

**THE CORPORATION OF THE
MUNICIPALITY OF TRENT LAKES**

BY-LAW NUMBER B2013-073

**A BY-LAW TO REGULATE THE OPERATION OF
ALL TERRAIN VEHICLES ON MUNICIPAL
HIGHWAYS WITHIN THE MUNICIPALITY OF
TRENT LAKES**

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3) provides that the Council of a municipality may pass by-laws permitting the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway within the municipality that is under the jurisdiction of the municipality, or on any parts of such highway;

AND WHEREAS the Council of the Corporation of the Municipality of Trent Lakes deems it desirable to enact such a By-law for all-terrain vehicles (ATV's) as defined in Section 1 of Ontario Regulation 316/03, which 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.
- d) Is designed to carry a driver only and no passengers.

NOW THEREFORE BE IT RESOLVED that the Council of the Municipality of Trent Lakes hereby enacts as follows:

1. That all-terrain vehicles shall be permitted on highways as defined in the Highway Traffic Act R.S.O. 1990, Chapter H.8, which are more particularly described in Schedule "A" attached hereto.
2. No person shall operate an all-terrain vehicle at a rate of speed greater than;
 - a) 20 km/hr if the speed established under the Highway Traffic Act or by Municipal By-law for that part of the highway is not greater than 50 km/hr; or
 - b) 50 km/hr 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 km/hr.
3. No person shall operate an all-terrain vehicle on a municipal highway unless it meets the equipment requirements of Section 7-15 of Ontario Regulation 316/03 and it is operated in accordance with Sections 16-24 of the regulation.
4. No person shall operate an all-terrain vehicle on a municipal highway if the exhaust system has been altered over the manufacturer's recommended decibel level. Operation and use of all-terrain vehicles shall be in accordance with By-law B2005-87 (commonly known as the Noise By-law).
5. No person shall operate an off road vehicle except as described in Section 1 of Ontario Regulation 31 6/03, on any municipal highway in Trent Lakes. Side by side off road vehicles or two-up all terrain vehicles are prohibited on all municipal roads. Side by side and two-up all-terrain vehicles may only travel directly across a highway where permitted by law.
6. No person shall operate an all-terrain vehicle except on the shoulder of the highway in the same direction as traffic using the same side of the highway, except where there is no shoulder or the shoulder of the highway is obstructed and cannot be used by the all-terrain vehicle.


7. No person shall operate an all-terrain vehicle on any municipal highway between 9:00 p.m. and 8:00 a.m.
8. No person shall operate an all-terrain vehicle over and upon any municipally owned or municipally maintained land used as parks, playgrounds or for utility purposes.
9. No person shall operate an all-terrain vehicle on any municipal highway without wearing a helmet.
10. No person shall operate an all-terrain vehicle on any municipal highway without a valid driver's license and insurance.
11. This By-law does not apply to police, fire, ambulance, search and rescue or other emergency vehicles.
12. This By-law excludes any County Roads as they are under the jurisdiction of the County of Peterborough.
13. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction, where a fine for the contravention is not otherwise provided under the Highway Traffic Act, is liable to a fine under the Provincial Offences Act.
14. This By-law shall come into force and take effect immediately upon the passing thereof.
15. That By-law B2009-90 is hereby repealed.

READ A FIRST TIME THIS 17TH DAY OF SEPTEMBER, 2013.

READ A SECOND TIME THIS 17TH DAY OF SEPTEMBER, 2013.

READ A THIRD TIME AND FINALLY PASSED THIS 17TH DAY OF SEPTEMBER, 2013.


Ron Windover, Deputy Mayor


Lois O'Neill, Clerk

Schedule "A"
to By-law B2013-073

All-terrain vehicles shall be permitted on all municipally owned roads which lie north of Pigeon Lake. The permitted roads include all municipally owned roads in Galway Ward and in Cavendish Ward and road north of Pigeon Lake in Harvey Ward.

County roads are under the jurisdiction of the County of Peterborough and not included in this by-law.

