

**The Corporation of the
Municipality of Trent Lakes**

By-law No. B2020-019

**A by-law to regulate the operation of Off-Road Vehicles
on Municipal Highways in the Municipality of Trent
Lakes**

Recitals

Whereas the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3) provides that a Council of a municipality may pass by-laws permitting the operation of off-road vehicles with three or more wheels 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 the Council of the Corporation of the Municipality of Trent Lakes deems it desirable to enact such a By-law for off-road vehicles;

Now Therefore the Council of the Corporation of the Municipality of Trent Lakes hereby enacts as follows:

1. Definitions

“all-terrain vehicle” 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,
 - (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;

“dawn” means the period of time one half-hour following sunrise, for the purpose of this by-law;

“dusk” means the period of time one half-hour before sunset, for the purpose of this by-law;

“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;

“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;

“off-road vehicle” means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel,

- a) on not more than three wheels, or
- b) on more than three wheels and being of a prescribed class of vehicle;

“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

2. Regulation of Off-Road Vehicles on Highways

- 2.1 That the operation of off-road vehicles including all-terrain vehicles, multi-purpose off-highway utility vehicles and recreational off-highway vehicles, shall be permitted on highways under the jurisdiction of the Municipality of Trent Lakes subject to the provisions of this by-law and in accordance with O. Reg. 316/03 of the Highway Traffic Act, as amended.
- 2.2 That an off-road vehicle shall not be driven at a rate of speed greater than;
 - a) 20 km/hr if the speed established under the Highway Traffic Act or by municipal by-law for that part of the highway is not greater than 50 km/hr; or
 - b) 50 km/hr 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 km/hr.
- 2.3 That an off-road vehicle shall not be operated on highways unless it meets all the equipment requirements and operation requirements of O. Reg. 316/03, as amended.
- 2.4 That an off-road vehicle shall not be permitted to travel on a municipal highway if the exhaust system has been altered over the manufacturer's recommended decibel level. Operation and use of off-road vehicles must be in accordance with the Municipality of Trent Lakes Noise By-law.
- 2.5 No person shall operate an off-road vehicle on a highway without wearing a helmet.
- 2.6 No person shall operate an off-road vehicle on a highway without a valid driver's license issued under section 32 of the Highway Traffic Act and insurance.
- 2.7 That off-road vehicles do not travel on municipal roads between dusk and dawn.
- 2.8 No person shall operate an off-road vehicle over and upon any municipal owned or municipal maintained land used as parks, playgrounds, sporting areas, beaches or for utility purposes.
- 2.9 Travel must be in the same direction as traffic and off-road vehicles must travel on the shoulder of the road, but may travel on the road only in accordance with section 24 of O. Reg. 316/03, as amended.
- 2.10 This by-law does not apply to police, fire, ambulance, search and rescue or other emergency vehicles.

3. Enforcement, Offence and Penalties

- 3.1 That any person who contravenes any of the provisions of this By-law is guilty of an offence and on conviction, where a fine for the contravention is not otherwise provided under the Highway Traffic Act, is liable to a fine under the Provincial Offences Act.

4. Repeal and Effective Date

4.1 By-law number B2015-058 is hereby repealed effective March 3, 2020

4.2 That this by-law shall come into force and take effect on March 3, 2020.

Read a first, second and third time and passed this 3rd day of March, 2020.

Janet Clarkson, Mayor

Jessie Clark, Clerk