

CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 2191-2008

BEING A BY-LAW TO REGULATE THE OPERATION OF ALL TERRAIN VEHICLES ON MUNICIPAL HIGHWAYS WITHIN THE COUNTY OF PRINCE EDWARD

WHEREAS Section 191.8 (3) of the Highway Traffic Act, R.S.O. 1990, as amended, provides that a municipality may pass By-laws permitting and regulating the operation of off road vehicles including All Terrain Vehicles, as defined in Ontario Regulation 316/03 on highways under the jurisdiction of the municipality;

NOW THEREFORE the Council for the Corporation of the County of Prince Edward enacts as follows:

1. Definitions

1.1 "All Terrain Vehicle" shall mean an off-road vehicle that:

- a) has four wheels, with low pressure bearing tires, 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.

1.2 "Highway" means a common and public highway, street, avenue, parkway and driveway, any part of which is intended for or used by the public for the passage of vehicles and includes the area between the lateral property lines thereof

2. Regulation of All Terrain Vehicles on Highways

2.1 No person shall operate an all terrain vehicle on a highway under municipal jurisdiction unless it meets the equipment requirements of Sections 7 to 15 of O.Reg. 316/03 and is operated in accordance with Sections 16 to 24 of O.Reg. 316/03

2.2 No person shall operate or permit the operation of an all terrain vehicle on a highway under municipal jurisdiction while carrying a passenger.

2.3 No person shall operate an all terrain vehicle at a rate of speed greater than:

- a) 20 kms 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 kms per hour;
- b) 50 kms 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 kms per hour;

3. Times of Operation

3.1 No person shall operate or permit the operation of an all terrain vehicle, on highways under municipal jurisdiction, during the period one-half hour before sunset to one-half hour after sunrise.

4. General

- 4.1 Operation of all terrain vehicles shall be permitted on all highways under the jurisdiction of the County of Prince Edward, with the exception of those listed on Schedule 'A' attached hereto and further identified on the map attached hereto as Schedule 'B' to the By-law.
- 4.2 No person shall operate an all terrain vehicle on those parts of a highway or for such times as are stipulated in Schedule 'A' attached hereto.
- 4.3 No person shall operate an all terrain vehicle on highways under municipal jurisdiction except in accordance with the conditions of this By-law, in accordance with O.Reg. 316/03 of the Highway Traffic Act, and in accordance with the Off Road Vehicles Act as amended.

5. Penalties

- 5.1 Any person who contravenes any section of this By-law is guilty of an offence and upon conviction is liable to such fines and penalties as are provided for in the Provincial Offences Act R.S.O. 1990, c.P-33, as amended.

6. Schedules

- 6.1 Schedules "A" and "B" shall be deemed to be a part of this By-law to the same extent and effect as if incorporated herein.

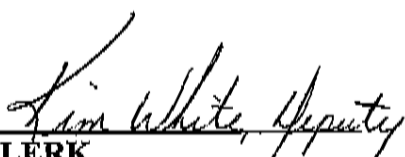
7. Validity/Severability

- 7.1 In the event any Court of component jurisdiction should adjudge that any section or sections of this By-law may not be valid for any reason, such section or sections shall be deemed to be severable from the remainder of the By-law and the remainder of the By-law shall stand and be enforceable to the same extent as if the offending section or sections had not been included herein.

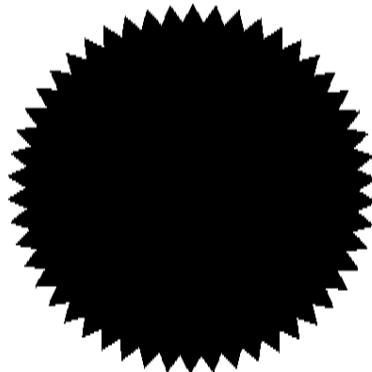
8. Effective Date

- 8.1 This By-law shall come into force and take effect immediately upon the passing thereof by the Council for the Corporation of the County of Prince Edward.

Read a first, second and third time and finally passed this 21st day of April, 2008.


CLERK
Victoria Leskie


MAYOR
Leo P. Finnegan



Schedule "A" to By-law No. 2191 - 2008

1. All vehicles shall not be operated on the following highways as follows

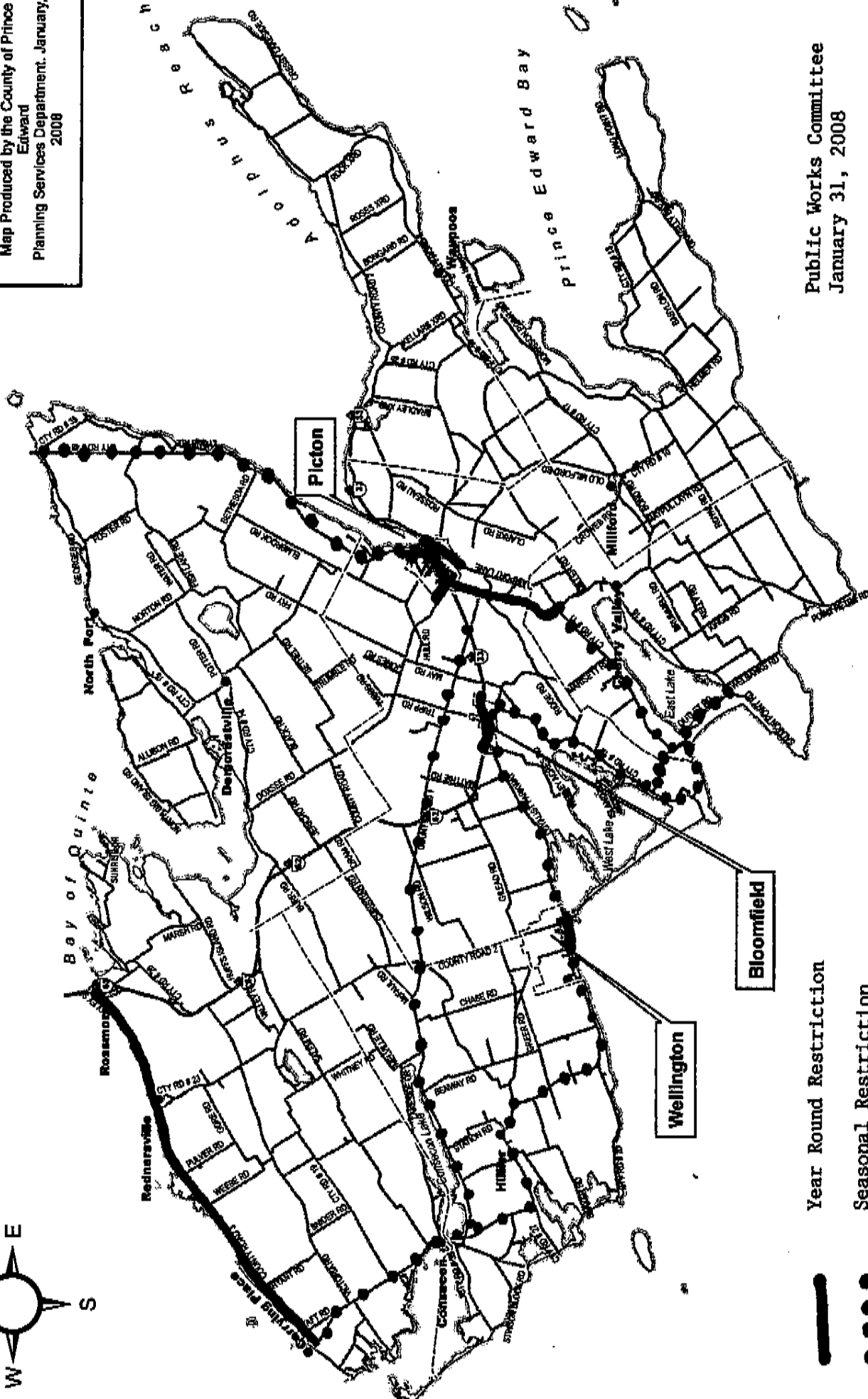
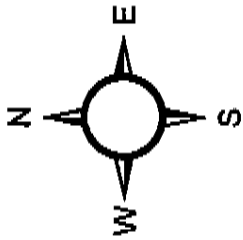
A) Year Round Restriction

- a.1 All Ministry of Transportation Connecting Links in Picton – Loyalist Parkway, and Bloomfield – Loyalist Parkway and Highway 62
- a.2 Wellington Main St - Belleville St to Consecon St
- a.3 Picton Main St – from Bridge St to Spencer St
- a.4 County Road 3
- a.5 County Road 4 - Picton Main St to the Millenium Trail
- a.6 County Road 5 - Picton Main St to MacSteven Dr
- a.7 County Road 8/Union St – Bridge St to County Rd 22/Church St
- a.8 County Road 10 – Picton Main St to County Rd 11
- a.9 County Road 22 – Union St to London Ave

B) Seasonal Restriction -- May 1 to October 1 any year

- b.1 Loyalist Parkway - from County Rd 64 Carrying Place to Highway 62 Bloomfield
- b.2 County Rd 1 – from Loyalist Parkway to Loyalist parkway
- b.3 County Highway 11
- b.4 County Road 12
- b.5 County Road 18 – from Salmon Point Rd to County Road 12 at West lake
- b.6 County Highway 49 – from Picton Main St at Spencer St to County Rd 15
- b.7 Wellington Main Street – from Wellington Ward boundary easterly to Consecon Street
- b.8 Wellington Main Street – from Belleville Street easterly to Wellington Ward boundary

Projection and Coordinate System: UTM
Zone 18 N
Datum: North American Datum 1983
Map Produced by the County of Prince
Edward
Planning Services Department. January,
2008



Year Round Restriction

Seasonal Restriction



Proposed Restrictions to ATV
use of Public Roads

Public Works Committee
January 31, 2008

L A K E O N T A R I O