

BY-LAW NO. T-3

NACKAWIC MUNICIPAL BY-LAW DESIGNATING PORTIONS OF ROADS ACCESSIBLE TO ALL-TERRAIN VEHICLES

Pursuant to the powers conferred by the Off-Road Vehicle Act, RS.N.B. 1985, c. 0-1.5 and its amendments, the Council of Nackawic duly assembled enacts as follows:

1. Definitions:

All-Terrain Vehicle as defined in the Off-Road Vehicle Act, RS.N.B. 1985, c. 0-1.5 and its amendments.

Managed Trail is defined by signage posted or erected in accordance with the requirements established in an agreement made between the landowner (Crown or private) and the ATV Club federated in New Brunswick

General Provisions:

2. The Town of Nackawic authorizes All-Terrain Vehicles to use a portion of municipal streets as specified below. The authorization to use a portion of said Streets applies only to All-Terrain Vehicles complying with the Off-Road Vehicle Act and its regulations as well as any other applicable law, regulation, municipal by-law or other.
3. No person shall drive an All-Terrain Vehicle on streets within the Town of Nackawic other than at the locations designated for this purpose and as further set out below and on a map attached to this By-Law as Schedule "A".
4. No person shall drive an All-Terrain Vehicle along the designated part of the streets and roads identified herein if such designated part of a street or road is not listed as an Off-Road Vehicle Managed Trail.
5. No person shall drive an All-Terrain Vehicle on streets within the Town of Nackawic without possessing a valid driver's license.
6. All-Terrain Vehicles may be driven along Otis Drive, as set out in Schedule "A" at a maximum speed of 40 km/hr.
7. All-Terrain Vehicles may be driven along a portion of Route #605 and Route #105 as set out in Schedule "A" at a maximum speed of 40 km/hr.
8. Drivers and passengers of an All-Terrain Vehicle shall wear, in an appropriate manner, a helmet that conforms to the standards prescribed by regulations made under the Motor Vehicle Act.
9. All-Terrain Vehicles shall be equipped with all the necessary equipment, as described in the Off-Road Vehicle Act.

10. All-Terrain Vehicles shall travel in the same direction as the traffic and shall move in single file, on the extreme right of the street.

11. All-Terrain Vehicles shall emit appropriate signals as required by the Motor Vehicle Act, and respect all traffic control devices.

12. All other vehicles driving on the road must have priority.

13. All-Terrain Vehicles using Otis Drive and a portion of Route #605 and #105 as outlined in Schedule "A" must be able to immediately provide a registration document, an insurance document, and a valid trail pass for the vehicle. A license plate with a valid sticker must be visible.

14. All-Terrain Vehicles shall not be permitted to drive on any streets in the Town of Nackawic between the hours of 10:00 pm and 7:00 am, with the exception of the portion of Route #605 and #105 as outlined in Schedule "A".

15. All-Terrain Vehicles shall not be excessively noisy while driving on Otis Drive, as set out in Schedule "A", and they shall drive in a respectful manner with consideration of the residents of Otis Drive.

16. All-Terrain Vehicles shall not cause any damage to any property in the Town of Nackawic.

17. Schedule "A" forms an integral part of this by-law.

Offences:

18. Anyone who violates this By-Law commits a punishable offence and is liable to a fine of \$100.00.

DULY PASSED AND ENACTED BY THE COUNCIL
OF THE TOWN OF NACKAWIC ON

First Reading: November 15, 2021
Second Reading: November 15, 2021
Third Reading: April 19, 2022

Ian Kitchen
Mayor

Kathryn Clark
Acting Chief Administrative Officer

