

THE CORPORATION OF THE TOWN OF DEEP RIVER

BY-LAW NUMBER 16-2026

**A BY-LAW TO REGULATE THE OPERATION OF OFF-ROAD VEHICLES AND
MOTORIZED SNOW VEHICLES WITHIN THE TOWN OF DEEP RIVER**

WHEREAS Section 8 of the **Municipal Act, 2001**, S.O. 2001, c. 25, as amended, authorizes municipalities to govern their affairs as they consider appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 191.8 of the **Highway Traffic Act**, R.S.O. 1990, c. H.8, as amended, provides that a council of a municipality may pass a by-law:

- i. Permitting the operation of off-road vehicles with four or more wheels on any highway within the municipality that is under the jurisdiction of the municipality, or on any parts of such highway; and
- ii. Prescribing a lower rate of speed for off-road vehicles with four or more wheels than that prescribed for off-road vehicles by regulation on any highways within the municipality that is under its jurisdiction, or any part or parts of such highways, including prescribing different rates of speed for different highways or parts of highways; and
- iii. Prescribing specific months or hours during which off-road vehicles can be operated on a municipal highway or parts of highways.

AND WHEREAS Section 7(2) of the **Motorized Snow Vehicles Act**, R.S.O. 1990, c. M.44, as amended, authorizes a municipality to regulate, govern, or prohibit the operation of Motorized Snow Vehicles within the municipality;

AND WHEREAS Ontario Regulation 316/03: **Operation of Off-Road Vehicles on Highways**, as amended, passed under the *Highway Traffic Act*, regulates the operation and requirements of ATV, Multi-Purpose Off-Highway Utility Vehicles, Recreational Off-Highway Vehicles, which are classes of Off-Road Vehicles;

AND WHEREAS Council for the Corporation of the Town of Deep River deems it desirable to permit and regulate the operation of Off-Road Vehicles and Motorized Snow Vehicles on highways under municipal jurisdiction in a manner that promotes public safety, minimizes nuisance, prohibits other motor vehicles, and protects municipal infrastructure;

NOW THEREFORE be it resolved that the Council of the Corporation of the Town of Deep River enacts as follows:

1 PURPOSE

- 1.1 The purpose of this By-law is to regulate and provide conditions for the operation of Off-Road Vehicles and Motorized Snow Vehicles on municipal highways under the jurisdiction of the Town of Deep River, in a manner that ensures compliance with applicable provincial legislation, protects public safety and property under the jurisdiction of the Town.

2 DEFINITIONS

In this By-law:

- 2.1 **“All-Terrain Vehicle (ATV)”** means an Off-Road Vehicle that,
- 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,
 - e) a driver only and no passengers, or
 - f) a driver and only one passenger, if the vehicle, has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and is equipped with footrests for the passenger that are separate from the footrests for the driver;
- 2.2 **“County Road”** means a highway under the jurisdiction of the County of Renfrew.
- 2.3 **“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, rear laneway, viaduct or trestle, any part of which is used or intended for use by the general public for the passage of vehicles and includes the entire area between its lateral property lines. Without limitation, highway includes unassumed and unopened road allowances.
- 2.4 **“Motorized Snow Vehicle”** means a self-propelled vehicle designed to be driven primarily on snow, as defined in the *Motorized Snow Vehicles Act*.
- 2.5 **“Motor vehicle”** includes an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in this Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicle running only upon rails, a power-assisted bicycle, a Motorized Snow Vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;
- 2.6 **“Multi-Purpose Off-Highway Utility Vehicle”** 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;

- 2.7 **“Municipally Owned Lands”** means lands owned or maintained by the Town including, but not limited to parks, playgrounds, beaches, sports fields, cemeteries, trails, buildings and naturalized areas.
- 2.8 **“Municipal Law Enforcement Officer”** means a person appointed by Council of the Town of Deep River to enforce municipal by-laws and includes a by-law enforcement officer, property standards officer, police officer, or any other authorized officer.
- 2.9 **“Off-Road Vehicle (ORV)”** means an off-road vehicle as defined in the Highway Traffic Act under Ontario Regulation 316/03, as amended, but limited to:
- a) All-Terrain Vehicles;
 - b) Multi-Purpose Off-Highway Utility Vehicles; and
 - c) Recreational Off-Highway Vehicles.
- 2.10 **“Operate”** or **“Operation”** means to drive, or have care, charge, or control of a vehicle, whether or not the vehicle is in motion.
- 2.11 **“OS Zone”** means lands zoned Open Space (OS), or any of the Open Space sub-categories and exceptions under the Town of Deep River Zoning By-law, as amended, generally intended for public parkland, environmental protection, recreational use, or naturalized open space, and includes any successor zoning category.
- 2.12 **“Owner”** means the registered owner of a vehicle and includes a person who has care, charge, or control of a vehicle.
- 2.13 **“Park”** means municipally owned or controlled land developed or intended for recreational, leisure, or open space use, including playgrounds, beaches, sports fields, and active or passive green space.
- 2.14 **“Police Officer”** means a police officer appointed under the *Community Safety and Policing Act* and having jurisdiction within the Town of Deep River.
- 2.15 **“Recreational Off-Highway Vehicle”** 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 an engine displacement equal to or less than 1,000 cubic centimetres.
- 2.16 **“Sidewalk”** means a hard-surfaced pedestrian walkway constructed of concrete, asphalt, gravel or similar material, located within a highway or road allowance and intended primarily for pedestrian travel.
- 2.17 **“Trail”** means a linear route, path, or corridor, whether improved or unimproved, that is located on municipally owned or controlled lands, including lands zoned Open Space (OS), and that is intended or used for recreational, active transportation, or

passive use, and includes multi-use trails, walking paths, cycling routes, ski trails, and similar facilities, whether signed or unsigned.

2.18 **“Town”** means the Corporation of the Town of Deep River.

3 APPLICATION AND JURISDICTION

3.1 This By-law regulates the use of all Off-Road Vehicles and Motorized Snow Vehicles on all highways under the jurisdiction of the Town of Deep River.

This By-law does **not** authorize the operation of Off-Road Vehicles or Motorized Snow Vehicles on:

- a) County of Renfrew roads, including Ridge Road and portions of Deep River Road;
- b) Private roads and lands; or
- c) Any highway or lands situated outside of the municipal jurisdiction of the Town of Deep River, including any boundary road not owned by the Town of Deep River.

3.2 Nothing in this By-law prohibits the parking or storage of a Motorized Snow Vehicle or Off-Road Vehicle on private property.

4 REGULATIONS FOR THE OPERATION OF OFF-ROAD VEHICLES

4.1 Only those Off-Road Vehicles falling within the definition of an All-Terrain Vehicle, a Multi-Purpose Off-Highway Utility Vehicle, and a Recreational Off-Highway Vehicle in this by-law, may be driven on highways under the jurisdiction of the Town of Deep River provided that:

- a) The off-road vehicle meets all the equipment requirements and operation requirements of O. Reg 316/03, as amended;
- b) The off-road vehicle shall not be driven at a rate of speed greater than 20 km/hr on all highways under the jurisdiction of the Town of Deep River; and
- c) Off-road vehicles shall not travel between the times of 11:00 p.m. and 6:00 a.m. of the following day.

4.2 No person shall drive an off-road vehicle:

- a) in any park, playground, beach, sports field, cemetery, and trails other than on the designated, marked and signposted routes listed in Schedule A;
- b) along or upon any County-owned, or Ministry of Transportation-owned highway except to cross it in accordance with the Highway Traffic Act;
- c) Along, or upon any sidewalk; or
- d) On any private property, whether vacant or developed, including private parking areas or access roads, unless the operator has the express consent of the owner or lawful occupier of the property.

5 REGULATIONS FOR THE OPERATION OF MOTORIZED SNOW VEHICLES

- 5.1 Only those Motorized Snow Vehicles falling within the definition of a Motorized Snow Vehicles in this by-law, may be driven on highways, and on designated, marked, and signposted routes under the jurisdiction of the Town of Deep River provided that:
- a) The Motorized Snow Vehicle meets all the equipment requirements and operation requirements of Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M.44;
 - b) The Motorized Snow Vehicle shall not be driven at a rate of speed greater than 20 km/hr on all highways, parks, trails, and lands under the jurisdiction of the Town of Deep River; and
 - c) The Motorized Snow Vehicle shall not travel between the times of 11:00 p.m. and 6:00 a.m. of the following day.
- 5.2 No person shall drive a Motorized Snow Vehicle:
- a) In any park, playground, beach, sports field, cemetery and trails, other than on the designated, marked, and signposted routes listed in Schedule A;
 - b) Along or upon any County-owned, or Ministry of Transportation-owned highway except to cross it in accordance with the Motorized Snow Vehicles Act, and the Highway Traffic Act;
 - c) Along, or upon any sidewalk; or
 - d) On any private property, whether vacant or developed, including private parking areas or access roads, unless the operator has the express consent of the owner or lawful occupier of the property.

6 ENFORCEMENT

- 6.1 This By-law may be enforced by a Police Officer or a Municipal Law Enforcement Officer appointed by the Town of Deep River.
- 6.2 Every person who contravenes this By-law is guilty of an offence and, upon conviction, is liable to a fine as provided for under the Provincial Offences Act.
- 6.3 Without limiting the generality of the foregoing, set fines for certain common offences are established in Schedule "B" to this By-law. Offences not listed in Schedule "B", or offences that, in the opinion of the enforcing officer, involve aggravating circumstances or pose a risk to public safety, may proceed under the Provincial Offences Act, as applicable.

7 SEVERABILITY

- 7.1 Each provision of this by-law is independent of all other provisions and if any provision of this by-law is declared invalid for any reason, all other provisions of this By-law shall remain valid and enforceable.

8 REPEAL

8.1 The following by-laws are hereby repealed:

- a) By-law 20-2023 (Off-Road Vehicles Pilot Project)
- b) By-laws 36-93, 1-1996, 7-1996, and all amendments thereto (Operation of motorized snow vehicles)

9 EFFECTIVE DATE

9.1 This By-law is in force and effect upon its adoption by the Council of the Corporation of the Town of Deep River and upon approval by the Ministry of the Attorney General.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS 22ND DAY OF APRIL, 2026.



Glenn Doncaster, REEVE



Jackie Mellon, CLERK

SCHEDULE "A"

PERMITTED HIGHWAYS AND PARKS FOR OFF-ROAD VEHICLES AND MOTORIZED SNOW VEHICLES

1 PURPOSE OF SCHEDULE "A"

This Schedule identifies highways, parks, trails, and other lands under the jurisdiction of the Town of Deep River where the operation of Off-Road Vehicles or Motorized Snow Vehicles is permitted, subject to the provisions of the By-law.

2 GENERAL PROVISION

Unless otherwise specified, operation under this Schedule is:

- a) non-exclusive;
- b) subject to posted speed limits and restrictions;
- c) subject to seasonal, weather-related, or operational suspensions imposed by the Town.

3 DESIGNATED ROUTES

3.1 Off-Road Vehicles and Motorized Snow Vehicles may operate along or upon the following designated routes:

Ref No.	Highway / Route Description	From	To	Permitted Vehicle Type
A-1	Avon Rd to McAnulty Road	Southeast corner of Pat McAnulty Park at the corner of Avon Road and Double Dip Road	McAnulty Road via the southwest corner of Pat McAnulty Park	Motorized snow vehicles
A-2	Lasalle Drive to Beach Ave	Southeast end of Bill Rounding Park at the intersection of Lasalle Drive and Banting Road	Public entrance of Bill Rounding Park at Beach Avenue between Summer Street and Cedar Road	Motorized snow vehicles

SCHEDULE "B"

SET FINES – OFF-ROAD VEHICLES & MOTORIZED SNOW VEHICLES

This Schedule establishes **set fines for common offences** under this By-law. All other offences not listed in this Schedule remain subject to prosecution under the **Provincial Offences Act**, as applicable.

1 PART 1 – SET FINE OFFENCES

Item	Offence Description	Provision Creating or Defining Offence	Set Fine
1	Operating an Off-Road Vehicle without required equipment , where required by provincial legislation O. Reg 316/03	4.1 (a)	\$150
2	Operate an Off-Road Vehicle during prohibited hours (11:00 p.m. – 6:00 a.m.)	4.1 (c)	\$150
3	Failing to comply with posted signage, barriers, or route restrictions established by the Town	4.2 (a)	\$150
4	Operating an Off-Road Vehicle on a County of Renfrew Road , except as permitted by provincial or County legislation	4.2 (b)	150
5	Operating an Off-Road Vehicle on a sidewalk	4.2 (c)	\$150
6	Operating an Off-Road Vehicle on private property without owner permission	4.2 (d)	\$150
7	Operating a Motorized Snow Vehicle without required equipment , where required by provincial legislation O. Reg 316/03	5.1 (a)	\$150
8	Operate a Motorized Snow Vehicle during prohibited hours (11:00 p.m. – 6:00 a.m.)	5.1 (c)	\$150
9	Motorized Snow Vehicle Failing to comply with posted signage, barriers, or route restrictions established by the Town	5.2 (a)	\$150
10	Motorized Snow Vehicle on a County of Renfrew Road , except as permitted by provincial or County legislation	5.2 (b)	\$150
11	Motorized Snow Vehicle on a sidewalk	5.2 (c)	\$150
12	Motorized Snow Vehicle on private property without owner permission	5.2 (d)	\$150

2 OFFENCES PROCEEDING UNDER PROVINCIAL OFFENSES ACT

The following matters are **not subject to set fines** and may proceed under the **Provincial Offences Act**, at the discretion of the enforcing officer:

- a) Excessive speed or dangerous operation, having regard to road conditions, location, or proximity to pedestrians or dwellings;
- b) Excessive or unreasonable noise;
- c) Repeated offences or continued non-compliance after warning;
- d) Operation in a manner that causes damage to Town property, parks, trails, or infrastructure;
- e) Operation that poses a risk to public safety; and
- f) Any offence not expressly listed in Section 1 of this Schedule "B".

3 GENERAL

- 3.1 Set fines are established for administrative convenience and do not limit the authority of an officer to proceed under the Provincial Offences Act where circumstances warrant.
- 3.2 The imposition of a set fine does not relieve a person from complying with this By-law or from remedying the contravention.