

**THE CORPORATION OF THE COUNTY OF LENNOX AND ADDINGTON**

**BY-LAW NO. 3217/12**

**A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN VEHICLES ON  
HIGHWAYS UNDER THE JURISDICTION OF THE CORPORATION OF THE COUNTY  
OF LENNOX AND ADDINGTON**

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WHEREAS, Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, as amended, provides that the Council of a municipality may pass by-laws permitting and regulating the operation of off road vehicles including All-Terrain Vehicles, as defined in Ontario Regulation 316/03 on highways under the jurisdiction of the municipality;

AND WHEREAS, Ontario Regulation 316/03 of the Highway Traffic Act, R.S.O. 1990, as amended, applies to the operation of off road vehicles on highways;

AND WHEREAS, the Council of the Corporation of the County of Lennox and Addington deems it necessary and expedient that the permitted use of all-terrain vehicles on certain highways under the jurisdiction of the County of Lennox and Addington be prescribed by by-law;

NOW THEREFORE, the Council of the Corporation of the County of Lennox and Addington enacts as follows:

**1. Definitions**

- 1.1 "All-Terrain Vehicle" shall mean an off-road vehicle that:
  - a) has four wheels, with low pressure bearing tires, all of which are in contact with the ground;
  - b) has steering handlebars;
  - c) has seat that is designed to be straddled by the driver, and
  - d) is designed to carry a driver only and no passengers.
- 1.2 "Highway" means a common and public highway, street, avenue, parkway and driveway, any part of which is intended for or used by the public for the passage of vehicle and includes the area between the lateral property lines thereof.
- 1.3 "Off Road Vehicle" means a vehicle within the meaning of the Off Road Vehicles Act, R.S.O. 1990, Chapter O.4, as amended.

## **2. Regulation of All-Terrain Vehicles on Highways**

- 2.1 No person shall operate an all-terrain vehicle on a highway under the jurisdiction of the County of Lennox and Addington unless it meets the equipment requirements of Sections 7 to 15 of Ontario Regulation 316/03 and is operated in accordance with Sections 16 to 24 of Ontario Regulation 316/03.
- 2.2 No person shall operate or permit the operation of an all-terrain vehicle on a highway under the jurisdiction of the County of Lennox and Addington while carrying a passenger.
- 2.3 No person shall operate an all-terrain vehicle at a rate of speed greater than:
  - a) 20kms 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 50kms per hour;
  - b) 50kms 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 50kms per hour.

## **3. General**

- 3.1 Operation of all-terrain vehicles shall be permitted on all highways under the jurisdiction of the County of Lennox and Addington with the exception of those listed on Schedule 'A' attached hereto.
- 3.2 No person shall operate an all-terrain vehicle on those parts of a highway stipulated in Schedule 'A' attached hereto.
- 3.3 No person shall operate an all-terrain vehicle on highways under the jurisdiction of the County of Lennox and Addington except in accordance with the conditions of this By-law, in accordance with Ontario Regulation 316/03 of the Highway Traffic Act, and in accordance with the Off Road Vehicles Act as amended.

## **4. Penalties**

- 4.1 Any person who contravenes any section of this By-law is guilty of an offence and upon conviction is liable to such fines and penalties as are provided for in the Provincial Offences Act R.S.O. 1990, as amended.

**5. Schedule**

- 5.1 Schedule 'A' shall be deemed to be an integral part of this By-law.

**6. Validity/Severability**

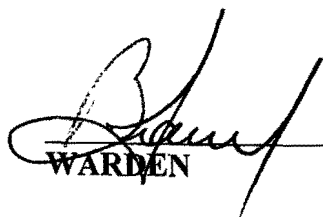
- 6.1 In the event any Court of competent jurisdiction should adjudge that any section or sections of this By-law may not be valid for any reason, such section or sections shall be deemed to be severable from the remainder of the By-law and the remainder of the By-law shall stand and be enforceable to the same extent as if the offending section or sections had not been included herein.

**7. Effective Date**

- 7.1 This By-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the County of Lennox and Addington.
- 7.2 This By-law will be effective for a period of one year from the date of its passing after which time a review will take place to determine impacts of the by-law for its potential renewal and if amendments will be required.

Read a first, second and third time and finally passed this twenty-seventh day of June, 2012.

  
CHIEF ADMINISTRATIVE  
OFFICER/CLERK

  
WARDEN

**THE CORPORATION OF THE COUNTY OF LENNOX AND ADDINGTON**

**SCHEDULE 'A' TO BY-LAW NO. 3217 /12**

<b>HIGHWAYS UNDER THE JURISDICTION OF THE CORPORATION OF THE COUNTY OF LENNOX AND ADDINGTON WHERE THE USE OF ALL-TERRAIN VEHICLES ARE PROHIBITED</b>		
<b>COUNTY ROAD NO.</b>	<b>FROM</b>	<b>TO</b>
1	its intersection with Enviro Park Lane in the Town of Greater Napanee	a point 400m east of its intersection with Crouse Street in the Town of Greater Napanee
2	a point 750m west of its intersection with Russell Street in the Town of Greater Napanee	its intersection with Old Hamburg Road in the Town of Greater Napanee
5	its intersection with County Road 2 in the Town of Greater Napanee	a point 300m east of the Highway 401 westbound ramp terminal in the Town of Greater Napanee
6	its intersection with Highway No. 33 in Loyalist Township	its intersection with County Road 23 in Loyalist Township
7	its intersection with Highway No. 33 in Loyalist Township	its intersection with Doyle Road in Loyalist Township
8	its intersection with County Road 2 in the Town of Greater Napanee	its intersection with Golf Course Lane in the Town of Greater Napanee
9 (River Road)	its intersection with County Road 8 in the Town of Greater Napanee	a point 650m west of its intersection with Edgewood Drive in the Town of Greater Napanee
24	its intersection with Highway No. 33 in Loyalist Township	its intersection with County Road 23 in Loyalist Township
41	its intersection with County Road 2 in the Town of Greater Napanee	its intersection with Community Road in the Town of Greater Napanee