

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW NO. 2012-28

A by-law to permit the operation of all-terrain vehicles (ATVs) on municipal roads

WHEREAS subsection 191.8(3) of the *Highway Traffic Act* permits municipalities to pass by-laws permitting the operation of off-road vehicles with three or more wheels and 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;

WHEREAS subsection 191.8(3) of the *Highway Traffic Act* further permits municipalities to pass by-laws prescribing a lower rate of speed for off-road vehicles with three or more wheels and low pressure bearing tires than that prescribed for off-road 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.

AND WHEREAS section 48 of Schedule B of the *Highway Traffic Act* O. Reg. 316/03 permits all-terrain vehicles on every highway or part of a highway in a municipality on which an ATV is permitted to operate under the authority of by-law made by the municipality under subsection 191.8 (3) of the Act, but only during the months or hours specified in the by-law if the by-law limits the operation of an ATV on a highway or part of a highway within the municipality to certain months or hours.

NOW, THEREFORE, the Council of the Corporation of the Township of Prince enacts as follows:

1. **Definitions**

This by-law only applies to single passenger all-terrain vehicles as permitted under the *Highway Traffic Act* O. Reg. 316/03.

"All-terrain vehicle" as defined under section 1 of the *Highway Traffic Act* O. Reg. 316/03, means an off-road vehicle that,

- (a) has four wheels, the tires of 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;

2. **All-terrain vehicles Permitted on Municipal Roads**

All-terrain vehicles shall be permitted on **all** municipal roads within the jurisdiction of Prince Township, including the following:

Second Line West (Highway 550) from Town Line to Gros Cap
Airport Road (Highway 565) from Second Line West to Base Line
West side of Town Line from Red Rock Road to Base Line
North side of Base Line from Town Line to Walls Road
All other municipal roads

3. **Speed Limits**

The speed limits for all-terrain vehicles on the above designated municipal roads shall be set in conformity with the speed limits as defined under the *Highway Traffic Act* O. Reg. 316/03, s. 22 as follows:

The off-road vehicle shall not be driven at a rate of speed greater than,

- (a) 20 kilometres per hour, if the speed limit established under the 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 Act or by municipal by-law for that part of the highway is greater than 50 kilometres per hour. O. Reg. 316/03, s. 22.

4. **Regulations**

All-terrain vehicles shall be permitted to operate:

- a) only in such a way as to not disturb or distort the natural environment including fish habitats, property, and any flora and fauna
- b) between the hours of 7:00 A.M. and 11:00 P.M.

5. **Penalty**

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine under the *Provincial Offences Act*.

All provisions of this by-law may be enforced by a By-Law Enforcement Officer of The Corporation of the Township of Prince.


6. **Severability**

If a court of competent jurisdiction should declare any section or part of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and remain in force.

7. **Repeal**

This by-law hereby repeals By-Law 2011-16.

Read a First, Second and Third Time and Passed in open Council this 11th day of September, 2012.



Reeve, K. Lamming



CAO/Administrator, P. Greco