



Canada
Province du Québec
M.R.C. de Pontiac
Municipalité de Campbell's Bay

DRAFT BYLAW 102-18

TO REPEAL AND REPLACE BY-LAW NUMBER 69-06 TO ALLOW THE TRAFFIC OF ATV'S ON CERTAIN MUNICIPAL STREETS

CONSIDERING THAT the *Act respecting off-highway vehicles* establishes rules pertinent to the users of off-highway vehicles by determining regulations and authorizing their circulation, which is subject to certain conditions;

CONSIDERING THAT by virtue of the article 626, paragraph 14 of the *Highway Safety Code*, a local municipality can, by bylaw, allow the traffic of off-highway vehicles on all or part of a road, on the condition that it be determined;

CONSIDERING THAT this Municipal Council is of opinion that the practice of the ATV's will improve the local business and tourist development;

CONSIDERING THAT the *PONTIAC QUAD CLUB 07-128* seeks authorization of the Municipality of Campbell's Bay to add circulation of ATV's on Leslie Street, in addition to the streets previously authorized in Article 6 of bylaw 69-06;

CONSIDERING THAT the notice of motion for this by-law was duly given at the special council meeting of July 10, 2018 and that the draft by-law was presented and tabled at the same meeting, in accordance with article 445 of the Municipal Code of Quebec;

CONSIDERING THAT in accordance with article 48 of the *Act respecting off-highway vehicles*, a public consultation will be held on August 9th 2018 and that a public notice notifying of the consultation will be published no later than 15 days preceding the public consultation;

FOR THESE REASONS, THE COUNCIL DECREES AS FOLLOWS:

ARTICLE 1: INTRODUCTION

The introduction is an integral part of the present by-law;

ARTICLE 2: TITLE AND NUMBER

The present By-Law entitled "*By-Law 102-18 – To repeal and replace By-Law 69-06 to allow the traffic of ATV's on certain municipal streets*";

ARTICLE 3: OBJECT

The object of the present By-law aims at establishing the rules of traffic of ATV's on certain municipal streets on the territory of the Municipality of Campbell's Bay in accordance with the *Act Respecting Off-Highway Vehicles*.

ARTICLE 4: OFF-HIGHWAY VEHICLES AFFECTED

The present by-law applies to off-highway vehicles within the meaning of the *Act respecting off-highway vehicles*;

ARTICLE 5: MANDATORY EQUIPMENT

Every vehicle affected by article 4 should be provided with the equipment required by virtue of the aforementioned *Act respecting off-highway vehicles*.

ARTICLE 6: PLACE TO CIRCULATE

The traffic of off-highway vehicles affected by article 4, of less than 30 meters from a house, a health establishment, an area reserved for cultural, educational, and recreational or sports activities, is forbidden, except on the following municipal streets for the maximal lengths prescribed as follows:

- Crossing Front Street at McCuaig Street: 10 meters or 32.8 feet
- McCuaig Street from Front Street to John Street: 174 meters or 571 feet
- John Street from McCuaig Street to Alliance Street: 10 meters or 32.8 feet
- Alliance Street from John Street: 80 meters or 262.4 feet
- Leslie Street from Front Street to Highway 148: 799.8 meters or 2 624 feet

ARTICLE 7: PERIOD OF TIME

The authorization to circulate off-highway vehicles affected by this present regulation is valid for the period extending from January 1st to December 31st every year.

ARTICLE 8: OFF-HIGHWAY VEHICLES USERS' CLUB

The authorization granted by this present regulation is only valid if the *Pontiac Quad Club 07-128* assures and ensures that the provisions of the *Act respecting off-highway vehicles* and present regulations are respected, notably:

- Organization of the paths that it exploits;
- Adequate and relevant road signs;
- Maintenance of paths;
- Surveillance by the intervention of agents of the surveillance of path;
- Signature of an insurance policy of civil liability of at least \$2,000.000.

ARTICLE 9: USER'S OBLIGATIONS

The user and/or driver of a vehicle affected by article 4 should conform to the obligations and the rules promulgated in the *Law on off-highway vehicles*.

ARTICLE 10: RULES OF TRAFFIC

ARTICLE 10.1 SPEED LIMIT

The maximal speed of an ATV is of 30kmh in the areas specified by the present regulation.

ARTICLE 10.2 ROAD MARKING

The driver of off-highway vehicles affected by article 4 is obliged to observe a road marking corresponding to the *Act respecting off-highway vehicles* and to its regulation in place and to obey the orders and the signals of an agent of the peace (policemen), or a path surveillance agent responsible for traffic circulation. The driver of an off-road vehicle affected by article 4 should maintain, as close as possible, the right edge of the road which he borrows. He should grant priority to any road vehicle.

ARTICLE 11: CONTROL OF THE APPLICATION OF THE REGULATION

According to the *Act respecting off-highway vehicles*, the path surveillance agents are responsible for the application of this present regulation, with all the powers and duties.

ARTICLE 12: PENAL CAPACITIES

All the penal provisions promulgated in the *Act respecting off-highway vehicles* are applicable to the offenders of the present regulation.

ARTICLE 13: COME INTO EFFECT

The bylaw comes into force upon publication according to law and is subject to the power of disallowance of the minister.

Maurice Beauregard
Mayor

Sarah Bertrand
Director General - Secretary-treasurer

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