

**THE CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE  
BY-LAW NO. 2020-56**

Being a By-Law to regulate the operation of Off Road Vehicles  
on Municipal Roads and Property.

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**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 any part or parts of such highway;

**AND WHEREAS** the Municipal Act 2001, Section 8, the powers of natural person exercise of authority and Section 11(1) spheres of jurisdiction;

**AND WHEREAS** the operation and requirements for all terrain vehicles are defined in Ontario Regulation 316/03 as amended;

**AND WHEREAS** the Council of the Municipal Corporation of the Township of McNab/Braeside deems it in the best public interest to regulate, govern or prohibit the operation of Off Road Vehicles (**ORV's**) within the municipality;

**AND WHEREAS** the Council of the Municipal Corporation of the Township of McNab/Braeside recognizes that until a suitable trail system is developed some use of municipal roads must be accepted;

**AND WHEREAS** the Township of McNab/Braeside recognizes the potential safety, nuisance, noise and damage issues which may also be related to Off Road Vehicle use;

**AND WHEREAS** the Council of the Municipal Corporation of the Township of McNab/Braeside further deems it in the best interest of the public to prohibit and/or restrict the operation of Off Road Vehicles (**ORV's**) on portions of the highways and property under the jurisdiction of the municipality;

**AND WHEREAS** the Council of the Municipal Corporation of the Township of McNab/Braeside seeks to ensure that all interests are recognized without injury to any person, group or business;

**NOW THEREFORE** the Council of the Municipal Corporation of the Township of McNab/Braeside hereby enacts as follows:

1. Notwithstanding any other By-Law to the contrary, the operation of Off Road Vehicles shall be permitted on all municipal roads under the jurisdiction of the Township of McNab/Braeside.
2. All road sections where Off Road Vehicle use is not authorized are to be appropriately signed so that all users may be fully aware of such use.
3. All of the provisions of Ontario Regulation 316/03, as amended, Operation of Off Road Vehicles on Highways shall apply to this By-Law.
4. No person shall operate an Off Road Vehicle 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 kilometres per hour; or
  - (b) 50 kilometres per hour, if the speed limit established under the Act for that part of the highway is greater than 50 kilometres per hour. O. Reg. 316/03, s. 22.
5. No Unauthorized Off Road vehicles are permitted to be used on Township owned or leased property.

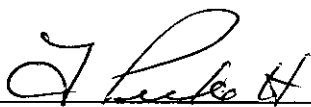
6. Any person who contravenes any section of this By-Law is guilty of an offence and upon conviction is liable for a fine as provided for in the Provincial Offences Act.
7. This By-Law may be reviewed as required and determined by Council.
8. This By-Law shall come into force and take effect upon the passing thereof.

**BE IT FURTHER ENACTED**, that all BY-LAWS, or parts thereof and all or any Resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

**READ** a first time this **6<sup>th</sup> day of October, 2020**.

**READ** a second time this **6<sup>th</sup> day of October, 2020**.

**READ** a third and final time and passed this **6<sup>th</sup> day of October, 2020**.

  
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MAYOR

  
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CAO/CLERK