

THE CORPORATION OF THE TOWNSHIP OF MADOC
BY-LAW 1111-2004

Being a By-law to regulate the operation of All-Terrain Vehicles on municipal highways within the Township of Madoc.

WHEREAS pursuant to Section 191.8 (3) of the Highway Traffic Act of Ontario, R.S.O. 1990, Chapter 8, as amended, the Council of a municipality may pass By-laws,

- (a) permitting the operation of off-road vehicles with 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 All-Terrain 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 COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MADOC ENACTS AS FOLLOWS:

In this By-law,

“All-Terrain Vehicle” means an off-road vehicle that,

- (a) has four wheels, the tires of all 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.

“Highway” includes a common and public highway, street, avenue, parkway, driveway, any part of which is 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 (10 p.s.i.).

“Off-Road Vehicle” means an off-road vehicle within the meaning of the Off-Road Vehicles Act, O. Reg. 316/03, S. 1.

REGULATION OF ALL TERRAIN VEHICLES ON HIGHWAYS

1. An All-Terrain Vehicle shall not be operated on a highway unless it meets the equipment requirements of Sections 7 through 15 of O. Regulation 316/03 and is operated in accordance with Sections 16 through 24 of Ontario Regulation 316/03, Section 6.

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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, or;
 - B) 50 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 80 kilometers per hour.

GENERAL

1. Operation of All-Terrain Vehicles shall be permitted on the extreme right hand side of the highway road surface by By-law under the jurisdiction of the Corporation of the Township of Madoc and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Roads Vehicle Act as amended.

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 in the Provincial Offences Act.

EFFECTIVE

1. This By-law shall come into full force and take effect upon the date of its passing and shall remain in force and effect until amended or repealed.

READ a first and second time this 5th day of May, 2004.

READ a third time and finally passed, signed, sealed and numbered 1111-2004 this 7th day of June, 2004.

Reeve

Clerk

I, W.G. Lebow, Clerk of the Corporation of the Township of Madoc hereby certify this to be a true copy of By-law 1111-2004 passed in open Council on June 7, 2004.
