

THE CORPORATION OF THE MUNICIPALITY OF MATTAWAN ON

BY-LAW NO. 2015-15

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 MUNICIPALITY

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 Council of the Corporation of the Municipality of Mattawan deems it desirable to enact such a By-Law;

NOW THEREFORE the Council of the Corporation of the Municipality of Mattawan enacts as follows:

1.0 **Definitions**

- 1.1 **"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;
- 1.2 **"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;
- 1.3 **"off-road vehicle"** has the same meaning as in the *Off-Road Vehicle Act*, O. Reg. 316/03, s.1.
- 1.4 **"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 centimeters;
- 1.5 **"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.
- 1.6 And all definitions in accordance with the Ontario Regulation 316/03, Operation of Off-Road Vehicles on Highways, Part 1 Definitions.

2.0 **General Provisions**

2.1 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 Municipality of Mattawan under the jurisdiction of the Municipality of Mattawan in accordance with O.Reg. 316/13 of the Highway Traffic Act and any amendments thereto.

3.0 **Repeals**

3.1 That by-Law No. 2004-007 is hereby repealed.

4.0 **Penalties**

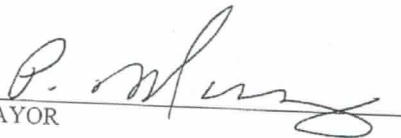
4.1 The penalties provided under the Highway Traffic Act shall apply to offenses with respect to this By-Law.

5.0 **Full Force and Effect**

5.1 This By-Law shall come into force and take effect as of July 1, 2015 in accordance with the Highway Traffic Act, 1990, Section 191.8 Subsection (3), Chapter H.8, as amended.

READ A FIRST and SECOND TIME BEFORE AN OPEN COUNCIL THIS 9 JULY 2015

READ A THIRD TIME ENACTED AND FINALLY PASSED BEFORE AN OPEN
COUNCIL THIS 9th DAY OF JULY 2015.


MAYOR


CLERK-TREASURER