

The Corporation of the City of Kawartha Lakes

By-Law 2022-

A By-law to Amend By-law 2019-077, being A By-law to Repeal and Replace By-law 2009-116 as amended, Being a By-law to Regulate the Operation of ATVs and ORVs on Municipal Highways in the City of Kawartha Lakes

Recitals

1. The Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.1, subsection (1) states that no person shall drive an off-road vehicle on a highway except in accordance with the regulations and any applicable municipal by-laws. 1999, c. 12, Sched. R, s. 17
2. The Highway Traffic Act, R.S.O. 1990, Chapter H.8, Section 191.8, subsection (3) provides that a Council of a municipality may pass by-laws permitting the operation of off-road vehicles with three or more wheels and low pressure bearing tires on any highway within the municipality that is under the jurisdiction of the municipality, or on any parts of such highway.
3. Ontario Regulation 316/03, Part 1, includes definitions for both All-Terrain Vehicle (ATV) and Multi-Purpose Off-Highway Utility Vehicle (UTV).
4. Council deems it is permissible to allow ATVs on certain roads in accordance with resolutions adopted at the October 19, 2021 and December 14, 2021 Regular Council Meetings which permit a two-year pilot to assess the use of ATVs on designated City Highways.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022- .

Section 1.00: Definitions and Interpretation

1.01 Definitions:

All defined terms in the amending By-law take their meaning from By-law 2019-077, as amended of the City of Kawartha Lakes.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Section 2.00: Amendment Details

2.01 **Amendment:** The following section be added to Section 1.00 of By-law 2019-077 directly after Section 1.04:

1.05 **Pilot Projects:** If City Council deems it appropriate to adopt temporary modifications to this by-law to validate the viability of a series of regulations, amendments may be made to this by-law by City Council and attached to this by-law as a Schedule. Where there is disagreement between the main body of this by-law, and a Schedule attached to this by-law, established as a Pilot Project, the regulations established in the Schedule(s) of this by-law shall take precedence and be enforceable. Pilot Projects attached as a Schedule to this by-law shall be time limited, and the regulations established therein shall expire by the expiry date listed on the Schedule.

2.02 **Amendment:** The following text is added to the end of By-law 2019-077 starting on a new page, and is to be known as Schedule B to By-law 2019-077:

Schedule B - Establish a Pilot Project for All Terrain Vehicle ("ATV") Use on Municipal Roads in the City of Kawartha Lakes

The following temporary regulations are established as a Pilot Project, and shall come into force on the date it is adopted by City Council and shall remain in effect until December 31, 2023.

Section A – Operations of ATVs

- (1) ATVs shall be operated in accordance with Section 2.00 of By-law 2019-077, as amended.
- (2) For the locations identified in Section B of this Schedule, and for the duration of this Pilot Project, no person shall operate an ATV on any highway between 9:30 pm and 7:00 am.
- (3) For the locations identified in Section B of this Schedule, and for the duration of this Pilot Project, no person shall operate an ATV on designated highways before May 1 or after November 30.

Section B – Pilot Project Locations

Outside of the times and dates identified in Section A of this Schedule, ATVs are permitted to operate in accordance with this By-law and in accordance with the requirements of the Highway Traffic Act on the following Highways:

- (1) Lindsay Victoria Rail Trail Link
 - a. Logie Street from the Victoria Rail Trail (VRT) trailhead to Riverview Road
 - b. St. David Street From Riverview Road to King Street
 - c. King Street from St. David Street to Lindsay Street North

- d. Lindsay Street North from King Street to Wellington Street
 - e. Wellington Street from Lindsay Street North to Victoria Avenue North
 - f. Victoria Avenue North from Wellington Street to Elgin Street
 - g. Elgin Street from Victoria Avenue North to Angeline Street North
 - h. Angeline Street North from Elgin Street to Thunderbridge Road
 - i. Thunderbridge Road from Angeline Street North to the Victoria Rail Trail Corridor.
- (2) Pontypool area
- a. Telecom Road from John Street to Porter Road
 - b. Porter Road from Telecom Road to the Victoria Rail Trail Corridor
- (3) Omemee area
- a. Sturgeon Road South from the boat launch to Highway 7
 - b. Sturgeon Road North from Highway 7 to Beaver Road
 - c. Beaver Road from Sturgeon Road North to Heights Road
 - d. Heights Road from Beaver Road to Mount Horeb Road
 - e. Mount Horeb Road from 100m East of Highway 35 to 100m West of Highway 7
 - f. Crosswind Road (all)
 - g. Hogsback Road from Mount Horeb Road to Ski Hill Road
- (4) Cameron area
- a. Ranchers Road from Kawartha Lakes Road 121 to Long Beach Road
 - b. Long Beach Road from Highway 35 to Kawartha Lakes Road 121, save and except the section of Long Beach Road from Ranchers Road to Manor Road (where Long Beach Road reaches the water)
- (5) Janetville area
- a. Golf Course Road from View Lake Road to St. Mary's Road
 - b. St. Mary's Road from Golf Course Road to Mount Horeb Road
 - c. Mount Horeb Road from 100m East of Highway 35 to 100m West of Highway 7
 - d. Janetville Road from Janetville to Golf Course Road
- (6) Lindsay area
- a. Thunder Bridge Road (all)
 - b. Kenrei Road (all)

Section 3.00: Administration, Enforcement and Effective Date

- 3.01 **Administration of the By-law:** The Director of Public Works is responsible for the administration of this by-law.
- 3.02 **Enforcement of the By-law:** This by-law may be enforced by every municipal law enforcement officer and police officer and enforced per Section 6.00 of By-law 2019-077, as amended.

3.03 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this [redacted] day of [redacted], 202[redacted].

Andy Letham, Mayor

Cathie Ritchie, City Clerk