

BY-LAW 2015/55

**BEING A BY-LAW TO AMEND BY-LAW 2011/64, BEING A BY-LAW
TO REGULATE THE USE OF OFF-ROAD VEHICLES (ORV & ATV & UTV)**

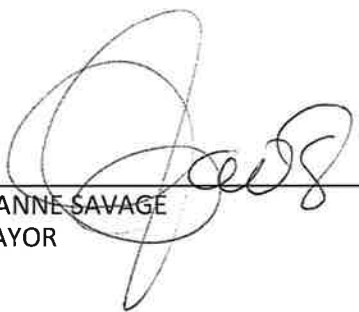
WHEREAS the Highway Traffic Act, R.S.O. 1990, Section 191.8, Subsection (3), Chapter H.8, as amended, provides that the Council of a municipality may pass by-laws permitting the operation of off-road vehicles (ATV and ORV and UTV).

AND WHEREAS the Council deems it expedient to update the municipal by-law to conform with the new Ministry of Transportation standards;


NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. **THAT** the following definitions under Part 1 be replaced by the following or added as identified:
 - 1.1 **"ALL TERRAIN VEHICLE"** means an off-road vehicle :
 - (i) has four wheels, all having contact with the ground,
 - (ii) has a steering handlebars,
 - (iii) has a seat that is designed to be straddled by the driver
 - (iv) has two-up seating for one passenger with required passenger footrests
 - 1.5 **"OFF-ROAD VEHICLE"** means an off-road vehicle that :
 - (i) has four or more wheels, all having contact with the ground,
 - (ii) has a steering wheel or handlebars
 - (iii) has seats that are not designed to be straddled, including side-by-side seating,
 - (iv) has a roll-over protective structure ,
 - (v) has a seat belt for each seating position
 - 1.10 **"UTILITY TERRAIN VEHICLE"** means an off-road vehicle that :
 - (i) has four or more wheels, all having contact with the ground,
 - (ii) has a steering wheel,
 - (iii) has seats that are not designed to be straddled, including side-by-side seating,
 - (iv) has a roll-over protective structure ,
 - (v) has a seat belt for each seating position
 - (vi) has a cargo box
2. **THAT** Item 2.1 shall be repealed and replaced with the following:
 - 2.1 Off-road vehicles may be driven on all highways within the Municipality of West Nipissing save and except those specified in Section 2.2 herein; only if, in addition to meeting the requirements of this by-law and Part III of Ontario Regulation 316-03;
3. **THAT** Item 2.2 shall be amended to add the following prohibited street :
 - 2.2 (e) Holditch Street, commencing at Front Street to John Street
4. **THAT** Item 2.7 shall be added and form part of this by-law:
 - 2.7 Riders of all ages are required to wear an approved helmet, securely fastened under the chin and wear a seat belt or use foot rests, when applicable.
5. **THAT** Item 2.8 shall be added and form part of this by-law:
 - 2.8 Drivers operating an off-road vehicle along a road or highway must be at least 16 years of age, hold a valid G2 or M2 driver's license, and the off-road vehicle must be registered and insured.
6. **THAT** this By-Law shall come into force and take effect on the date it is passed.

ENACTED AND PASSED THIS 14th DAY OF JULY, 2015 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.



JOANNE SAVAGE
MAYOR



MELANIE DUCHARME
CLERK