

MUNICIPALITY OF PONTIAC

R.C.M. OF THE COLLINES-DE-L'OUTAOUAIS

BY-LAW #13-09

BY-LAW ALLOWING THE USE OF ALL TERRAIN VEHICLES ON CERTAIN MUNICIPAL ROADS

WHEREAS the *Act respecting all terrain vehicles* establishes the rules related to the users of off-road vehicles, notably by determining the traffic rules applicable to off-road vehicles and allowing their usage which is subject to conditions;

WHEREAS in virtue of article 626, paragraph 14 of the *Road safety Code*, a local municipality whose maintenance is its responsibility, may by way of a by-law, allow the use of off-road vehicles on all or part of a road;

WHEREAS this municipal Council agrees that the usage of all terrain vehicles promotes the tourist and economic development;

WHEREAS the "Pontiac Quad Club" is seeking the Municipality of Pontiac's authorization to run on certain municipal roads;

WHEREAS a notice of motion for the present by-law was given at a council meeting held on September 8, 2009;

FOR THESE PURPOSES, it is

Moved by Dr. Jean Amyotte
Seconded by Inès Pontiroli

AND RESOLVED THAT council adopts by-law no. 13-09 and rules the following by the said by-law:

ARTICLE 1: PREAMBLE

The preamble is an integral part of the present by-law.

ARTICLE 2: TITLE AND NUMBER

The title of the present by-law "By-law allowing the use of all-terrain vehicles on certain municipal roads" under number 13-09 is part of the Municipality of Pontiac's by-laws.

ARTICLE 3: PURPOSE

The purpose of the present by-law is to establish which public roads on the Municipality of Pontiac's territory, will all terrain vehicles be permitted to use, in accordance with the *Act respecting all terrain vehicles*.

ARTICLE 4: AFFECTED ALL TERRAIN VEHICLES

- a) The present by-law applies to the following all terrain vehicles:
Motorized all terrain vehicles equipped with handlebars and at least four (4) wheels, that can be sat on and weighs no more than 600 kg.

- b) The authorization given by the present by-law is to official members of the “Quebec federation of quad clubs”

ARTICLE 5: The use of all terrain vehicles is permitted on the following municipal roads:

- on the 5th concession, between Proven and Murray
- on Murray as far as Clarendon
- West on Clarendon for 0.7 km
- Wolf Lake road at 5th concession intersection
- route 148 at Eardley-Masham intersection
- route 148 at 5th concession intersection
- route 148 at Murray intersection

ARTICLE 6: MANDATORY EQUIPMENT

All vehicles noted in article 4 must be equipped to reflect those required in virtue of the *Act respecting all terrain vehicles*.

ARTICLE 7: OFF-ROAD VEHICLE CLUBS

The authorization granted by the present by-law is valid only under the condition that the Pontiac Quad Club ensures that the provisions of the *Act respecting all terrain vehicles* as well as the present by-law are being respected, notably:

- The improvement of trails being used ;
- The installation of pertinent and adequate street signs ;
- The maintenance of trails ;
- Monitoring by trail surveillance officers ;
- Have public liability insurance of at least 2 000 000 \$

ARTICLE 8: RESPECTING ROAD SIGNS

The authorization to travel on municipal roads is granted for the duration and areas provided for by the appropriate road signs.

ARTICLE 9: AIMED TIME PERIOD

- a) The authorization given to all terrain vehicles to travel on streets and roads described in article 5, is valid throughout the year.
- b) It is however forbidden to travel the said streets and roads between 10:00 p.m. and 7:00 a.m.

ARTICLE 10: TRAFFIC RULES

a) Speed

The speed limits allowed which are posted on the streets and roads affected by the present by-law, are to be respected.

b) Signs

The driver of an all terrain vehicle must observe the signs and maintain his (her) vehicle the farthest possible to the right of the lane being used. He (she) must yield right of way to an all terrain vehicle coming the opposite way and must give priority to any other road vehicle.

ARTICLE 11: CONTROL OVER THE IMPLEMENTATION OF THE PRESENT BY-LAW

According to the *Act respecting all terrain vehicles*, peace officers and trail surveillance officers are responsible for the implementation of the present by-law, by exercising all powers and authority.

ARTICLE 12: PENAL PROVISIONS OF THE LAW

All penal provisions decreed within the *Act respecting all terrain vehicles* are applicable to offenders of the present by-law.

ARTICLE 13: COMING INTO FORCE

The present by-law will come into force 45 days following its adoption, unless it is the object of a notice of rejection from the minister, published in the Quebec official gazette.

Carried

GIVEN IN PONTIAC (QUEBEC), *this 8th day of December, two thousand and nine.*

Edward J. McCann
Maire

Sylvain Bertrand
Director general