

CORPORATION OF THE NATION MUNICIPALITY

BY-LAW NO. 73-2011

BEING a By-Law to regulate the operation of "All Terrain Vehicles" (ATV) within The Nation Municipality and to repeal By-Laws No. 89-2007, 99-2008, 144-2009, 132-2010 and 12-2011.

WHEREAS, the Municipal Act, 2001 as amended, Section 11(3) provides that a lower tier and upper tier municipality may pass by-laws respecting matters concerning highways, including parking and traffic on highways;

AND WHEREAS, the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8 as amended provides that a municipality may pass by-laws for:

- 1) 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 highways;
- 2) prescribing a lower rate of speed for off-road vehicles with three or more wheels and low pressure bearing tires than that prescribed for off road vehicles by regulation on any highway;
- 3) permitting the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway or part or parts of such highway only during specific months or hours.

THEREFORE, the Council of the Corporation of The Nation Municipality enacts as follows:

1) Definitions

- 1.1 **"All Terrain Vehicle"** means an off-road vehicle that,
 - i. has four wheels, the tires of which are in contact with the ground,
 - ii. has steering handlebars,
 - iii. has a seat that is designed to be straddled by the driver, and
 - iv. is designed to carry a driver only and no passengers.
- 1.2 **"Off-Road Vehicle"** has the same meaning as in the Off Road Vehicles Act.
- 1.3 **"Corporation"** means the Corporation of The Nation Municipality.
- 1.4 **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- 1.5 **"Organized Trail"** means the whole of any trail established and maintained by a municipally recognized ATV recreational organization for the use of off-road vehicles.

2) General Provisions

- 2.1 No person shall drive an ATV on any highway under the jurisdiction of the Corporation, except within the organized trail as designated by Council under Schedule "A" of this By-Law.

- 2.2 Subject to Section 2.1, any person driving an ATV on an organized ATV trail as designated in Schedule "A" to this By-Law, shall be subject to a recognized ATV club membership and may use the shoulder of the designated highway to travel.
- 2.3 No person shall drive an ATV on any highway and organized trail between the periods of March 15th and May 15th of every year.
- 2.4 Subject to Section 2.3, the Corporation may shorten or prolong the period of time where any designated highways under Schedule "A" and organized trail may be closed to ATV traffic during the spring thaw period or at any time when the Corporation deems it necessary to do so.
- 2.5 No person shall operate an ATV on any highway or organized trail between the hours of 11:00 p.m. to 7:00 a.m.
- 2.6 No ATV trail shall be permitted on private lands within 200 feet from a dwelling.
- 2.7 No person shall drive an ATV within the parks and other lands owned by the Corporation.
- 2.8 The ATV Club shall install 6 speed limit signs (3 in each direction) specifically for ATVs on Route 200/Rue des Pins in the Village of Limoges.

3) Speed Limit

- 3.1 An ATV shall not be driven at a rate of speed greater than:
 - 3.1.1 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
 - 3.1.2 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.

4) Identification

- 4.1 Every ATV shall have a registration number, in a clearly visible position, showing the registration number of the ATV in the form and manner prescribed in the regulations of the Ministry of Transportation.
- 4.2 Further to Section 4.1, every ATV shall bear a recognized ATV Club membership registration number, in the form and manner prescribed by the recognized ATV club policies and guidelines.

5) Exemptions

- 5.1 In cases of emergency, parades and other special events, the Corporation may authorize or permit the use of ATV's on specific highways during specific times.
- 5.2 The regulations prescribed in this By-Law do not apply to an ATV operated by a police officer, constable, conservation officer or peace officer while on duty or any other employee as defined in

Section 25, Part IV of O. Reg. 316/03 made under the Highway Traffic Act.

5.3 This By-Law does not apply to off-road vehicles if the operator holds a valid driver's license and is permitted to drive on a highway, if the vehicle is designed to travel on more than two wheels and the driver is:

- i) a farmer using the vehicle for agricultural purposes;
- ii) a person licensed under the Fish and Wildlife Conservation Act, 1997 to trap furbearing mammals, if the person is using the vehicle for trapping purposes, and the vehicle or a vehicle drawn by it bears a slow moving vehicle sign.

6) **Review**


Council reserves the right to review this by-law on a regular basis and repeal should there be complaints from the general public of the activities of the ATV operators causing public disturbances.

7) **Penalties**

Any person who contravenes any provision of this By-Law and who is found guilty of an offence in a Court of competent jurisdiction is, upon conviction, liable to a fine in accordance with the provisions of the Provincial Offences Act and any other penalties deemed suitable as the case may be.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 30th DAY OF MAY, 2011.


François St. Amour, Mayor


Mary J. McCuaig, Clerk

SEAL

SCHEDULE "A" TO BY-LAW NO. 73-2011

DESIGNATED HIGHWAYS AS ORGANIZED ATV TRAILS

Former Township of Cambridge

Rue des Pins (Village of Limoges) starting at Limoges Road easterly to Racette Sideroad.

Racette Sideroad northerly to Route 100 West and easterly to Grant Sideroad.

Grant Sideroad northerly to Clarence-Cambridge Boundary Road.

Clarence-Cambridge Boundary Road starting at Grant Sideroad easterly to Neuf Miles Road.

Rue des Pins starting at Racette Sideroad easterly to Gagnon Sideroad and southerly to Calypso Street.

Calypso Street starting at Limoges Road easterly to Gagnon Sideroad.

Route 650 starting at the Village of Casselman Boundary and southerly to the unopened road allowance at Lot 12, Concession 7.

Route 800 West from St. Albert Road West easterly to Ouimet Sideroad.

Ouimet Sideroad starting at Route 800 West southerly to County Road 7.

St. Paul Street South southerly to Route 1000.

Unopened road allowance situated on Lot 12, Concession 10 starting at County Road #7 and running northerly to Route 650.

Lemieux Road starting at Route 500 East northerly to Route 300 East.

Route 300 East starting at Lemieux Road and easterly to County Road #8.

Aurèle Road starting at County Road 7 (St. Albert Road East) westerly to the unopened road allowance between Lots 12 and 13, Concession 8.

Closed road allowance along the Nation River from Chemin du Theatre northerly to Lacroix Road.

Calypso Street starting at Gagnon Sideroad, easterly to Baker Road, southerly to Lacroix Road and easterly to Chemin du Theatre.

Chemin du Theatre from Route 500 West northwesterly to the unopened road allowance at Lot 18, Concession 5, then northerly to Lacroix Road.

Route 500 West from Chemin du Theatre easterly to the Village of Casselman boundary.

Former Township of South Plantagenet

Leroux Road starting at County Road #8 and easterly to the unopened road allowance between Lots 20 & 21, Concession 15.

Unopened road allowance between Lots 20 & 21 starting at Concession 15 and northerly to Piché Road.

Unopened road allowance between Lots 6 & 7 starting at Concession 9 Road northerly to Concession 8 Road.

Bougie Sideroad starting at Concession 8 Road northerly to County Road #23.

Methot Sideroad starting at County Road #23 northerly to Concession 6 Road.

Roger Lalonde Sideroad starting at Concession 6 Road northerly to Concession 5 Road.

Sauvé Sideroad starting at Concession 5 Road northerly to Concession 4 Road.

Concession 3 Road starting at Lot 9 easterly to Claude Duval Sideroad.

Claude Duval Sideroad starting at Concession 3 Road northerly to Concession 2 Road.

Concession 2 Road starting at Lalonde Sideroad easterly to Deguire Sideroad.

Lalonde Sideroad starting at Concession 2 Road northerly to the unopened road allowance with the Alfred-Plantagenet Boundary.

Unopened road allowance between the Township of Alfred-Plantagenet and Township of Caledonia starting at Blue Corner Road easterly to Longueuil Sideroad.

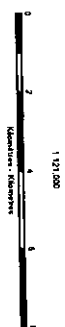
Concession 6 Road from Couture Road easterly to County Road #22 in the Village of St. Bernardin.

Skye Road starting at North Skye Road easterly to Concession 9 Road.

Village of St. Isidore

Ste. Catherine Street from address 4794 (Les Beaux Frères) to address 4498 (Grille de Ville Restaurant).

Schedule "A"
By-Law #73-2011



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