

**The Corporation of the Township
Douro-Dummer**

By-Law 2010 -

**Being a By-Law to regulate the operation of All-Terrain Vehicles on
Municipal Highways in the Township of Douro-Dummer**

WHEREAS the Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3) provides that a Council of a municipality may pass by-laws: permitting the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway within the municipality that is under the jurisdiction of the municipality, or on any parts of such highway; to prescribe a lower rate of speed for off-road vehicles with three or more wheels and low pressure bearing tires than that prescribed for off-road vehicles by regulation on any highway within the municipality that is under its jurisdiction; and where Subsection (4) provides that by-laws may regulate times of operation on any highway or parts of highway only during specified months or hours;

AND WHEREAS the Council of the Corporation of the Township of Douro-Dummer deems it desirable to enact such a By-law for all-terrain vehicles (ATV's) as defined in Section 1 of Ontario Regulation 316/03 as 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 a driver only and no passengers;

AND WHEREAS the purpose of the by-law is to provide access to link ATV riders to trails, from trail to trail, and from trail to economic services including food, fuel, supplies and service;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Douro-Dummer hereby enacts as follows:

1. That ATVs shall be permitted on highways (streets) as defined in the Highway Traffic Act R.S.O. 1990, Chapter H.8, and unopened road allowances which are described in Schedule "A" attached hereto and forming part of this by-law.

2. That the ATV shall not be driven at a rate of speed greater than;
 - a) 20 km/hr if the speed established under the Highway Traffic Act or by municipal by-law for that part of the highway is not greater than 60 km/hr; or
 - b) 50 km/hr if the speed limit established under the Highway Traffic Act or by municipal by-law for that part of the highway is greater than 60 km/hr.
3. That an ATV shall not be operated on highways and unopened road allowances unless it meets the equipment requirements of Section 7-15 of Ontario Regulation 316/03 and it is operated in accordance with Sections 16-24 of the regulation.
4. That an ATV shall not be permitted to travel on a municipal highway or unopened road allowance if the exhaust system has been altered over the manufacturer's recommended decibel level.
5. That ATVs do not travel on municipal highways or unopened road allowances between 9:00 p.m. and 8:00 a.m.
6. That any person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction, where a fine for the contravention is not otherwise provided under the Highway Traffic Act, is liable to a fine under the Provincial Offences Act.
7. No person shall operate an all-terrain vehicle over and upon any municipal owned or municipal maintained land used as parks, playgrounds or for utility purposes, save and except for a designated portion of the parking lot at the Dummer (Warsaw) Community Centre that can be used for the loading and off loading of all terrain vehicles and temporary (no overnight) parking of trailers and vehicles.
8. Helmets are required on all municipal highways and unopened road allowances along with a valid driver's licence and insurance.
9. Travel must be in the same direction as traffic and ATVs must travel on the shoulder of the road, but may travel on the road only if the shoulder is unsafe.
10. This by-law does not apply to police, fire, ambulance, search and rescue or other emergency vehicles.

11. That this by-law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Township of Douro-Dummer. This by-law will have effect for one (1) year from the date of passage unless rescinded at an earlier date by the Council of the Township of Douro-Dummer.

Passed in open Council this _____ day of _____, 2010.

Reeve J. Murray Jones

Clerk Linda G. Moher

Schedule "A"

As per Section "1" of the by-law, all-terrain vehicles shall be permitted on the following sections of municipal highways and unopened road allowances:

Beginning at Highway 28- east on Strickland Road to Douro Fifth Line, north on Douro Fifth Line to Lynch's Rock Road, east on Lynch's Rock Road to Cedar Cross Road, east on Cedar Cross Road to Payne Line Road, south on Payne Line Road to County Road 4, east on County Road 4 to Ford Street, east on Ford Street to Rock Road, north east on Rock Road to Douglas Road, east on Douglas Road to Fourth Line Road Dummer South, south on Fourth Line Road Dummer South to Centre Dummer Road, east on Centre Dummer Road to 8th Line Dummer Road allowance, south on 8th Line Dummer Road allowance to Webster Road, east on Webster Road to County Road 40, north on County Road 40 to Mill Line Road, east on Mill Line Road to Eleventh Line Road Mid Dummer, north on Eleventh Line Road Mid Dummer to Hannon Road, east on Hannon Road to Twelfth Line Road Dummer, south on Twelfth Line Road Dummer to Simpson Road, east on Simpson Road to connect to the trails in Havelock Belmont Methuen and the EOTA trails to the east.

In addition we would also designate Water Street in Warsaw from Ford Street to County Road 4, and the Twelfth Line Road Dummer north from Hannon Road as part of the trail system.

County roads are under the jurisdiction of the County of Peterborough and **are not included in this by-law.**