

## BYLAW 116-2009

### **Being A Bylaw Of The Summer Village Of Sunrise Beach, in the Province Of Alberta, To Regulate And Control The Use of Off-Highway Vehicles Within The Boundaries Of The Summer Village of Sunrise Beach**

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**WHEREAS** under the provisions of the Traffic Safety Act, RSA 2000, being Chapter T-6, and amendments thereto a Council of a municipality may pass bylaws with regard to the regulation and control of off-highway vehicle use within the municipality;

**AND WHEREAS** the Council of the Summer Village of Sunrise Beach deems it necessary and convenient to enact a bylaw regulating the use of off-highway vehicles on highways and other areas within the boundaries of the Summer Village;

**NOW THEREFORE** the Council for the Summer Village of Sunrise Beach duly assembled, enacts as follows:

**TITLE:** This Bylaw shall be cited as the "Off-Highway Vehicles Bylaw".

**DEFINITIONS:** In this bylaw, the following shall mean:

1. "Off Highway Vehicle" means:
  - a) any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel:
    - (i) 4-wheel drive vehicles;
    - (ii) low pressure tire vehicles;
    - (iii) motor cycles and related 2-wheel vehicles;
    - (iv) amphibious machines;
    - (v) all terrain vehicles;
    - (vi) miniature motor vehicles;
    - (vii) snow vehicles
    - (viii) minibikes, and
    - (ix) any other means of transportation that is propelled by any power other than muscular power or wind;
  - But does not include
    - (x) motor boats, or
    - (xi) any other vehicle exempted from being an off-highway vehicle by regulation
  - b) "vehicle" means a device in, on or by which a person or thing may be transported or drawn and includes a combination of vehicles but does not include a mobility aid;
2. "Highway" means any thoroughfare, street, road (developed or undeveloped), trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
  - (i) a sidewalk, including a boulevard adjacent to the sidewalk;
  - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and;
  - (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway , as the case may be;

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but does not include a place declared by regulation not to be a highway.

#### **PROHIBITIONS:**

1. The hours permitted for operating an Off-highway Vehicle on municipal highways shall be restricted to the period of time between 8:00 a.m. and 11:00 p.m. in any one day.
2. The maximum speed at which Off-highway Vehicles are permitted to travel on municipal highways is 50 km per hour unless posted at a lower speed limit.
3. Operators of Off-highway vehicles on Municipal highways shall travel on the extreme right hand side of the highway and shall travel single file at all times.
4. All Off-Highway Vehicles traveling on municipal highways shall be equipped with at least one headlight and tail-light. At any time during the night time hours or at any other time when, due to insufficient light or unfavorable atmospheric conditions, objects are not clearly discernable on the highway at a distance of five hundred (500) feet ahead, no Off-highway vehicle shall be in motion on a highway unless the headlight and taillight(s) are alight.
5. Without restricting the generality of the foregoing, the provisions of the Traffic Safety Act shall apply to the operation of an Off-Highway Vehicle on Municipal highway.
6. All Off-highway vehicles must be duly registered and insured pursuant to the Traffic Safety Act.
7. During times of high to extreme fire hazard or weather conditions, as defined by the Alberta Environmental Protection Land & Forest Services, the CAO or designate shall have the authority to ban the use of Off-Highway vehicles.
8. No person shall operate or be a passenger on an Off-highway vehicles unless he/she is wearing a U.S.A. Federal Motor Vehicle Safety FMVSS 218 Standard, BSI BS 6658:85 Standard (Department of Transportation standards), or Snell Memorial Standard M2000 approved safety helmet securely attached to his or her head.
9. No person shall operate an Off-highway vehicle on a sidewalk.
10. No person shall operate an Off-highway vehicle on Municipal Reserve Property, Playground or Campgrounds, with the exception of municipal employees or contractors during the course of their employment/work.

Every person who contravenes the provisions of this bylaw is guilty of an offence and liable to summary conviction to a penalty as prescribed in the Traffic Safety Act and/or any related Alberta regulations.

The Council for the Summer Village of Sunrise Beach reserves the right to revoke the provisions of this bylaw at any time without notice.

This bylaw comes into full force and effect on the date of its final passing.

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READ A FIRST TIME THIS 6<sup>TH</sup> DAY OF APRIL, 2009.

READ A SECOND TIME THIS 4th day of May, 2009.

READ A THIRD AND FINAL TIME THIS 4<sup>th</sup> day of May, 2009.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Administrator

Signed On: \_\_\_\_\_