

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

BY-LAW NO. 2013-1224

**A BY-LAW TO REGULATE THE OPERATION OF ALL TERRAIN VEHICLES WITHIN
THE TOWNSHIP OF LANARK HIGHLANDS**

BEING a by-law to regulate the operation of all-terrain vehicles on all highways under the jurisdiction of the Township of Lanark Highlands;

WHEREAS Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, Ch. 8, as amended, provides that a municipality may pass by-laws:

- i) Permitting the operation of off-road vehicles with 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.

NOW THEREFORE, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. Jurisdiction

- 1.1 This by-law regulates the use of all-terrain vehicles on all highways under the jurisdiction of the Township of Lanark Highlands, a lower tier municipality, only.
- 1.2 This by-law does NOT provided authority for:
 - a) Provincial highways
 - b) County of Lanark, upper tier municipality, highways
 - c) Private roads
 - d) Any highways situated outside the Township of Lanark Highlands.

2. Definitions

- 2.1 "All-terrain vehicles" shall have the same meaning as defined in Ontario Regulation 316/03.
- 2.2 "Highway" shall have the same meaning as defined in the Highway Traffic Act.

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- 2.3 "Low Pressure Bearing Tire" shall have the same meaning as defined in the Highway Traffic Act.
- 2.4 "Off-Road Vehicle" shall have the same meaning as defined in Ontario Regulation 316/03.

3. Regulation of All-Terrain Vehicles on Highways

- 3.1 An all-terrain vehicle shall not be operated on a highway unless it meets the requirements of O. Reg. 316/03.
- 3.2 An 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 municipal by-law for that part of the Highway is not greater than 50 kilometres per hour;
 - b) 50 kilometres per hour, if the speed limit established under the Highway Traffic Act or municipal by-law for that part of the Highway is greater than 50 kilometres per hour;
- 3.3 In addition, any all-terrain vehicle operating on a highway shall comply with the following provisions:
- a) An all-terrain vehicle shall have visible reflective strips maintained on all four sides of the vehicles;
 - b) An all-terrain vehicle shall NOT have chains or studs on its tires.
- 3.4 Curfew – There shall be a curfew in effect seven days a week from 11:00 p.m. to 4:00 a.m. when no ATVs shall be allowed to travel on any highways within the Township.

4. Penalties

- 4.1 Any person who contravenes the Highway Traffic Act or its Regulations or this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act or Schedule "A" of this by-law.

Schedule "A"
to By-Law 2013-1224

Part I Provincial Offences Act
Set Fines

The sums to be paid as set fines are as follows:

Item	Column 1	Column 2	Column 4
	Short Form Wording	Provision Creating Offence	Set Fine
1	Travelling on a highway with tire studs or chains	S. 3.2 (b)	\$110.00
2	No visible reflective markings on four sides of ATV	S. 3.2 (a)	\$110.00

NOTE: The general penalty provision for the offences listed above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.

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5. One-Year Review

5.1 There shall be an annual review of the entire by-law on the anniversary date of it being passed.


6. Ultra Vires

6.1 Should any sections of this by-law, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.


7. Where any by-law, passed prior to this by-law, conflicts with the terms of this by-law, this by-law shall prevail.

8. EFFECTIVE DATE

ENACTED AND PASSED this 28th, day of May, 2013.


Peter McLaren, Mayor




Ross Trimble, Clerk