

**The Corporation of the
Town of Arnprior**

By-law Number 6647-16

A by-law to permit and regulate the use of Off Road Vehicles on Highways in the Town of Arnprior to access town or regionally approved trails

Whereas Section 8 of the *Municipal Act, 2001, S.O. 2001*, as amended, empowers a municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas Section 191.8 of *Highway Traffic Act R.S.O. 1990, Chapter H. 8*, authorizes a municipality to pass by-laws permitting and regulating the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway or part of a highway under the jurisdiction of the municipality and further, to prescribe the rate of speed for such off-road vehicles as well as the specific months or hours during which they can be operated on a municipal highway or part of a highway;

Whereas the Council of the Corporation of the Town of Arnprior deems it in the public interest to permit and regulate the operation of off-road vehicles within the jurisdiction of the Corporation of the Town of Arnprior.

Therefore the Council of the Town of Arnprior enacts as follows:

1. Jurisdiction

- 1.1 This By-law regulates the use of off-road vehicles on all highways under the jurisdiction of the Corporation of the Town of Arnprior.
- 1.2 This By-law does **NOT** provide authority for:
 - a) Provincial Highways;
 - b) County of Renfrew highways;
 - c) Private roads;
 - d) Any highways situated outside the Town of Arnprior including but not limited to the portion of any boundary road not owned by the Town of Arnprior

2. Definitions

2.1 **Off-Road Vehicle (ORV)** means an off-road vehicle as defined in the Highway Traffic Act under Ontario Regulation 316/03, as amended, as described in Section 1 of the definitions as:

“all-terrain vehicle” means 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,

(i) a driver only and no passengers, or

(ii) a driver and only one passenger, if the vehicle,

(A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and

(B) is equipped with foot rests for the passenger r that are separate from the foot rests for the driver;

“multi-purpose off-highway utility vehicle” means an off-road vehicle that,

(a) has four or more wheels, the tires of which are all in contact with the ground,

(b) has a steering wheel for steering control,

(c) has seats that are not designed to be straddled, and

(d) has a minimum cargo capacity of 159 kilograms;

“recreational off-highway vehicle” means an off-road vehicle that,

(a) has four or more wheels, the tires of which are all in contact with the ground,

(b) has a steering wheel for steering control,

(c) has seats that are not designed to be straddled, and

(d) has an engine displacement equal to or less than 1,000 cubic centimetres;

2.2 **Municipal Highway** means an open public highway under the jurisdiction of the Corporation of the Town of Arnprior.

3. Regulations

Only those off-road vehicles falling within the definition of “all-terrain vehicle,” multi-purpose off-highway utility vehicle’ and “recreational off-highway vehicle” may be driven on highways and approved trails under the jurisdiction of the Town of Arnprior provided that:

- 3.1 The off-road vehicle meets all the equipment requirements and operation requirements of O.Reg. 316/03, as amended.
- 3.2 An off-road vehicle shall not be driven at a rate of speed greater than:
 - 3.2.1 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
 - 3.2.2 20 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,
- 3.3 Off-road vehicles do not travel between one-half hour after sunset and one-half hour before sunrise.
- 3.4 Off-road vehicles do not travel upon any municipally owned or municipally maintained lands such as parks, playgrounds, beaches, sports fields, cemeteries, and the Nick Smith Centre save and except any designated parking areas made available as an off-road vehicle staging area to facilitate access to municipal roadways and regionally approved trails.
- 3.5. Off-road vehicles shall be permitted on all highways, or parts of such highways, to facilitate access to approved trails with the exception of:
 - 3.5.1 John Street from Meehan Street to Robert Simpson Park; and
 - 3.5.2 Elgin Street from Daniel Street to Madawaska Street; and
 - 3.5.3 Ottawa Street from John Street to Harrington Street.

4. Enforcement and Penalty

- 4.1 Any person who contravenes the *Highway Traffic Act* or its regulations or 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, R.S.O. 1990, c.P. 33, as amended.

4.2 This by-law may be enforced by the Ontario Provincial Police or a municipal law enforcement officer.

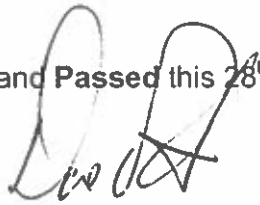
5. Validity and Severability

5.1 Every provision of this By-law is declared severable from the remainder if any provision of this by-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

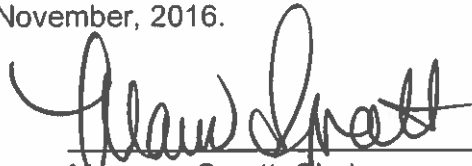
6. Effective Date

6.1 This By-law shall come into force and effect immediately on the passing of a County of Renfrew By-law regulating the operation of Off-Road Vehicles on County of Renfrew Roads and/or parts of roads within the Town of Arnprior.

Enacted and Passed this 28th day of November, 2016.



David Reid, Mayor



Maureen Spratt, Clerk

COUNTY OF RENFREW

BY-LAW NUMBER 8-17

**A BY-LAW TO REGULATE THE OPERATION OF
OFF-ROAD VEHICLES ON COUNTY OF RENFREW ROADS**

WHEREAS Section 191.8, subsection (3), the Highway Traffic Act, R.S.O. 1990, Ch. 8, as amended, provides that a municipality may pass by-laws:

- (a) Permitting the operation of Off-Road Vehicles with three or more wheels on any Highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such Highways;

THEREFORE the Council of the Corporation of the County of Renfrew enacts as follows:

1. **Definitions.**

In this by-law,

“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.

“Off-Road Vehicle” shall mean an off-road vehicle within the meaning of the Off Road vehicles Act, O. Reg. 316/03, S.1., as amended.

2. **Regulation of Off-Road Vehicles on Highways.**

An Off-Road Vehicle shall not be operated on Highways unless it meets and is operated in accordance with the requirements of Ontario Regulation 316/03 – Operation of Off-Road Vehicles on Highways as amended by O. Reg. 135/15.

3. **General**

Operation of Off-Road Vehicles shall be permitted on all Highways under the jurisdiction of the Corporation of the County of Renfrew with the exceptions of those Highways or parts of such Highways listed on Schedule “A” attached to this By-Law.

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 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.

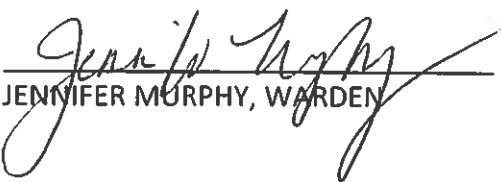
6. That By-Law 76-15, being a By-Law to Regulate the Operation of Off-Road Vehicles on County of Renfrew Roads is hereby repealed.

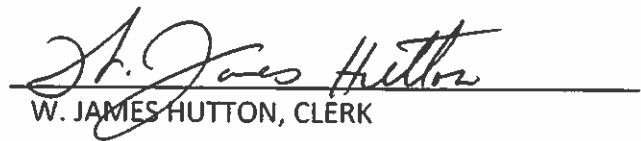
7. That this by-law shall come into force and take effect immediately upon the date of its passing.

READ a first time this 25th day of January 2017.

READ a second time this 25th day of January 2017.

READ a third time and finally passed this 25th day of January 2017.


JENNIFER MURPHY, WARDEN


W. JAMES HUTTON, CLERK

SCHEDULE "A"

County Road/Name	From	To	Municipality
1 - Madawaska Blvd, Elgin St & River Rd	East limit of the Madawaska River Bridge	1.6 km North of the intersection with County Road 3 (Usborne Street North End)	Arnprior McNab/Braeside
2 - Daniel St & White Lake Rd	Madawaska Street	County Road 10 (Baskin Drive)	Arnprior
2 - White Lake Rd	Staye Court Drive/ Winners Circle	County Road 45 (Vanjumar Drive)	Arnprior
2 - White Lake Rd	300 m East of County Road 52	County Road 52	McNab/Braeside
16 - Victoria St	Laurentian Drive	Petawawa Boulevard	Petawawa
25 - Laurentian Dr	Victoria Street	Petawawa Boulevard	Petawawa
26 - Doran Rd	Petawawa Boulevard	Highway 17	Petawawa
35 - Boundary Rd E	Jean Avenue	Trafalgar Road	Laurentian Valley
37 - Murphy Rd	Petawawa Boulevard	Highway 17	Petawawa
51 - Pembroke St W & Petawawa Blvd	Pembroke City Limit	Paquette Road	Laurentian Valley Petawawa
52 - Raglan St	Highway 60	Pine Street	Renfrew
52 - Burnstown Rd	County Road 2	McLachlan Road	McNab/Braeside
55 - Paquette Rd	Highway 17	Petawawa Boulevard	Petawawa
72 - Ridge Rd	Highway 17	Deep River Road	Deep River
73 - Deep River Rd	Highway 17	Ridge Road	Deep River