

DISTRICT OF CARLETON NORTH
A BY-LAW RELATING TO OFF ROAD VEHICLES
BY-LAW NO. S- 5

A BY-LAW OF THE MUNICIPALITY OF DISTRICT OF CARLETON NORTH RELATING TO OFF ROAD VEHICLES, PURSUANT TO SECTION 10 OF THE LOCAL GOVERNANCE ACT OF NEW BRUNSWICK.

Council of the Municipality of District of Carleton North under authority vested in it by Section 10 of the Local Governance Act, R.S.N.B. 2017, c. 18 enacts the following By-Law:

1. TITLE

- 1.1 This By-Law may be cited as the “Off Road Vehicle By-Law”.
- 1.2 This By-Law applies to the entire area within the boundaries of the Municipality of the District of Carleton North.

2. DEFINITIONS

In this By-Law:

- 2.1 “APPROVED OFF-ROAD VEHICLE ROUTES” means the streets or portions of streets designated in this By-Law and shown on any attached map or appendix where Off-Road Vehicle use is permitted.
- 2.2 “OFF ROAD VEHICLE” as defined in the Off Road Vehicle Act, RS N.B. 1985, C0-1.5.
- 2.3 “OPERATOR” means a person who drives or has care and control of an Off-Road Vehicle.
- 2.4 “SHARED USE TRAIL” means a trail that is for both motorized and non-motorized use.
- 2.5 “STREET” means any public roadway within the Municipality.
- 2.6 “VALID DRIVER’S LICENCE” means a driver’s licence issued under the Motor Vehicle Act that is not expired, suspended, or revoked.

3. GENERAL PROVISIONS

- 3.1 The District of Carleton North authorizes Off-Road Vehicles to use a portion of municipal streets as specified below. The authorization to use a portion of said Streets applies only to Off-Road Vehicles complying with the Off-Road Vehicle Act and its regulations as well as any other applicable legislation.
- 3.2 No person shall operate an Off-Road Vehicle on a street within the Municipality except on routes designated in this By-Law and shown in any attached maps or appendix.

- 3.3 No person shall operate an Off-Road Vehicle on a street within the Municipality without a Valid Driver's License.
- 3.4 The following routes are designated as "Approved Off-Road Vehicle Routes":
- (a) on Hospital Street (east/west), as shown in Appendix A.
- 3.5 Any person operating or riding on an Off-Road Vehicle shall wear, in an appropriate manner, a helmet that meets the standards prescribed by regulations made under the Motor Vehicle Act.
- 3.6 All Off-Road Vehicles must be equipped as required by the Off-Road Vehicle Act.
- 3.7 Operators shall travel in the same direction as the traffic and shall move in single file, on the far right of the street.
- 3.8 Operators shall obey all traffic control devices and use proper signals as required under the Motor Vehicle Act.
- 3.9 Other vehicles on the roadway must have the right of way.
- 3.10 A person operating Off-Road Vehicles on an Approved Off-Road Vehicle Route shall, upon request, provide proof of registration and insurance and ensure that a clearly visible licence plate is displayed.
- (a) A valid trail permit must be displayed where required under the Off-Road Vehicle Act.
- 3.11 No person shall operate an Off-Road Vehicle in a manner that:
- (a) Damages or disrupts the natural environment; or
 - (b) Creates a nuisance due to excessive or frequent operation on municipal property or highways.

4. AMENDMENTS

- 4.1 Council may add, remove, or change Approved Off-Road Vehicle Routes by amending this By-Law.
- 4.2 Council may amend specific routes, sections, or maps without having to re-adopt the entire By-Law.

5. OFFENCES

5.1 Any person who violates this By-Law commits an offence and is liable to a fine of \$100.00.

5.2 The Municipality's Public Safety Manager or By-Law Enforcement Officer may enforce this By-Law and exercise all powers delegated to them by the Municipality.

6. EFFECTIVE DATE

READ FIRST TIME: _____

READ SECOND TIME: _____

READ THIRD TIME AND ENACTED THIS ____ DAY OF _____

MAYOR

CLERK

APPENDIX A: APPROVED OFF-ROAD VEHICLE ROUTE ON HOSPITAL STREET

The map below shows the approved east/west route for Off-Road Vehicles on Hospital Street

