

CORPORATION OF THE TOWNSHIP OF GREATER MADAWASKA

By – Law No. 17 - 2006

BEING A BY-LAW TO REGULATE THE OPERATION OF ALL TERRAIN VEHICLES ON MUNICIPAL ROADS

WHEREAS the Highway Traffic Act R.S.O. 1990, c. H.8, section 191.8(3), Chtr H.8, as amended provides that the Council of a municipality may pass By-Laws permitting the operation of All Terrain Vehicles on any highway within the municipality that is under the jurisdiction of the municipality or any part or parts of such highway;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska deems it in the best public interest to regulate, govern or prohibit the operation of All terrain Vehicles within the municipality;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska recognizes the potential of ATV based tourism for the township and wish to assist in the development of an ATV Trail network that keeps ATVs off municipal roads;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska recognizes that until a suitable trail system is developed some use of municipal roads must be accepted;

AND WHEREAS the Township of Greater Madawaska recognizes the potential safety, nuisance, noise and damage issues which may also be related to ATV use;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska further deems it in the best interest of the public to prohibit and/or restrict the operation of All Terrain Vehicles on portions of the highways under the jurisdiction of the municipality;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska seeks to ensure that all interests are recognized without injury to any person, group or business;

NOW THEREFORE the Council of the Corporation of the Township of Greater Madawaska hereby enacts as follows:

- 1) All Terrain Vehicle use will be permitted on all Municipal Roads.
- 2) That notwithstanding Clause 1 above, All Terrain Vehicles will not be permitted to use Municipal Roads between sunset and sunrise.
- 3) All road sections where ATV use is not authorized are to be appropriately signed so that all users may be fully aware of such use.
- 4) All of the provisions of Ontario Regulation 316 – 03, Operation of Off-Road Vehicles on Highways shall apply to this By-Law.
- 5) No person shall operate an All Terrain Vehicle at a rate of speed greater than 30 Kilometers per hour on a gravel road and 50 Kilometers per hour on a surfaced road.

- 6) Notwithstanding Clause 5 above, No person shall operate any All Terrain Vehicle at a Rate of Speed greater than 20 Kilometers per hour on roads within the Hamlets of Calabogie, Griffith, Matawatchan or Barryvale.
- 7) Any person who contravenes any section of this By-Law is guilty on an offence and upon conviction is liable for a fine as provided for in the Provincial Offences Act.
- 8) All previous By-Laws in effect prior to amalgamation that contradict the requirements of this By-Law are hereby repealed to the extent of such contravention.
- 9) This By-Law will be reviewed every twelve (12) months.
- 10) This By-Law will become effective on May 15th, 2006.

READ A FIRST AND SECOND TIME THIS TWENTIETH DAY OF APRIL, 2006.

READ A THIRD TIME AND PASSED THIS TWENTIETH DAY OF APRIL, 2006.

Isobel Kristijan, Reeve

John Baird, CAO/Clerk – Treasurer