

THE CORPORATION OF THE TOWN OF BANCROFT

BY-LAW NO. 49-2015

Being A By-Law To Regulate The Operation Of Off-Road Vehicles
On Municipal Highways Within The Town Of Bancroft

WHEREAS Pursuant to Section 191.8 (3) of the Highway Traffic Act, RSO 1990, c H.8, as amended, the Council of a Municipality may pass by-laws;

- (a) permitting the operation of off-road vehicles with three or more wheels on any highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such highway;
- (b) prescribing a lower rate of speed for off-road vehicles by regulation on any highway within the municipality that is under its jurisdiction, or on any part or parts of such highway, including prescribing different rates of speed for different highways or parts of highways,

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF BANCROFT ENACTS AS FOLLOWS:

I. DEFINITIONS

In this by-law,

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

- (a) has four wheels, the tires of which are all 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,
 - (i) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle,
 - (A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - (B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Multi-Purpose Off-Highway Utility Vehicle” means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has a steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has a minimum cargo capacity of 159 kilograms;

“Off-Road Vehicle” has the same meaning as in the *Off-Road Vehicles Act*. O. Reg. 316/03, s. 1.

“Recreational Off-Highway Vehicle” means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has a steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has an engine displacement equal to or less than 1,000 cubic centimetres;

II. REGULATION OF ALL-TERRAIN VEHICLES ON HIGHWAYS

1. An Off-Road Vehicle shall not be operated on highways unless it meets the equipment requirements of Section 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 Off-Road 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 kilometres per hour; or
 - (b) 50 kilometres 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 50 kilometres per hour.
3. Off-Road Vehicles shall be permitted on all roads and highways under the jurisdiction of the Town of Bancroft.

III. GENERAL

1. Operation of Off-Road Vehicles shall be permitted by By-Law upon the Highways in the Town of Bancroft and 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.
2. The Mayor and Clerk are hereby authorized to sign this By-Law and affix the corporate seal thereto.

Read a first, second and third time, and be finally passed, signed, sealed and numbered By-Law 49-2015, this the 23rd day of June, 2015.

BERNICE JENKINS, MAYOR

HAZEL LAMBE, CLERK