THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BLUFFS

BY-LAW NO. 27-2016

Being a By-law to permit All-Terrain, Multi-Purpose Off Highway Utility and Recreational Off-Highway (Off-Road Vehicles) on Municipal Roads and to rescind By-law 30-2004

WHEREAS, Sections 8(1) and 9 of the Municipal Act, 2001, S.O. 2001 c.25 (as amended) provide that the powers of a municipality shall be interpreted broadly so as to enable the Municipality to govern its affairs as it considers appropriate and to respond to issues; and

WHEREAS, Section 191.8 (3) of the Highway Traffic Act, R.S.). 19990 c. H.8 (as amended) authorizes Council to pass a By-law permitting the operation of Off-Road Vehicles on any roadway that is under the jurisdiction of the Municipality or any part or parts of such a roadway and which By-laws may prescribed a lower rate of speed for Off-Road Vehicles by regulation on any roadway within the municipality that is under its jurisdiction, or any part or parts of such roadway.

NOW THEREFORE, the Council of the Corporation of the Township of Georgian Bluffs enacts as follows:

I. 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 a driver and/or driver and one passenger.

"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 maximum cargo capacity of 159 kilograms.

"Off-Road Vehicle" has the same meaning as in the Off-Road Vehicles Act, R.S.O. 1990 c.O.4 (as amended) and is limited to:
   a) All-Terrain Vehicles
   b) Multi-Purpose Off-Highway Utility Vehicles, and
   c) Recreational Off-Highway Vehicles.
"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.

"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.

"Low Pressure Bearing Tires" means a wide, balloon-type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressure of no greater than 70KPA (10psi).

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. 316/03 and it is operated in accordance with Sections 16 to 24 of O. Reg. 316/03 made under the Highway Traffic Act.

2. The All-Terrain Vehicle shall not be driven at a rate of speed greater than:

a) 20 kilometres 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 kilometres per hour, or

b) 50 kilometres 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 kilometres per hour.

3. Off-Road Vehicles with four wheels and low pressure bearing tires shall be permitted on all municipal roads within the Township of Georgian Bluffs under and in accordance with Ontario Regulation 316/03 made under the Highway Traffic Act and the Off Roads Vehicles Act as amended.

4. Off-Road Vehicles are not permitted on any sidewalk within the Township of Georgian Bluffs.
III. CONTRAVENTION

1. No person shall interfere or obstruct an officer carrying out his/her duties enforcing this By-law.

2. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for under the Highway Traffic Act.

IV. RESCIND

1. That By-law 30-2004 is rescinded in its entirety.

V. EFFECTIVE DATE

1. Appendix “A” forms part of this By-law.

2. The Provisions of this By-law shall come into force and take effect on the final passing hereof.

Read a first and second time this 16th day of March, 2016.

Read a third time and passed this 16th day of March, 2016.

Mayor – Alan Barfoot

CAO / Clerk – Holly Morrison
APPENDIX A:
OFF-ROAD VEHICLE TYPES

<table>
<thead>
<tr>
<th>CURRENTLY PERMITTED ON-ROAD</th>
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<tbody>
<tr>
<td><img src="image" alt="atv" /> A single-rider all-terrain vehicle (ATV) is designed to travel on four low-pressure tires, having a seat designed to be straddled by the operator, handlebars for steering control and must be designed by the manufacturer to carry a driver only and no passengers.</td>
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<tr>
<th>PERMITTED ON-ROAD AS OF JULY 1, 2015</th>
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<tr>
<td><img src="image" alt="two-up" /> A two-up ATV is designed, and intended for use by an operator or an operator and a passenger. It is equipped with a seating position behind the operator designed to carry only one passenger.</td>
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<tr>
<td><img src="image" alt="side-by-side" /> A side-by-side ATV has two abreast seats, typically built with a hood, and uses a steering wheel instead of a motorcycle steering handlebar.</td>
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<tr>
<td><img src="image" alt="utility terrain vehicle" /> A utility terrain vehicle (UTV) has similar characteristics to a side-by-side ATV, but typically also features a box bed. UTVs are generally designed for utility rather than for the recreational purposes.</td>
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<th>NOT PERMITTED ON-ROAD</th>
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<tr>
<td><img src="image" alt="off-road motorcycle" /> An off-road motorcycle (ORM) is one of the few ORVs manufactured and sold in Canada with a Canadian Motor Vehicle Safety Standard (CMVSS) intended to be applied to it. Unlike the ORVs above, no industry manufacturing standard exists for ORMs.</td>
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<tr>
<td><img src="image" alt="amphibious ORV" /> While not limited to amphibious ORVs like the ARGO ATV, some models of side-by-side ATVs and UTVs may also fall within a category of larger ORVs that may have six to eight wheels and accommodate more than four passengers. Amongst other concerns, ministry staff have expressed concerns that it will be difficult to accommodate such a large vehicle footprint on a shoulder.</td>
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