

CORPORATION OF THE MUNICIPALITY OF TWEED

BY-LAW NO. 2004-14

Being a By-Law to regulate the operation of All Terrain Vehicles on municipal highways within the Municipality of Tweed.

WHEREAS Section 191.8 (3) of the Highway Traffic Act, R.S.O. 1990, Ch. 8, as amended, provides that a municipality may pass by-laws:

- i) 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;
- ii) 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 Municipality of Tweed enacts as follows:

1. Definitions.

- 1.1 "All Terrain Vehicle" shall mean an off-road vehicle that:
 - a) has four wheels, the tires 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" shall include a common and public highway, street, avenue, parkway and 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.
- 1.3 "Low Pressure Bearing Tire" shall mean 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 psi).
- 1.4 "Off Road Vehicle" shall mean an off-road vehicle within the meaning of the Off Road Vehicles Act, O.Reg 316/03, S.1.

2. Regulation of All Terrain Vehicles on Highways.

- 2.1 An all terrain vehicle shall not be operated on highways unless it meets the equipment requirements of Sections 7 to 15 of O.Reg. 316/03 and is operated in accordance with Sections 16 to 24 of O. Reg. 316/03, S. 6.
- 2.2 An all terrain vehicle shall not be driven 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;
 - 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.

3. General.

- 3.1 Operation of all terrain vehicles shall be permitted, by by-law, upon the highways under the jurisdiction of the Corporation of the Municipality of Tweed, with the exception of that highway designated as the Connecting Link, being Victoria Street, within the boundaries of the Village of Tweed.

- 3.2 Operation of all terrain vehicles shall be permitted on the extreme right hand side of the highway road surface only and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Road Vehicles Act, as amended.
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. That this by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 17th day of June, 2004.

Read a third and final time, passed, signed and sealed in open Council this 17th day of June, 2004.



REEVE



CLERK