

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW NUMBER 03-053

Being a by-law to regulate the Canadian National  
Railway Company lands as a linear park,  
known as "Tiny Trail"

~~REPEALED/AMENDED~~

By-Law No. 14-042

~~REPEALED/AMENDED~~

By-Law No. 15-009

**WHEREAS** Section 8 of The Municipal Act, S.O. 2001, c. M. 25, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

**AND WHEREAS** Section 9 of The Municipal Act, 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to a) enable municipalities to govern their affairs as they consider appropriate and, b) enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 11 of The Municipal Act, 2001, provides that a lower-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

**AND WHEREAS** The Corporation of the Township of Tiny acquired title to certain lands by Deed registered on the 7th day of June 1978 and identified as Instrument No. 637457, from The Canadian National Railway Company;

**AND WHEREAS** The Corporation of the Township of Tiny has maintained upon those lands a linear public park for pedestrian purposes and all terrain vehicles, but not for the purposes of motorized vehicles.

1. **DEFINITIONS:**

"Township of Tiny" means The Corporation of the Township of Tiny.

"Tiny Trail" means a 20-metre wide linear public park from Concession 1 to Concession 13 inclusive and on Part of Lot 115, Concession 2 Old Survey.

"Pedestrian" means any person traveling on foot or with related foot gear and not requiring the aid of a motor for propulsion.

"Motor Vehicle" means a vehicle used for transportation relying upon a motor for operation. This excludes those vehicles described as all terrain vehicles, snowmobiles, dirt bikes or vehicles for emergency use.

"Emergency Vehicle" means a motor vehicle required to attend a situation, which arises suddenly and requires prompt action. This includes ambulance, fire, police, municipal law enforcement vehicles, as well as maintenance equipment authorized in writing by The Corporation of the Township of Tiny.

"All Terrain Vehicle (ATV)" means a form of transportation used primarily for traveling on land other than registered roadways but excludes two-stroke vehicles/machines and dirt bikes.

"Dirt Bike" means a two-wheel motorized machine used primarily for traveling on land other than registered roadways.

"Snowmobile/Motorized Snow Vehicles" means a self-propelled vehicle designed to be driven primarily on snow.

"Signage" means postings throughout Tiny Trail erected by The Corporation of the Township of Tiny or with the written consent of the municipality for use on Tiny Trail.

"Natural Features" means all geology, vegetation and wildlife pertaining to, existing in or produced by nature throughout Tiny Trail. This includes all plant and wildlife species and wetland areas.

"Permit" means:

- a) An annual written licence issued by The Corporation of the Township of Tiny to permit access to Tiny Trail.
- b) An alternative permit issued by The Ontario Federation of Snowmobile Club or other authorized organization approved by The Corporation of the Township of Tiny.

**2. PERMITTED USES:**

Permitted uses on Tiny Trail include pedestrian, cyclist, ATV, snowmobile and equestrian use. Dirt bikes are not permitted on Tiny Trail. Motor vehicles described for the purpose of this by-law are not permitted on Tiny Trail and are subject to a penalty under By-law 31-77, as amended by By-law 00-080. By-law 31-77 is a by-law to prohibit motorized vehicles on municipal lands such as parks and right-of-ways.

**3. SIGNAGE:**

Signage erected by The Corporation of the Township of Tiny or authorized in writing by the municipality may be posted as required throughout Tiny Trail. Any and all other unauthorized signage will be removed and destroyed by the municipality.

**4. SPEED LIMIT:**

The maximum speed permitted throughout Tiny Trail is 50 km/hour unless otherwise posted.

**5. LITTERING:**

By-law 96-113 is a by-law to prohibit the littering and/or dumping of debris or refuse. Littering and/or dumping of debris or refuse on Tiny Trail is not permitted and any violation of this by-law will result in a penalty described within the by-law.

**6. OPEN AIR FIRES:**

Open air fires within the Township of Tiny are controlled under the authority of By-law 01-149, as amended. Open air fires are not permitted and fire permits are not available for Tiny Trail. Any violation of By-law 01-149 will result in a penalty described within the by-law.

**7. CAMPING/TENTING:**

Camping and tenting within the Township of Tiny are controlled under the authority of By-law 1588. Camping and tenting shall be prohibited on Tiny Trail. Any violation of By-law 1588 will be subject to a penalty set within the by-law.

**8. PERMITS:**

Permits issued by The Corporation of the Township of Tiny will be provided and are required for ATV use throughout Tiny Trail and must be renewed on an annual basis. During the period from November 30<sup>th</sup> to April 30<sup>th</sup> in each calendar year, alternative permits for snowmobiles may be acquired from The Ontario Federation of Snowmobile Club or other authorized organization approved by The Corporation of the Township of Tiny as described in Schedule "A" attached.

9. **NATURAL FEATURES:**

Natural features throughout Tiny Trail are not to be removed, destroyed or otherwise disturbed without written consent of The Corporation of the Township of Tiny.

10. **CANINE AND EQUESTRIAN USE:**

By-law 02-115 is a by-law to control dogs and prohibit the running of dogs at large. Canine and equestrian use requires the removal of excrement from the Tiny Trail surface and violations are subject to a penalty under By-law 02-115. Equestrian excrement shall be considered in the same manner as canine excrement.

11. **SCHEDULE:**

Schedule "A" attached shall be part of this by-law.

12. **PENALTY:**

Any person(s) who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in The Provincial Offences Act, R.S.O. 1990, as amended.

13. **EFFECTIVE DATE**

That this by-law shall come into force and take effect upon its final passing.

**READ A FIRST AND SECOND TIME THIS 9TH DAY OF JUNE 2003.**

**READ A THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF JUNE 2003.**

**THE CORPORATION OF THE TOWNSHIP OF TINY**

*Robert Klug*

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Mayor, Robert Klug

*Earl D. Evans*

\_\_\_\_\_  
Chief Administrative Officer/Clerk, Earl D. Evans

**Schedule "A"**  
**to By-law 03-053**

This pass entitles you to use this ATV on Tiny Trail and only within the boundaries of the Township of Tiny.

In accepting this permit you agree to the following terms and conditions:

**ATV Permit Regulations**

- **Non-motorized users have the right of way at all times.**
- **Permit is not valid for dirt bikes.**
- Expect and respect other trail users.;
- Keep to the right to allow other users to pass on your left.
- Speed along Tiny Trail is 50km/hr unless otherwise posted.
- Respect neighbouring private property by staying on Tiny Trail. Do not make new trails or ride on unmarked and unauthorized trails.
- Avoid excessive noise.
- If your vehicle produces tracks over ½" deep, do not use Tiny Trail. This will occur most frequently in the spring and fall or after a heavy rain.
- Obey all barricades and closures along Tiny Trail.
- Obey all Federal, Provincial and Municipal regulations pertaining to the operation of your ATV.
- Permit is valid for the calendar year in which it is issued. Permit is not valid during winter grooming operations, usually from November 30<sup>th</sup> to April 30<sup>th</sup>.

Failure to comply with any of the above stated conditions may result in your permit being revoked at the users expense and may result in a fine outlined and enforced by any government body.

The Township of Tiny accepts no responsibility or liability for any injury of any nature , however caused, by the negligent or otherwise, use of Tiny Trail.

In signing this agreement I acknowledge an understanding of the rules and regulations of this agreement and assume the responsibility and liability resulting in non-compliance of this agreement.

**TOWNSHIP OF TINY**  
**20\_\_ ATV PERMIT**



**Permit # \_\_\_\_\_**

**Not valid unless clearly visible and  
affixed to the ATV. Not valid for dirt bikes**