

**THE CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2013-010**

**ALL-TERRAIN VEHICLES**

**BEING A BY-LAW TO REGULATE THE OPERATION OF ALL-TERRAIN  
VEHICLES ON ALL HIGHWAYS UNDER THE JURISDICTION OF THE TOWNSHIP  
OF DRUMMOND NORTH ELMSLEY;**

**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 Drummond North Elmsley 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 Drummond North Elmsley 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 Drummond North Elmsley including the portion of any boundary road not owned by the Township of Drummond/North Elmsley

**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.
- 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.

2.5 Whenever certain hours are specified in this By-law, they shall mean Standard Time or Daylight Saving Time, whichever is then in effect in the Township.

## **1. Regulation of All-Terrain Vehicles on Highways**

1.1 No person shall operate an all-terrain vehicle on a highway in contravention of O. Reg. 316/03, made under the *Highway Traffic Act* as amended or replaced from time to time.

1.2 Every person who operates an all-terrain vehicle on a highway under the jurisdiction of the Township of Drummond/North Elmsley 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.

1.3 Curfew. Despite any section in this By-law, no person shall operate an all-terrain vehicle on a highway between the hours of 11:00 p.m. on any day and 4:00 a.m. of the next following day.

1.4 Boundary Roads. Regulations will be posted on boundary roads by the Township of Drummond/North Elmsley where the regulations under All Terrain Vehicles By-Laws are different or non-existent in neighbouring municipalities.

## **2. Penalties**

2.1 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.

## **3. One-Year Review**

3.1 This by-law shall be reviewed within one year from its enactment

## **4. Validity**

4.1 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 the remaining sections, clauses or provisions of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

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

6. That this by-law comes into force as of February 12, 2013.

Read a first, second and third time and passed this 12<sup>th</sup> day of February 2013.

---

Aubrey Churchill, Reeve

---

Cindy Halcrow, Clerk Administrator

## SHORT FORM WORDING

### Part I Provincial Offences Act Set Fines

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

<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>	<b>Column 4</b>
	<b>Short Form Wording</b>	<b>Provision Creating Offence</b>	<b>Set Fine</b>
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.