

BYLAW OF 68/94

M.D. OF BIGHORN NO. 8

A BYLAW OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8, IN THE PROVINCE OF ALBERTA REGULATING THE OPERATION AND USE OF OFF-HIGHWAY VEHICLES ON HIGHWAYS UNDER THE JURISDICTION OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8.

THIS BYLAW IS PURSUANT TO THE PROVISIONS OF THE OFF-HIGHWAY VEHICLE ACT BEING CHAPTER O-4 OF THE REVISED STATUTES OF ALBERTA 1980 AND AMENDMENTS THERETO.

WHEREAS THE COUNCIL OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 CONSIDERS IT DESIRABLE AND EXPEDIENT TO RESTRICT THE OPERATION OF OFF-HIGHWAY VEHICLES WITHIN ITS BOUNDARIES IN ACCORDANCE WITH THE ALBERTA OFF-HIGHWAY VEHICLE ACT AND REGULATIONS AND AMENDMENTS THERETO.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED IN COUNCIL ENACTS AS FOLLOWS:

THAT IN THIS BYLAW:

1.

- A) "ALL TERRAIN VEHICLE" means a wheeled or tracked motor vehicle designated for travel primarily on unprepared surfaces such as open country and marshland, but does not include a snow vehicle, implement of husbandry or construction machinery;
- B) "MINIATURE MOTOR VEHICLE" means a motor vehicle other than a motor cycle, having specifications prescribed by the regulations;
- C) "MOTOR CYCLE" means a motor vehicle mounted on 2 or 3 wheels and includes those motor vehicles known to the trade as motor cycles, scooters and power bicycles;
- D) "OFF-HIGHWAY VEHICLE" means any motorized vehicle designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing includes, when designed for such travel,
 - (i) 4-wheel drive or low pressure tire vehicles
 - (ii) motor cycles and related 2-wheel vehicles
 - (iii) amphibious machines
 - (iv) all terrain vehicles
 - (v) miniature motor vehicles
 - (vi) snow vehicles
 - (vii) minibikes, and
 - (viii) any other means of transportation which is propelled by any power other than muscular power or wind but does not include
 - (ix) motor boats, or
 - (x) any other vehicle exempted from all of the provisions of this Act by the regulations.

- E) "OPERATOR" means a person who drives or is in actual physical control of a vehicle;
- F) "OWNER" includes a person renting an off-highway vehicle or having the exclusive use of that vehicle under a lease or otherwise for a period of more than 30 days;
- G) "SNOW VEHICLE" means a motor vehicle designed or intended to be driven exclusively or chiefly on snow or ice or both;
- H) "HIGHWAY" means any road or roadway within, and under the direction, control and management of the Municipal District of Bighorn No. 8.

AND THAT NO PERSON SHALL OPERATE AN OFF-HIGHWAY VEHICLE ON A MUNICIPAL DISTRICT HIGHWAY OR ANY PUBLIC PROPERTY UNLESS THE OPERATOR OF SAID OFF-HIGHWAY VEHICLE IS A HOLDER OF A SUBSISTING ALBERTA OPERATOR'S LICENCE. IN THE OPERATION OF A SNOW VEHICLE THE OPERATOR MUST BE 14 YEARS OF AGE. IN THE OPERATION OF ALL OTHER OFF-HIGHWAY VEHICLES THE OPERATOR MUST BE 16 YEARS OF AGE.

AND THAT NO PERSON SHALL OPERATE AN OFF-HIGHWAY VEHICLE ON A MUNICIPAL DISTRICT HIGHWAY OR ANY PUBLIC PROPERTY UNLESS SAID OFF-HIGHWAY VEHICLE IS:

- a) properly registered and
- b) properly insured

AND THAT ANY PERSON QUALIFIED TO OPERATE AN OFF-HIGHWAY VEHICLE MAY OPERATE AN OFF-HIGHWAY VEHICLE ON ANY MUNICIPAL DISTRICT HIGHWAY WITHIN THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 , SUBJECT HOWEVER TO THE FOLLOWING CONDITIONS:


- a) the hours of operating an off-highway vehicle on Municipal District highways shall be restricted to the period of time between 0800 in the forenoon to 2400 midnight in any one day;
- b) the maximum speed at which off-highway vehicles on Municipal District highways are permitted to travel is 30km per hour;
- c) operators of off-highway vehicles on Municipal District highways shall travel on the extreme right hand side of the road and shall travel single file at all times;
- d) all off-highway vehicles travelling on Municipal District highways shall be equipped with at least one headlight and one taillight. At any time during the night time hours or at any other time when, due to insufficient light or unfavourable atmospheric conditions objects are not clearly discernible on the highway at a distance of 150 meters ahead, no off-highway vehicle shall be in motion on a highway unless the headlight and taillight are alight;

- e) without restricting the generality of the foregoing, the provisions of the Highway Traffic Act shall apply to the operation of off-highway vehicles on Municipal District highways;
- f) the operation of any off-highway vehicles on a school yard or any posted recreation grounds within the Municipal District is prohibited at all times;
- g) the operation of off-highway vehicles on the public lands, roadways, etc. within the hamlets of Lac des Arcs, Harvie Heights and Dead Man's Flats is strictly prohibited. **Movement of off-highway vehicles** into and out of these communities **must not be under their own power.**

AND THAT ANY PERSON WHO CONTRAVENES THE PROVISIONS OF THIS BYLAW IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A PENALTY AS PRESCRIBED IN SCHEDULE "A" OF THIS BYLAW

READ A FIRST TIME THIS 6th DAY OF DECEMBER A.D., 1994.

READ A SECOND TIME THIS 6TH DAY OF DECEMBER A.D., 1994.




REEVE



MUNICIPAL ADMINISTRATOR

READ A THIRD AND FINAL TIME THIS 11th DAY OF April A.D., 1995.



REEVE



MUNICIPAL ADMINISTRATOR

MUNICIPAL DISTRICT OF BIGHORN NO. 8

BYLAW 68/94

SCHEDULE "A"

SCHEDULE OF FINES

Any offence - \$100.00