

BYLAW NO. 230
SUMMER VILLAGE OF SILVER SANDS

Being a Bylaw of the Summer Village of Silver Sands, in the Province of Alberta, to Control the Operation of All Terrain Vehicles and Off-Highway Vehicles within the Corporate Limits of the Summer Village of Silver Sands.

WHEREAS Section 7 of the Municipal Government Act, RSA 2000 authorizes councils to pass bylaws for municipal purposes; and

WHEREAS it is deemed necessary to regulate the use of All Terrain and Off-Highway Vehicles within the Summer Village of Silver Sands;

NOW THEREFORE, the Council of the Summer Village of Silver Sands, in the Province of Alberta, duly assembled, enacts as follows:

A. Title:

1. That this Bylaw shall be known as the “Off-Highway Vehicle Bylaw”

B. Definitions:

In this bylaw, the following definitions shall apply:

1. “Highway” means any thoroughfare, street, road (developed or undeveloped), trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway 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) If a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (ii) 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,But does not include a place declared by regulation not to be a highway
2. “Miniature Motor Vehicle” means a motor vehicle other than a motor cycle, having specifications prescribed by the regulations, passed pursuant to the Off-Highway Vehicles Regulation (AR 319-2002) and Part 6 of the Traffic Safety Act, RSA 2000, Chapter T-6 of Alberta;
3. “Minibike” means a motor cycle having specifications as prescribed by the Off Highway Vehicles Regulation (AR 319-2002)
4. “Motor Vehicle” means a motor vehicle as defined in the Traffic Safety Act, RSA 2000, and amendments thereto;
5. “Motorcycle” means a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motorcycles, scooters, and power bicycles;
6. “Off-Highway Vehicle” means a motorized vehicle designed 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) Miniature motor vehicles;

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- (v) Snow vehicles;
- (vi) Minibikes, and
- (vii) Any other means of transportation which is propelled by any power other than muscular power or wind

but does not include

- (viii) motor boats, or
- (ix) any other vehicle exempted from all of the provisions of the Act by the regulations.

- 7. "Operator" means a person who drives or is in actual physical control of a vehicle;
- 8. "Owner" includes a person renting an off-highway vehicle or having exclusive use of that vehicle under a lease or otherwise for a period of more than 30 days;
- 9. "Peace Officer" means a member of the Royal Canadian mounted Police or Bylaw Enforcement Officer employed/contracted by the Summer Village of Silver Sands;
- 10. "Public Property" means property owned or controlled by the Summer Village that is designated or intended for use by the public as a park or playground;
- 11. "Snow Vehicle" means a motor vehicle designed or intended to be driven exclusively or chiefly on snow or ice or both.

C. Regulations:

- 1. All Off-Highway Vehicles must be operated in compliance with the Traffic Safety Act..
- 2. All Off-Highway Vehicles operated on any public road within the Summer Village of Silver Sands shall be registered and insured in accordance with the Traffic Safety Act.
- 3. Off-highway vehicles shall not be operated on municipal highways within the Summer Village except for purposes of exiting and entering the Summer Village to and from the operator's residence and except for the purpose of traveling to and from the operator's residence to another specific location within the village. Operators of off-highway vehicles within the Summer Village using the public roads shall use the most direct route possible to and from their residences..
- 4. The hours of operating an Off-highway vehicle within the Summer Village shall be restricted to the period of time between 8:00 a.m. and 11:00 p.m. in any one day.
- 5. The maximum speed at which an off-highway vehicle is permitted to travel on a municipal roadway is 50 kilometers per hour, unless the highway is posted for a slower speed; then the slower speed shall apply.

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6. Operators of Off-Highway Vehicles on municipal roadways must travel on the extreme right hand side of the highway and shall travel in single file at all times. .
7. Off-Highway Vehicles may not be operated on private property without the written consent of the owner of the property.
8. Off-Highway Vehicles may not be operated on Public Property within the municipality, and very specifically, Lot R11, the Summer Village of Silver Sands Recreational Park.
9. Any person found in violation of this bylaw or the Traffic Safety Act may be required to complete an off-highway vehicle training course prior to being able to operate within the Summer Village again. The training course must be approved by Lac Ste. Anne County.

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

E. Effective Date:

This Bylaw shall come into force and effect on the day of the final passing thereof.

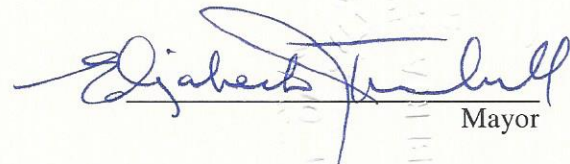
F. Repeal of Bylaw 205

Bylaw 205 will be rescinded upon passing of Bylaw 230

READ a first time this 28th day of July , 2009.

READ a second time this 28th day of July , 2009.

READ a third and final time this 28th day of July , 2009.



Mayor



Municipal Administrator