

THE CORPORATION OF THE TOWNSHIP OF PELEE

BY-LAW NUMBER 1664

**BEING A BY-LAW FOR PERMITTING AND REGULATING THE
OPERATION OF OFF-ROAD VEHICLES UPON HIGHWAYS UNDER THE
JURISDICTION OF THE TOWNSHIP OF PELEE**

WHEREAS Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, as amended, provides that the council of a municipality may pass by-laws to permit the operation of off-road vehicles with four or more wheels with low pressure bearing tires on any highway within the jurisdiction of the municipality and for prescribing a lower rate of speed than otherwise provided by section 22 of Ontario Regulation 316/03;

AND WHEREAS the Council of the Township of Pelee deems it expedient to regulate and govern the operation of off-road vehicles upon any highway under the jurisdiction of the Township of Pelee;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Township of Pelee as follows:

1. DEFINITIONS

In this by-law:

- (a) "all-terrain vehicle" means an off-road vehicle that,
 - (b) has four wheels, the tires of all of which are in contact with the ground,
 - (ii) has steering handlebars,
 - (iii) has a seat that is designed to be straddled by the driver, and,
 - (iv) is designed to carry a driver only and no passengers;
- (b) "boulevard" shall mean that portion of the highway, as herein defined, located between the traveled portion of the highway and the sidewalk as herein defined;
- (c) "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of motor vehicles and which are under the jurisdiction of the Township of Pelee,

- (d) "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 no greater than 70kpa(10psi);
- (e) "off-road vehicle" shall mean an off-road vehicle within the meaning of the Off-Road Vehicles Act, R.S.O. 1990, as amended;
- (f) "park" means any municipal property that is or hereafter may be established, dedicated, set apart or made available for use as a public park or garden by the Township of Pelee;
- (g) "sidewalk" means municipal property that is or hereafter may be physically set apart or made available and intended for pedestrian use by the public as a sidewalk, or that is designated by Council for use as park or Township sidewalk by by-law otherwise;
- (h) "hamlet areas" shall mean the designated hamlet areas of the West Side and Scudder as set forth in the Official Plan of the Township of Pelee, and the Comprehensive Zoning By-law No.1547;

1. GENERAL PROVISIONS

- (a) All-terrain vehicles and off-road vehicles having low pressure bearing tires shall be permitted on all highways under the jurisdiction of the Township of Pelee subject to meeting the requirements of sections 7-15, inclusive, of Ontario Regulation 316/03 (Equipment Requirements) and sections 16-24, inclusive, of Ontario Regulation 316/03 (Operation Requirements), such regulation made under the a Highway Traffic Act, R.S.O. 1990, as amended.
- (b) No person shall drive an all-terrain vehicle and/or, off-road vehicle along or on any sidewalk or adjacent boulevard in the hamlet areas of the Township of Pelee except when in the act of crossing over such sidewalk and/or boulevard and such crossing shall be at an angle of approximately 90 degrees to the direction of the sidewalk and/or boulevard.
- (c) Any person licensed to drive an all-terrain vehicle and/or off-road vehicle may drive an all-terrain vehicle and/or off-road vehicle in a public park in the Township of Pelee except upon highways within a public park where public vehicular use is prohibited and except in those areas where driving of an all-terrain vehicles and/or off-road vehicles is prohibited by signs or posters.
- (d) No person shall drive an all-terrain vehicle and/or off-road vehicle in the hamlet areas between the hours of one o'clock a.m. and six o'clock a.m.

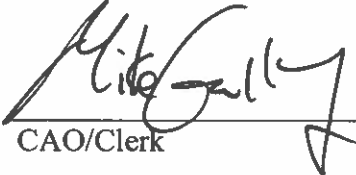
(e) Any person who contravenes any provision of this by-law is guilty of an offence, and shall, upon conviction, be liable to a penalty as prescribed by the Provincial Offences Act, R.S.O. 1990, as amended.

(f) This by-law shall become effective on the 9th day of July, 2007.

THIS BY-LAW READ TWICE THIS 9TH DAY OF JULY, A.D. 2007.

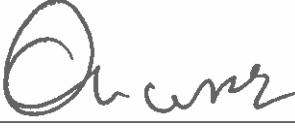


Mayor



CAO/Clerk

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF JULY A.D. 2007.



Mayor



CAO/Clerk