

THE CORPORATION OF THE TOWNSHIP OF SEGUIN

BY-LAW NO. 2015-076

Being a By-law to permit and regulate the operation of "Off-Road Vehicles" (ORV's) on highways under the jurisdiction of The Corporation of the Township of Seguin and to Repeal By-law No.'s 2006-082, 2006-120 and 2009-107.

WHEREAS, the Highway Traffic Act, R.S.O. 1990, Chapter H. 8 Section 191.8, as amended, authorizes the Council of a municipality to pass by-laws permitting the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such highways;

AND WHEREAS, the Highway Traffic Act, R.S.O. 1990, Chapter H. 8, Ontario Regulation 316/03, Operation of Off-Road Vehicles on Highways as amended defines All-Terrain Vehicles, Multi-Purpose Off-Highway Utility Vehicles and Recreational Off-Highway Vehicles as classes of Off-Road Vehicles and provides regulations governing the specifications and operation of All-Terrain Vehicles, Multi-Purpose Off-Highway Utility Vehicles and Recreational Off-Highway Vehicles upon highways;

AND WHEREAS, the Council of The Corporation of the Township of Seguin deems it advisable to regulate the operation of All-Terrain Vehicles, Multi-Purpose Off-Highway Utility Vehicles and Recreational Off-Highway Vehicles, being classes of Off-Road Vehicles as defined in PART 1 of Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways as amended, on certain highways within the jurisdiction of the Township of Seguin, or on any part or parts of such highways;

NOW THEREFORE the Council of The Corporation of the Township of Seguin enacts as a By-law of The Corporation as follows:

1. In this By-law:

- (a) "Highway" means an open public municipal highway under the jurisdiction of The Corporation of the Township of Seguin.
- (b) "Off-Road Vehicle" means an all-terrain vehicle, a multi-purpose off-highway utility vehicle and/or a recreational off-highway vehicle as defined in the Highway Traffic Act, R.S.O. 1990, Chapter H. 8 as amended and Ontario Regulation 316/03, Operation of Off-Road Vehicles on Highways as amended.

2. Off-Road Vehicles are permitted to be operated on all municipally owned and maintained highways that are within the Township of Seguin that are under the jurisdiction of The Corporation of the Township of Seguin. Off-Road Vehicles operated on highways under authority of this By-law are to

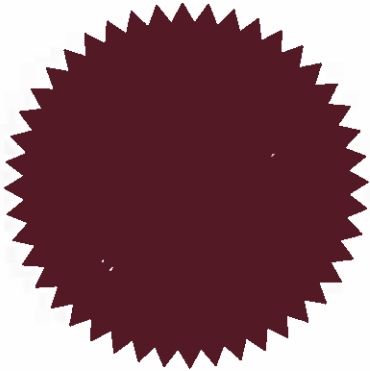
be operated in accordance with the Highway Traffic Act, R.S.O. 1990, Chapter H. 8 as amended and Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways as amended.

3. An Off-Road Vehicle operated on highways under the jurisdiction of The Corporation of the Township of Seguin as permitted by this By-law must meet the requirements as set out in Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways, as amended.
4. An Off-Road Vehicle shall not be driven on a highway at a rate of speed greater than:
 - (a) 20 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 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.
5. The Exemptions set out in Ontario Regulation 316/03 Operation of Off-Road Vehicles on Highways, as amended from time to time, regarding the operation of Off-Road Vehicles on highways shall apply to this By-law and the permissions granted thereunder.
6. No person shall operate an Off-Road Vehicle:
 - (a) Over or upon the following areas, with the exception of recognized parking areas:
 - (i) Any Community Centre under the jurisdiction of The Corporation of the Township of Seguin.
 - (ii) Any Park, Playground or Beach Area under the jurisdiction of The Corporation of the Township of Seguin.
 - (iii) Any Sports Field under the jurisdiction of The Corporation of the Township of Seguin.
 - (iv) Any Cemetery under the jurisdiction of The Corporation of the Township of Seguin.
 - (v) Any Fairgrounds under the jurisdiction of The Corporation of the Township of Seguin without the expressed written consent of The Corporation of the Township of Seguin.
 - (b) On any other municipally owned property, except highways as authorized in this By-law and subject to subsection (a), without

the expressed written consent of The Corporation of the Township of Seguin.

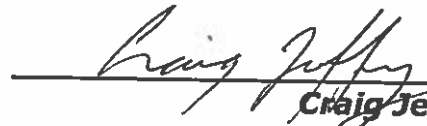
7. If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.
8. Any person operating an Off-Road Vehicle in contravention of this By-law shall be guilty of an offence and subject to the penalties provided by law.
9. This By-law shall come into force and take effect upon final passage thereof.
10. By-law No.'s 2006-082, 2006-120 and 2009-107 are hereby repealed.

READ a FIRST, SECOND and THIRD TIME, PASSED and ENACTED this 21st day of September, 2015.





**Doug Sainsbury,
Acting Mayor**



**Craig Jeffery,
Clerk**