

**BY-LAW NUMBER 65-2012  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

---

BEING a By-law to permit and control the operation of all terrain vehicles (ATVs) on certain highways and streets and property under the jurisdiction of The Corporation of the City of Stratford, during certain hours for certain special events.

---

**WHEREAS** Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Section 10.(1) of the *Municipal Act 2001* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, c.H.8 as amended, authorizes the Council of a municipality to pass by-laws,

- (a) permitting the operation of off-road vehicles with 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,
- (b) prescribing a lower rate of speed for all-terrain vehicles by regulation on any highway within the municipality that is under its jurisdiction, or any part or parts of such highway including different rates of speed for different highways or parts of highways;

**AND WHEREAS** section 48 of Schedule B of Ontario Regulation 316/03 of the *Highway Traffic Act*, the *Off-Road Vehicle Act* states that every highway or part of highway in a municipality on which an ATV is permitted to operate under the authority of a by-law made by the municipality under subsection 191.8(3) of the Act, but only during the months or hours specified in the By-law if the by-law limits the operation of an ATV on a highway or part of a highway within the municipality to certain months or hours;

**AND WHEREAS** Council of The Corporation of the City of Stratford deems it necessary in the public interest to permit the operation of all terrain vehicles (ATVs) on certain streets, recreation trails and municipal property in Stratford during certain hours specified herein;

**NOW THEREFORE BE IT ENACTED** by Council of The Corporation of the City of Stratford as follows:

**1.0 DEFINITIONS**

1.1 **"All-Terrain Vehicle"** or **"ATV"** means an off-road vehicle that:

- a) has four (4) wheels, the tires of all of which are 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 a driver only and no passengers;

For the purpose of this By-law, ATV vehicle does not include dune buggies, 2 or 3 wheeled vehicles and vehicles propelled or driven by muscular power or wind.

1.2 **"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;

1.3 **"By-law Enforcement Officer"** means a police officer of Stratford Police Services, commissionaire, assistant or any other officer, peace officer or civilian person engaged by Stratford Police Services and/or appointed by The Corporation of the City of Stratford to enforce or carry out the provisions of this by-law or any part or parts thereof;

1.4 **"City"** means The Corporation of the City of Stratford;

1.5 **"Highway"** includes a common and public highway, street, avenue, parkway, driveway, 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 line thereof;

1.6 **"Off-Road Vehicle"** means an off-road vehicle within the meaning of the Off-Road Vehicles Act Ontario Reg. 316/03, S.1;

1.7 **"Recreation Trail"** means property of the City that is operated as and maintained as a recreation trail for pedestrians, but does not include a sidewalk or boulevard;

1.8 **"Sidewalk"** means that portion of a highway between the curb line and the property line of the lot abutting the highway improved for the use of pedestrians.

**2.0 REGULATIONS**

2.1 An All-Terrain Vehicle shall not be operated on highways or recreation trails unless it meets the equipment requirements of sections 7 to 15 of Ontario Regulation 316/03 of the *Highway Traffic Act*, the *Off-Road Vehicle Act* and it is operated in accordance with sections 16 to 24 of Ontario Regulation 316/03 s.6 of the *Highway Traffic Act*, the *Off-Road Vehicle Act*.

2.2 All-Terrain Vehicles for certain authorized events as set out in Schedule "A" to this By-law shall be permitted upon the highways and recreation trails and municipal property under the jurisdiction of The Corporation of the City of Stratford as set out in Schedule "B" to this By-law and in accordance with Ontario Regulation 316/03 of the *Highway Traffic Act*, the *Off-Road Vehicle Act* and in accordance with the provisions of this By-law.

2.3 Notwithstanding section 2.2 of this By-law, All-Terrain Vehicles shall not be permitted on sidewalks under the jurisdiction of The Corporation of the City of Stratford.

2.4 The exemptions as set out in sections 25 through 28 of Ontario Regulation 316/03 of the *Highway Traffic Act*, the *Off-Road Vehicle Act* as amended from time to time, regarding the operation of Off-Road Vehicles on highway shall apply to this By-law and the permission granted hereinunder.

2.5 An All-Terrain Vehicle shall not be driven at a rate of speed greater than:

- 2.5.1 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

- 2.5.2 30 kilometres per hour if the speed limit established under the Highway Traffic Act or by Municipal By-law is greater than 50 kilometres per hour, or
- 2.5.3 20 kilometres per hour for recreation trails and municipal property under the jurisdiction of The Corporation of the City of Stratford.
- 2.6 An All-Terrain Vehicle shall not be operated on any highways, recreation trails or municipal property between the hours of 10:00 pm of one day to 7:00 am of the next day.

**3.0 PENALTIES**

- 3.1. Every person who contravenes a provision of this By-law is guilty of an offence and liable on conviction to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33.

**4.0 INTERPRETATION**

- 4.1. In this By-law, unless the context otherwise requires words importing the singular number shall include the plural.
- 4.2. If a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

**5.0 TITLE**

- 5.1. This By-law may be referred to as the "**All-Terrain Vehicle By-law**" of The Corporation of the City of Stratford.

**6.0 EFFECTIVE**

- 6.1 This by-law shall come into force and take effect upon the final passage thereof.

Read a FIRST, SECOND and THIRD time and  
FINALLY PASSED this 29<sup>th</sup> day of May, 2012.

"Frank Mark"  
Deputy Mayor – Frank Mark

"Joan Thomson"  
Clerk – Joan Thomson

**THIS IS SCHEDULE "A" TO BY-LAW 65-2012 as amended***passed this 29th day of May, 2012***AUTHORIZED EVENT**

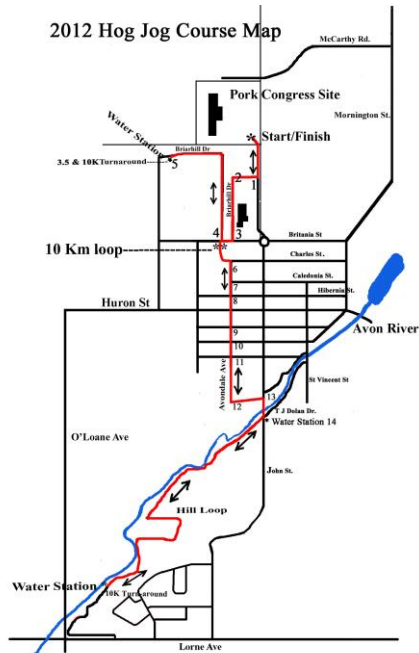
<b>Year</b>	<b>Event Organizer</b>	<b>Event</b>	<b>Date</b>	<b>Time</b>
2012	Ontario Pork Congress	2012 Hog Jog	June 19, 2012	1:00 pm to 8:00 pm
	Stratford Tourism Alliance	2012 Savour Stratford	Sept 20-23, 2012	7:00 am to 11:00 pm each day
	Stratford Rotary Club	2012 Dragon Boat Races	Sept 15, 2012	7:00 am to 10:00 pm
2013	Ontario Pork Congress	2013 Hog Jog	June 19, 2013	1:00 pm to 8:00 pm
	Stratford Tourism Alliance	2013 Savour Stratford	Sept 20-22, 2013	7:00 am to 11:00 pm each day
2014	Ontario Pork Congress	2014 Hog Jog	June 18, 2014	1:00 pm to 8:00 pm
	Stratford Blues & Ribfest	2014 Blues & Ribfest	June 19, 2014 at 10:00 am to June 22, 2014 at 7:00 pm	
	Savour Stratford Perth County	2014 Savour Stratford Perth County Culinary Festival	July 19-20, 2014	July 17 from 6:00 p.m. to July 20 at 11:59 p.m.
	Kinsman Club of Stratford	Canada Day Parade and Fireworks	July 1, 2014	6-9 p.m.
	Stratford Rotary Club	2014 Dragon Boat Festival	September 13, 2014	7:00 a.m. to 10:00 p.m.

**THIS IS SCHEDULE "B" TO BY-LAW 65-2012**

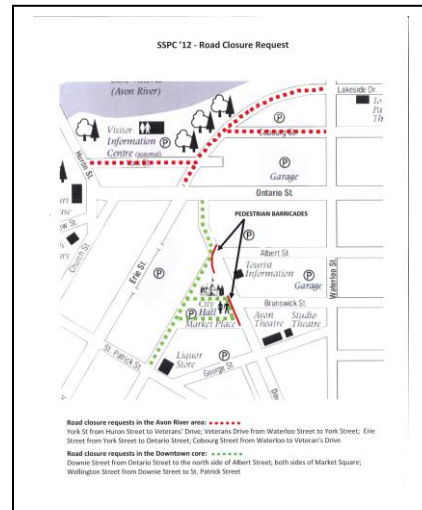
*passed this 29<sup>th</sup> day of May, 2012.*

Streets and Recreation Trails to which the provisions of this By-law apply:

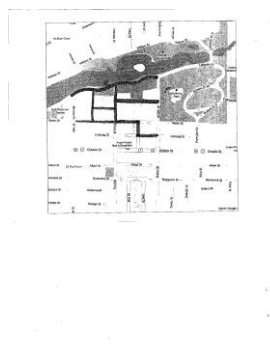
1. For the June 19, 2012 Event as prescribed in Schedule A of this By-law between the hours of 1:00 pm and 8:00 pm :



2. For the September 20-23, 2012 event as prescribed in Schedule "A" of this By-law between the hours of 7:00 am to 11:00 pm each day.



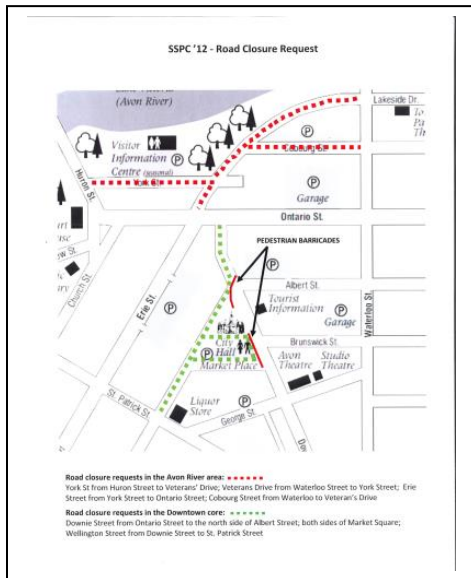
3. For the Stratford Dragon Boat Races event as prescribed in Schedule "A" of this By-law between the hours of 7:00 am to 11:00 pm on September 15, 2012



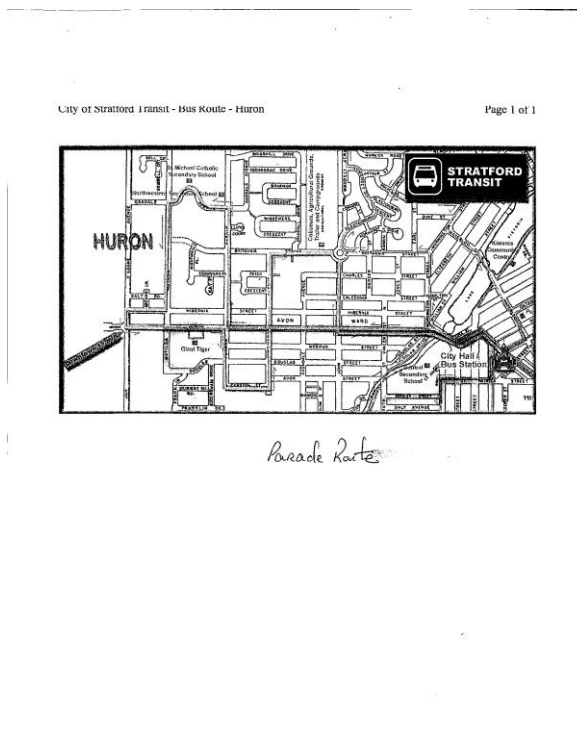
- For the June 19, 2013 Event as prescribed in Schedule A of this By-law between the hours of 1:00 pm and 8:00 pm:



- For the September 20-22, 2013 event as prescribed in Schedule "A" of this By-law between the hours of 7:00 am to 11:00 pm each day.



- For the July 1, 2013 Event as prescribed in Schedule A of this By-law between the hours of 6:00 pm and 8:00 pm :

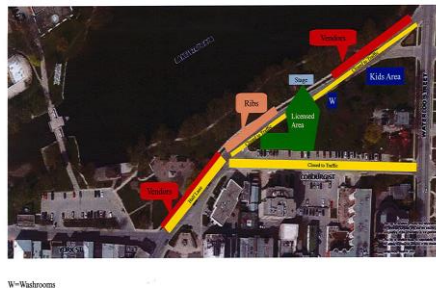


7. For the September 14, 2013 Dragon Boat Festival as prescribed in Schedule A of this By-law between the hours of 7:00 a.m. to 10:00 p.m.

8. For the June 18, 2014 Event as prescribed in Schedule A of this By-law between the hours of 1:00 pm and 8:00 pm:



9. For the event June 19, 2014 at 10:00 am to June 22, 2014 at 7:00 pm event as prescribed in Schedule "A" of this By-law.



10. For the Savour Stratford Event as prescribed in Schedule A of this By-law between the hours of 6:00 pm and 11:59 pm:

- a) York Street Parking Lot
- b) York Street from Erie Street to Waterloo Street
- c) Erie Street from Ontario Street to Cobourg Street
- d) Cobourg Street from Waterloo Street to Veterans Drive

11. For the Canada Day parade event on July 1, 2014 at 6:00 pm – 9:00 p.m. as prescribed in Schedule "A" of this By-law.

- a) Worsley Street from St. Vincent Street to Birmingham Street
- b) Birmingham Street from Worsley Street to St. Patrick Street
- c) St. Patrick Street from Birmingham Street to Wellington Street
- d) Wellington Street from St. Patrick Street to Downie Street
- e) Downie Street from Wellington Street to Ontario Street
- f) Ontario Street from Downie Street to Huron Street
- g) Huron Street from Ontario Street to Matilda Street

12. For the 2014 Dragon Boat Festival as prescribed in Schedule A of this By-law between the hours of 7:00 am and 10:00 pm:

2014 Dragon Boat Road Closures

