

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2015-30**

A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN, MULTI-PURPOSE OFF- ROAD UTILITY AND RECREATIONAL OFF-ROAD VEHICLES ON ALL HIGHWAYS UNDER THE JURISDICTION OF THE COUNTY OF LANARK

WHEREAS, Section 191.8(3) of the *Highway Traffic Act*, R.S.O. 1990, Ch. 8, as amended, provides that a Municipality may pass By-Laws:

- i) 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;
- ii) Prescribing a lower rate of speed for off-road vehicles with three or more wheels 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.

NOW THEREFORE BE IT RESOLVED THAT, the Council of the County of Lanark enacts as follows:

1. Jurisdiction

- 1.1 All-Terrain, Multi-Purpose Off-Road Utility and Recreational Off-Road Vehicles are permitted, on all highways under the jurisdiction of The Corporation of the County of Lanark, **except** the highways listed in Schedule "A".
- 1.2 This By-Law does **NOT** provide authority for:
 - (a) Provincial highways.
 - (b) Local municipal highways.
 - (c) Private roads.
 - (d) Other highways not under the jurisdiction of the Corporation of the County of Lanark.

2. Definitions

- 2.1 "**All-Terrain vehicles**" shall mean an off-road vehicle that, in accordance with the *Highway Traffic Act* and Ontario Regulation 316/03:

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2015-30**

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

2.2 **"Multi-purpose off-road 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.

2.3 **"Recreational off-road 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.

2.4 **"Highway"** shall include a common and public highway, street, avenue, parkway and 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.

2.5 **"Off-Road Vehicle"** shall mean an off-road vehicle within the meaning of the *Off-Road Vehicles Act*, O. Reg. 316/03, S.1.

2.6 **"Seat Belt Assembly"** means a device or assembly composed of a strap or straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person.

THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2015-30

3. Regulation of Off-Road Vehicles on Highways

- 3.1 An off-road vehicle shall not be operated on a highway unless such vehicle meets all of the equipment requirements of Sections 7 to 15 of O. Reg. 316/03, amended and is operated in accordance with Sections 16 to 24 of O. Reg. 316/03, as amended.
- 3.2 The off-road 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.
 - (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.
- 3.3 There shall be a curfew, in effect seven (7) days a week, from 11:00 p.m. to 4:00 a.m., when no off-road vehicle shall be allowed to travel on highways under the jurisdiction of the County of Lanark.
- 3.4 Any Off-Road Vehicle operating on a highway shall comply with the following provisions:
- (a) An Off-Road Vehicle shall have visible reflective strips maintained on all four sides of the vehicle.
 - (b) An Off-Road Vehicle shall NOT have chains or studs on its tires.
 - (c) An Off-Road Vehicle will be driven in the same direction as traffic using the same side of the highway and multiple Off-Road Vehicles will ride in single file one behind the other.
 - (d) An Off-Road Vehicle will be driven on the shoulder unless there is no shoulder, the shoulder is not wide enough or the shoulder is obstructed, in which cases will be driven close to and parallel with the right edge of the treated surface of the highway.
 - (e) When making a left turn, an Off-Road Vehicle shall, when it is safe to do so, move away from the shoulder or the right edge of the roadway and be positioned on the roadway in the position from which the left turn is to be made.

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2015-30**

4. Penalties

4.1 Any person who contravenes the *Highway Traffic Act* or its Regulations or this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

5. Validity

If any section, clause or provision of this By-Law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

6. Rescind

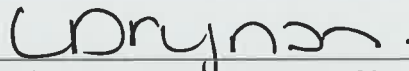
By-Law No. 2013-20 is rescinded in its entirety.

7. Effective Date


This By-Law shall come into force and take effect immediately upon the passing thereof by the Council of The Corporation of the County of Lanark.

By-Law read a first and second time this 9th day of September, 2015.

By-Law read a third time and finally passed this 9th day of September, 2015.



Leslie Drynan, Deputy Clerk



Keith Kerr, Warden



**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2015-30**

SCHEDULE "A"

The use of Off-Road Vehicles, in accordance with the *Highway Traffic Act* and Ontario Regulation 316/03 and as stipulated in this By-Law is permitted on all highways, under the jurisdiction of The Corporation of the County of Lanark, **except:**

HIGHWAY #	HIGHWAY NAME	FROM	TO	COMMENTS
County Road 16A	Perth Street, Bridge Street and Queen Street	County Road 29	Ottawa Street	Almonte Ward
County Road 17	Martin Street North	Ottawa Street	White Tail Ridge Drive	Almonte Ward
County Road 7B	Townline Road	Highway 7	County Road 29	Carleton Place
County Road 29	McNeely Avenue	Highway 7	Townline Road	Carleton Place
County Road 1	Rideau Ferry	Wild Life Road	Scotch Line	Perth
County Road 10	Scotch Line	Conlon Drive	Rideau Ferry Road	Perth