BY-LAW No. 2015-077

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD

Being a by-law to amend by-law no. 2005-35, a by-law to restrict the use of motorized vehicles on certain municipally owned property.

WHEREAS Section 11(3) of the Municipal Act 2001, S.O. 2001, c. 25, as amended, provides that lower tier municipalities may pass by-laws respecting matters within the spheres of jurisdiction;

AND WHEREAS Section 11(3) of the Municipal Act 2001, S.O. 2001, c. 25, as amended, Includes as matters within the spheres of jurisdiction culture, parks, recreation and heritage;

AND WHEREAS Section 128 of the Municipal Act 2001, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS The Corporation of the Town of Collingwood is the owner and /or responsible party of the trails network within the Town of Collingwood (herein called the "Town");

AND WHEREAS Council enacted and passed By-law 2005-35, a by-law to restrict the use of motorized vehicles on certain municipally owned property, including but not limited to trails;

AND WHEREAS Council deems it necessary to amend By-law No. 2005-35 to permit certain classifications of e-bikes on the trails network within the Town;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1.THAT Section 1 – Definitions of By-law No. 2005-35 be hereby amended to include the following definitions:

"E-bike" means a Motorized Vehicle referred to as a motor assisted bicycle that contains an integrated electric motor which can be used for propulsion and retain the ability to be pedalled by the rider;

"Multi-use Trail" means trails within the boundaries of the Town of Collingwood that identify the use of bicycles as being permitted, with a sign identifying the permitted use provided at the entrance point of such trail;

"On-road Bike Lanes" means a portion of the roadway that has been designated by striping, signing and/or pavement markings for the preferential and exclusive use of bicyclists and e-bikes.

"Pedelec" means a Motorized Vehicle referred to as a motor assisted bicycle that is similar in appearance to a manually powered bicycle driven by muscular power, that requires the use of pedals to activate a small electric motor that is only triggered while the rider is pedalling, reaching a maximum speed of 25 km/h during assisted pedalling and weighing less than 40 kilograms;

2.THAT Section 3 – Exceptions of By-law No. 2005-35 be hereby amended to include the following:

3.6 Pedelecs shall be permitted on Multi-use Trails.

3.7 E-bikes shall be permitted on On-road Bike Lanes and shall operate in accordance with the provisions of the Highway Traffic Act with respect to 'motor assisted bicycles' and municipal policies applicable to bicycles.

3.THAT Section 4 – Enforcement of By-law No. 2005-35 be hereby deleted and replaced with the following provisions:

4. ENFORCEMENT

4.1. The provisions of this By-law shall be enforced by a Municipal Law Enforcement Officer or a Police Officer.

4.2. An Officer who has reasonable grounds to believe that a person has contravened any provision of this By-law may require that person to provide identification of themselves; and

Every person who is required by an Officer to provide identification under

Section 4.2 shall identify themselves to the Officer. Giving their correct name, date of birth and address shall constitute as being sufficient identification. Failure to do so shall constitute obstruction of the Officer.

4.THAT this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED AND PASSED this 24th day of August, 2015.

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Mayor's Signature

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Clerk's Signature