

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU  
By-Law 2005-17  
Being a by-law of the Corporation of the  
Township of Chapleau to regulate All Terrain Vehicles.

**WHEREAS** Section 11.(1)1 of the *Municipal Act, 2001*, provides that a Municipality may pass by-laws with respect to highways, including parking and traffic on highways;

**AND WHEREAS** Section 27 of the *Municipal Act, 2001*, provides that a Municipality may pass by-laws with respect to highways over which it has jurisdiction;

**AND WHEREAS** Subsection 191.8(3) of the *Highway Traffic Act R.S.O. 1990 c.H.3* enables municipal Councils to pass by-laws relating to the operation of Off-Road Vehicles on certain highways within the Municipality under the jurisdiction of the Municipality;

**AND WHEREAS** the Council of the Corporation of the Township of Chapleau deems it necessary and expedient to pass a by-law to regulate the operation of all terrain vehicles on its highways;

**NOW THEREFORE** the Council of The Corporation of the Township of Chapleau **ENACTS AS FOLLOWS:**

**1. Definitions:**

In this by-law:

- 1.1 “Boulevard” means part of a street line between the roadway and sidewalk or, where no sidewalk has been laid, that part between the roadway and the highway boundary;
- 1.2 “Township” means the geographical area occupied by The Corporation of the Township of Chapleau;
- 1.3 “Highway” includes a common and public highway, street, avenue, parkway, driveway, laneway, square, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles, and the area between the lateral property lines thereof;
- 1.4 “All Terrain Vehicle” means an off road vehicle that,
  - a) has four wheels, the tires of all of which are in contact with the ground,
  - b) has steering handle bars,
  - c) has a seat that is designed to be straddled by the driver, and
  - d) is designed to carry a driver only and no passengers.
- 1.5 “Park” means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in the loading or unloading of passengers;
- 1.6 “Sidewalk” means the traveled portion of a highway intended for the use of pedestrians.

**2. Times of Operations**

- 2.1 No person shall operate an all terrain vehicle on or across a highway or part thereof between the hours of 12:00 midnight on one day and 6 am on the following day.

**3. Parking and Operation of All Terrain Vehicles on Sidewalk**

- 3.1 No person shall operate an all terrain vehicle on or across a sidewalk or boulevard.

3.2 No person shall park an all terrain vehicle on a sidewalk.

**4. Operation of All Terrain Vehicles on Highways**

4.1 A person may operate an all terrain vehicle on any highway within the Township of Chapleau.

4.2 No person shall operate an all terrain vehicle on any highway in excess of 20 kilometers per hour.

**5. Prohibited Operation of All Terrain Vehicles**

All terrain Vehicles are prohibited in the following areas:

- (1) All ball fields;
- (2) All track and field facilities owned or used in joint agreement with other agencies;
- (3) All cemeteries, parks and playgrounds;
- (4) All waterfront areas;
- (5) All Chapleau Recreation Centre ground.

**6. Penalty**

Any person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine as provided under the *Provincial Offences Act*.

**7. Short Title**

7.1 This by-law shall be known as the “All Terrain Vehicle By-law”.

**8. Repeal**

That By-law 2005-13 be and is hereby repealed in its entirety.

9. That this by-law shall come into full force and effect on the 6<sup>th</sup> day of June, 2005.

Read a First, Second and Third time and finally passed this 6th day of June, 2005.

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Mayor

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CAO

