

**THE MUNICIPALITY OF MARMORA AND LAKE**  
**BY-LAW NUMBER 2004-10**  
**REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES**  
**ON MUNICIPAL HIGHWAYS WITHIN THE MUNICIPALITY OF MARMORA AND LAKE**

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WHEREAS subsection 191.8(3) of the Highway Traffic Act, RSO 1990, CH.8, or as amended provides that the 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 it's jurisdiction, or on any 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 MARMORA AND LAKE ENACTS AS FOLLOWS:**

**I. DEFINITIONS**

In this by-law,

“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 only and no passengers

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, 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 (10 psi)

“Off-Road Vehicle” means an off-road vehicle within the meaning of the Off-Roads Vehicles Act O.Reg. 316/03, 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 316/03 and it is operated in accordance with Sections 16 to 24 of O.Reg 316/03, s.6
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.

**III GENERAL**

1. Operation of All-Terrain Vehicles shall be permitted by By-Law upon the highways under the jurisdiction of the Municipality of Marmora and Lake and in accordance with Ontario Regulation 316/03 of the Highway Traffic Act and Off Roads Vehicles 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 20<sup>th</sup> DAY OF APRIL, 2004.

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Reeve

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Clerk

PUBLIC MEETING CONCERNING PROPOSED  
ALL TERRAIN VEHICLE BY-LAW

There will be a public meeting on Tuesday April 20, 2004 at 7:00 p.m. at the Council chambers in Marmora, Ontario, to consider a proposed All Terrain Vehicle By-law, 2004-10, under subsection 191.8(3) of the Highway Traffic Act, RSO 1990, CH.8, or as amended.

The by-law proposes:

(a) 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.

Additional information, related to the proposed by-law amendment is available for viewing between 9:00 a.m. and 4:30 p.m at the Municipal Office.

Dated at Marmora and Lake this 3rd day of March, 2004.

Frank Mills  
Clerk