

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW 2004 - 03

**BEING A BY-LAW TO REGULATE THE USE OF ALL-TERRAIN VEHICLE (ATV)
WITHIN THE TOWNSHIP OF MATACHEWAN**

WHEREAS the highway Traffic Act, R.S.O. 1990 Section (3), Chapter H. 8, as amended, provides that the Council of a municipality may pass by laws permitting the operation of an ATV 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 Township of Matachewan deems it in the best public interest to regulate, govern or prohibit the operation of an ATV within the Municipality.

NOW THEREFORE the Council of the Township of Matachewan enacts as follows:

DEFINITIONS

For the purpose of this by-law the following definitions shall apply:

COUNCIL means the Council of the Corporation of the Township of Matachewan.

HIGHWAY includes a common and public highway, street, avenue, parkway, laneway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles.

MUNICIPALITY means the Corporation of the Township of Matachewan

MUNICIPAL BY-LAW ENFORCEMENT OFFICER means the By-Law Enforcement officer who will be responsible for administration of this by-law, or any Peace Officer.

ALL-TERRAIN VEHICLES (ATV) means a vehicle that has four wheels and low pressure bearing tires which are all in contact with the ground, has steering handlebars, has a seat that is designed to be straddled by the driver, there is only a driver and no passengers. Meets requirements of federal Motor Vehicle Safety Act (MVSA) and American National Standards Institute (ANSI standard)

PRIVATE PROPERTY includes all property in the municipality except Crown land and highways.

ROADWAY means the part of the highways that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not all of the roadways collectively.

SIDEWALK means a path or a strip of land paved or otherwise in, on, or alongside a highway and designed and intended for or used by the general public for pedestrian's travel. In addition, "sidewalk" includes any property of the municipality that is, or hereafter may be, physically set apart or made available and intended for pedestrian's use.

ATV'S

1. No ATV shall be driven or operated upon any public sidewalk within the boundaries of the Township of Matachewan.
2. No person shall operate a ATV within the town sites of Matachewan between the hours of 1:00 am and 6:00 am in the morning.
3. No person shall operate or permit the operation of an ATV on the property of any School, Hospital, Home for the Aged, Cemetery, Playground, Beach or Park or designated municipal properties as indicated by properly erected signs.