

**BYLAW NO. 98/059**

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO AUTHORIZING THE OPERATION OF OFF-HIGHWAY VEHICLES ON ROADWAYS LOCATED IN THE HAMLET OF ANZAC AND GREGOIRE LAKE WITHIN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

WHEREAS pursuant to the provisions of Section 18(1) of the *Off-Highway Vehicle Act*, being Chapter )-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 THIS BYLAW:

1. (a) "All Terrain Vehicle" means any motorized off-highway vehicle traveling on three or more low pressure tires and having a seat design to be straddled by an operation, having the specifications prescribed by the *Off-Highway Vehicle Act Regulations*.
- (b) "Amphibious Vehicle" means a wheeled or tracted 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 Anzac and Gregoire Lake, 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” means a person who the holder of a valid Alberta Operator’s License or an Alberta Learner’s Permit.
  - (h) “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.
2. Any Qualified Person or other person described in paragraph 4(a) of this Bylaw, may operate an Off-Highway Vehicle on a Highway subject to Section 4 of this Bylaw and the following conditions.
- (a) The hours of operating an Off-Highway Vehicle on a Highway shall be restricted to the period of time between 7:00 a.m. and 12:00 midnight on any day.
  - (b) The maximum speed at which Off-Highway Vehicles are permitted to travel on a Highway is 30 kilometers per hour.
  - (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 Highways only to proceed to and from the Operator’s own property to or from a specific destination by the most direct route, and shall not use the Highway as a recreational area or generally for recreational use.
  - (f) The operation of any Off-Highway Vehicle on any posted area (i.e. an area where the placement of a sign notifies operators that the operation of an Off-Highway Vehicle within an area is prohibited), recreational areas or school grounds is prohibited within the Hamlet.

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) Any holder of an Alberta 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 offense on Summary Conviction to a penalty as prescribed in Schedule "B" to 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.

READ A FIRST TIME THIS 23<sup>RD</sup> DAY OF JUNE, A.D. 1998

READ A SECOND TIME THIS 14<sup>TH</sup> DAY OF JULY, A.D. 1998

READ A THIRD TIME THIS 14<sup>TH</sup> DAY OF JULY, A.D. 1998

CERTIFIED A TRUE COPY

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
REGIONAL CLERK

\_\_\_\_\_  
REGIONAL CLERK

\_\_\_\_\_  
DATE

**SCHEDULE 'A'**

(Diagram of Area of Anzac/Gregoire)

- A-1. Anzac Hamlet Boundary
- A-2. Gregoire Lake Estates Hamlet Boundary





## **SCHEDULE 'B'**

The following penalties shall apply for violations of provisions of this Bylaw as follows:

Operating an Off-Highway Vehicle on a Highway during a prohibited period Section 2(a)	For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.
Exceeding Maximum Speed Section 2(b)	For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.
Driving Wrong side of road Section 2(c)	For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.
Driving without Headlight or Tail Light - Section 2(d)	For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.
Use of Highway for Recreation Section 2(e)	For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.

Operating in Posted Area or School Yard or Recreational Area  
Section 2(f) For a first offense to a fine of \$50.00 and in default of payment, imprisonment for a term not exceeding thirty (30) days, and for a second or subsequent offense to a fine of \$100.00 and in default of payment, imprisonment for a term not exceeding sixty (60) days.

A Notice of Form (commonly called a "Traffic Tag" or "Violation Ticket") may be issued by a Peace Officer or a Special Constable or a Bylaw Officer to any person charges with a breach of any of the provisions of this Bylaw, and the procedures and penalties outlined in the *Municipal Government Act* and the *Provincial Offenses Procedures Act* shall apply to the enforcement of the same.