

**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 **THAT** Item 2.1 shall be repealed and replaced with the following: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:

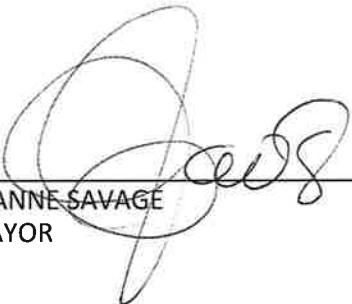
2.7 Riders of all ages are required to wear an approved helmet, securely fastened under the chin and wear a seat belt or use foot rests, when applicable.

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 14<sup>th</sup> DAY OF JULY, 2015 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.**



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JOANNE SAVAGE  
MAYOR



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MELANIE DUCHARME  
CLERK