

**THE CORPORATION OF THE TOWNSHIP OF
GALWAY-CAVENDISH AND HARVEY**

BY-LAW B2008 - 73

**BEING A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN
VEHICLES ON MUNICIPAL HIGHWAYS IN THE TOWNSHIP OF
GALWAY-CAVENDISH & HARVEY**

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;

AND WHEREAS the Council of the Corporation of the Township of Galway-Cavendish & Harvey 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.

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Galway and Harvey 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 50 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 50 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. Operation and use of ATVs must be in accordance with By-law B2005-87 (commonly know as the Noise By-law).
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 Galway-Cavendish & Harvey. This by-law will have effect for one (1) year from the date of passage unless rescinded at an earlier date by Council of the Township of Galway-Cavendish & Harvey.


READ a First time this 19th day of AUGUST, 2008.

READ a Second time this 19th day of AUGUST, 2008.

READ a Third time and finally passed this 19th day of AUGUST, 2008.



Tom Flynn, Reeve



Natalie Garnett, Clerk

Schedule "A"

All-terrain vehicles shall be permitted on all municipally owned roads which lie north of Pigeon Lake. The permitted roads include all municipally owned roads in both Galway and Cavendish wards, and the roads north of Pigeon Lake in Harvey ward.

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

