

THE CORPORATION OF THE TOWNSHIP OF STONE MILLS

BEING A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN VEHICLES ON MUNICIPAL HIGHWAYS WITHIN THE TOWNSHIP OF STONE MILLS

WHEREAS PURSUANT TO Section 191.8 (3) of the Highway Traffic Act, RSO 1990, cH.8 as amended, the Council of a Municipality may pass by-laws:

- (a) permitting the operation of All Terrain Vehicles with four wheels or more 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 CORPORATION OF THE TOWNSHIP OF STONE MILLS ENACTS AS FOLLOWS;

I DEFINITIONS

In this by-law,

“All-Terrain Vehicle” also known as “A.T.V.” 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,
- (d) is designated to carry a driver only and no passengers
- (e) has headlights, tail lights, that must be on at all times/
- (f) must have operating brake light
- (g) has all terrain vehicle license plate and insurance

*“Highway” shall include a common and public highway, street, avenue, parkway and driveway, any part of **which is maintained by the Township** and 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 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 kilometers per hour.
- (b) 40 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 greater than 50 kilometers per hour.

*All-Terrain Vehicles shall only be permitted to travel **on those highways, or parts thereof maintained under the jurisdiction of the Township of Stone Mills.** No A.T.V shall be allowed on an unopened road allowance which is not fenced on both sides.*

- 3. An All Terrain Vehicle (A.T.V.) shall comply with the following provisions.
 - (a) No driver of an A.T.V. vehicle shall drive on a Municipal road without wearing an approved helmet.
 - (b) No driver of an A.T.V. vehicle shall operate such vehicle on any Municipal road without a valid driver's license.
 - (c) No driver of an A.T.V. vehicle shall carry any passenger while operating on any Municipal road.
 - (d) No driver of an A.T.V. vehicle shall operate without valid insurance coverage on said vehicle on any Municipal road covered by this by-law.
 - (e) No driver of an A.T.V. vehicle shall operate on any Municipal road covered by this by-law without licensing such vehicle.
 - (f) Drivers must operate an A.T.V. in the same direction as traffic.
 - (g) All A.T.V.'s shall travel on shoulder of road, but may operate on road if shoulder is not safe.

I. GENERAL

- 1. Operation of All-Terrain Vehicles shall be permitted by By-law upon the Highways in the Township of Stone Mills in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Roads Vehicle Act, as amended.
- 2. Operation of all terrain vehicles shall be permitted on the shoulder of the highway road surface or as stated above in section 3 (g), only and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Roads Vehicle Act, as amended.

II. PENALTIES

- 1. Any person who contravenes any section of the By-law is guilty of an offence and upon conviction is liable to a fine as provided for in The Provincial Offences Act.

III. VALIDITY

If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

IV. EFFECTIVE

- 1. This by-law shall come into force and take effect on the date of its passage.

Read a first and second time this fifth day of June, 2006.

Read a third time and finally passed this fifth day of June, 2006.

REEVE BEARANCE

C.A.O./Clerk

