

No public areas available for ATV use in rural Milton

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a bylaw passed by council," she said.

In order for a bylaw to come to council, a report has to be written. The first opportunity for the report to be presented was at the October 9 Community Services Standing Committee. It was passed and went to town council yesterday for approval.

"Town staff will advise the police when the report is approved and that will enable them to begin enforcement, for example, towing parked vehicles away," said Mowbray.

Staff Sgt. Delaney said people are using the roads and private property because there are no local public areas available for ATVs.

"One of the frustrating elements of this sport is that there are limited areas that are available for these vehicles to be used in Halton," she said.

"Any mature person who is interested in complying with regulations can see that a fence, even if it has been destroyed by others, is intended to keep people out. Police have had numerous problems in the recent past with property damage and trespassing by persons seeing any open field, quarry or park as an opportunity to go ATVing. This is absolutely not the case and everyone is reminded to comply with legislation as it relates to these vehicles."

ATVs are regulated by the Off-Road Vehicles Act though there's also potential for enforcement under the Trespass to Property Act, the Occupiers Liability Act and the Insurance Act.

Some of the most common legislation for ATVs are:

- An ATV must have a permit and insurance to be operated on a roadway. This includes simply crossing a road and riding on the shoulder of the road. The operator must be the holder of a driver's license and the vehicle licence plate must be clean and visible.
- Both driver and passenger must wear an approved helmet regardless of whether they are on the roadway or not.
- The driver of an ATV must stop for police or a landown-

er for the purposes of identifying themselves.

• The owner of an off-road vehicle can be charged and convicted of any offence for which the driver is subject. (Parents need to note this.)

• All ATVs must be insured and drivers must be able to produce proof of insurance at any time unless they are the owner of the property.

• No person under the age of 12 can operate an ATV except on the owner's property.

• The operator of an ATV can be charged with careless driving even when it is not operated on a highway.

• 'Risks Willingly Assumed' section 20 — Where no fee is paid for entry and the driver/passenger of the ATV doesn't live on the property, they are assumed to have willingly assumed all risks.

Staff Sgt. Delaney said parents need to be fully aware of

where their children are operating the ATVs because they can be held responsible. She also said that it is not only kids, but adults as well committing the offences with ATVs.

Although ATV owners in Nassagaweya are limited as to where they can operate their vehicles, there are options, said Staff Sgt. Delaney.

"In short, there are no public areas within Nassagaweya that are available for ATVing. Riders are limited to their own property or the property of others' who they have written permission from," she said.

"Persons interested in finding areas for ATVing should consider contacting the Ontario Federation of All-Terrain Vehicle Clubs at www.ofatv.org."

For more information or to report an ATV incident, contact Halton Regional Police at (905) 878-5511.

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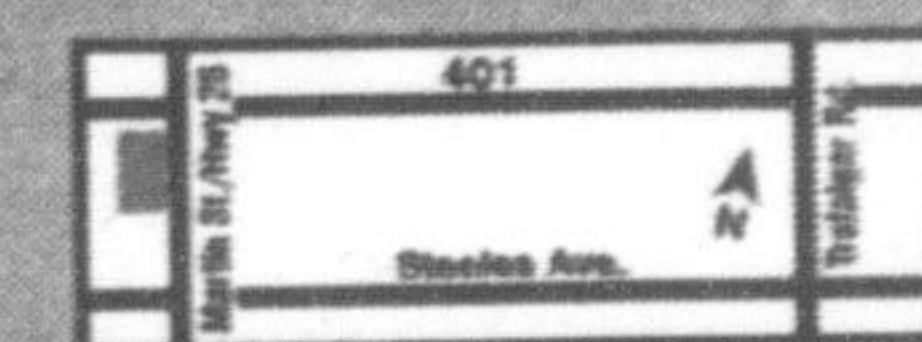
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