

**THE CORPORATION OF THE TOWNSHIP OF
HAVELOCK-BELMONT-METHUEN**

BY-LAW 2010 - 17

**BEING A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN
VEHICLES ON MUNICIPAL HIGHWAYS IN THE TOWNSHIP OF
HAVELOCK-BELMONT-METHUEN**

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3) provides that a Council of a municipality may pass by-laws: 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 parts of such highway; to prescribe a lower rate of speed for off-road vehicles with three or more wheels and low pressure bearing tires than that prescribed for off-road vehicles by regulation on any highway within the municipality that is under its jurisdiction; and where Subsection (4) provides that by-laws may regulate times of operation on any highway or parts of highway only during specified months or hours;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen deems it desirable to enact such a By-law for all-terrain vehicles (ATV's) as defined in Section 1 of Ontario Regulation 316/03 as 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 a driver only and no passengers;

AND WHEREAS the purpose of the by-law is to provide access to link an ATV riders home or accommodation to the ATV trail, from trail to trail, and from ATV trail to economic services including food, fuel, supplies and service;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Havelock-Belmont-Methuen hereby enacts as follows:


1. That ATVs shall be permitted on highways (streets) as defined in the Highway Traffic Act R.S.O. 1990, Chapter H.8, which are described in Schedule "A".
2. That the ATV shall not be driven at a rate of speed greater than;
 - a) 20 km/hr if the speed established under the Highway Traffic Act or by municipal by-law for that part of the highway is not greater than 60 km/hr; or
 - b) 50 km/hr if the speed limit established under the Highway Traffic Act or by municipal by-law for that part of the highway is greater than 60 km/hr.
3. That an ATV shall not be operated on highways unless it meets the equipment requirements of Section 7-15 of Ontario Regulation 316/03 and it is operated in accordance with Sections 16-24 of the regulation.

4. That an ATV shall not be permitted to travel on a municipal highway if the exhaust system has been altered over the manufacturer's recommended decibel level.
5. That ATVs do not travel on municipal roads between 9:00 p.m. and 8:00 a.m.
6. That any person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction, where a fine for the contravention is not otherwise provided under the Highway Traffic Act, is liable to a fine under the Provincial Offences Act.
7. No person shall operate an all-terrain vehicle over and upon any municipal owned or municipal maintained land used as parks, playgrounds or for utility purposes.
8. Helmets are required on all municipal highways along with a valid driver's licence and insurance.
9. Travel must be in the same direction as traffic and ATVs must travel on the shoulder of the road, but may travel on the road only if the shoulder is unsafe.
10. This by-law does not apply to police, fire, ambulance, search and rescue or other emergency vehicles.
11. That this by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Township of Havelock-Belmont-Methuen. This by-law will have effect for one (1) year from the date of passage unless rescinded at an earlier date by the Council of the Township of Havelock-Belmont-Methuen.

Read a FIRST, SECOND and THIRD time and finally passed in open Council this 2ND day of March, 2010.



Reeve Ronald Gerow



Clerk Glenn Girven

Schedule "A"

As per Section "1" of the by-law, all-terrain vehicles shall be permitted on all municipally owned and maintained roads in the former Village of Havelock; on all municipally owned and maintained roads in Belmont Township; and on all municipally owned and maintained roads in Methuen Township which lie south of the line between Lots 20 and 21, with the exception that Sandy Lake Road is permitted to be traveled in its entirety.

County roads are under the jurisdiction of the County of Peterborough and **are not included in this by-law.**

