



By-law to permit the Operation of Off-Road Vehicles on Municipal Roads

By-law # 02-2014

Abrogation of previous by-law # 02-2012 or any by-law provisions adopted previously and pertaining to the same subject.

April 2014

This by-law is printed under and by authority
of the Council of the Municipality of Thorne, Quebec, Canada

BY-LAW NUMBER 02-2014

adopted by Resolution number 103-04/2014

TO ALLOW THE OPERATION OF SNOWMOBILES OR QUADS ON CERTAIN MUNICIPAL ROADS

- WHEREAS the *Act respecting off-highway vehicles* (R.S.Q., c. V-1.2) establishes the rules regarding users of off-highway vehicles, particularly by determining the traffic rules applicable to off-highway vehicles and allowing their operation, subject to conditions;
- WHEREAS pursuant to section 626, subsection 14 of the Highway Safety Code, a local municipality may, by by-law, permit, on the conditions and for the periods of time it fixes, off-highway vehicles to be operated on all or part of a public highway it maintains;
- WHEREAS this Municipal Council considers that the practice of snowmobiling and quad promotes tourism and economic development;
- WHEREAS the snowmobile know as Pontiac Snowmobile Driver's Association or quad club known as Pontiac Quad Club are soliciting the authorization of the municipality of Thorne to operate on municipal highways;
- WHEREAS a notice of motion of this by-law has duly been given by M. Born at the session of this Council held on April 22, 2014

For these reasons, it is moved by J. Abbott/Miller and unanimously resolved:

THAT on April 22, 2014, this Council adopts By-law number 02-2014 and establish the following by the said by-law:

Article 1: PREAMBLE

The preamble is an integral part of this by-law.

Article 2: TITLE AND NUMBER

The title of this by-law is "By-law to Permit the Operation of Off-Roads Vehicles on Municipal Roads" and bears number and bears number 02-2014 of the by-laws of the municipality of Thorne and repeals by-law no 02-2012.

Article 3: PURPOSE

The purpose of this by-law is to establish the public roads on which the operation of snowmobiles or quads will be permitted within the territory of the municipality of Thorne, all in accordance with the *Act respecting off-highway vehicles*.

Article 4: SUBJECT OFF-HIGHWAY VEHICLES

This by-law applies to snowmobiles or quads within the meaning of the *Act respecting off-highway vehicles*.

Article 5: PLACES OF OPERATION

The operation of **quads** is permitted on all municipal roads where the speed limit does not exceed 70 KM/H.

Adam	Garner	Milliken	Sparling
Bretzlaff	Greermount	Mountain	Stevens
Brouse	Himmelman	Murdock	Theodore
Bryson	Johnson	Mutchler	Thorne Lake
Cawood	Killoran	Pasch	Tubman
Craig	Leach	Route 366 West	Wall
Dunlop	Manners	Rueckwald	Waterfall
Fierobin	Mathieu	Schock	Yach
Frederick	Maynard	Schwartz	

PLACES OF OPERATION

The operation of **snowmobiles** is permitted on the following municipal roads, for the following prescribed maximum distances:

Schock Road - on the unplowed portion from John Pasch's farm to Johnson Lake Road (0.5km)

Yach Road - from Adams Road to the Vandusky property (5.6km)

Thorne Lake - Road from Mountain Road to Route 303 (0.8km)

Johnson Road - from the culvert at Route 303 (110m)

Article 6: OBSERVANCE OF TRAFFIC CONTROL DEVICES

The authorization to operate is granted at the locations and for the prescribed period of time by the presence of appropriate road traffic control devices.

Article 7: SUBJECT PERIOD OF TIME

The authorization to operate the contemplated off-road vehicles at the locations prescribed in this by-law is only valid for the period from *May 1st to April 30th of each year*.

- Article 8:** **TRAIL CLOSURE**
No traffic is permitted on the trails between 12:00 am (midnight) and 6:00 am, which remain closed during this period.
- Article 9:** **SNOW REMOVAL EQUIPMENT**
Off-road vehicles equipped with operational snow removal equipment and compliant to adequately perform snow removal operations are allowed to circulate on the streets of the Municipality of Thorne, subject to the conditions specified in this regulation and any other regulation into force
- Article 10:** **OFF-ROAD VEHICLE CLUBS**
The authorization granted by this by-law shall be valid only if the club ensures compliance of off-road vehicles, with provisions of the Act respecting off-highway vehicles and this by-law, in particular regarding:
- ✓Development, management and maintenance of the trails it operates;
 - ✓Signage, which should be adequate, relevant and authorized by the Municipality of Thorne
 - ✓Monitoring of the trails through surveillance officers
 - ✓Underwriting a policy of liability insurance of at least two million dollars.
- Article 11:** **OBLIGATIONS OF USERS**
Any and all users or drivers of a vehicle referred to in Article 4 must comply with the obligations and rules under the Act respecting off-highway vehicles.
- Article 12:** **TRAFFIC RULES**
- A) Speed**
The driver of an off-road vehicle referred to in Article 4 shall be obliged to respect the speed according to the signage for each section of trail
- B) Signage**
The driver of an off-road vehicle referred to in Article 4 shall be obliged to obey the signs, the Act respecting off-highway vehicles and to obey the orders and signals of a trail security officer.
- The driver of an off-road vehicle referred to in Article 4 shall keep it as close as possible to the right edge of the road or trail. It must yield to any road vehicle other than an off-road vehicle.
- Article 13:** **APPLICATION OF THIS REGULATION**
In accordance with the Act respecting off-highway vehicles, trail security officers are responsible for implementing this by-law.
- Article 14:** **PENAL PROVISIONS**
All national penal provisions under the Act respecting off-highway vehicles are applicable to persons violating the provisions of this by-law.
- Article 15:** **ENTRY INTO FORCE**
This By-law shall enter into effect 90 days following its adoption unless it becomes the issue of a notice of disallowance issued by the Minister as published in the Gazette officielle du Québec.

ADOPTED AT THE MEETING OF APRIL 22, 2014

Terence Murdock, Mayor

Stacy Lafleur, Director General

CERTIFICATE OF PUBLICATION

I, the undersigned Director General of the Municipality of Thorne, certify that I published the annexed by-law by posting a copy at the office of the municipality and by inserting it in a local newspaper circulated in the municipality.

IN WITNESS WHEREOF, I give this certificate this 24th day of April 2014.

Stacy Lafleur, Director General