

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Amend By-law 2007-107, being A By-law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha lakes**

#### **Recitals**

1. Council adopted Resolution CR2018-XXX on February 13, 2018 directing amendments to By-law 2007-107, being A By-law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha lakes.
2. An amendment is required to permit the use of UTVs along a portion of the Victoria Rail Trail Corridor.
3. These changes require an amendment to the original by-law.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-      .**

#### **Section 1.00: Definitions and Interpretation**

##### **Definitions:**

All defined terms in the amending By-law take their meaning from By-law 2007-107 of the City of Kawartha Lakes.

#### **Section 2.00: Amendment Details**

##### **2.01 Amendment: Definitions in By-law 2007-107:**

The definition for “**ATV**” or “**All Terrain Vehicle**” is deleted and replaced with:

“**ATV**” or “**All Terrain Vehicle (ATV)**” as defined in Section 1 of the Ontario Regulation 316/03 as an off-road vehicle:

- a) Has four wheels, 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,
    - a. has one passenger seat that is designed to be straddled by the passenger while sitting face forward behind the driver; and
    - b. is equipped with foot rests for the passenger that are separate from the foot rests for the driver.

The definition for Multi-Purpose Off-Highway Utility Vehicle (UTV) is added as follows:

**“Multi-Purpose Off-Highway Utility Vehicle” (UTV)** means an off-road vehicle that,

- a) has four or more wheels, 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;

2.02 **Amendment:** Section 2.02 of by-law 2007-107 is amended as follows:

No person shall operate a motorized vehicle on the VRTC except for Snowmobiles, ATVs or UTVs, subject to the following conditions:

**Section 2.02 c)** is deleted and replaced with:

c) No person shall operate an ATV or UTV unless it is properly licensed and insured.

**Section 2.02 d)** is deleted and replaced with:

d) No person shall operate an ATV or UTV without exhibiting proof of membership in the KATVA and/or reciprocating organization or unless such operation is for the purpose of conducting agricultural work by adjacent farm land owners with access limited to ninety (90) degree crossings.

2.03 **Amendment:** Section 3.03 is added to By-law 2007-107 as follows:

**3.03** No person shall operate a UTV on the following sections of the VRTC:

- a) south of Northline Road

2.04 **Amendment:** Section 5.01 of By-law 2007-107 is deleted and replaced with:

**5.01** No person shall operate a Snowmobile, ATV, UTV or Off-Road Two-Wheeled Motorcycle on the VRTC between April 1 and April 30, inclusive.

2.05 **Amendment:** Section 5.03 of By-law 2007-107 is deleted and replaced with:

**5.03** No person shall operate an ATV, UTV or Off-Road Two-Wheeled Motorcycle on the VRTC from December 1st of one year to April 30th of the following year.

2.06 **Amendment:** Section 6.02 of By-law 2007-107 is deleted and replaced with:

6.02 No person operating a Snowmobile, ATV, UTV or Off-Road Two-Wheeled Motorcycle on the VRTC shall exceed a maximum speed of 50km per hour, unless otherwise posted.

### **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Director of Community Services is responsible for the administration of this by-law.
- 3.02 **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 13<sup>th</sup> day of February 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk