement can be made in safety and shall then drive his off road vehicle directly across the said restricted street.
- 6. The operator of an off-road vehicle shall ensure:
 - a) that when towing a trailing device, that the said trailing device shall be equipped with a rigid hitch and shall be fastened securely to the off road vehicle;
 - b) that all trailing devices shall meet all requirements in accordance with the Highway Traffic Act and the Off Road Vehicle Act.
- 7. Operation of an off road vehicle with four wheels and low pressure bearing tires shall be permitted by By-law upon the Highways in the Town of Blind River under and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Roads Vehicle Act as amended.
- 8. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.
- 9. By-law 1938 and all amendments thereto are hereby repealed on the effective date of this By-law.
- 10. This By-law shall come into force and take effect immediately upon the passing thereof and proclamation of all legislation that pertains to the Highway Traffic Act and by the Council of the Town of Blind River.

Read a First, Second and Third time and finally passed this 8th day of September, 2015.

S. Jensen, Mayor

K. Scott, Clerk Administrator

Certification By The Clerk:

I, K. Scott, Clerk Administrator of the Corporation of the Town of Blind River, do hereby certify that the above is a true certified copy of By-law No. 15-65 which was passed in open council on the 8th day of September, 2015.

K. Scott, Clerk Administrator

SCHEDULE "A"

