

COUNTY OF HALIBURTON

BY-LAW NO 3709

BEING A BY-LAW TO PERMIT ALL-TERRAIN, MULTI-PURPOSE OFF-HIGHWAY UTILITY AND RECREATIONAL OFF-HIGHWAY VEHICLES (OFF-ROAD VEHICLES) ON THE SHOULDER OF CERTAIN COUNTY ROADS

WHEREAS, Section 8 of the Municipal Act, 2001 S.O. 2001 as amended, empowers a municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND 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 or parts of such highways and which by-laws may prescribe a lower rate of speed for off-road vehicles by regulation on any highway within the municipality that is under its jurisdiction, or any part or parts of such highway;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE COUNTY OF HALIBURTON ENACTS 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.

"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.

"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 straddle, and
- (d) has an engine displacement equal to or less than 1,000 cubic centimeters.

"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.

"Off-Road Vehicle" means an off-road vehicle within the meaning of the *Off-Road Vehicle Act* R.R.O. 1990 Regulation 863.

"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 OFF-HIGHWAY VEHICLES ON HIGHWAYS:

1. All terrain vehicles, off-road vehicles, multi-purpose off-highway utility vehicles and recreational off-highway vehicles shall be permitted on County roads within the County of Haliburton and in accordance with Ontario regulation 316/03 of the Highway Traffic Act and the provisions of the Off-Roads Vehicle Act, as amended, as specified in the attached Schedule A.
2. An off-highway vehicle shall not be operated on highways unless it meets the equipment requirements of Section 7 to 15 of O. Reg. 316/03 and it is operated in accordance with Sections 16 to 24 of O. Reg. 316/03.
3. The off-highway vehicle shall not be driven at a rate of speed greater than:
 - a) 20 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-law for that part of the highway is not greater than 50 kilometres per hour, or
 - b) 50 kilometres per hour, if the speed limit established under the Highway Traffic Act or by Municipal By-law for that part of the highway is greater than 50 kilometres per hour.

EFFECTIVE DATE

1. This By-Law shall become effective on the date of enactment.
2. By-Law No. 3241 shall be rescinded with the passing of this bylaw.

READ a first and second time this 26th day of August, 2015.

READ a third time and finally passed this 26th day of August, 2015.

Murray Fearrey, Warden

Michael Rutter, CAO/County Clerk

SCHEDULE A - BY-LAW NO. 3709
OPERATION OF OFF ROAD VEHICLES ON COUNTY ROADS

ROAD NO ROAD NAME	STARTING POINT	ENDING POINT	LENGTH OF SECTION (KM)	MUNICIPALITY
COUNTY ROAD NO. 1 Gelert Road	County Road No. 121	County Road No. 21	31.9	Minden Hills and Dysart et al
COUNTY ROAD NO. 2 Deep Bay Road	Highway No. 35	Bobcaygeon Road	19.0	Minden Hills
COUNTY ROAD NO. 3 Glamorgan Road	County Road No. 503	Highway No. 118	16.8	Highlands East and Dysart et al
COUNTY ROAD NO. 4 Essonville Line	Highway No. 118	County Road No. 648	8.8	Highlands East
COUNTY ROAD NO. 5 South Baptiste Lake Road	County Road No. 648	Haliburton/Hastings Boundary	3.1	Highlands East
COUNTY ROAD NO. 6 Eagle Lake Road	County Road No. 7	County Road No. 14	8.2	Dysart et al
COUNTY ROAD NO. 7 Kennisis Lake Road	Highway No. 118	Start of Municipal Road Section-East of Wilkinson Road	18.6	Dysart et al
COUNTY ROAD NO. 8 Kawagama Lake Road	Highway No. 35	Geographic Boundary That Separates Sherborne and Havelock Townships	17.9	Algonquin Highlands
COUNTY ROAD NO. 9 McGillvray Road	Highway No. 28	Inlet Bay Road	6.1	Highlands East
COUNTY ROAD NO. 9 Monck Road	Highway No. 118	Sprucedale Street-Cardiff Townsite	0.4	Highlands East
COUNTY ROAD NO. 9 Inlet Bay Road	McGillvray Road	Highway No. 118	0.5	Highlands East
COUNTY ROAD NO. 10 Elephant Lake Road	County Road No. 648	Geographic Boundary That Separates Harcourt Township and Herschel Township	17.3	Dysart et al
COUNTY ROAD NO. 11 Kushog Lake Road	Highway No. 118	Highway No. 35	12.8	Algonquin Highlands
COUNTY ROAD NO. 12 Livingstone Lake Road	County Road No. 8	Crown Lake Road	29.4	Algonquin Highlands

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ROAD NO. ROAD NAME	STARTING POINT	ENDING POINT	LENGTH OF SECTION (Km)	MUNICIPALITY
COUNTY ROAD NO. 13 Little Hawk Lake Road	Highway No. 35	Little Hawk Lake Road	5.1	Algonquin Highlands
COUNTY ROAD NO. 14 Haliburton Lake Road	Highway No. 118	County Road No. 19	21.0	Dysart et al
COUNTY ROAD NO. 15 Burleigh Road	County Road No. 648	Geographic Boundary-Harcourt/Dudley	13.5	Highlands East and Dysart et al
COUNTY ROAD NO. 16 South Lake Road	Highway No. 35	County Road No. 1	7.5	Minden Hills
COUNTY ROAD NO. 17 Ingoldsby Road	County Road No. 1	County Road No. 18	3.7	Minden Hills
COUNTY ROAD NO. 18 Kashagawigamog Lake Road	County Road No. 21	County Road No. 1	12.9	Minden Hills and Dysart et al
COUNTY ROAD NO. 19 Harburn Road	Highway No. 118	County Road No. 14 at Fort Irwin	20.8	Dysart et al
COUNTY ROAD NO. 20 Horseshoe Lake Road	Highway No. 35 (Southerly Junction)	Highway No. 35 (Northerly Junction)	9.5	Minden Hills
COUNTY ROAD NO. 21	Highway No. 35	County Road No. 1	22.1	Minden Hills and Dysart et al
COUNTY ROAD NO. 39 Main Street	District of Muskoka Road No. 117	Highway No. 35	1.8	Algonquin Highlands
COUNTY ROAD NO. 48 Dyno Road	At a point 4.8 km South of Highway 118	Highway No. 118	4.8	Highlands East
COUNTY ROAD NO. 121	Boundary Road	Highway No. 35	14.3	Minden Hills
COUNTY ROAD NO. 503	Kinmount Fairgrounds	Highway No. 118	35.7	Minden Hills and Highlands East

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ROAD NO. ROAD NAME	STARTING POINT	ENDING POINT	LENGTH OF SECTION (KM)	MUNICIPALITY
COUNTY ROAD NO. 507 Buckhorn Road	County Road No. 503	Geographic Boundary That Separates Peterborough County and Haliburton County	7.0	Highlands East
COUNTY ROAD NO. 648 Loop Road	Highway No. 118 (West Junction)	Highway No. 118 (Easterly Junction)	34.0	Highlands East