

BYLAW #579/96

A BYLAW OF THE TOWN OF ELK POINT, IN THE PROVINCE OF ALBERTA, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH REGULATION FOR THE CONTROL OF USE OR OFF-HIGHWAY VEHICLES WITHIN THE LIMITS OF THE TOWN.

PURSUANT to the provisions of Section 7 (a) and (b) of the Municipal Government Act, Statutes of Alberta, 1994, being Chapter M26.1 with amendments in force as of July 15th, 1996 and any amendments thereto and, the Off-Highway Vehicles Act.

NOW THEREFORE, the Council of the Town of Elk Point, in the Province of Alberta, in session duly assembled, enacts as follows:

1. SHORT TITLE:
This bylaw shall be known as the “Off-Highway Vehicle Bylaw”.

SECTION TWO - OFF HIGHWAY VEHICLE ACT:

2. Unless specifically defined in this bylaw, the definitions and regulations of the Off-Highways Vehicle Act shall apply.

SECTION THREE - DEFINITIONS:

- 3.1 “BYLAW ENFORCEMENT OFFICER” means a Bylaw Enforcement Officer appointed pursuant to section 555 (1) and (2) of the Municipal Government Act, being Chapter M26.1 with amendments in force as of July 15, 1996 and any amendments thereto.
- 3.2 “COUNCIL” means the Council for the Town of Elk Point.
- 3.3 “OFF-HIGHWAY VEHICLE” means Snowmobiles, Mini-bikes, Trail Bikes, and all other unlicensed motor cycles.
- 3.4 “OPERATOR” means a person who drives or operates an off-highway vehicle as the owner thereof, or as an agent, employee or servant of the owner.
- 3.5 “OWNER” means the registered owner of the off-highway vehicle.
- 3.6 “PEACE OFFICER” means a member of the Royal Canadian Mounted Police and a Bylaw Enforcement Officer.
- 3.7 “PERSON” means all those defined under “Operator” as set out in section 3.4 above.
- 3.8 “TOWN” means the Town of Elk Point, in the Province of Alberta.

SECTION FOUR - RULES FOR USE OF OFF-HIGHWAY VEHICLES:

- 4.1 The owner shall at all times be held responsible for the actions of the operator with respect to infractions of this Bylaw and the Off-Highway Vehicle Act.
- 4.2 No person shall operate an Off-Highway vehicle in contravention of the Alberta Off-Highway Vehicles Act.
- 4.3 No person shall operate an Off-Highway Vehicle in the Town, whether on Town or private property, so as to unduly disturb residents of the surrounding area.
- 4.4 No person shall operate an Off-Highway Vehicle without wearing an approved Safety Helmet designed for Off-Highway Vehicles.
- 4.5 No person shall operate an Off-Highway Vehicle within the Town between the hours of 10:00 p.m. and 9:00 a.m., whether on Town or private property.

- 4.6 Operators of Off-Highway Vehicles must depart from the Town by the shortest route, not in excess of twenty-five (25) km. Per hour, obeying all the traffic regulations, stop signs, cross walks, etc.

SECTION FIVE - PENALTIES:

- 5.1 First offence a fine of thirty-five (\$35.00) dollars.
- 5.2 Second offence a fine of seventy (\$70.00) dollars.
- 5.3 Third and subsequent offenses a fine of one hundred (\$100.00) dollars.

SECTION SIX - RESCINDING:

- 6.1 Bylaw 248A is hereby rescinded.

READ A FIRST TIME THIS 9TH DAY OF DECEMBER, 1996

READ A SECOND TIME THIS 9TH DAY OF DECEMBER, 1996

RESOLUTION #96-111 APPROVED THIRD READING THIS 9TH DAY OF DECEMBER, 1996

THIRD AND FINAL READING BY A MAJORITY OF THOSE PRESENT THIS 9TH DAY OF DECEMBER, 1996

Mayor Ed Buck

Town Manager, J. Curt Svendsen Sr.