

The Corporation of The Municipality of South Bruce By-Law 2026-32

Being a By-Law to Permit and Control the Operation of Off-Road Vehicles and Snowmobiles on Highways and the Use of Municipally Owned Lands and Trails Under the Jurisdiction of The Corporation of the Municipality of South Bruce

Whereas the *Municipal Act, 2001*, s. 9 sets out that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this Act or any other Act;

And Whereas the *Municipal Act, 2001* authorizes a municipality to pass by-laws with respect to the matters identified in s. 11(2), subject to the rules set out in s. 11(4)

Whereas the *Highway Traffic Act*, R.S.O. 1990 ("*Highway Traffic Act*"), S.191.8, subsection (3), Chapter H. 8, as amended, authorizes the Council of a Municipality to pass By-laws:

- a) permitting the operation of Off-Road Vehicles or classes of Off-Road Vehicles on any Highway within the Municipality that is under the jurisdiction of the Municipality, or on any part or parts of such Highway, subject to certain limitations;
- b) prohibiting the operation of Off-Road Vehicles on any Highway within the Municipality that is under the jurisdiction of the Municipality, or on any part or parts of such Highway, in accordance with the regulations under the Act.
- c) prescribing a lower rate of speed for Off-Road Vehicles than that prescribed for Off-Road Vehicles by regulation on any Highway within the Municipality that is under its jurisdiction, or on any part or parts of such Highway, including prescribing different rates of speed for different Highways or parts of Highways.

And Whereas the *Highway Traffic Act*, O.Reg. 316/03, as amended, defines an all-terrain vehicle (ATV), a multi-purpose off-highway utility vehicle (UTV), a recreational off-highway vehicle (side by side) and off-road motorcycle (ORM), (herein referred to as Off-Road Vehicles) and provides regulations governing the operation of Off-Road Vehicles on Highways;

And Whereas the *Off-Road Vehicle Act*, R.S.O. 1990 ("*Off-Road Vehicle Act*"), c.O.4, and its regulations, as amended, governs the use of Off-Road Vehicles on lands which are not governed by the *Highway Traffic Act* and includes municipally owned lands and trails;

And Whereas the Council of The Corporation of the Municipality of South Bruce deems it advisable to regulate the operation of Off-Road Vehicles, as defined in Section 1 of O.Reg. 316/03, as amended, on Highways and municipally owned lands and trails within the jurisdiction of the Municipality, or on any part or parts of such Highways, lands and trails;

And Whereas the *Motorized Snow Vehicle Act*, R.S.O. 1990, Chapter M.44 ("*Motorized Snow Vehicle Act*"), s.7(2) allows a Municipality to pass a By-law regulating, governing or prohibiting the operation of motorized snow vehicles within the Municipality including any Highway therein or any part or parts thereof;

And Whereas the *Motorized Snow Vehicle Act*, s.14 refers to the speed and sign requirements;

And Whereas the Council of the Corporation of the Municipality of South Bruce deems it advisable to regulate the operation of motorized snow vehicles on Highways within the Municipality, or on part or parts of such Highways and trails;

And Whereas the Council of the Corporation of the Municipality of South Bruce deems it necessary to establish penalties for those convicted of an offence under any provision of this By-law or any Schedule to this By-law,

Now Therefore the Council of the Corporation of the Municipality of South Bruce enacts as a By-law of The Corporation as follows:

Short Title: This By-law may be cited as the "Off-Road Vehicles and Snowmobile By-law"

1) Definitions

In this By-law:

- a) "Municipality" means the Corporation of the Municipality of South Bruce
- b) "Recognized Agency/Agencies" means the Ontario Federation of Snowmobile Clubs (OFSC), the Ontario Federation of Trail Riders (OFTR), the Eastern Ontario Trail Alliance (EOTA) and Huron Shores ATV Club (HSATV).
- c) "All-Terrain Vehicle" (ATV) means an off-road vehicle that,
 - i. has four wheels, the tires of which are all in contact with the ground,
 - ii. has steering handlebars,
 - iii. has a seat that is designed to be straddled by the driver, and
 - iv. is designed to carry,
 - 1) a driver only and no passengers, or
 - 2) 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 facing forward behind the driver, and
 - B. is equipped with foot rests for the passenger that are separate from the foot rests for the driver;
- d) "Multi-Purpose Off-Highway Utility Vehicle" (UTV) means an off-road vehicle that,
 - i. has four or more wheels, the tires of which are all in contact with the ground,
 - ii. has a steering wheel for steering control,
 - iii. has seats that are not designed to be straddled, and
 - iv. has a minimum cargo capacity of 159 kilograms;
- e) "Recreational Off-Highway Vehicle" (Side by Side) means an off-road vehicle that,
 - i. has four or more wheels, the tires of which are all in contact with the ground,
 - ii. has a steering wheel for steering control,
 - iii. has seats that are not designed to be straddled, and
 - iv. has an engine displacement equal to or less than 1,000 cubic centimetres;
- f) "Off-Road Motorcycle" (ORM) means an off-road vehicle designed primarily for recreational use, that,
 - i. has steering handlebars,
 - ii. has two wheels, the tires of which are all in contact with the ground,
 - iii. has a minimum wheel rim diameter of 250 millimetres,
 - iv. has a minimum wheelbase of 1,016 millimetres,
 - v. has a seat that is designed to be straddled by the driver,
 - vi. is designed to carry a driver only and no passengers, and
 - vii. does not have a sidecar;

- g) "Off-Road Vehicle" means all-terrain vehicle, multi-purpose off-highway utility vehicle, recreational off-highway vehicle, off-road motorcycle all having the same meaning as provided in the *Highway Traffic Act*, O.Reg. 316/03 and amendments thereto.
- h) "Snowmobile" means a self-propelled vehicle designed to be driven primarily on snow and described as a motorized snow vehicle within the meaning of the *Motorized Snow Vehicles Act*.
- i) "Highway" means any open road allowance under the jurisdiction of the Corporation of the Municipality of South Bruce including common and public highway, street, road, avenue, laneway or bridge, any part of which is actually used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- j) "Shoulder" means a portion of a Highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use.
- k) "Municipal Lands" means lands, forests, trails and corridors owned or controlled by the Municipality.
- l) "Low Pressure Bearing Tires" means a wide, balloon-type tire with a rounded cross section and no distinct shoulder area and that is designed to operate with inflation pressure of no greater than 70KPA (10 psi).
- m) "Officer" means a police officer, municipal By-law enforcement officer, or designated municipal employee, or third-party By-law enforcement as approved and/or appointed by the Municipality.
- n) "Valid Permit" means a permit purchased and issued by the HSATV Club, the OFTR or the OFSC (per the applicable season and type of Off-Road Vehicle/Snowmobile).

2) Highway Operation - General

- a) Off-Road Vehicles and Snowmobiles shall be permitted upon the Highways under the jurisdiction of the Municipality of South Bruce and in accordance with O.Reg. 316/03, as amended, of the *Highway Traffic Act*, the *Off Roads Vehicles Act* except where prohibited by Schedule B and in accordance with the provisions of this By-law.
- b) Off-Road Vehicles and Snowmobiles shall not be operated on Highways unless it meets the equipment requirements of Sections 7 to 15 of O.Reg. 316/03, as amended and it is operated in accordance with Sections 16 to 24 of O.Reg. 316/03 as amended.
- c) Off-Road Vehicles and Snowmobiles shall not be operated in urban areas, except where permitted by Schedule A and in accordance with the provisions of this By-law.
- d) The operator of an Off-Road Vehicle or Snowmobile shall ensure:
 - i. That when towing a trailing device, that the said trailing device shall be equipped with a rigid hitch and shall be fastened securely to the Vehicle.
 - ii. That all trailing devices shall meet all requirements in accordance with the *Highway Traffic Act*, as amended, and the *Off-Road Vehicles Act*, as amended.

3) Highway Operation – Off-Road Vehicle and Snowmobile Restrictions

No person shall operate an Off-Road Vehicle or Snowmobile:

- (a) In any prohibited rural area, as listed in Schedule B attached hereto.
- (b) On any portion of the Highway other than the Shoulder of the Highway but may operate on the roadway if the Shoulder is unsafe.
- (c) On a Highway at a rate of speed greater than:
 - i. 20 kilometers per hour (km/hr), 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 kilometers per hour; and,

- ii. 50 kilometers per hour (km/hr), if the speed limit established under the *Highway Traffic Act* or by Municipal By-law for that part of the Highway is greater than 50 kilometers per hour.

For the purposes of enforcement, speed may be determined by approved speed measuring device, or other lawful means.

- (d) In any urban area unless permitted, as listed in Schedule A attached hereto.

4) Highway Operation – Off-Road Vehicle Restrictions

No person shall operate an Off-Road Vehicle:

- (a) During prohibited hours between 11:00 p.m. and 7:00 a.m.
- (b) On a Highway between November 1st and April 30th.

5) Prohibited Activities

Within or on the geographical boundaries of Municipal Lands or on private property, unless approved by Municipality/owner, no person shall:

- (a) Operate an Off-Road Vehicle or Snowmobile on a trail without a Valid Permit;
- (b) Operate an Off-Road Vehicle or Snowmobile without valid insurance as required by law;
- (c) Leave, deposit or dump refuse;
- (d) Light or cause to be lit a fire;
- (e) Gather or cut firewood;
- (f) Camp;
- (g) Cut, prune, damage, remove or destroy any living tree, shrub or groundcover without first obtaining the written permission of the Manager of Operations of the Municipality;
- (h) Construct any fence, shelter, or other structure;
- (i) Remove, alter or destroy any trail, fence or gate;
- (j) Remove, alter, deface or destroy any sign apparently posted by the Municipality;
- (k) Disobey a sign posted by the Municipality or Recognized Agencies;
- (l) Post a sign of any kind without first obtaining the express written permission of the Manager of Operations;
- (m) Create or construct or cause to be created or constructed a trail or path;
- (n) Conduct a group event without a use agreement authorizing the Group Event;
- (o) Fail to comply with a term or condition of a Use Agreement;
- (p) Operate an Off-Road Vehicle with exhaust, when tested at an idle, exceeds 98 Decibels (dB's).
- (q) Operate an Off-Road Vehicle on a closed trail as defined through the HSATV trail map or operate a Snowmobile on a closed trail as defined through the OFSC trail guide on their respective websites.
- (r) Operate an Off-Road Vehicle or Snowmobile, over or upon the following prohibited public areas, with the exception of recognized parking areas and approved trail routes:
 - Any community centre under the jurisdiction of the Municipality
 - Any park or playground under the jurisdiction of the Municipality
 - Any sports field under the jurisdiction of the Municipality
 - Any cemetery under the jurisdiction of the Municipality

- Any fairgrounds or agricultural grounds under the jurisdiction of the Municipality

- (s) Operate an Off-Road Vehicle or Snowmobile, on any private property without the consent of the owner
- (t) Operate an Off-Road Vehicle or Snowmobile, along any sidewalk within the Municipality

6) Permitted Activities

Cycling, hiking, horseback riding and/or other trail users as approved by the Municipality are permitted on designated trails. Authorized motorized use is permitted only where signage expressly allows.

Off-road trail users must have a Valid Permit issued by a Recognized Agency, where permitted.

7) Use Agreements

Group events or organized trail use require a written Use Agreement with the Municipality, including proof of liability insurance naming the Municipality as an additional insured.

8) Enforcement

An Officer who has reasonable and probable grounds to believe a person has contravened this By-law may issue an Offence Notice pursuant to the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33 ("*Provincial Offences Act*") specifying a set fine, as provided in Schedule C attached to and forming part of this By-law.

(1) No person shall hinder or obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer in the lawful exercise of a power or duty under this By-law.

(2) No person shall provide false information or give a false statement to an Officer in the lawful exercise of a power or duty under this By-law.

9) Offences And Penalties

Every person who contravenes this By-law is guilty of an offence and is liable upon conviction to penalties as provided under the *Provincial Offences Act* and this document. Schedule C set fines apply only to proceedings commenced under Part I of the *Provincial Offences Act*. Nothing herein limits the Municipality's ability to proceed under Part III where appropriate.

(1) Any person who contravenes sections 7 of this By-law is guilty of an offence and is liable to a fine of not less than \$500.00 and not more than \$10,000.00.

(2) Except as permitted by this By-law, any person who injures or destroys any living tree on Municipal Land is guilty of an offence and upon conviction is liable to a fine of up to \$1,000.00 for each tree injured or destroyed to a maximum of \$100,000.00.

(3) Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

- 10)** The Exemptions set out in sections 25 through 28 of O.Reg. 316/03, as amended, regarding the operation of Off-Road Vehicles on Highways shall apply to this By-law and the permissions granted hereunder.

- 11)** If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

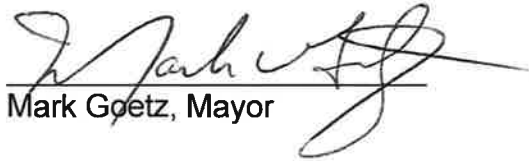
- 12)** Any person operating an Off-Road Vehicle or Snowmobile in contravention of this By-law shall be guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

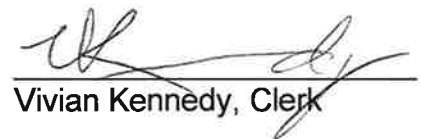
- 13)** That this By-law hereby repeals and replaces By-law #2024-66.

14) That this By-law shall come into force and takes effect on the final passing thereof.

That this By-Law be Read, Enacted, Signed and Sealed this 28th day of April, 2026.

By signing this by-law on April 28, 2026, Mayor, Mark Goetz, will not exercise the power to veto this by-law.


Mark Goetz, Mayor


Vivian Kennedy, Clerk

Seal.

Schedule A
By-Law 2026-32: Off-Road Vehicles and Snowmobiles

Urban Area Permitted Routes

Street	From	To
Mildmay		
Absalom Street	Bismark Street S	George Street
Highway 9/Elora St.	Mildmay Rotary Park	Vincent Street
Teeswater		
Clinton Street	Concession 4	Mitchell Street
Hillcrest Street	Sideroad 20	Riverview Terrace
Formosa		
Concession 12	Sideroad 1C	Bruce Road 12
Bruce Road 12	Concession 12	Concession 10

Schedule B
By-Law 2026-32: Off-Road Vehicles and Snowmobiles

Prohibited Rural Area

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Schedule C

**The Corporation of the Municipality of South Bruce
Part 1 Provincial Offences Act
By-Law 2026-32: Off-Road Vehicles and Snowmobiles**

Table 1 Part 1 Provincial Offences Act

	COLUMN 1 SHORT FORM WORDING	COLUMN 2 Provision Creating or defining offense	COLUMN 3 Set Fine
1	Operate Off-Road Vehicle or Snowmobile in prohibited rural area – Schedule B	3(a)	\$150.00
2	Speeding – 20 km/hr or more	3(c)(i)	\$150.00
3	Speeding – 50 km/hr or more	3(c)(ii)	\$150.00
4	Operate Off-Road Vehicle or Snowmobile in urban area not listed in Schedule A	3(d)	\$150.00
5	Operate Off-Road Vehicle during prohibited hours	4(a)	\$150.00
6	Drive on authorized trail without a valid permit	5(a)	\$350.00
7	Drive without insurance	5(b)	\$250.00
8	Leave, deposit or dump refuse	5(c)	\$250.00
9	Light or cause fire	5(d)	\$300.00
10	Gather or cut firewood	5(e)	\$200.00
11	Camp	5(f)	\$150.00
12	Damage or destroy trees/shrubs/groundcover	5(g)	\$150.00
13	Construct fence, shelter, structure on or along authorized trail.	5(h)	\$150.00
14	Remove/alter/destroy trail, fence or gate	5(i)	\$150.00
15	Remove/alter/deface/destroy sign	5(j)	\$150.00
16	Disobey sign	5(k)	\$150.00
17	Create/Construct unauthorized trail or path	5(m)	\$150.00
18	Off-Road Vehicle Exhaust Exceeds dB Limit	5(p)	\$250.00
19	Driving on Closed Trail	5(q)	\$350.00
20	Driving on Non-Permitted Municipal Lands	5(r)	\$150.00
21	Drive on private property without consent	5(s)	\$350.00
22	Obstruct Officer	8(1)	\$250.00
23	Providing false information	8(2)	\$250.00

NOTE: The penalty provision for the offences listed above is Section 9 of By-law 2026-32, a certified copy of which has been filed.