

The Corporation of the Township of
Algonquin Highlands

BY-LAW 2015-44

BEING A BY-LAW TO PERMIT
ALL-TERRAIN, MULTI-PURPOSE OFF-HIGHWAY UTILITY
AND RECREATIONAL OFF-HIGHWAY VEHICLES
(OFF-ROAD VEHICLES)
ON THE SHOULDER OF ALL MUNICIPAL ROADS

WHEREAS, Section 8 of the Municipal Act, 2001 S.O. 2001 as amended, empowers a municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS the Highway Traffic Act, R.S.O. 1990, Section 191.8, subsection (3), chapter H.8, as amended, provides that the Council of a municipality may 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 which by-laws may prescribe a lower rate of speed for off-road vehicles by regulation on any highway within the municipality that is under its jurisdiction, or any part or parts of such highway;

NOW THEREFORE, the Council of the Corporation of the Township of Algonquin Highlands enacts follows:

I. DEFINITIONS:

In this by-law,

"All-terrain vehicle" means an off-road vehicle that,

- (a) has four wheels, the tires of which are all 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,
 - (i) a driver only and no passengers, or
 - (ii) a driver and only one passenger, if the vehicle;
 - (A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - (B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver.

"Multi-purpose off-highway utility vehicle" means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has a steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has a minimum cargo capacity of 159 kilograms;

"Recreational off-highway vehicle" means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has a steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has an engine displacement equal to or less than 1,000 cubic centimetres;

"Highway" includes a common and public highway, street avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the

general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“Low Pressure Bearing Tires” means a wide, balloon-type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressure of no greater than 70KPA (10psi).

“Off-Road Vehicle” means an off-road vehicle within the meaning of the *Off-Road Vehicle Act* R.R.O.1990 Regulation 863.

“Seat Belt Assembly” means a device or assembly composed of a strap or straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person.

II. REGULATION OF OFF-HIGHWAY VEHICLES ON HIGHWAYS:

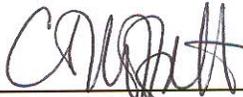
1. An off-highway vehicle shall not be operated on highways unless it meets the equipment requirements of Section 7 to 15 of O. Reg. 316/03 and it is operated in accordance with Sections 16 to 24 of O. Reg. 316/03.
2. The off-highway vehicle shall not be driven at a rate of speed greater than:
 - a) 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, 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, or

Off-highway vehicles with four wheels and low pressure bearing tires shall be permitted on all municipal roads within the Township of Algonquin Highlands under and in accordance with Ontario Regulation 316/03 of the *Highway Traffic Act*, as amended and the *Off Roads Vehicle Act*, as amended.

1. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for under the *Highway Traffic Act*.
2. That By-Law 04-7 is hereby repealed effective July 1, 2015.
2. The Provisions of this by-law shall come into force and take effect on the 1st day of July, 2015.

READ A FIRST, Second and Third time and finally passed this 18th day of June, 2015.





Reeve Carol Moffatt



CAO/Clerk Angie Bird