

THE CORPORATION OF THE  
TOWNSHIP OF CONMEE

BY-LAW NO. 986

Being a By-law to permit the operation of all-terrain vehicles on highways of the Corporation of the Township of Conmee, to regulate and govern such operation and to prohibit the operation of off-road vehicles in certain other areas.

**WHEREAS** pursuant to Sections 10 and 27 of the Municipal Act, 2001 as amended, a Municipality may pass By-laws with respect to highways over which it has jurisdiction;

**AND WHEREAS** pursuant to Subsection 191.8(3) of the Highway Traffic Act, R.S.O. 1990, c.H.8, councils of municipalities may pass By-laws permitting the operation of certain off-road vehicles on any highway within the municipality that is under the jurisdiction thereof, or on any part or parts of such highway and may prescribe a lower rate of speed than that prescribed therefore by Regulation;

**AND WHEREAS** pursuant to Sections 8, 9 and Paragraphs 10(2) 4 and 10(2) 8 of the Municipal Act, 2001, municipalities may pass by-laws respecting public assets of the Municipality and the protection of persons and property;

**AND WHEREAS** the Council of the Corporation of the Township of Conmee deems it advisable to regulate, govern and restrict the operation of off-road vehicles as hereinafter provided;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CONMEE HEREBY ENACTS AS FOLLOWS:

1. Definitions

- a) "all-terrain vehicle" means an off-road vehicle that:
  - (i) has four wheels, the tires of all of which are in contact with the ground;
  - (ii) has steering handlebars;
  - (iii) has a seat designed to be straddled by the driver;
  - (iv) has low pressure bearing tires; and
  - (v) is designed to carry a driver only and no passengers.
- b) "corporation" means the Corporation of the Township of Conmee
- c) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle under the jurisdiction of the Corporation, 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 lines thereof;
- d) "low pressure bearing tire" means a wide, balloon-type tire with a rounded cross-section and no distinct shoulder area that is designed to operation with inflation pressures of no greater than 70 kpa (10 psi);
- e) "off-road vehicle" has the same meaning as in the Off-Road Vehicles Act;

2. Operation of All-Terrain Vehicles on Highways Permitted

- 1) The operation of all-terrain vehicles on highways within the Township is permitted.

3. Compliance with Provincial Legislation

The operation of all-terrain vehicles on highways shall be in accordance with the applicable provisions of the Off Road Vehicles Act, the Highway Traffic Act and the Regulations under the said Acts, as amended from time to time.

4. Speed Limit

Notwithstanding Section 3 of this By-law, no person shall operate an all-terrain vehicle on any highway at a rate of speed greater than;

- a) 20 kilometres per hour, if the speed limit established by Regulation under the said Act for that part of the highway is less than 50 kilometres per hour.
- b) 40 kilometres per hour, if the speed limit established by Regulation under the said Act for that part of the highway is greater than 50 kilometres per hour.

5. Times of Operation

No person shall operate an off-road vehicle on or across any highway at any time during the period between one-half hour after sunset in any day and one half hour before sunrise in the next following day.

6. Prohibited Areas for All Off-Road Vehicles

No person shall operate or permit the operation of an off-road vehicle at any time on or in any of the areas listed in Schedule "A" to this By-law.

7. Penalty

Every person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction, to a fine as provided for in the Provincial Offences Act, R. S. O. 1990, Chapter P.33 as amended from time to time.

Read a first and second time this 22<sup>nd</sup> day of February, 2011.

Read a third time and finally passed this 22<sup>nd</sup> day of February, 2011.

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Reeve

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Clerk

## Schedule "A" to By-law No. 986

### Prohibited Areas

No person shall operate or permit the operation of an off-road vehicle in any of the following areas owned or operated by the Corporation:

1. Municipal Office/Community Centre grounds
2. Municipal Garage grounds
3. Municipal gravel pits
4. Municipal Landfill grounds
5. Fire Hall/Ambulance Base grounds
6. Conmee Cemetery grounds