

**THE MUNICIPAL CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP
BY-LAW #2016-05
BEING A BY-LAW TO REGULATE THEIR OPERATION OF ALL-TERRAIN VEHICLES ON MUNICIPAL
HIGHWAYS WITHIN THE CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP**

WHEREAS Pursuant to Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended the Council of a Municipality may pass-by-laws,

- (a) 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,
- (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,

THEREFORE THE COUNCIL OF THE CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP ENACTS AS FOLLOWS:

I. REGULATION OF ALL TERRAIN VEHICLES ON HIGHWAYS:

1. An All-Terrain Vehicle may be driven on North Algona Wilberforce Roads only if, in addition to meeting the requirements of Part III and IV of O.Reg 316/03.
2. The All-Terrain shall not be driven at a rate of speed greater than,
 - a) 20 kms 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 kms per hour, or
 - b) 50 kms 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 kms per hour.
3. The driver and the passenger of the All-Terrain Vehicle shall wear a helmet that complies with the requirements of the Off-Road Vehicles Act.
4. The All-Terrain Vehicle shall be driven on the shoulder of the highway in the same direction as the traffic using the same side of the highway.
5. Despite subsection 4, the All-Terrain Vehicle may be driven on the roadway in the same direction as the traffic using the same side of the highway if,
 - a) There is no shoulder; or
 - b) The shoulder of the highway is obstructed and cannot be used by the All-Terrain Vehicle.

II. GENERAL:

1. Operation of All-Terrain Vehicles shall be permitted by By-Law upon the highways under the jurisdiction of North Algona Wilberforce Township and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and the Off Road Vehicles Act, as amended.

III. PENALTIES:

1. Any person who contravenes any section of the By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

IV. 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 AND SECOND TIME THIS 4th DAY OF JANUARY 2016

MAYOR

CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 4th DAY OF JANUARY 2016

MAYOR

CLERK