

The Corporation of the Township Of Matachewan

By-law 2015-14

Being a by-law to Amend By-law 2004-03, by adding definitions for two-up riders (2up), side-by-sides (UTVs) to the regulations for the use of All-Terrain Vehicles (ATVs) within the boundaries of The Corporation of the Township of Matachewan.

WHEREAS the Highway Traffic Act RSO 1990 S. 3, C. H. 8, as amended, provides that the Council of a municipality may pass by-laws permitting the operation of an ATV within the municipality that is under the jurisdiction of the municipality or on any part or parts of such highways;

AND WHEREAS the Council of the Corporation of the Township of Matachewan has previously deemed it in the best public interest to regulate and govern the operation of ATVs within the municipality;

AND WHEREAS the Council of the Corporation of the Township of Matachewan deems it necessary and expedient to add the definition of two-up rider (2up) ATVs and side-by-side UTVs for the purposes of the enforcement of O. Reg. 316/03, updated to O. Reg. 135/15 in the areas in which the municipality has jurisdiction.

NOW THEREFORE the Council of the Corporation of the Township of Matachewan enacts as follows:

1. "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 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;

“off-road vehicle” has the same meaning as in the *Off-Road Vehicles Act*;

“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 centimeters;

“seat belt assembly” means a device or assembly composed of a strap or straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person.

2. That wherever the word all-terrain vehicle is used, the words multi-purpose off-highway utility vehicle, off-road vehicle and/or recreational off-highway vehicle may be included.
3. That wherever such a substitution is made as in (2) above, a seat belt assembly must be worn in addition to a helmet.
4. That the remainder of By-law 2004-03 shall remain intact.
5. Subject to (4) above, all previous by-laws and/or resolutions, or parts thereof, contrary hereto or inconsistent herewith, be and the same are hereby repealed.
6. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ a first and second and third time, and finally enacted and passed in open Council this 24th day of August 2015. Signed, sealed and numbered 2015-14


Cheryl Drummond
Reeve


Andrew Van Oosten
CAO-Clerk-Treasurer