

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

BY-LAW NO. 2005- 011

Being a By-law to regulate, govern and restrict the operation of all terrain vehicles within the Township of Manitouwadge.

WHEREAS pursuant to Section 11.(1) of the *Municipal Act, 2001*, a Municipality may pass by-laws with respect to highways, including parking and traffic on highways;

AND WHEREAS under Section 27 of the *Municipal Act, 2001*, the Municipality may pass by-laws with respect to highways over which it has jurisdiction;

AND WHEREAS subsection 191.8(3) of the *Highway Traffic Act R.S.O. 1990, c. H. 8*, enables municipal councils to pass by-laws relating to the operation of Off-Road Vehicles within the Municipality including any highways therein or any parts thereof;

AND WHEREAS the Council of the Corporation of the Township of Manitouwadge deems it advisable to regulate, govern and prohibit the operation of Off-Road Vehicles;

NOW THEREFORE the Council of the Corporation of the Township of Manitouwadge enacts as follows that:

1. Definitions

- (a) "all terrain vehicles" 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 and no passenger;
- (b) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
- (c) "municipality" means the Township of Manitouwadge;
- (d) "off-road vehicle" has the same meaning as in the *Off-Road Vehicles Act*. O. Reg. 316/03, s. 1.

2. Times of Operation

No person shall operate an off-road vehicle on or across a highway or part thereof between the hours of 11:00 p.m. one day and 6:00 a.m. on the following day.

3. Speed Limit

In accordance with Section 22 of the *Highway Traffic Act O. Reg. 316/03*, the maximum

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speed limit within the Township of Manitouwadge shall not exceed 20 kilometres per hour.

4. Prohibited Areas

No person shall operate or permit the operation of an all terrain vehicle so as to contravene any of the prohibited areas listed in Schedule "A" to this By-Law.


5. Operation of all terrain vehicles

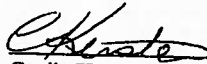
The rules, regulations and provisions governing the operation of all terrain vehicles as set out under the Off-Road Vehicles Act R.S.O. 1990, Chapter O.4 and under Highway Traffic Act O. Reg. 316/03 as amended from time to time shall apply to the operation of all terrain vehicles within the Township of Manitouwadge

6. Penalty

Every person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction, to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, Chapter P. 33* as amended from time to time.

READ A 1ST AND 2ND TIME this 13th day of April, 2005 and **READ A THIRD TIME AND FINALLY ENACTED** this 13th day of April, 2005.


Mayor Darrel Chisholm


Cecile Kerster,
Acting Clerk/Administrator

SCHEDULE "A" TO BY-LAW 2005- 011

1. Any sidewalk, pathway or footpath in the Township of Manitouwadge, used by or set apart for the use of pedestrians and forming part of any highway or bridge, boulevard or other means of public communication.
2. Any public park of the Township of Manitouwadge.
3. The Kiwissa Ski Hill.
4. The Lion's Beach Playground Area.
5. Any ballpark or recreation field.
6. The Municipal Golf Course.
7. The Municipal Airport property.
8. The Municipal Landfill site.
9. The Community Centre grounds and property.
10. Any municipal gravel pits.
11. Huron Walk
12. Shebandowan Avenue except from Lot 1 to 42 on Plan M163 (from the last unit at the back of the Manitouwadge Motor Hotel on Shebandowan Avenue to P & J Truck & Auto Repair)
13. Cross-Country Ski Trails.
14. Any and all parking areas contained within the downtown core bordered by Huron Walk and Shebandowan Avenue.
15. Easement at rear of Otter and Beaver from Station Road to Deer Avenue.