

2004-08-20 - ATV BY-LAW



THE CORPORATION OF THE TOWN OF BANCROFT

BY-LAW NO. 01-2004

A by-law to regulate the operation of
All-Terrain 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 and low pressure bearing tires 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 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 and no passengers

"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

"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 kpa (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 HIGHWAYS

1. An All-Terrain 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 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 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. All-Terrain Vehicles shall be permitted on all roads and highways under the jurisdiction of the Town of Bancroft.

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III. GENERAL

1. Operation of All-Terrain 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.

READ a first second and third time and finally passed this 13th day of January, 2004.

Charles Mullett, Mayor

Barry Wannamaker, Clerk