

BYLAW NO. 98/025

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO AUTHORIZING THE OPERATION OF OFF-HIGHWAY VEHICLES ON ROADWAYS LOCATED IN THE HAMLET OF FORT CHIPEWYAN WITHIN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

Whereas pursuant to the provisions of Section 18 (1) of the Off-Highway Vehicle Act, being Chapter 0-4, Revised Statutes of Alberta, 1980 and amendments thereto, no person shall operate an Off-Highway Vehicle on any portion of a Highway except as provided by the said Act.

AND WHEREAS pursuant to the provisions of Section 18 (2) (b) of the Off-Highway Vehicle Act, the Council of a Municipality is authorized (with respect to Highways under its direction, control and management) to authorize persons to operate Off-Highway Vehicles on any portion of any such Highway or class of Highway and to restrict the hours during which that operation may take place.

NOW THEREFORE the Council of the Regional Municipality of Wood Buffalo in regular meeting, duly assembled hereby enacts as follows:

IN THE BYLAW:

1. (a) "All Terrain Vehicle" means any motorized off-highway Vehicle traveling on three or more low pressure tires and having a seat designed to be straddled by an operator, having the specifications prescribed by the Off-Highway Vehicle Act Regulations.
- (b) "Amphibious Vehicle" means a wheeled or tracked motor vehicle designed 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.
- (c) "Hamlet" means the Hamlet of Fort Chipewyan, located within the Regional Municipality of Wood Buffalo as shown, highlighted in the attached Schedule "A."
- (d) "Highway" means only those roadways located within the Hamlet.
- (e) "Motorcycle and Minibike" means a motorized off-highway vehicle mounted on two wheels and having a seat designed to be straddled by an operator, and includes those motor vehicles known to the trade as motorcycles, scooters and power bicycles, having specifications as prescribed by the Off-Highway Vehicle Act Regulations.

- (f) "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 designated for such travel:
 - (i) Motorcycles and Minibikes
 - (ii) Snow Vehicles
 - (iii) All Terrain Vehicles

But does not include Motorboats and Amphibious Vehicles.

- (g) "Qualified person" shall be a person as defined in the Motor Vehicle Administration Act for the Province of Alberta.
 - (h) "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.
 - (i) "Peace Officer" shall mean any Bylaw Officer appointed by the Regional Municipality of Wood Buffalo, any RCMP Officer or Special Constable.
 - (j) "Snow Vehicle" means a motorized off-highway vehicle specifically designed for travel mounted and propelled on one or more tracks and having a seat designed to be straddled by an operator, and intended to be driven exclusively or chiefly on snow or ice or both.
 - (k) "Financial Responsibility Card" means a card issued pursuant to Section 5 of the Off-Highway Vehicle Act, Chapter 0-4.
 - (l) "Insurer" means a person licensed under the Insurance Act to carry on the business of automobile insurance in Alberta.
 - (m) "Insured Off-Highway Vehicle" means an off-highway vehicle, the owner of which is insured by a policy of insurance approved under Part 7 of the Insurance Act and containing the coverage and limits fixed by that Part for automobiles in relation to public liability, property damage and accident benefits in respect of that Off-Highway Vehicle.
2. Any qualified person may operate an Off-Highway Vehicle on a Highway as defined in this Bylaw subject to the following conditions:
- (a) The hours of operating an Off-Highway Vehicle on a Highway shall be restricted to the period of time between 07:00 a.m. and 11:00 p.m. on any day.

- (b) The maximum speed at which Off-Highway Vehicles are permitted to travel on a Highway will remain the posted speed limit for the highway operated on.
 - (c) Operators of Off-Highway Vehicles on a Highway shall travel on the extreme right hand side of the road and shall travel single file at all times.
 - (d) All Off-Highway Vehicles traveling on a Highway shall be equipped with at least one headlight and one tail light, and the headlight and tail light shall be alight at all times during which the Off-Highway Vehicle is traveling on a Highway.
 - (e) Operators of Off-Highway Vehicles shall use the Highway as a mode of transportation and not use the Highway as a recreational area or generally for recreational use.
 - (f) The operation of any Off-Highway Vehicle on any posted recreation ground, playground or park within the Hamlet of Fort Chipewyan is prohibited.
 - (g) Notwithstanding anything herein contained, no person shall operate an Off-Highway Vehicle on any Highway where signs posted by the Regional Municipality of Wood Buffalo prohibits the operation of Off-Highway Vehicles on such Highway.
 - (h) The operator of all Off-Highway Vehicles traveling on a Highway shall be required to ensure the vehicle is insured and shall provide upon request of the Peace Officer proof of insurance by presenting a financial responsibility card.
 - (i) The operator of all Off-Highway Vehicles traveling on a highway shall be required to ensure the vehicle is registered under the Off Highway Vehicle Act and shall produce the certificate of registration of the Off-Highway Vehicle upon demand by a peace officer.
3. Notwithstanding anything herein contained, the provisions of the Off-Highway Vehicle Act and the Highway Traffic Act shall apply to the operation of Off-Highway Vehicles on Highways.
4. No person shall operate an Off-Highway Vehicle on a Highway as defined in this Bylaw with the exception of the following:
- (a) A qualified person
 - (b) A holder of a valid Trappers Permit.

5. The Council of the Regional Municipality of Wood Buffalo by resolution may waive any of the provisions contained in this Bylaw, either generally or to deal with a specific situation and subject to whatever conditions as Council sees fit shall apply.
6. Every person who contravenes the provisions of this Bylaw is guilty of an offence on Summary Conviction to a penalty as prescribed in Schedule "B" of this Bylaw.
7. This Bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Regional Clerk.
8. A Peace Officer shall not be in violation of this Bylaw if operating an off-highway vehicle while in the performance of his duty.
9. That all previous Bylaws respecting Off-Highway Vehicles are hereby repealed.
10. A person who fails to do anything which he is required to do pursuant to this Bylaw, or who does anything which he is prohibited from doing under this Bylaw is guilty of an offence. Charges may be laid at the discretion of the Peace Officer and the person charged will be liable on summary conviction to a penalty provided in the General Penalty Bylaw of the Regional Municipality of Wood Buffalo as amended from time to time.

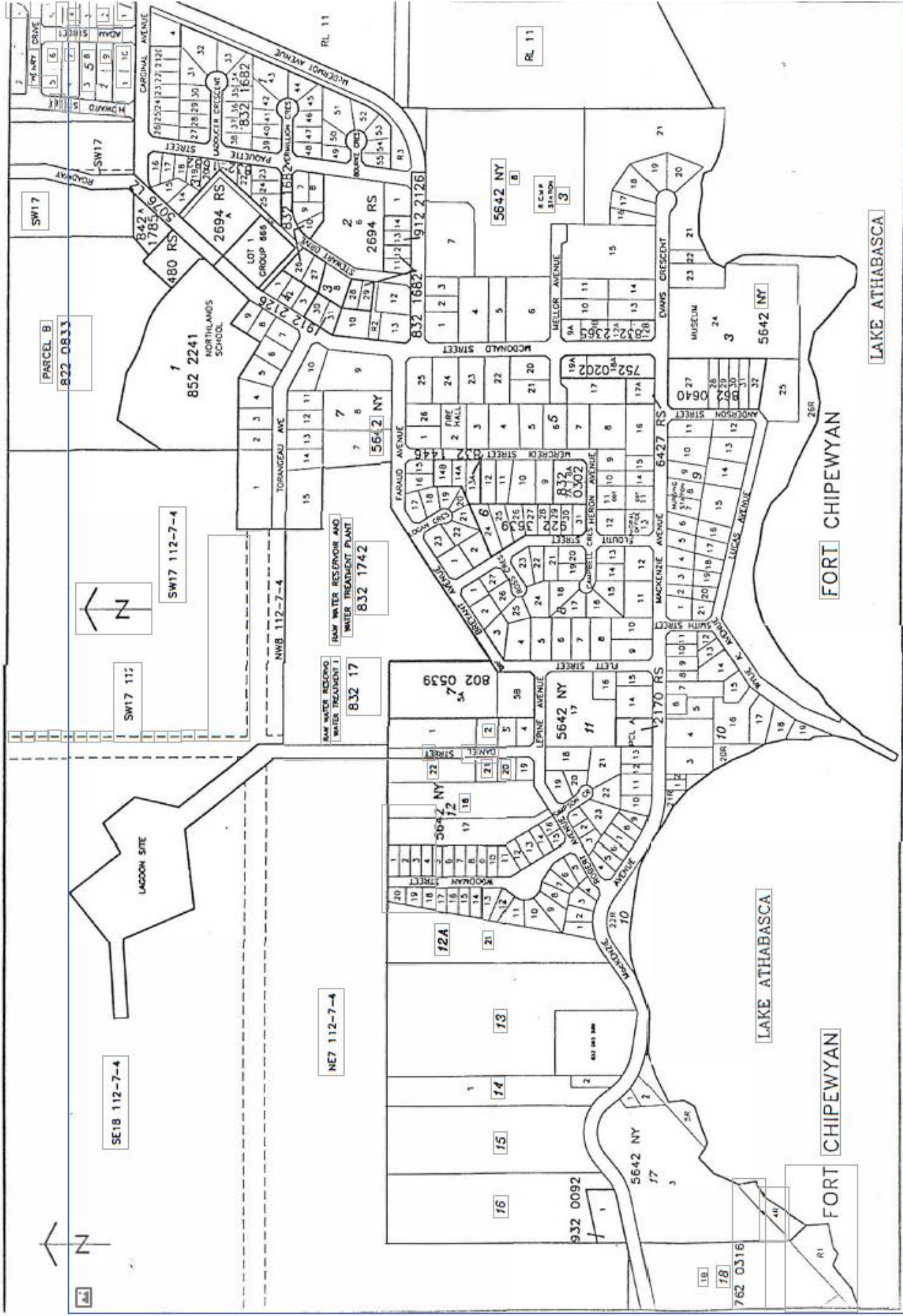
READ A FIRST TIME THIS 27TH DAY OF JANUARY, 1998.

READ A SECOND TIME THIS 10TH DAY OF FEBRUARY, 1998.

READ A THIRD THIS THIS 10TH DAY OF FEBRUARY, 1998.

By Law No. 98/025

SCHEDULE "A"



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FORT CHIPEWYAN

LAKE ATHABASCA

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SCHEDULE "B"
GENERAL PENALTY
OFFENCE AND FINE

<u>SECTION</u>	<u>OFFENCE</u>	<u>FINE</u>
2 (a)	Operate Off Highway Vehicle during restricted hours	\$50.00
2 (b)	Exceed Maximum Speed	\$50.00
2 (c)	Drive on Wrong Side of Road	\$50.00
2 (d)	Drive Without Headlight or Tail Light	\$50.00
2 (e)	Failing to Use Shortest Route	\$50.00
2 (f)	Operating in Posted Area or School Yard	\$50.00
2 (g)	Operating where Signs prohibit	\$50.00
2 (h)	Operate Off Highway Vehicle Without Insurance	\$50.00
2 (i)	Operate Off Highway Vehicle Without Registration	\$50.00
4 (a)	Operate Off Highway Vehicle When Not Qualified	\$50.00