



**SPECIAL MEETING OF COUNCIL
MINUTES**

Tuesday, June 6, 2017

7:00 PM

Lakeside Pavilion

315 Queen Street

Kingsville, ON N9Y 1Y8

Members of Council	Mayor Nelson Santos (arrived at 8:21 p.m.) Councillor Thomas Neufeld Councillor Susanne Coghill Councillor Larry Patterson Deputy Mayor Gord Queen Councillor Sandy McIntyre
Absent	Councillor Tony Gaffan
Members of Administration	P. Van Mierlo-West, CAO J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services J. Alexander, Deputy Clerk - Administrative Services

A. CALL TO ORDER

Deputy Mayor Queen called the Special Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Deputy Mayor Queen asked those present to stand and observe a moment of silence and reflection to be followed by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Queen reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

E. PUBLIC PRESENTATION

Police Constable Gord Keen of the Ontario Provincial Police (OPP) Provincial Traffic Operations presented a PowerPoint presentation regarding Off-Road Vehicle regulation and restriction. OPP Staff Sergeant Jerry Rabble (Leamington Detachment), OPP Constable Steve Campbell (Kingsville Detachment) and OPP Constable Sean McKinnon (Essex Detachment) were also in attendance.

Presentation:

Police Constable Gord Keen presented general background information pertaining to the Off Road Vehicles Act which regulates the use of ORVs on public lands, frozen waterways, and unorganized territories, and the Ontario Highway Traffic Act and Regulation 316/03. He stated that ORVs are not designed for or allowed on the highway as a general rule, that all ORVs are motor vehicles under the Highway Traffic Act and that under Reg. 316/03 there are 3 types of ORVs that are allowed on specific Highways in Ontario (ATVs, UTVs and ROVs). These highways are designated by Schedule B or C of the regulation or by way of municipal by-law. He detailed the regulatory requirements and provided examples of types of ORVs allowed under Reg. 316/03.

Comments from the audience:

A member of the audience commented that it may appear that all ATV drivers are being punished 'for an odd few' who do not abide by the rules.

Constable Keen indicated the rules are made by the Government of Ontario and the goal is not to ticket but to keep riders and the public safe. The presentation is for information so that everyone is aware of the statistics and laws.

A member of the audience questioned rules regarding E-bikes and Constable Keen advised that he also does separate and distinct training and presentations for E-bike riders and the public. E-bikes are regulated under the Highway Traffic Act.

Constable McKinnon indicated that there is a big difference between an E-bike and an ATV (including speed, size); that one cannot be compared to the other.

To the question "where it is legal to ride ATVs", Constable Keen indicated that the residents can Google-search Ontario Regulation 316/03 and refer to

Schedules A and B. Schedule B points to where riders can ride on provincial highways. Constable Keen indicated that in Lakeshore, ATVs are allowed in a restrictive area close to the lakeshore, as a pilot project (Lighthouse Cove area). He indicated that Chatham-Kent has provided areas to allow off road vehicles and that recently statistics have been released showing a high number of impaired drivers.

Constable Keen noted there are exemptions for farmers. Golf carts are not permitted on roads.

Mayor Santos arrived at 8:21 p.m. and assumed the Chair.

Mayor Santos thanked Constable Keen for the presentation.

Councillor Patterson asked if the Essex Region Conservation Authority Chrysler Greenway (commonly known as the ERCA Greenway) would be able to be used by the ORVs, and Constable Keen indicated that that same issue came up with the Trans Canada Trail and ORVs are not allowed there.

There were no further questions from Council.

Mayor Santos indicated that following this information meeting, there may be further meetings to identify certain purposes or causes for certain areas where ATVs might be looked at. He indicated that this is a first step in information gathering and education and that Council may try to examine ways to make it work. He thanked the residents for attending this evening to get the information and recognized representatives of the Municipality of Leamington also in attendance in the audience. Mayor Santos indicated the presentation would be circulated to local Police Services Boards.

F. CONFIRMATORY BY-LAW

1. By-law 67-2017

415-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read by-law 67-2017 being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at this Special Meeting a first, second, and third and final time.

CARRIED

G. ADJOURNMENT

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416-2017

Moved by Councillor Sandy McIntyre
Seconded by Councillor Larry Patterson

Council adjourn this Special Meeting at 8:33 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo