

CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2021-08

**A BY-LAW TO REGULATE THE OPERATION OF OFF-ROAD VEHICLES ON
TOWNSHIP OF HORTON ROADS**

WHEREAS Section 191.8, subsection (3), the Highway Traffic Act, R.S.O. 1990, Ch. 8, as amended, provides that a municipality may pass by-laws:

- (a) Permitting the operation of off-road vehicles or classes 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 highway, subject to any limitations prescribed under clause (2.1) (b);
- (b) Prohibiting 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 highway, in accordance with a regulation under clause (2.1) (a)

THEREFORE the Council of the Township of Horton enacts as follows:

1. Definitions in this by-law:

“Highway” shall include a common and public highway, street, avenue, parkway and driveway, any part of which is intended for use or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“Off-Road Vehicle” shall mean an off-road vehicle within the meaning of the Off- Road Vehicles Act, O.Reg. 316/03, S.1., as amended.

2. Regulation of Off-Road Vehicles on Highways:

An Off-Road Vehicle shall not be operated on Highways unless it meets and is operated in accordance with the requirements of Ontario Regulation 316/03 – Operation of Off-Road Vehicles on Highways as amended by O. Reg. 135/15.

3. General:

Operation of Off-Road Vehicles shall be permitted on all Highways under the jurisdiction of the Corporation of the Township of Horton.

4. Penalties:

Any person who contravenes any section 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.

5. Validity:

If any section clause or provision of this By-Law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

6. THAT By-law 2016-35, being a By-law to Regulate the Operation of All-Terrain vehicles on Township of Horton roads is hereby repealed.

7. THAT this By-Law shall come into force and take effect upon the passing thereof.

READ a First and Second Time this 12th day of January 2021.

READ a Third Time and Passed this 12th day of January 2021.

MAYOR David M. Bennett

CAO/CLERK Hope Dillabough