

**THE CORPORATION OF THE TOWN OF DEEP RIVER**

**BY-LAW NUMBER XX-2026**

**A BY-LAW TO REGULATE THE OPERATION AND USE OF ELECTRIC KICK-SCOOTERS (E-SCOOTER) ON HIGHWAYS AND OTHER MUNICIPAL PROPERTY IN 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 3 of Ontario Regulation 389/19, Pilot Project – Electric Kick-Scooters, prohibits the use of Electric Kick Scooters on a highway, sidewalk, path or walkway or in a public park unless such operation is permitted by a municipal by-law;

**AND WHEREAS** the Province of Ontario has established technical, operating and safety requirements for electric kick-scooters;

**AND WHEREAS** the Council of the Town of Deep River considers it desirable to permit, regulate and control the operation of electric kick-scooters on highways and other municipal property in a manner that promotes public safety, minimizes nuisance, 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 govern the operation and use of electric kick-scooters within the boundaries of the Town of Deep River, including on highways, sidewalks, public trails, multi-use pathways and other municipal property, in accordance with Ontario Regulation 389/19 and the Highway Traffic Act, and to promote the safety and accessibility of all users of the transportation network.

**2 DEFINITIONS**

In this By-law:

- 2.1 **“Bicycle”** means a bicycle as defined in the Highway Traffic Act.

- 2.2 **“Commercial E-Scooter”** means an Electric Kick-Scooter that is made available to members of the public for short-term rental or shared use for a fee by a Commercial E-Scooter Operator.
- 2.3 **“Commercial E-Scooter Operator”** means any person, partnership, association or corporation that owns, operates, manages or supplies Commercial E-Scooters within the Town.
- 2.4 **“County Road”** means a highway under the jurisdiction of the County of Renfrew.
- 2.5 **“Electric Kick-Scooter” or “E-Scooter”** means a vehicle that meets all of the criteria set out in Ontario Regulation 389/19, including, without limitation, that it has two wheels placed along the same longitudinal axis, a platform to stand on, a steering handlebar, an electric motor not exceeding 500 watts and a maximum speed capability of 24 kilometres per hour on level ground, and a maximum weight of 45 kilograms including the battery and otherwise unladen.
- 2.6 **“Highway”** means a highway as defined in the Highway Traffic Act, and includes a common and public highway, street, avenue, parkway, driveway, lane, alley, square, place, bridge, viaduct or trestle, or any part thereof that is intended for or used by the public for the passage of vehicles.
- 2.7 **“Mobility Scooter”** means a motorized personal mobility device that is
- a) designed and manufactured for use by a person with a physical disability or mobility limitation;
  - b) intended to provide personal mobility assistance rather than transportation of goods or passengers;
  - c) equipped with three or four wheels, a seat, and a steering mechanism;
  - d) powered by an electric motor; and
  - e) operated at a low speed consistent with pedestrian environments,
  - f) and includes devices commonly referred to as mobility scooters or powered mobility aids, but does not include an electric kick-scooter, power-assisted bicycle, motorcycle, moped, or other motor vehicle as defined in the Highway Traffic Act.
- 2.8 **“Motor Vehicle”** means a vehicle propelled or driven otherwise than by muscular power, and includes an automobile, truck, motorcycle, motor-assisted bicycle (where applicable), bus, tractor, snowmobile, all-terrain vehicle, and any other vehicle required to be licensed or registered under the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, but does not include:
- a) an Electric Kick-Scooter operated in accordance with Ontario Regulation 389/19 and this By-law;

- b) a Power-Assisted Bicycle or E-Bike that meets the requirements of the Highway Traffic Act and its regulations; or
  - c) a Mobility Scooter or other mobility aid designed primarily for use by a person with a physical disability.
- 2.9 “**Multi-Use Pathway**” means a path or trail owned, leased or maintained by the Town and signed or otherwise designated for use by more than one class of user, including pedestrians and cyclists.
- 2.10 “**Municipal Law Enforcement Officer**” means a person appointed by the Council of the Town of Deep River to enforce the by-laws of the Town and includes a Provincial Offences Officer appointed pursuant to the Provincial Offences Act.
- 2.11 “**Municipal Property**” means lands owned or maintained by the Town including, but not limited to parks, playgrounds, beaches, sports fields, cemeteries, trails, buildings and naturalized areas, but excluding Highways.
- 2.12 “**Officer**” means a Town of Deep River Police Officer, Municipal Law Enforcement Officer, or any other person appointed by the Town to enforce this By-law.
- 2.13 “**Operate**” or “**Operation**” means to drive, or have care, charge, or control of a vehicle, whether or not the vehicle is in motion.
- 2.14 “**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.
- 2.15 “**Police Officer**” means a uniformed member of the Deep River Police Service providing policing services within the Town of Deep River.
- 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 “**Town**” means the Corporation of the Town of Deep River.
- 2.18 “**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.
- 2.19 Any term not defined in this By-law shall have the same meaning as in the Highway Traffic Act and its regulations, as amended from time to time.

### **3 APPLICATION AND JURISDICTION**

- 3.1 This By-law regulates the use of e-scooters on highways and other infrastructure under the jurisdiction of the Town of Deep River.
- 3.2 This By-law does **not** authorize the operation of e-scooters 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.

### **4 OPERATION REQUIREMENTS FOR E-SCOOTERS**

- 4.1 Electric Kick-Scooters may be operated on a Highway under the jurisdiction of the Town where the posted speed limit is 50 kilometres per hour or less, subject to the following operational requirements:
- a) Where a designated bicycle lane or cycling facility exists on a Highway, on which Electric Kick-Scooters are permitted, the operator shall use the bicycle lane or cycling facility and shall not operate the Electric Kick-Scooter in the general travelled portion of the roadway except where necessary for safety or for turning movements.
  - b) On Trails and Multi-Use Pathways on municipal property where bicycles are permitted, unless otherwise prohibited by this By-law or by posted signage.
- 4.2 No person shall operate an Electric Kick-Scooter in the Town unless it complies with all equipment and technical requirements set out in Ontario Regulation 389/19, as amended from time to time.
- 4.3 No person shall operate an Electric Kick Scooter at any time from one-half hour before sunset to one-half hour after sunrise, and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less.
- 4.4 No person shall operate an Electric Kick Scooter:
- a) On any Highway or portion of a Highway where the posted speed limit is greater than 50 kilometers per hour.
  - b) On any sidewalk or pedestrian-only area.
  - c) On any crosswalk or pedestrian crossover, except as may be permitted by the Highway Traffic Act.

- d) On any park, trail, or Municipal Property where the Town has posted signage prohibiting E-Scooters.
  - e) On any area temporarily closed to traffic by the Town or another road authority.
- 4.5 No person shall operate an Electric Kick Scooter:
- a) At a rate of speed greater than is reasonable and prudent having regard to all the circumstances, including the nature, condition and use of the highway, multi-use pathway, or trail and the amount of traffic that is or might reasonably be expected to be on the highway, multi-use pathway, or trail.
  - b) At a speed that is markedly greater than the speed of pedestrians who are proximate to the Electric Kick-Scooter.
  - c) In a careless or dangerous manner or in a manner that may endanger any person or property.
  - d) In such a manner as to perform tricks, stunts or other actions that are likely to create a hazard for the operator or to any other person.
  - e) Carrying any passenger, or permit any person to ride on the device other than the operator.
  - f) Towing, pushing or otherwise pull any other person, animal, vehicle or device.
  - g) While holding or using a hand-held wireless communication device.
  - h) While their ability to operate the device is impaired by alcohol, cannabis, or any other drug.
  - i) In any position other than while always standing.
- 4.6 No person under the age of 16 (sixteen) years shall operate an electric kick scooter.
- 4.7 Every person operating or riding on an Electric Kick-Scooter who is under eighteen (18) years of age shall wear a properly fitted and securely fastened bicycle or motorcycle helmet that complies with the requirements of the Highway Traffic Act.
- 4.8 Every operator shall obey all traffic control devices, signs and signals and shall yield the right-of-way to pedestrians and persons using mobility devices.
- 4.9 An operator shall give a clearly audible signal, such as a bell or horn, when overtaking and passing a pedestrian or cyclist on a Multi-Use Pathway.

## **5 COMMERCIAL ELECTRIC KICK-SCOOTERS AND E-BIKES**

- 5.1 No person shall provide, operate, place or cause to be placed any Commercial Electric Kick-Scooter for use by members of the public anywhere in the Town unless authorized by:
- a) a licence, permit or agreement expressly approved by Council; and

- b) a separate Town by-law regulating Commercial Electric Kick-Scooter or E-Bike operations, or an amendment to this By-law.
- c) Any Commercial Electric Kick-Scooter or Commercial E-Bike provided, staged, stored or left on a Highway or Municipal Property in contravention of this By-law may be removed, stored or disposed of by the Town at the owner's or operator's expense, in the same manner as provided for abandoned property or vehicles under applicable Town by-laws or legislation.
- d) For greater certainty, this section does not apply to personal Electric Kick-Scooters owned and used by individuals in accordance with this By-law, Ontario Regulation 389/19.

## **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 "A" to this By-law. Offences not listed in Schedule "A", 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 To the extent of any conflict, the provisions of this By-law prevail over the provisions of any other by-law of the Town respecting the operation of e-Scooters on highways and municipal Property. All by-laws or parts of by-laws passed prior to this By-law that are inconsistent with the provisions of this By-law are hereby repealed to the extent of such inconsistency.

## **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.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED THIS XX  
DAY OF XXXXX, 2026.

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Suzanne D' Eon, MAYOR

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Jackie Mellon, CLERK

DRAFT

## SCHEDULE "A"

### 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**

<b>Item</b>	<b>Offence Description</b>	<b>Provision Creating or Defining Offence</b>	<b>Set Fine</b>
1	Operate an Electric Kick Scooter <b>without required helmet</b>	4.7	\$100
2	Operate an Electric Kick Scooter during <b>prohibited hours</b>	4.3	\$75
3	Operate an Electric Kick Scooter in a <b>prohibited location</b>	4.4	\$75
5	Operate an Electric Scooter at a <b>high speed or in a careless or reckless manner.</b>	4.5	\$100
6	Operate an Electric Kick Scooter which does <b>not comply with O-Reg 389/19</b>	4.2	\$100
7	Operate an Electric Kick Scooter <b>under the age of 16 years.</b>	4.6	\$50

#### **2 OFFENCES PROCEEDING UNDER PROVINCIAL OFFENSES ACT**

All other offenses may proceed under the **Provincial Offences Act**, at the discretion of the enforcing officer, including:

- a) Dangerous operation, or operation that poses a risk to public safety having regard to road conditions, location, or proximity to pedestrians or dwellings;
- b) Repeated offences or continued non-compliance after warning; and
- c) Operation in a manner that causes damage to Town property, parks, trails, or infrastructure.

#### **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.