

**The Corporation of the Township of Wollaston  
By-Law 31-15**

Being a By-Law to regulate the operation of off-road vehicles on Municipal  
Highways within the Township of Wollaston.

**WHEREAS** Section 191.8 (3) of the Highway Traffic Act, as amended, provides that the Council of a Municipality may pass by-laws permitting the operation of off-road vehicles with three or more wheels on any highway within the municipality;

**AND WHEREAS** the Council of Wollaston Township has deemed it appropriate to enact a by-law to permit Multi-Purpose Off-Highway Utility Vehicles; Recreational Off-Highway Vehicles, All-Terrain Vehicles and Off-Road Vehicles on highways under the jurisdiction of the Municipality (subject to the terms and provisions of this By-Law);

**NOW THEREFORE** The Council of the Township of Wollaston enacts as follows:

**I. DEFINITIONS**

In this By-Law:

“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;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“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 Vehicles Act*.

“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.

**II. REGULATION OF MULTI-PURPOSE, RECREATIONAL AND ALL-TERRAIN OFF-ROAD VEHICLES ON HIGHWAYS**

1. A Multi-Purpose, Recreational, All-Terrain or Off-Road Vehicle shall not be permitted on any highway unless:

- (a) The vehicle meets the equipment requirements of Section 7 to 15 of Ontario Regulation 316/03 as amended;

- (b) The vehicle is operated under the permits, insurance and licence required by Section 16 to 18 of Ontario Regulation 316/03 as amended;
  - (c) The driver of the vehicle is wearing a helmet and seatbelts that comply with Section 19 of Ontario Regulation 316/03 as amended;
  - (d) The vehicle is driven and operated in accordance with Section 20 to 24 of Ontario Regulation 316/03 as amended.
2. No Multi-Purpose, Recreational, All-Terrain or Off-Road Vehicle shall be driven on a highway at a rate of speed greater than:
- (a) 20 kilometres per hour, if the speed limit established under the Act for that part of the highway is not greater than 50 kilometers per hour; or
  - (b) 50 kilometres per our, if the speed limit established under the Act for the part of the highway is greater than 50 kilometres per hour

### **III. GENERAL**

1. Operation of Off-Road Vehicles shall be permitted by By-Law upon the Highways in the Township of Wollaston and in accordance with Ontario Regulation 316/03 of The Highway Traffic Act and The Off-Roads Vehicle Act, as amended.

### **IV. PENALTY**

1. Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R. S. O. 1990 c.P.33 as amended.

### **V. EFFECTIVE**

1. This by-Law shall come into force and take effect on the day of tis passing and shall remain in effect until otherwise amended or repealed.
2. That this By-laws repeals all previous By-Laws and / or Motions of Council pertaining to same.

**PASSED** this the 14<sup>th</sup> day of July, 2015

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Graham Blair, Reeve

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Jennifer Cohen, Clerk