

The Summer Village of Argentia Beach

BYLAW NO. 236

Off-Highway Vehicle Bylaw

A BYLAW OF THE SUMMER VILLAGE OF ARGENTIA BEACH, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE OPERATION OF “OFF-HIGHWAY VEHICLES” WITHIN THE CORPORATE LIMITS OF THE SUMMER VILLAGE OF ARGENTIA BEACH

WHEREAS, pursuant to the provisions of section 13 of the *Traffic Safety Act*, a Council of a municipality may, by bylaw, regulate the operation of off-highway vehicles within the corporate limits of the municipality; and

WHEREAS the Council of the Summer Village of Argentia Beach, in the Province of Alberta, deems it advisable to adopt an off-highway vehicles bylaw,

NOW THEREFORE, the Council of the Summer Village of Argentia Beach, in the Province of Alberta, duly assembled, hereby enacts as follows:

Section 1 – Title

This Bylaw may be cited as the “Off-Highway Vehicle Bylaw”.

Section 2 – Definitions

- (a) “Act” means the *Traffic Safety Act*, RSA 2000, c. T-6.
- (b) “Council” means the Municipal Council of the Summer Village of Argentia Beach.
- (c) “Off-Highway Vehicle” means any motorized mode of transportation built 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 vehicles,
 - (ii) low pressure tire vehicles,
 - (iii) motorcycles and related 2-wheel vehicles,
 - (iv) amphibious vehicles,
 - (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 or wind (but does not include motor boats)
- (d) "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.
- (e) "Peace Officer" means a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer.
- (f) "Permitted Area" means any area outside of the Village limits where an off-highway vehicle can be operated and within the Village limits in specified areas.
- (g) "Qualified Operator" means a person who is a holder of a valid subsisting operator's license.
- (h) "Roadway" means that part of a highway intended for use by vehicular traffic.
- (i) "Safety Helmet" means a safety helmet as prescribed in the *Highway Traffic Act Regulations*.
- (j) "Snow Vehicle" means a motor vehicle designed or intended to be driven exclusively on snow or ice or both.
- (k) "Village" means the Summer Village of Argentia Beach in the Province of Alberta.

Section 3 – Regulations

- (a) Only those off-highway vehicles as defined in section 2(c) may be operated within the corporate limits of the Village;
- (b) No person who is the owner or operator of an off-highway vehicle may operate or offer or permit any other person to operate the off-highway vehicle where there is not, for the time being, a subsisting certificate of registrations issued and an insurance policy issued (pursuant to the Act) for that off-highway vehicle. Any contravention of this section will be subject to prosecution under the *Provincial Traffic Safety Act*.
- (c) No resident of the Summer Village of Argentia Beach shall operate an off-highway vehicle in the Summer Village of Argentia Beach except for the purpose of proceeding from his residence to a permitted area and back to his residence by the most direct route possible.
- (d) If it is necessary to travel on the roadway, the operator and/or operators of the off-highway vehicle shall travel on the extreme right hand side of the road and shall travel single file.

- (e) When a person operates an off-highway vehicle in the Summer Village, the operator shall:
- (i) travel at a rate of speed not in excess of 30 km/h (18 mph);
 - (ii) obey all laws and regulations of the Village and the Province of Alberta.
- (f) When a person is operating an off-highway vehicle in the Village and it is necessary to cross a street, avenue or roadway, the operator of the off-highway vehicle shall:
- (i) stop the off-highway vehicle before entering on to the roadway or portion of highway to be crossed; and
 - (ii) yield right of way to all other vehicles and persons on the roadway; and
 - (iii) cross over the highway or portion of roadway to be crossed by the most direct and shortest route of travel available to the operator.
- (g) No person shall operate an off-highway vehicle in the green areas shown on Schedule A during the period from April 1 to October 30.
- (h) No person shall operate an off-highway vehicle that is not equipped with an exhaust muffler, at least one headlight and one tail light. 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 at a distance of 150 meters ahead, no off-highway vehicle shall be in motion unless the headlight and tail light are alight.
- (i) No person shall operate an off-highway vehicle unless wearing a safety helmet as per Provincial Legislation.
- (j) Notwithstanding section 3(b)(c)(d)(e)(g) and (h) of this Bylaw, the Council may, by resolution, grant permission for the operation of off-highway vehicles in any designated area within the Village for a designated time or event.
- (k) Notwithstanding any sections of this Bylaw, municipal employees may be authorized by Council to operate an Off-highway Vehicle in the course of their daily work schedule as prescribed in this Bylaw.

Section 4 – Penalties

- (a) Where a person contravenes this Bylaw, a Peace Officer is empowered to issue a violation ticket.

(b) Every person who contravenes any of the provisions of this Bylaw is guilty of an offence and is liable on summary conviction to a penalty as prescribed in Section 15(2) of the *Traffic Safety Act*.

(c) The Violation Ticket shall be in the form prescribed by Alberta Regulation 233/89, as amended, being the *Provincial Offences Procedures Act*, RSA 2000, c. P-34.

Section 5 –Coming into Force

This Bylaw shall come into force and effect upon final passing.

Read a first time this 19th day of June 2018.

Read a second time this 25th day of August, 2018.

Read a third and final time this 25th day of August, 2018.



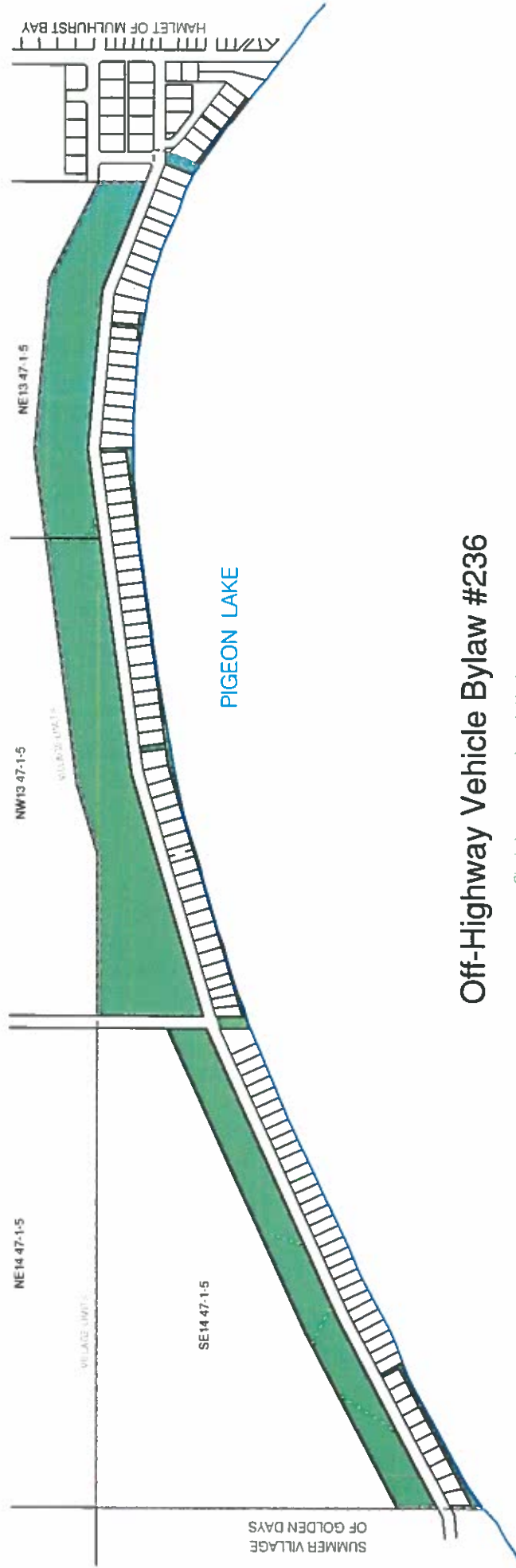
Mayor Don Oborowsky
Summer Village of Argentia Beach



Sylvia Roy, C.A.O.
Summer Village of Argentia Beach



Summer Village of ARGENTIA BEACH



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Shaded areas are parks and utility lots.