

CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NUMBER 2020-13

BEING A BY-LAW TO PERMIT THE OPERATION OF OFF-ROAD VEHICLES ON ANY HIGHWAY WITHIN THE MUNICIPALITY THAT IS UNDER THE JURISDICTION OF THE TOWNSHIP OF PAPINEAU-CAMERON

WHEREAS the Highway Traffic Act R.S.O. 1990, Section 191.8, subsection (3), Chapter H.8, as amended, provides that the Council of a municipality may pass By-Laws permitting the operation of off-road vehicles 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 Ontario Regulation 316/03 has provided updated definitions of off-road vehicles under the Highway Traffic Act;

AND WHEREAS the Council of the Corporation of the Township of Papineau-Cameron deems it expedient to enact such a By-Law;

NOW THEREFORE, the Council of the Corporation of the Township of Papineau-Cameron hereby enacts the following:

1.0 DEFINITIONS

“all-terrain vehicle” means an off-road vehicle that,

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

“extreme terrain vehicle” means an off-road vehicle that,

- (a) has six or eight wheels, the tires of which are all in contact with the ground,
- (b) has no tracks that are in contact with the ground,
- (c) has seats that are not designed to be straddled, and
- (d) has a minimum cargo capacity of 159 kilograms;

“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 motorcycle” means an off-road vehicle designed primarily for recreational use that,

- (a) has steering handlebars,
- (b) has two wheels, the tires of which are all in contact with the ground,
- (c) has a minimum wheel rim diameter of 250 millimetres,
- (d) has a minimum wheelbase of 1,016 millimetres,
- (e) has a seat that is designed to be straddled by the driver,
- (f) is designed to carry a driver only and no passengers, and
- (g) does not have a sidecar;

“off-road vehicle” has the same meaning as in the *Off-Road Vehicle Act*. O. Reg. 316/03, s. 1.

“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;

“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.

2.0 GENERAL PROVISIONS

That the operation of off-road vehicles, meaning, an all-terrain vehicle, a multi-purpose off-highway utility vehicle or a recreational off-highway vehicle shall be permitted on any highway within the Township of Papineau-Cameron under the jurisdiction of the Township of Papineau-Cameron in accordance with O. Reg 316/03 of the Highway Traffic Act and any amendments thereto.

3.0 PENALTIES

The penalties provided under the Highway Traffic Act shall apply to offenses with respect to this By-Law.

4.0 THAT By-Law 2015-017 is hereby repealed.

5.0 THAT this By-Law shall come into force and affect on the day of passing thereof in accordance with the Highway Traffic Act R.S.O., 1990, Section 191.8, Subsection (3), Chapter H.8, as amended.

READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED BEFORE AN OPEN COUNCIL, THIS 22 DAY OF SEPTEMBER, 2020.


MAYOR


CAO/CLERK-TREASURER