

THE CORPORATION OF THE TOWNSHIP OF SEGUIN

BY-LAW NO. 2006-082

(as amended by By-law No.'s 2006-120 and 2009-107)

Being a By-law to permit the operation of "All-Terrain Vehicles" (ATV's) on certain highways under the jurisdiction of The Corporation of the Township of Seguin.

WHEREAS the Highway Traffic Act, R.S.O. 1990, Section 191.8, subsection (3), Chapter H. 8, as amended, authorizes the Council of a municipality to pass by-laws permitting the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such highway;

AND WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H. 8, Ontario Regulation 316/03 defines an All-Terrain Vehicle and provides regulations governing the operation of All-Terrain Vehicles upon highways;

AND WHEREAS the Council of The Corporation of the Township of Seguin deems it advisable to regulate the operation of All-Terrain Vehicles (ATV's), being a class of Off-Road Vehicle as defined in Section 1 of Ontario Regulation 316/03, on certain highways within the jurisdiction of the Township of Seguin, or on any part or parts of such highways;

NOW THEREFORE the Council of The Corporation of the Township of Seguin enacts as a By-law of The Corporation as follows:

1. In this By-law:
 - (a) "All-Terrain Vehicle" means an all-terrain vehicle as defined in the Highway Traffic Act Ontario Regulation 316/03, Operation of Off-Road Vehicles on Highways.
 - (b) "Highway" means a highway as defined in the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended.
 - (c) "Off-Road Vehicle" means an off-road vehicle as defined in the Off-Road Vehicles Act, R.S.O. 1990, Chapter O.4.
2. All-Terrain Vehicles are not permitted to be operated on municipal highways that are within the Township of Seguin that are under the jurisdiction of The Corporation of the Township of Seguin except for those municipal highways listed in Schedule "A" to this By-law. All-Terrain Vehicles operated on municipal highways under authority of this By-law are to be operated in accordance with Ontario Regulation 316/03.
3. An All-Terrain Vehicle operated on highways under the jurisdiction of The Corporation of the Township of Seguin as listed in Schedule "A" of this By-law must meet the equipment requirements as set out in Ontario Regulation 316/03.
4. An All-Terrain Vehicle shall not be driven at a rate of speed greater than:
 - (a) 20 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-law for that part of the highway is not greater than 50 kilometres per hour; or
 - (b) 50 kilometres per hour, 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 kilometres per hour.

5. The Exemptions set out in Ontario Regulation 316/03, as amended from time to time, regarding the operation of Off-Road Vehicles on highways shall apply to this By-law and the permissions granted thereunder.
6. No person shall operate an All-Terrain Vehicle:
 - (a) Over or upon the following areas, with the exception of recognized parking areas:
 - (i) Any Community Centre under the jurisdiction of The Corporation of the Township of Seguin.
 - (ii) Any Park, Playground or Beach Area under the jurisdiction of The Corporation of the Township of Seguin.
 - (iii) Any Sports Field under the jurisdiction of The Corporation of the Township of Seguin.
 - (iv) Any Cemetery under the jurisdiction of The Corporation of the Township of Seguin.
 - (v) Any Fairgrounds under the jurisdiction of The Corporation of the Township of Seguin.
 - (b) On any other municipally owned property, except municipal highways as authorized in this By-law and subject to subsection (a), without the expressed written consent of the municipality.
7. If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.
8. Any person operating an All Terrain Vehicle in contravention of this By-law shall be guilty of an offence and subject to the penalties provided by law.
9. This By-law shall come into force and take effect upon final passage thereof.

Schedule “A”

The following highways and portions of highways are highways under the jurisdiction of The Corporation of the Township of Seguin where All-Terrain Vehicles are permitted to travel in accordance with the regulations as set out in By-law No. 2006-082.

Allan Crescent from the westerly entrance of Hwy. 141 to The Heron
Alexandria Crescent
Alves Lane
Black Road
Blackstone/Crane Lake Road
Blackwater Road
Blue Lake Road
Bon Echo Road
Bradley Road
Brooks Road
Cardwell Road
Cargill Drive
Carters Landing
Chain of Lakes Road
Channelview Road
Clear Lake Road
Duck Lake Road
Emerson White Drive
Forest Glen Road
Glenn Burney Road
Hamer Bay Road
Hart Road
Hideaway Road
Horseshoe Lake Road
Humphrey Drive from Hwy. 141 to the Humphrey Community Centre
Hunter Drive
Isabella Lake Road
James Bay Junction
Kellington Point Road
Lady Slipper Drive
Lakeview Drive
Little Beaver Boulevard
Lower Fry’s Road
Loucks Road
Maple Cove Road
Maple Lake Estates Road
McCans Road
McCauley Road
Nipissing Road
Nipissing Road East
Nipissing Road West
North Sandy Plains Road
Oak Street
Oastler Park Drive
Otter Lake Road
Point Road
Rankin Lake Road
Rose Point Road
Rosseau Road
Salmon Lake Road
Sandy Plains Road
Shady Lane
Shoebottom Road
South Seguin Estates Road

Sparrow Road
Spring Lane
Star Lake Road
Sugar Lake Road
Sunnyshores Estates Road
Tally-Ho Swords Road
Turtle Lake Road
White Pine Road