

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2015-40**

**A BY-LAW TO REGULATE THE OPERATION OF OFF ROAD VEHICLES ON
MUNICIPAL HIGHWAYS WITHIN THE TOWNSHIP OF SOUTH FRONTENAC.**

WHEREAS Section 194.8 (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:
- ii. Prescribing a lower rate of speed for all terrain vehicles by regulation on any highway within the municipality that is under its jurisdiction, or on any part or parts of such highway including prescribing different rates of speed for different highways or parts of highways.

AND WHEREAS effective July 1, 2015 the province expanded the type of off road vehicles and all-terrain vehicles (ATV's) allowed on some provincial highways and municipal roads to include:

- Single Rider ATV's
- Two-up ATV's
- Side by Side ORV's and
- Utility Terrain Vehicles

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. Definitions:

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

1.2 "Off Road Vehicle" shall mean an off-road vehicle within the meaning of Regulation 316/03 of the Highway Traffic Act.

2. Regulation of Off-Road Vehicles on Highways

All Off Road Vehicles shall be operated in accordance with Ontario Regulation 316/03 of the Highway Traffic Act

3. General

Operation of Off Road Vehicles shall be permitted, by by-law, upon all highways under the jurisdiction of the Corporation of the Township of South Frontenac

4. Penalties

Any person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

5. Validity

If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than that section, clause or

provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions there of shall be declared to be invalid.

6. By-law 2006-34 is hereby repealed.
7. That this by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Township of South Frontenac.

Dated at the Township of South Frontenac this 4th day of August, 2015.

Read a first and second time this 4th day of August, 2015.

Read a third time and finally passed this 4th day of August, 2015.

The Corporation of the
Township of South Frontenac



Ron Vandewal, Mayor



Wayne Orr, Chief Administrative Officer