

THE CORPORATION OF THE MUNICIPALITY OF TRENT HILLS

BY-LAW 2013-31

Being a by-law to authorize to regulate E-Bikes
within the Municipality of Trent Hills

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c.25 provides that municipalities may pass by-laws respecting highways, including parking and traffic on highways;

AND WHEREAS the Council of the Corporation of the Municipality of Trent Hills deems it necessary to restrict the use of power/motor assisted vehicles on certain public sidewalk and highways with the Municipality of Trent Hills for the purposes related to the health, safety and well-being of the inhabitants of the municipality;

NOW THEREFORE the Municipal Council of the Corporation of The Municipality of Trent Hills enacts as follows;

1. Definitions

- a) "Bicycle" includes a tricycle, unicycle, but does not include a motor or power assisted bicycle.
- b) "Boulevard" means that portion of every street of the Municipality of Trent Hills lying between the curb or edge of the traveled portion of the highway and the street line, exclusive of the area cover by any sidewalk and shall include any ornamental median strip of the highway;
- c) "Council" shall mean the elected Council of the Municipality of Trent Hills.
- d) "Crosswalk" means
- e) "Curb line" means the edge of the traveled portion of any highway;
- f) "E-Bike" is a bicycle with an electric motor used to power the vehicle
- g) "Enforcement Officer" means a person appointed by the Municipality of Trent Hills and includes any police officer within the meaning of the Police Services Act, for the purpose of enforcement
- h) "Highway" includes a common and public highway lane, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for use by the general public for the passage of vehicles;
- i) "Highway Traffic Act"
- j) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, then of the lateral boundary lines of two or more highways which join one another at an angle, wheter or not one hgiway crosses the other;
- k) "Roadway" means the part of the highway that is improved, designed or ordinarily used for vehicular traffic but does not include the shoulder and where a highway include two or more separate roadways;
- l) "Sidewalk" means that portion of a highway that is improved, designed, constructed and ordinarily used exclusively for pedestrian traffic but does
- m) "Traffic" shall include pedestrians, vehicles, and any other conveyances, either singly or together, while using any highway for the purpose of travel
- n) "Traffic Signal" means any device manually, electrically or mechanically operated for the regulation of traffic;
- o) "Trail" means a pathway around or through a Greenspace area also know as a park
- p) "Motor Assisted Bicycle" – means a bicycle,
 - (i) that is fitted with pedals that are operable at all times to propel the bicycle,
 - (ii) that weighs not more than fifty-five kilograms,
 - (iii) that has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,
 - (iv) that has an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimeters, and

- (v) that does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start ("cyclomoteur")
- q) "Motorcycle" means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground and shall include a bicycle with a motor attached and a motor scooter;
 - r) "Park" shall mean land or lands covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the municipality, that is or hereafter may be established, dedicated, set apart or made available for use by the public, including all buildings, structures, facilities, erections and improvements located in or on such land;
 - s) "Pedestrian" shall mean a person traveling on foot and includes a person in a wheelchair and a child in a baby carriage;
 - t) "Police Officer" means a member of the Ontario Provincial Police;
 - u) "Provincial Offences Officer" shall mean the By-law Enforcement Officer of the Municipality of Trent Hills who is duly appointed by the Council of the Municipality for the purpose of enforcing the provision of the Municipality's by-laws;
 - v) "Power Wheelchair" means a self propelled device used for mobility by people for whom walking is difficult or impossible;
 - w) "Vehicle" includes a motor vehicle, trailer, tractor, engine, farm tractor, heavy truck, road building machine and any other vehicle drawn, propelled or driven by any kind of power, including muscular power;
 - x) "Yield" means to give right of way to other traffic.

2. General

- a) No person shall ride, propel or operate motor assisted bicycles, power-assisted bicycle or E-Bike similar devices upon the following Municipally owned lands and buildings:
 - a. All Municipal owned sidewalks
 - b. All Municipal trails and parks
- b) Any E-bike used on Municipal roadways shall meet regulations laid out in the Highway Traffic Act;
 - a. E-bike must not weigh more than 120 kg (includes the weight of bike and battery)
 - b. All operators and passengers must be at least 16 years of age
 - c. All operators and passengers must wear an approved bicycle or motorcycle helmets
 - d. All electrical terminals must be completely covered
 - e. Two independent braking systems consistent with requirements for motorcycles and motor-assisted bicycles that applies force to each wheel and is capable of bringing the e-bike, while being operated at a speed of 30 km/h, to a full stop within 9 metres from the point at which the brakes were applied
 - f. The minimum wheel width or diameter shall not be less than 35mm/350 mm
 - g. No modifications to the motor to allow it to exceed a power output greater than 500w and a speed greater than 32 km/hr
 - h. The battery and motor must be securely fastened to the vehicle to prevent them from moving while the e-bike is operating.

3. Enforcement

- a) Any police officer, provincial offences officer, municipal law enforcement officer or employee of the Municipality designated by Council to administer this by-law is authorized to inform any person of the provisions of this by-law and to request compliance therewith.

- b) Any person contravening any of the provisions of this by-law shall be guilty of an offence and on conviction shall be liable to a fine as provided for in the Provincial Offences Act, RSO 1990, c. P.33 and the regulations thereof, as may be amended from time to time.
- c) If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, it will be severed and it is hereby declared that the remainder of the by-law shall be valid and shall remain in full force and effect.
- d) This by-law shall come into effect on the date it is enacted by Council.

By-law 2013-31 be introduced and deemed to be read a first, second and third time, passed and properly signed and sealed this 2nd day of April, 2013.



Hector Macmillan (Mayor)



Margaret Montgomery (Clerk)