

Corporation of the Town of Petawawa

Draft By-law XX/23

Being a By-law to Regulate and Govern the Operation of All-Terrain, Multi-Purpose and Recreational Off-Road Vehicles (ORVs) on Highways Under the Jurisdiction of the Corporation of the Town of Petawawa

Whereas Section 11 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes lower-tier municipalities to provide any service or thing that the municipality considers necessary or desirable for the public;

And Whereas Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws with respect to municipally owned roads, including parking and traffic on such highways;

And Whereas Section 191.8(1) of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, provides that no person shall drive an off-road vehicle on a highway except in accordance with the *Highway Traffic Act* regulations and any applicable Municipal By-law;

And Whereas Section 191.8(3) of the *Highway Traffic Act*, R.S.O. 1990. c. H.8, as amended, provides that a municipality may pass by-laws permitting certain off-road vehicles on highways under the jurisdiction of the municipality and providing speed limits for such vehicles;

And Whereas *Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways*, made under the *Highway Traffic Act*, R.S.O. 1990. c. H.8, as amended, defines an All-Terrain Vehicle and provides regulations governing the operation of All-Terrain Vehicles upon Highways;

And Whereas the operation of off-road vehicles on highways is a privilege and not a right;

And Whereas the Renfrew County ATV Club submitted a request to Council to permit off-road vehicles on municipally owned highways;

And Whereas Council of the Corporation of the Town of Petawawa is desirous of permitting some off-road vehicles access to certain roads under its municipal jurisdiction;

Now Therefore be it enacted by the Council of the Corporation of the Town of Petawawa as follows:

1. Short Title

1.1 This By-law may be cited as the “Off-Road Vehicle By-law” for the Corporation of the Town of Petawawa.

2. Definitions

2.1 For the purposes of this by-law, whenever the term “Off-Road Vehicle” or “ORV” is stipulated, it **shall** include any of the following:

2.1.1 “All-Terrain Vehicle” means an off-road vehicle that:

- a. has four wheels (no tracks), 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
 - has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
 - is equipped with foot rests for the passenger that are separate from the foot rests for the driver.

2.1.2 “Multi-Purpose Off-Highway Utility Vehicle” means an off-road vehicle that:

- a. has four or more wheels (no tracks), 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.

2.1.3 “Recreational Off-Highway Vehicle” means an off-road vehicle that:

- a. has four or more wheels (no tracks), 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.

2.2 For the purposes of this by-law, whenever the term “Off-Road Vehicle” or “ORV” is stipulated, it **shall not** include any of the following:

2.2.1 “Extreme Terrain Vehicle” means an off-road vehicle that:

- a. has six or eight wheels, the tires of which are all in contact with the ground;
 - b. has no tracks that are in contact with the ground;
 - c. has seats that are not designed to be straddled; and
 - d. has a minimum cargo capacity of 159 kilograms.
- 2.2.2 “Off-Road Motorcycle” means an off-road vehicle, designed primarily for recreational use, that:
- a. has steering handlebars;
 - b. has two wheels, the tires of which are all in contact with the ground;
 - c. has a minimum wheel rim diameter of 250 millimetres;
 - d. has a minimum wheelbase of 1,016 millimetres;
 - e. has a seat that is designed to be straddled by the driver;
 - f. is designed to carry a driver only and no passengers; and
 - g. does not have a sidecar.
- 2.3 “Boulevard” means that part of the highway situated between the curb line and the property line of the lot abutting the highway, but does not include a sidewalk or shoulder.
- 2.4 “Core Services” means accessing food, lodging, or fuel within the urban areas of the municipality.
- 2.5 “Highway” includes any open and maintained road allowance under the sole jurisdiction of the Corporation of the Town of Petawawa including a common and public Highway, street, road, avenue, or laneway, and includes the part which is actually used by the general public for the passage of vehicles and all of the area between the lateral property lines thereof.
- 2.6 “Municipality” shall mean the Corporation of the Town of Petawawa.
- 2.7 “Multi-Use Pathway” means a pathway separate from the roadway that accommodates multiple modes of transportation including walking, rolling, and cycling.
- 2.8 “Park” means all lands owned by the Corporation of the Town of Petawawa which have been set aside for public recreation, including parks, beaches, green space, sports fields, and playgrounds.
- 2.9 “Shoulder” means that part of a highway immediately adjacent to the roadway where there is no barrier curb, and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel.

2.10 “Sidewalk” means those parts of a highway set aside by the municipality for the use of pedestrians.

3. General Provisions

3.1 This by-law regulates and governs the operation of all-terrain, multi-purpose and recreational off-road vehicles (ORVs) on Highways under the jurisdiction of the Corporation of the Town of Petawawa.

3.2 This by-law does not provide authority for:

3.2.1 County of Renfrew Highways;

3.2.2 Private roads;

3.2.3 Garrison Petawawa roads, both north and south townsites; and

3.2.4 Provincial Highways.

3.3 Nothing in this by-law prevents enforcement under relevant Acts or Regulations including *Ontario Regulation 316/03 of the Highway Traffic Act*, as amended, and the *Off-Road Vehicles Act*, as amended.

3.4 No person shall operate an Extreme Terrain Vehicle on a Highway under the jurisdiction of the Corporation of the Town of Petawawa.

3.5 No person shall operate an Off-Road Motorcycle on a Highway under the jurisdiction of the Corporation of the Town of Petawawa.

3.6 No person shall operate an Off-Road Vehicle on a Highway unless it meets the equipment requirements of *Ontario Regulation 316/03*, as amended, and is operated in accordance with *Ontario Regulation 316/03*, as amended.

3.7 No person shall operate an Off-Road Vehicle on a Highway at a rate of speed greater than:

3.7.1 20 kilometres per hour, if the speed limit established for that part of the Highway is not greater than 50 kilometres per hour; or

3.7.2 50 kilometres per hour, if the speed limit established for that part of the Highway is greater than 50 kilometres per hour.

3.8 No person shall operate an Off-Road Vehicle on a Highway except on a designated route as described in Appendix “A” attached hereto.

3.9 No person shall operate an Off-Road Vehicle on a County of Renfrew Highway located within the municipal boundaries of the Town of Petawawa, except on a designated route as described in Appendix “B” attached hereto. Appendix “B” is only valid if the County of Renfrew adopts a corresponding by-law to allow Off-Road Vehicle access.

- 3.10 No person shall operate an Off-Road Vehicle on a Highway except between 7:00 a.m. and 11:00 p.m.
- 3.11 No person shall operate an Off-Road Vehicle on a Highway except from May 1 to November 30.
- 3.12 No person shall operate an Off-Road Vehicle:
 - 3.12.1 Over or upon any park, playground, or beach area under the jurisdiction of the municipality.
 - 3.12.2 Over or upon any sports field under the jurisdiction of the municipality.
 - 3.12.3 On any municipally owned public property in the municipality without the consent of the owner, save and except the designated parking area located at Norman Behnke Hall, 11 Norman Street, which shall be made available as an Off-Road Vehicle staging area to facilitate access to the Algonquin Trail.
 - 3.12.4 On any sidewalk, multi-use pathway, or boulevard within the municipality.
 - 3.12.5 With an exhaust system that has been changed or altered from the installed factory stock exhaust system. Modifications are not permitted.
- 3.13 No person shall leave an Off-Road Vehicle within the municipal road allowance.

4. Enforcement

- 4.1 Where applicable, the provisions of this By-law shall be enforced by a Police Officer, or a Municipal Law Enforcement Officer as appointed by Council.
- 4.2 That every person who contravenes any provision of this By-law is guilty of an offence and shall, upon conviction be subject to such fines as may be provided for pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended.
- 4.3 No person shall obstruct, hinder or otherwise interfere with a Police Officer, Municipal Law Enforcement Officer, or another duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this By-law.
- 4.4 Failure to stop when directed by a Police Officer or Municipal Law Enforcement Officer shall be an offence of obstruction.

5. Severability/Effective Date

- 5.1 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 the section, clause or provision so declared to be invalid, and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-law shall remain in force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.
- 5.2 That Appendix “A”, Town of Petawawa Designated Routes, attached hereto, is deemed to form part of this by-law.
- 5.3 That Appendix “B”, County of Renfrew Designated Routes, attached hereto, is deemed to form part of this by-law subject to the County of Renfrew adopting a corresponding by-law.
- 5.4 That it is hereby recognized that this By-law may be revoked and repealed at any time by Council of the Corporation of the Town of Petawawa.
- 5.5 This by-law shall come into force and effect upon the date of final passing thereof.

By-law read a first and second time this XX day of XX, 2023.

By-law read a third time and passed this XX day of XX, 2023.

Signature of the Mayor

Signature of the Clerk

Appendix “A” to By-law XX/23
Town of Petawawa Designated Routes

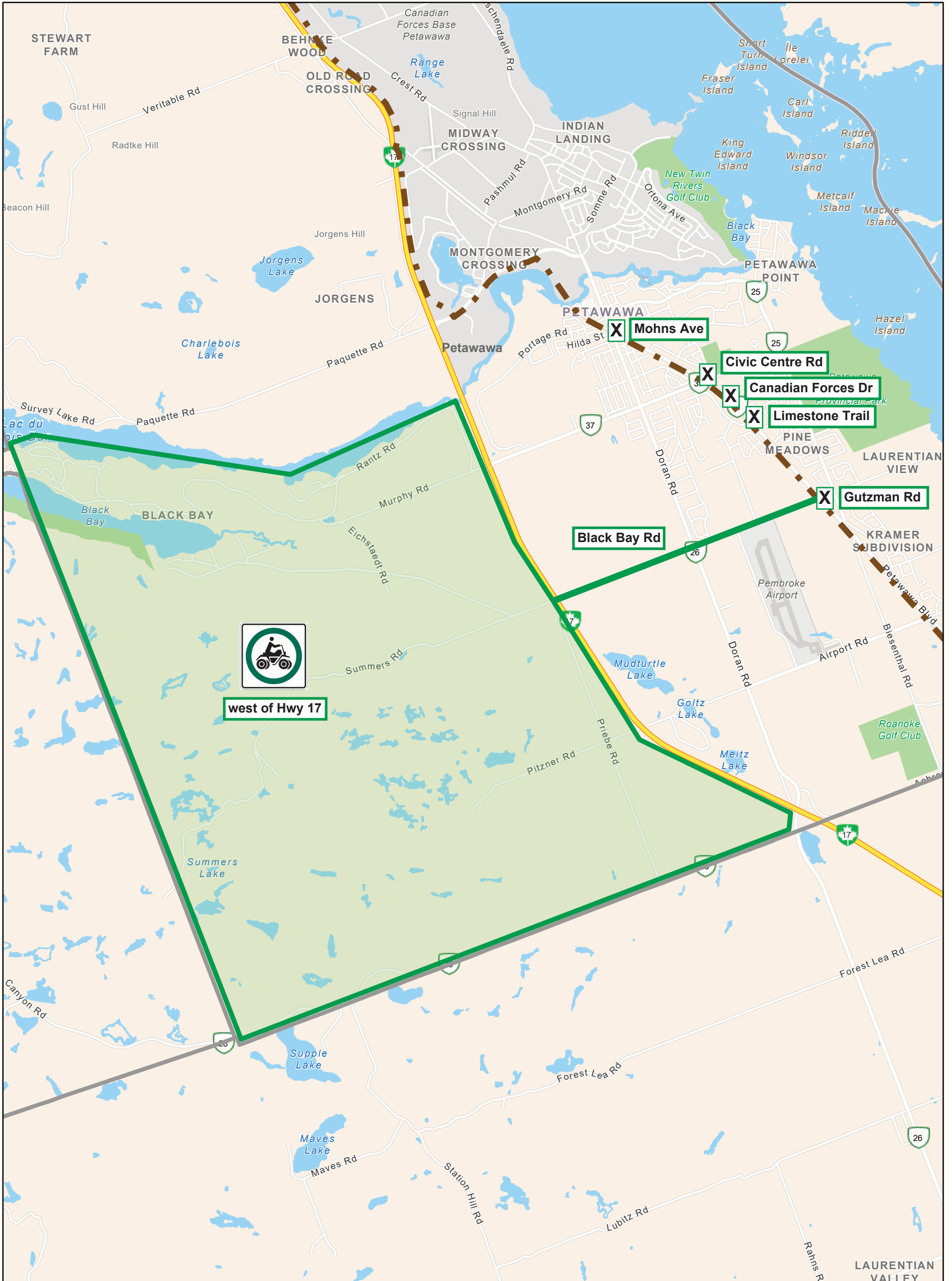
As per Section 3.4, below is a description and a map of the designated routes that Off-Road Vehicles are permitted to travel on within the Corporation of the Town of Petawawa:

- Black Bay Road, from Petawawa Boulevard westerly to Highway 17;
- Black Bay Road, from Highway 17 easterly to Petawawa Boulevard; and
- All Town of Petawawa municipal roads west of Highway 17.






ORVs may travel on the following portions of Town of Petawawa municipal roads to access core services:

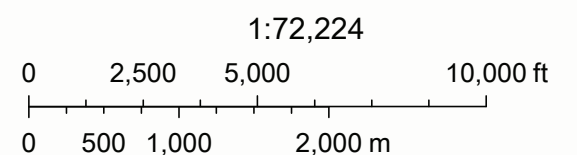
- Mohns Avenue, from Petawawa Boulevard north-easterly to the entrance to civic address 3389 Petawawa Boulevard;
- Mohns Avenue, directly across from the exit of civic address 3389 Petawawa Boulevard south-westerly to Petawawa Boulevard;
- Civic Centre Road, from Petawawa Boulevard north-easterly to the entrance to civic address 33 Civic Centre Road;
- Civic Centre Road, directly across from the exit of civic address 33 Civic Centre Road south-westerly to Petawawa Boulevard;
- Canadian Forces Drive, from the Algonquin Trail north-easterly to Petawawa Boulevard;
- Canadian Forces Drive, from Petawawa Boulevard south-westerly to the Algonquin Trail;
- Town Centre Boulevard, from the Algonquin Trail north-easterly to Petawawa Boulevard;
- Town Centre Boulevard, from Petawawa Boulevard south-westerly to the Algonquin Trail;
- Limestone Trail, from Petawawa Boulevard north-easterly to the entrance to civic address 2939 Petawawa Boulevard;
- Limestone Trail, directly across from the exit of civic address 2939 Petawawa Boulevard south-westerly to Petawawa Boulevard;
- Gutzman Road, from Petawawa Boulevard easterly to directly across from the entrance to civic address 2669 Petawawa Boulevard; and
- Gutzman Road, from the exit of 2669 Petawawa Boulevard westerly to Petawawa Boulevard.

Appendix A Map - Town of Petawawa Designated Routes



6/21/2023, 3:33:48 PM

-  Permitted Area (all Town roads)
-  Trails - Algonquin Trail (Ottawa Valley Recreational Trail)
-  Municipal Boundaries
-  Core Services Access
-  Permitted Route (Town roads)



Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, NRCan, Parks Canada

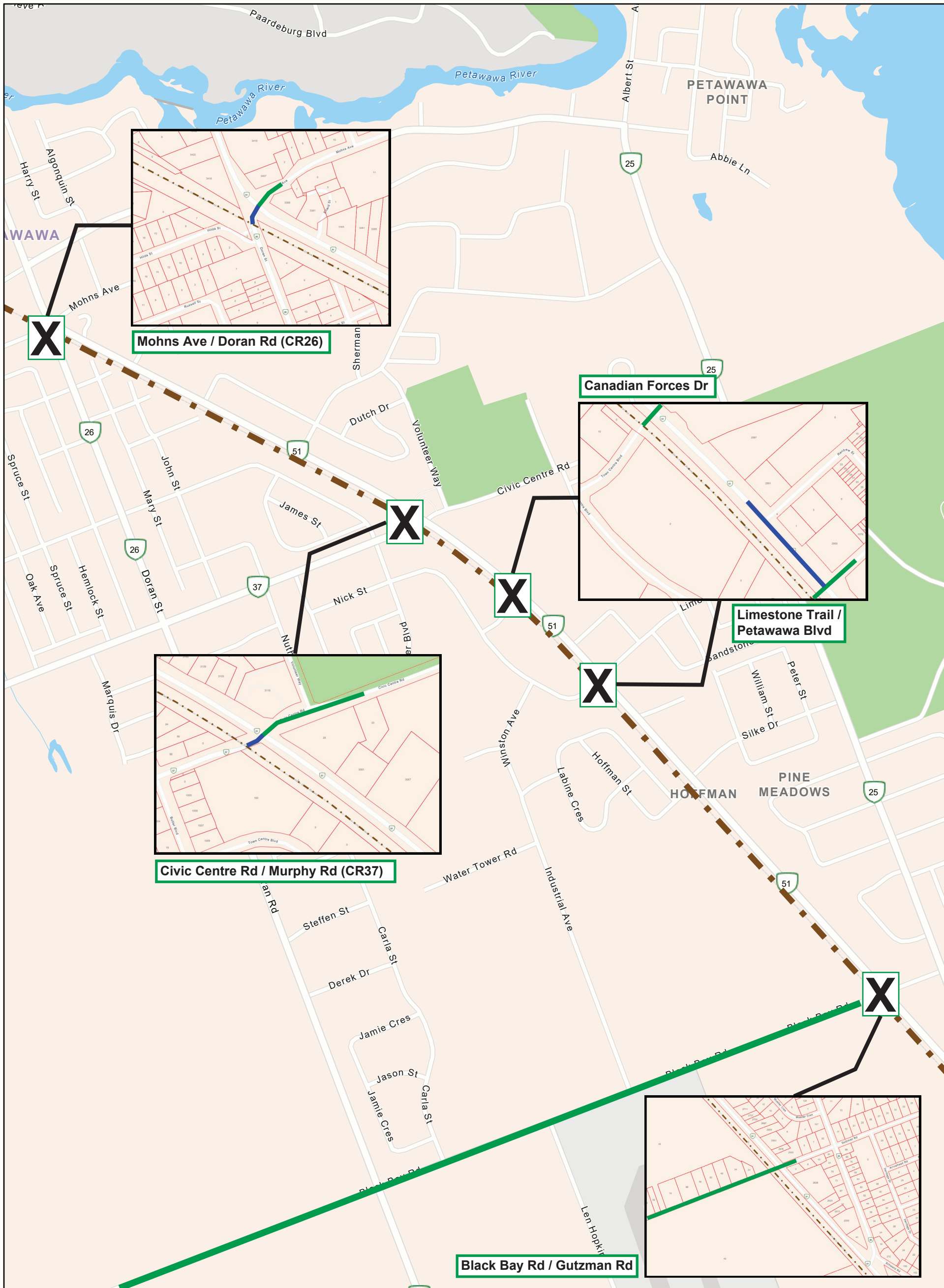
Appendix “B” to By-law XX/23
County of Renfrew Designated Routes

As per Section 3.5, below is a description and a map of the designated routes that Off-Road Vehicles are permitted to travel on County of Renfrew Highways located within the Corporation of the Town of Petawawa, subject to the County of Renfrew adopting a corresponding by-law:





- **ORVs may cross Petawawa Boulevard (CR-51) to access core services at the following five designated intersections:**
 1. Doran Road (CR-26)/Petawawa Boulevard (CR-51)/Mohns Avenue;
 2. Murphy Road (CR-37)/Petawawa Boulevard (CR-51)/Civic Centre Road;
 3. Canadian Forces Drive/Petawawa Boulevard (CR-51);
 4. Town Centre Boulevard/Petawawa Boulevard (CR-51)/Limestone Trail; and
 5. Black Bay Road/Petawawa Boulevard (CR-51)/Gutzman Road.

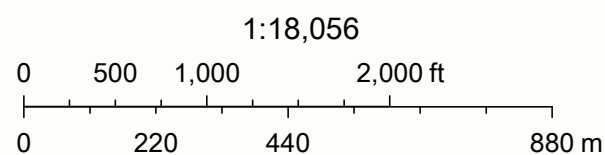
- **ORVs may travel on the following portions of County Roads to access core services:**
 1. Doran Road (CR-26) from the Algonquin Trail north to Petawawa Boulevard;
 2. Doran Road (CR-26) from Petawawa Boulevard south to the Algonquin Trail;
 3. Murphy Road (CR-37) from the Algonquin Trail north-east to Petawawa Boulevard;
 4. Murphy Road (CR-37) from Petawawa Boulevard south-west to the Algonquin Trail;
 5. Petawawa Boulevard (CR-51) from Limestone Trail north-west to 2991 Petawawa Boulevard; and
 6. Petawawa Boulevard (CR-51) from 2991 Petawawa Boulevard south-east to Limestone Trail.

Appendix B Map - County of Renfrew Designated Routes



6/22/2023, 8:58:47 AM

-  Trails - Algonquin Trail (Ottawa Valley Recreational Trail)
-  Core Services Access
-  Permitted Route (Town roads)
-  Permitted Route (County roads)



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada