

BY-LAW NO. 2021-XX

A by-law of the City of Ottawa permitting and regulating the operation and use of low-speed vehicles in the city of Ottawa in accordance with Ontario Regulation 215/17 Pilot Project – Low-Speed Vehicles.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. In this by-law:

“low-speed vehicle” means a motor vehicle that,

- (a) meets the definition of low-speed vehicle in subsection 2 (1) of the Motor Vehicle Safety Regulations made under the Motor Vehicle Safety Act (Canada), and;
- (b) meets the requirements for low-speed vehicles set out in Schedule III to the Motor Vehicle Safety Regulations made under the Motor Vehicle Safety Act (Canada).

“Chief of Police” means the Chief of Police of the Ottawa Police Service, or an authorized representative;

"City" or "City of Ottawa" means the municipal corporation known as the City of Ottawa or the geographic area of the City of Ottawa, as the context requires;

“Director” means the Director of Traffic Services of the City or an authorized representative;

“driver” means a person who drives a vehicle on a highway;

“highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Highway Traffic Act” means the Ontario Highway Traffic Act, R.S.O. 1990, c. H.8 as amended;

“official sign” means a sign on the highway approved by the Ministry of Transportation of Ontario;

“parking space” means that part of the surface of the roadway, private property or City property designated for the purpose of vehicle parking;

"person" means a natural person, an employee, a partnership, a body corporate and any association, and the heirs, executors, administrators,

successors and assigns or other legal representatives thereof to whom the context may apply;

“roadway” means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all of the roadways collectively;

“shoulder” means that part of the highway immediately adjacent to the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete or gravel;

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, roadbuilding machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a streetcar.

APPLICATION OF BY-LAW

2. This by-law applies to all highways, sidewalks, trails, paths, walkways, parks, exhibition grounds or multi-use pathway trails under the jurisdiction of the City.

SUBJECT TO LAWS

3. The provisions of this by-law are subject to the provisions of the Highway Traffic Act and Ontario Regulation 215/17 passed thereunder, as amended.

4. No person shall operate, or cause to be operated, or use a low-speed vehicle on a highway, unless:

- (a) permitted by and in accordance with the provisions of the Highway Traffic Act and Ontario Regulation 215/17, as amended;
- (b) permitted by and in accordance with the provisions of the City of Ottawa Traffic and Parking By-law NO. 2017-301, as amended pertaining to vehicles;
- (c) permitted by and in accordance with applicable laws and the provisions of this by-law.

GENERAL REGULATIONS

5. A low-speed vehicle may be operated within the City of Ottawa in accordance with Ontario Regulation 215/17 and subject to the provisions of this by-law.
6. No person shall operate or permit the operation of a low-speed vehicle on a highway unless the vehicle is insured in accordance with Ontario Regulation 215/17.
7. No driver of a low-speed vehicle shall fail to carry proof of insurance for the low-speed vehicle and shall surrender the proof of insurance for reasonable inspection upon the demand of a police officer.
8. No person shall operate a low-speed vehicle at a rate of speed greater than 40 kilometres per hour.
9. No person shall operate a low-speed vehicle while carrying any combustible fuel on or in the vehicle.
10. No person shall operate a low-speed vehicle while carrying a child passenger younger than eight (8) years old.
11. No person shall operate a low-speed vehicle while carrying more occupants than the number of seating positions in the vehicle.
12. No person shall operate a low-speed vehicle while towing or attached to another vehicle or device.
13. The person operating a low-speed vehicle shall ensure a slow-moving vehicle sign is attached to the rear of the vehicle.
14. No person shall stop, park or permit a low-speed vehicle to remain stopped or parked on a highway, except in a delineated parking space.

SAFE OPERATION

15. The operator of a low-speed vehicle shall hold a valid Class A, B, C, D, E, F or G driver's license.
16. No person shall operate a low-speed vehicle on a highway for which the prescribed rate of speed is greater than 50 kilometers per hour.
17. A person may operate a low-speed vehicle through an intersection where the prescribed rate of speed of the intersecting highway is not more than 80 kilometers per hour, if the intersection of the two highways is controlled by,

- (a) a traffic control signal; or
- (b) stop signs or other traffic control devices that control traffic in all directions.

18. Every person who drives a low-speed vehicle on a highway and every owner or lessee of a low-speed vehicle that permits its operation on a highway shall ensure that the vehicle is in good working order and that,

- (a) no component, equipment or other feature that was part of the vehicle when it was manufactured or imported is missing or rendered partly or wholly inoperable;
- (b) no component, equipment or other feature of the vehicle that is required by this Regulation is missing or rendered partly or wholly inoperable; and
- (c) the vehicle has not been modified to permit it to attain a rate of speed greater than 40 kilometres per hour.

19. No person shall receive approval to operate a low-speed vehicle without first submitting a report for review to the Director that provides the following,

- (a) a detailed description of the planned use of the low-speed vehicle;
- (b) a detailed description of the highways upon which operation of the low-speed vehicle is planned;
- (c) the dates and times of day for which the operation of the low-speed vehicle is planned; and
- (d) a detailed description of community outreach and safety mitigation efforts planned; and
- (e) proof of the safety standards certificate issued for the low-speed vehicle by the Province of Ontario.

EQUIPMENT

20. No person shall operate a low-speed vehicle that does not bear a label affixed by the manufacturer in accordance with Ontario Regulation 215/17.

21. No person shall operate a low-speed vehicle on a highway unless the vehicle is equipped with,

- (a) an odometer;
- (b) a speedometer;
- (c) headlights;
- (d) turn signals;
- (e) mirrors;
- (f) seat belts; and
- (g) a windshield defrosting and defogging system.

ERECTION OF SIGNS

22. The Chief of Police and the Director or designate may erect, place and maintain such official signs as are required to give effect to the provisions of this by-law.

OFFENCES AND PENALTIES

23. Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

24. (1) Every person who is convicted of an offence under this by-law is liable to a minimum fine not exceeding \$500 and to a maximum fine not exceeding \$100,000 for each day that the offence occurs or continues pursuant to subsection 429(3) of the Municipal Act, 2001, and all such offences are designated as continuing offences as provided for in subsection 429(2), paragraph (a), of the Municipal Act, 2001.

(2) In addition to subsection (1), the total of all daily fines for a continuing offence is not limited to \$100,000 as provided for in subsection 429(3), paragraph 2, of the Municipal Act, 2001.

25. When a person has been convicted of an offence under this by-law, the Ontario Court of Justice and any court of competent jurisdiction thereafter may, in addition to any penalty imposed on the person convicted, issue an order:

- (1) prohibiting the continuation or repetition of the offence by the person convicted; and

- (2) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

APPLICATION AND ADMINISTRATION ENFORCEMENT

26. This by-law shall be enforced by the Chief of Police.

EFFECTIVE DATE

27. This by-law shall come into force and take effect upon enactment and shall be repealed on June 29, 2027.

SHORT TITLE

28. This by-law shall be referred to as the "Low-Speed Vehicles By-law".

ENACTED AND PASSED this day of ,2021.

CITY CLERK

MAYOR