

THE CORPORATION OF THE TOWNSHIP OF BROCK

**BY-LAW NUMBER 1954-2005-PP
AS AMENDED BY BY-LAW NUMBER 2113-2007-PP
(CONSOLIDATED VERSION)**

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

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 three 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 Brock deems it expedient to regulate and govern the operation of off-road vehicles upon any highway under the jurisdiction of the Township of Brock;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Township of Brock 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 travelled 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 Brock;
- 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 of no greater than 70 kpa (10 psi);
- 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 Brock;
- 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 a park or Township sidewalk by by-law otherwise;

- h) “urban areas” shall mean the designated urban areas of Beaverton, Cannington, and Sunderland as set forth in the Official Plan of the Township of Brock, and the hamlets of Gamebridge, Sonya, Port Bolster, Manilla, and Wilfrid as set forth in the comprehensive Zoning By-law No. 287-78-PL;

2. 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 Brock only between December 1st in a calendar year through March 31st in the calendar year immediately following, 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 *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 urban areas of the Township of Brock 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 licenced 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 Brock except upon highways within a public park where public vehicular use is prohibited and except in those areas where driving of 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 urban 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.

3. Effective Date

- a) This by-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Township of Brock.

BY-LAW NUMBER 1954-2005-PP READ A FIRST, SECOND, THIRD TIME and FINALLY PASSED THIS 27TH DAY OF JUNE, A.D., 2005.

“G.S.Graham”
Clerk-Administrator

“Keith Shier”
Mayor

BY-LAW NUMBER 2113-2007-PP READ A FIRST, SECOND, THIRD TIME and FINALLY PASSED THIS 5TH DAY OF NOVEMBER, A.D., 2007.

“G.S.Graham”
Clerk-Administrator

“Larry O’ Connor”
Mayor