

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 7-2004

BEING A BY-LAW to regulate and control the movement and time of movement of “ALL TERRAIN VEHICLES” also known as A.T.V.(s) on any highway’s or road allowance’s under the control of the Town of South Bruce Peninsula.

WHEREAS the Municipal Act 2001, Section 8, the powers of natural person exercise of authority and section 11 (1) spheres of jurisdiction.

AND WHEREAS the ATV vehicle legislation and the Highway Traffic Act have been amended by Bill 11 of the Provincial Legislation to allow municipalities the authority to pass by-law regulating and controlling the movement and time of movement on all roads under the jurisdiction of the Town of South Bruce Peninsula in regard to ATV(s).

NOW THEREFORE the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

DEFINITIONS

- (1) Highways includes a common and public highway, street, avenue, parkway, square place, drive, bridge, viaduct or trestle, any part which is intended for or used by the general public for the passing of vehicles and includes the area between the lateral property lines thereof.
- (2) In this by-law an all-terrain vehicle,(ATV), means an off road vehicle that:
 - (a) Has four wheels, the tires of which are in contact with the ground.
 - (b) Has steering handle bars.
 - (c) Has a seat that is designed to be straddled by the driver.
 - (d) Is designed to carry a driver only.
 - (e) Has headlights, tail lights, that must be on at all times.
 - (f) Must have operating brake light.
 - (g) Has all terrain vehicle licence plate and insurance.
 - (h) Windshields must meet requirement of motorcycle windshields.

For the purpose of this By-law, ATV vehicle does not include argos, dune buggies, 2 or 3 wheeled vehicles, vehicles propelled or driven other than by muscular power or wind.

GENERAL PROVISIONS

SECTION

- (1) No driver of an ATV vehicle shall drive on a Municipal road without a motorcycle helmet that has been approved as such.
- (2) No driver of an ATV vehicle shall operate such vehicle on any Municipal road without a valid G2/M2 or greater driver’s licence.
- (3) No driver of an ATV vehicle shall carry any passenger while operating on any Municipal road.
- (4) No driver of an ATV vehicle shall operate without valid insurance coverage on said vehicle on any Municipal road covered by this by-law.

- (5) No driver of an ATV vehicle shall operate on any Municipal road covered by this by-law without licencing such vehicle.
- (6) Driver must operate ATV in same direction as traffic.
- (7) All ATV's shall travel on shoulder of road, but may operate on road if shoulder is not safe.
- (8) No ATV is allowed to travel on any road in the Municipality of South Bruce Peninsula that is set out in Schedule A of this by-law and forming part of this by-law
- (9) No person shall operate an ATV in any park that is under the jurisdiction of the Council of The Town of South Bruce Peninsula.
- (10) Schedule "B" list person(s) or companies exempt from this by-law.
- (11) No person shall interfere with an officer carrying out his/her duties enforcing this by-law.
- (12) Every person(s) who violates a provision of this by-law is guilty of an offence and on conviction is liable to the penalty as provided in section 61 of the Provincial Offences Act R.S.O. 1990 Chapter .33 as amended from time to time.
- (13) This by-law shall come into effect after approval has been given by Council of The Town of South Bruce Peninsula.

READ a FIRST and SECOND time this 9th day of FEBRUARY, 2004.

MOVED BY _____ **MAYOR**
SECONDED BY _____ **CLERK**

READ a THIRD time and FINALLY PASSED this 9th day of FEBRUARY, 2004.

MOVED BY _____ **MAYOR**
SECONDED BY _____ **CLERK**

SCHEDULE “A” OF BY-LAW #7-2004

TRAVEL PROHIBITED

ITEM	COLUMN 1 HIGHWAY	COLUMN 3 FROM AND TO	COLUMN 4 TIMES OF DAYS
1	Lakeshore Blvd. North	Main Street to Sauble Falls Road	Any Time
2	Sauble Falls Road	Lakeshore Blvd. North to End of Sauble Falls Road at Groves Point	Any Time
3	Main Street in Sauble Beach	Sauble Parkway at Lights to Lakeshore Blvd.	Any Time
4	Berford Street	Elm Street to Jenny Street	Any Time

SCHEDULE “B” TO BY-LAW NUMBER 7-2004

The following are exempt from By-law Number 7-2004:

1. By-law Department employees for The Corporation of the Town of South Bruce Peninsula.
2. All Police Officers while performing his or her duties.
3. All Fire Department personnel while performing his or her duties.
4. All Medical Rescue personnel while performing his or her duties.
5. All employees of the Municipality of South Bruce Peninsula while performing their duties.
6. Hydro One employee(s) and its contractors while performing his or her duties.
7. M.N.R. employees while performing his or her duties.
8. Farmer(s), Trapper(s), and Public Utility Worker(s) and type of vehicle are exempt.
9. County of Bruce By-law Enforcement personnel while performing his or her duties.