

**THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL  
BYLAW 5-2004**

Being a By-Law to regulate the operation of All-Terrain Vehicles on Municipal Highways within the Township of Tudor and Cashel

WHEREAS Pursuant to Section 191.8 (3) of the Highway Traffic Act, R.S.O. 1990, Ch. 8 as amended the Council of a Municipality may pass bylaws,

- (a) 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,
- (b) 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 TOWNSHIP OF TUDOR AND CASHEL ENACTS AS FOLLOWS:

In this bylaw,

"All-Terrain Vehicle" means an off-road vehicle that,

- (a) has four wheels, the tires of all 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.

"Highway" includes a common and public highway, street, avenue, parkway, 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.

"Low Pressure Bearing Tire" means 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 (10psi)

"Off-Road Vehicle" means an off-road vehicle within the meaning of the Off-Road Vehicles Act O. Reg. 316103, S.1.

**II REGULATION OF ALL TERRAIN VEHICLES ON HIGHWAYS**

- 1. An All-Terrain Vehicle shall not be operated on highways unless it meets the equipment requirements of Section 7 to 15 of O. Reg. 316103 and it is operated in accordance with Sections 16 to 24 of O. Reg. 316103, S.6.
- 2. The All-Terrain Vehicle shall not be driven at a rate of speed greater than:
  - A) 20 kilometers 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 kilometers per hour, or
  - B) 50 kilometers 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 kilometers per hour.

**II GENERAL**

- 1. Operation of All-Terrain Vehicles shall be permitted on the extreme right hand side of the highway road surface by By-Law under the jurisdiction of the Corporation of the Township of Tudor and Cashel and in accordance with Ontario Regulation 316103 of the Highway Traffic Act and the Off Roads Vehicle Act, as amended.

IV PENALTIES

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.

V EFFECTIVE

1. This By-Law shall come into force and take effect on the day of its passing and shall remain in effect until otherwise amended or repealed.

Read a first, second and third time and finally passed this 10<sup>th</sup> day of February, 2004.

Reeve \_\_\_\_\_

Clerk \_\_\_\_\_

Seal

I \_\_\_\_\_, do hereby certify this to be a true copy of By-Law 5-2004 as passed in an open council meeting of Council on February 10<sup>th</sup>, 2004.