

ORV/ATV Street Access Pilot Review

Committee Recommendation

Council Special Committee
ORV/ATV Pilot Review Committee
Town of Woodstock Council Report
04.2023

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Introduction

Recreational off-road vehicle use has been growing in audience across the Maritimes and substantially in New Brunswick in recent years.

QuadNB, whose principal mandate is to manage all ATV and side-by-side trails in the province, currently boasts there is over 10,000 kms of trails in New Brunswick. According to their website, together with their 57 member clubs has almost 31,000 individual rider-members, as of 2022 membership year.

The River Valley ATV Club is the local club that represents the Carleton County region and is the member club for QuadNB, region 7.

Both QuadNB and the River Valley ATV Club operate as non-profit organizations and they promote safe and responsible use of off-road vehicles to their rider-members. QuadNB actively organizes safety courses for riders and provides safe riding information, up-to-date rules and regulations and encourages users and members to make the sport safe and fun for all. QuadNB promotes a Rider's Code of Conduct for all members that join to agree to accept the risks associated with participating in the sport and that riders take responsibility for their own actions.

It is the vision of QuadNB to see "a province-wide trail network, linked to local member trails, that ensures safe Quad Trails for all. We want to ensure that everyone can actually "View New Brunswick from the inside" and discover all the hidden gems this beautiful province has to offer."

The ORV/ATV Special Committee consulted directly with representatives from both the River Valley ATV Club and QuadNB as part of the pilot project review.

The recognition of the potential long-term economic and tourism growth that this sport could provide in Woodstock is one of the main reasons that a pilot project was initiated in 2022. The other main reason was in reaction to the desire for recreational ATV riders to have a safe, legal, designated trail-to-trail connection and for out-of-town ATV riders to be able to access amenities like accommodations, fuel, service, and food.

Overview of Pilot Review Process

Police Statistics

The police provided a report in February of 2023 of compiled data from the duration of the pilot project. The Woodstock Town Police Department took an education first approach to dealing with non-compliance. The full report is included as Appendix A. NOTE: the Woodstock Town Police Department did not issue any fines, nor seize any off-road vehicles throughout the duration of the pilot project.

Open Forums

Two open public forums were held. The first forum was targeted at ORV/ATV users and was held on Tuesday, February 21st at the Y's Mens Club. The second forum was held Monday, February 27th at the AYR Motor Centre and was directed at mainly non-users. Overall, there were over 100 participants that came out to share their experiences with the pilot project, concerns, and desires. The public forums were led by committee Chair, Mayor Trina Jones, Gary Forward (Chief of Police), Tobi Pirie (Director of Tourism, Communications and Events), and CAO, Andrew Garnett.

Online Survey

An online survey was conducted in March of 2023 that concluded with 775 responses. The condensed report is included as Appendix B. The highlights of the report are outlined below:

Of the respondents, 67% reported they were in favour of ATV's on streets, 33% were not in favour, however, of respondents 23% reported that there were non residents of Woodstock. If we look at Woodstock residents only, the results would report approximately 57% in favour and 44% against.

64% of respondents answered YES to owning an ORV, to which 96% of them also responded that their ORV was registered with the Province.

Direct Outreach and Other Communication

The committee had various meetings with representatives from the River Valley ATV Club and QuadNB, and other stakeholders/businesses. The committee received numerous letters and emails from community members (both in support and against street access for ORV/ATV's).

The River Valley ATV Club provided us with an overall statement from the Board of Directors of their club. Representative(s) met with the committee multiple times to discuss current challenges. The club appointed member, Linda McHatten, to present to the special committee their suggestions for possible by-law amendments and changes. The club reiterated that their mandate overall is to promote safe recreational use of trails and that the desire for street access remains for the recreational purpose to connect trail to trail and to be able to allow visitors to the area access to accommodations, fuel, servicing and food. Both alternative and additional routes were suggested for consideration.

What We Heard

Overall, this continues to be a divisive topic and we acknowledge that this decision has an impact on the overall community and potentially any economic benefits. Most of the feedback we received from community members regarding street access for ORV/ATV's fit into the categories below:

Top Reasons to Support:

1. Economic/Tourism benefits
2. To support connecting trail-to-trail and community to community
3. To support the growing recreational activity of ATV'ing by making it easier to access amenities.

Top Reasons Against:

1. Too many users not following the rules
2. Enforcement for noncompliance too challenging/inefficient
3. Safety and Noise (dusk to dawn operation specifically)

We received a lot of feedback from community members and stakeholders who provided suggestions for amendments to a potential by-law, plus other overall suggestions to improve safety and outcomes. The majority of the suggestions are outlined below:

Suggestions:

1. Speeds for off-road vehicles on designated streets should follow the posted speed limits for regular motor vehicles.
2. Limit access to designated roads to specific daylight hours (dusk to dawn rules).
3. Add additional signage along any designated routes to ensure visibility and clarity.
4. Ensure larger educational signage is in place at entrance to designated street routes.
5. Ensure larger educational promotion of the rules and regulations for community members and ATV users (River Valley ATV Club, QuadNB), for both ATV users and non-users.
6. Stronger and consistent enforcement for off-road vehicles that are not adhering to designated routes and rules.
7. Consideration to allow off-road vehicle owners that live close to designated routes to be able to drive from a secondary non-designated street for sole purpose only to connect to the designated street and to return home.

Acknowledgements

We would like to thank the many community members and stakeholders that took time to reach out to us directly, consult with us, attend open forums, and fill out the survey. It is abundantly clear that we have a passionate community, regardless of which side of the issue anyone stands.

In particular, we would like to thank:

1. The local River Valley ATV Club for the numerous meetings we had and the information that was provided to us. We appreciated your help spreading the word during the pilot project.
2. QuadNB for their advice and effort before and during the pilot project and for the ongoing conversations during the review period.
3. We would like to thank the Town Public Works department for helping us with the signage during the pilot project. It took numerous drives around the route to determine best locations and we appreciate the quick turnaround on the installation and removal.
4. The Town of Woodstock Police force that worked with the committee before, during and after the pilot project.

Recommendation

After careful consideration, the ORV/ATV special committee has made the unanimous decision to recommend that Council NOT proceed with a by-law that would allow access for ATV's on municipal streets based on the following:

1. It was overwhelmingly determined by the committee that police enforcement would need to shift from an educational focus to a full compliance focus. In review of this request with the police force, it was determined that additional police resources, at minimum during peak ATV season, would be required. Given the fact that there is no additional money available to hire officers for this purpose, nor would this fall into the top 3 reasons to add additional police resources, the committee felt strongly that allowing ATV's access to the streets would potentially detract police focus away from greater public safety issues. In particular, the police force is starting a new dedicated Street Crime unit this summer and concerns were raised that enforcement of ATV's could potentially hinder this new effort and its focus. The police also shared that enforcement was impacted by those who refused to stop.
2. The majority of the streets (Connell Rd., Main St., and Houlton Rd.) in the designated route in the pilot project were designated highways and therefore those roads are under Provincial jurisdiction and any by-law requires their initial approval and any future restrictions or changes.
3. The committee, at large, agreed that adjusting the speed limit from a maximum of 40km/hr to the posted speed limits would make it easier for ATV riders and the flow of traffic. However, it would go against the speed recommendation made by the Province of NB and therefore the committee was undecided on this issue and would need further consultation from the Province on this decision.
4. The committee felt strongly that a restriction of access to streets be limited to day light hours only, however, enforcement was a concern overall. Given other duties performed by police during overnight shifts the committee concluded that patrolling for ATV violations during that timeframe may not be feasible as it is not the best use of police resources.
5. The lack of trailheads at the entrance/exit of the River Valley ATV Club trails was considered a major issue.
6. The lack of a legal passageway from the River Valley ATV Club trail to the top of Connell Rd. was considered a major issue.
7. Community to community trail access is not clearly defined into Woodstock
8. The suggested route by the River Valley ATV Club to allow access across the Grafton bridge and the Route 105 to access the trail connection beginning at Civic #5137 Route 105 was voted down by the committee based on:
 - The decision to provide access to the bridge and Route 105 would need to be ultimately decided by the Province

- The Town does not have any jurisdiction over policing in Grafton and cannot control the level of enforcement
 - Safety concerns of ATV traffic on the bridge and at the 2-way crossing
 - Concerns on the speed limit of the road from the bridge to the beginning of the trail at Civic #5137 Route 105 and lack of a wide shoulder for safe travel
9. Granting access to secondary streets to allow ATV riders to use them to connect to designated streets was voted down by the committee based on:
- It would make enforcement more difficult
 - It is more exposure to street access than was intended for recreational purposes as it was never the intent for ATV's to be used as general mode of transportation. Though we empathize greatly with those that do not have a motor vehicle, the committee does not feel that recreational ATV's are the solution to help fix the lack of public transportation in the community.
 - It goes against the original intent, which was to connect trail to trail, or to allow access to amenities
10. Though the Province has an Off-Road Vehicle Act, the act does not provide any access to provincial owned roads, nor any rules or regulations regarding access to roads in municipalities. The committee would encourage the Province and QuadNB to work together to establish trail to trail and community to community road access guidelines at the Provincial level. We support the work that has been done in both Newfoundland and, most recently, in Nova Scotia to establish road access guidelines on Provincially regulated roads, that include guidance and specifications for municipalities to follow and build on. Currently, municipalities are left to develop their own guidelines, which we have identified as problematic as it will make it difficult for tourists and ATV riders to follow the rules if they are different from community to community. Though riders are supposed to know the rules before they go, we accept that potentially having different rules throughout each municipality may create unintended challenges for ATV riders and enforcement.

Other Considerations:

The committee is suggesting that Council could consider a request from the River Valley ATV Club to open only Connell Rd. from the PetroCan/Scott St. (or close proximity) as far as the Sobeys/Tim Horton's parking lot if the below conditions are met. **Though this does not help connect trail to trail, it does allow access to amenities such as accommodations, servicing, food and fuel for tourists without over exposing street access along residential areas.*

Conditional upon:

1. There is legal passageway from a River Valley ATV Club managed trail to the "top of Connell" trail entry point to the municipal street

2. The Police Force has had a minimum of 6 months with the Street Crime unit active
3. The Police Force agrees they can manage full enforcement using regular resources
4. There is an adequate trailhead large enough to allow for a 4'x8' educational sign that outlines the route, rules and regulations
5. Factors such as restriction of hours of operation and speed limit be reviewed in depth with the Province and QuadNB

The committee is also suggesting that we would support drafting a letter to submit to the Minister of Public Safety and QuadNB to encourage them to establish rules and regulations around road access for Provincial roads within the Off-Road Vehicle Act that municipalities could build upon.

In closing, the committee has determined that the negatives currently outweigh the positives. Though we know this decision may be disappointing to ATV owners and enthusiasts, I hope you can accept that we had to make the decision based on what we felt was best for the community at large.