

**THE CORPORATION TOWN OF MATTAWA**

COMMITTEE: BY-LAW DEPARTMENT

CHAIRPERSON: COUNCILLOR G. LAROSE

DEPT. HEAD: WAYNE CHAPUT

TITLE: OPERATION OF OFF-ROAD VEHICLES WITHIN THE MUNICIPALITY

Draft By-Law       Item       Policy Recommendation

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**Mayor D. Backer and Members of Council:**

The legislation for the operation of off-road vehicles under the Highway Traffic Act has been amended, effective July 1, 2015 to permit the use of 2 up ATV riding and UTV (side by side) use on roadways.

In 2003 the municipality adopted By-law 03-17 to permit the operation of off-road vehicles with four or more wheels on any street within the municipality at a speed not to exceed 20kph.

Staff submitted a report with information to these changes which was discussed at the Committee of the Whole meeting June 15, 2015. Council was unanimous in directing staff to prepare a By-law to reflect the updates to the Highway Traffic Act legislation.

For these reasons, the following is recommended:

**Recommendation:**

That the Town of Mattawa approves By-law 15-26 to permit the operation of off-road vehicles on any street within the municipality that is under the jurisdiction of the municipality at a speed not to exceed 20kph effective July 1, 2015.

Respectfully submitted

Councillor G. Larose

**THE CORPORATION OF THE TOWN OF MATTAWA  
BY-LAW 15-26**

**BEING A BY-LAW TO PERMIT THE OPERATION OF OFF-ROAD VEHICLES  
ON ANY HIGHWAY WITHIN THE MUNICIPALITY THAT IS  
UNDER THE JURISDICTION OF THE MUNICIPALITY**

**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 on any highway within the municipality that is under the jurisdiction of the municipality, or on any part of such highway;

**AND WHEREAS** the Council of the Corporation of the Town of Mattawa deems it desirable to enact such a By-Law;

**NOW THEREFORE** the Council of the Corporation of the Town of Mattawa enacts as follows:

**1. Definitions**

**“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 Vehicle Act*. O. Reg. 316/03, s. 1.

**“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 centimetres;

**“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. General Provisions**

- 2.1 That the operation of off-road vehicles, meaning, an all-terrain vehicle, a multi-purpose off-highway utility vehicle or a recreational off-highway vehicle shall be permitted on any street within the Town of Mattawa under the jurisdiction of the Town of Mattawa in accordance with O. Reg 316/03 of the Highway Traffic Act and any amendments thereto.
- 2.2 That the maximum speed limit within the Town of Mattawa for off-road vehicles shall be 20km per hour.

**3. Repeals**

- 3.1 That By-Law No. 03-17 is hereby repealed effective July 1, 2015.

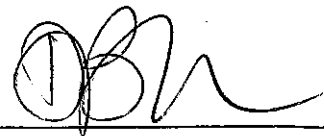
**4. Penalties**

- 4.1 The penalties provided under the Highway Traffic Act shall apply to offenses with respect to this By-Law.

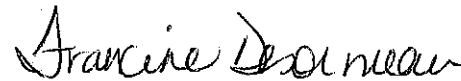
**5. THAT** this By-law shall come into force and take effect as of July 1, 2015 in accordance with the Highway Traffic Act R.S.O., 1990, Section 191.8, Subsection (3), Chapter H.8, as amended

READ A FIRST and SECOND time, this 22<sup>nd</sup> day of June, 2015.

READ A THIRD time and FINALLY PASSED this 22<sup>nd</sup> day of June, 2015.



Mayor



Clerk