



# *ATV – By-Law*

## **BY-LAW # 51-04**

Being a By-law to regulate the operation of All-Terrain Vehicles on Municipal Highways within the Township of North Frontenac

WHEREAS, pursuant to Section 191.8 (3) of the Highway Traffic Act, R.S.O. 1990, Ch. 8 as amended, the Council of a Municipality may pass by-laws,

- (a) permitting the operation of off-road vehicles with low pressure bearing tires on any highway within the municipality that is under the jurisdiction of the municipality, or 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 part or parts of such highway including different rates of speed for different highways or parts of highways,

## **NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF NORTH FRONTENAC ENACTS AS FOLLOWS:**

### **I. DEFINITIONS**

In this By-law,

“All-Terrain Vehicle” means an off-road vehicle that,

- (a) has four wheels, the tires 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 a driver only.

“Highway” includes a common and public highway, street, avenue, parkway, and driveway, 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 kps ( 10psi ).

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

## II REGULATION OF ALL-TERRAIN VEHICLES ON THE HIGHWAYS

- 1 An All-Terrain Vehicle shall not be operated on highways unless it meets the equipment requirements of Sections 7 to 15 of O. Reg 316/03 and it is operated in accordance with Sections 16 to 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 kilometers 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 kilometers per hour, or
  - B) 50 kilometers per hour if the speed limit established under the Highway Traffic Act or by Municipal By-law is greater than 50 kilometers per hour.
- 3 An all-terrain vehicle shall not be operated on any highways between the hours of 11.00 P.M. and 6.00 A.M.

## III GENERAL

- 1 Operation of an All-Terrain Vehicle shall be permitted on the extreme right hand side of the highway road surface.
- 2 Operation of All-Terrain Vehicles shall be permitted upon all highways within the Township of North Frontenac in accordance with Ontario Regulation 316/03 of The Highway Traffic Act and the Off-Roads Vehicle Act, as amended.

## IV 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.

## V 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 AND SECOND TIME, THIS 9<sup>TH</sup> DAY OF DECEMBER, 2004.  
READ A THIRD TIME AND FINALLY PASSED THIS 13<sup>TH</sup> DAY OF JANUARY, 2005.

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Ron Maguire, Mayor

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Brenda Defosse, Clerk