



THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NUMBER NO. 44 - 2020

A BY-LAW TO PROHIBIT THE OPERATION OF OFF-ROAD VEHICLES ON HIGHWAYS UNDER THE JURISDICTION OF THE TOWNSHIP OF MULMUR.

WHEREAS the Municipal Act, S.O. 201 1, Chapter 25, Section 1 1(3), provides that a municipality may pass By-laws with respect to municipally owned highways, including parking and traffic on such highways;

AND WHEREAS the Highway Traffic Act R.S.O. 1990, Chapter H.8, Section 191.8(1), provides that no person shall drive an off-road vehicle on a highway except in accordance with the Highway Traffic Act regulations and any applicable Municipal By-law;

AND WHEREAS the Off-Road Vehicles Act R.S.O. 1990, c. O.4, provides exceptions, including but not limited to, if the off-road vehicle is designed to travel on more than two wheels and the driver is, a farmer using the vehicle for agricultural purposes;

AND WHEREAS the Highway Traffic Act R.S.O. 1990, Chapter H.8, Section 191.8(3), provides that a municipality may pass By-laws permitting or prohibiting certain off-road vehicles on highways under the jurisdiction of the municipality and providing speed limits for such vehicles;

AND WHEREAS Section 429 of *the Municipal Act*, S. O. 2001, c.25 as amended, permits a municipality to establish a system of fines for offences under a by-law passed under *the Municipal Act*.

NOW THEREFORE the Council of the Corporation of the Township of Mulmur, enacts as follows:

1. The definition of all types of off-road vehicles shall be as defined in the Highway Traffic Act R.S.O. 1990, as amended (the HTA), and its regulations, including the defined vehicles listed in Ontario Regulation 316/03, as amended, and in the ORT-Road Vehicles Act, R.S.O. 1990, Chapter O.4, as amended (the OVA).


2. No person shall operate any type of off-road vehicle upon any Highways under the jurisdiction of the Township of Mulmur, unless listed as an exception within the provisions of the Highway Traffic Act R.S.O 1990, as amended and/or the ORT-Road Vehicles Act, R.S.O. 1990, Chapter O.4, as amended and any regulations to these acts.
3. No person shall operate any type of off-road vehicle in any park, playground, cemetery, sidewalk, unopened road (maintained or not maintained) or any other land owned by the Township of Mulmur.
4. The following are exempt from this by-law, and shall not constitute a contravention of this by-law:
 - a) An Authorized Vehicle, including a vehicle registered to a municipal corporation, a registered utility, emergency services or the Ontario Provincial Police while performing work on behalf of a municipal corporation within the Town, or while responding to an emergency.
5. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction, is liable to a fine as provided for under the Highway Traffic Act R.S.O 1990, as amended and/or the ORT-Road Vehicles Act, R.S.O. 1990, Chapter O.4, as amended, and/or the Provincial Offences Act
6. This by-law shall be known as the Off-Road Vehicle By-law.
7. This by-law shall be read with all changes in gender and number, as may be appropriate.
8. Any part of this by-law found to be illegal shall be severed from the balance of the by- law.

BY-LAW READ A FIRST AND SECOND TIME THIS 9 DAY OF Dec 2020.

BY-LAW READ A THIRD TIME AND ENACTED THIS 9 DAY OF Dec 2020.



Janet Horner, Mayor



Tracey Atkinson, Acting Clerk