

# THE CORPORATION OF LOYALIST TOWNSHIP

## BY-LAW NO. 2011-47

### Being a By-law to Regulate the Operation of All-Terrain Vehicles on municipal highways within Loyalist Township

**WHEREAS** pursuant to Section 191.8 (3) of the *Highway Traffic Act, R.S.O 1990, c.8, as amended*, the Council of a municipality may pass by-laws permitting the operation and regulating the rate of speed 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 highway;

**AND WHEREAS** pursuant to Section 191.8 (4) of the *Highway Traffic Act, R.S.O. 1990, c.8, as amended*, a by-law passed under subsection 191.8 (3) of the *Highway Traffic Act* may permit the operation of off-road vehicles on any highway or on any part or parts of a highway only during specified months or hours;

**AND WHEREAS** Ontario Regulation 316/03 of the *Highway Traffic Act, R.S.O. 1990, c.8, as amended*, applies to the operation of off-road vehicles on highways;

**WHEREAS** Council deems it expedient to pass a by-law to regulate the operation of All-Terrain Vehicles on highways under the jurisdiction of the municipality;

**NOW THEREFORE** the Council of The Corporation of Loyalist Township hereby enacts as follows:

#### 1. DEFINITIONS

In this By-Law,

- 1.1 "All-Terrain Vehicle" also known as an ATV means a vehicle that,
- (a) has four wheels, the tires 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, and
  - (d) is designed to carry a driver only and no passengers;
- 1.2 "Highway" includes a common and public highway, street, avenue, parkway, and driveway, any part of which is maintained by and under the jurisdiction of the municipality and which is used by the general public for the passage of vehicles and includes the area between the lateral lines thereof. **Specifically excluded any highways under the jurisdiction of the County of Lennox & Addington or the Province of Ontario [County Roads #2,4,5,6,7,22,23,24,26,28 and Provincial Highways #33 and 401].**

- 1.3 "Low Pressure Bearing Tire" means 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 psi).
- 1.4 "Municipality" means The Corporation of Loyalist Township.
- 1.5 "Off-Road Vehicle" means a vehicle within the meaning of the *Off-Road Vehicles Act, R.S.O. 1990, c.0.4*

## **2 GENERAL**

- 2.1 *All-Terrain Vehicles* shall be permitted upon highways within Loyalist Township in accordance with this by-law, Ontario Regulation 316/03 of the *Highway Traffic Act* and the *Off-Road Vehicles Act, as amended*.
- 2.2 *All-Terrain Vehicles* are not permitted on highways which are not under the jurisdiction of Loyalist Township specifically, County Roads #2, 4, 5, 6, 7, 22, 23, 24, 26, 28 and Provincial Highways #33 and 401.
- 2.3 *All-Terrain Vehicles* shall be permitted to cross highways in Loyalist Township in accordance with the *Off-Road Vehicles Act, R.S.O. 1990, c.0.4*.
- 2.4 *All-Terrain Vehicles* shall not be permitted to operate in the urban areas known as Amherstview and Bath and further identified by Schedules A, B and C, attached to this by-law.

## **3 REGULATION OF ALL-TERRAIN VEHICLES ON HIGHWAYS**

- 3.1 An All-Terrain Vehicle operated on authorized highways within Loyalist Township must meet the equipment requirements and operate in accordance with the *Off-Road Vehicles Act and Ontario Regulation 316/03 of the Highway Traffic Act*.

## **4 PENALTIES**

- 4.1 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 for in the *Provincial Offences Act*.


**5. BY-LAW REPEALED**

5.1 That By-law 2008-100 and other by-laws or portions therefore conflicting with this by-law are hereby repealed.

**6. EFFECTIVE DATE**

6.1 This by-law shall come into force and take effect on the day of its passing.

Read a first and second time and finally passed this 27th day of June, 2011.

  
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Mayor

  
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Clerk

**SCHEDULE 'A' TO BY-LAW 2011-47**

The boundaries of Amherstview and Bath are defined as follows:

**Amherstview**

All that portion of Concession 1 and Broken Front Concession contained between Lots 35 – 42 inclusive, lying south of the CNR tracks and the east half of Lot 34, Concession 1 lying north of County Road 23 (Taylor-Kidd Boulevard) and south of the CNR tracks.

**Bath**

All that portion of Concessions 1 and Broken Front Concession contained between Lots 8 - 14 inclusive, lying south of Doyle Road and including the area called "Bath".

