



MUNICIPALITY OF West Elgin

Staff Report

Report To: Council Meeting

From: Jana Nethercott, Clerk

Date: 2020-11-12

Subject: Off Road Vehicle Enforcement – Information Request from Elgin County

Recommendation:

That West Elgin Council hereby receives the report from Jana Nethercott, Clerk re: Off Road Vehicle Enforcement – Information Request from Elgin County; and

That West Elgin Council direct staff to provide Elgin County the following answer: _____

Purpose:

The purpose of this report is for staff to present Council with the request from Brian Lima, Director of Engineering Services to provide Elgin County Council with West Elgin's capacity to enforce a by-law preventing Off-Road Vehicles on County Roads and if West Elgin plans on adopting a by-law to ban Off-Road Vehicles on Municipal Roads.

Background:

West Elgin Council has had two reports from the Clerk regarding the upcoming changes to the Highway Traffic Act with regards to Off-Road Vehicles, one on January 23, 2020 and one on July 16, 2020. West Elgin Council had chosen to follow the staff recommendation that no municipal by-law be brought forward banning or restricting the use of Off-Road Vehicles on municipal roads due to the anticipated challenges of enforcement of such a by-law.

At the Elgin County Council meeting on September 22, 2020 the attached staff report was presented to County Council. As a result of this report the following resolution was passed:

RESOLVED THAT the matter be deferred until the Director of Engineering Services has solicited feedback from the local municipalities, the Elgin Group Police Services Board, and the Ontario Federation of Agriculture regarding the use of Off-Road Vehicles on Elgin County roads, and;

THAT the Director of Engineering Services report back to Council with an overview of alternative options and a draft by-law, which incorporates stakeholder feedback.

According to the email sent, of particular concern is the Municipality's capacity to enforce such a by-law.