

TOWN OF BRUDERHEIM
BYLAW 3-2011

A BYLAW OF THE TOWN OF BRUDERHEIM, IN THE PROVINCE OF ALBERTA
TO REGULATE AND CONTROL THE OPERATION OF OFF-HIGHWAY VEHICLES
WITHIN THE CORPORATE LIMITS OF THE TOWN OF BRUDERHEIM

WHEREAS the Highways Traffic Safety Act and amendments thereto provides that the Council of a municipality may enact Bylaws regulating the operation of Off-Highway vehicles on any portion of any highway under its direction, control and management, restricting the hours during which such operation may take place, and maximum and minimum rates of speed, subject to rates of speed prescribed for such highways under the Highway Traffic Safety Act;

AND WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") provides that a Municipal Council may revise its Bylaws.

AND WHEREAS the Council of the Town of Bruderheim wishes to revise its Off-Highway Bylaw.

NOW THEREFORE the Council of the Town of Bruderheim, duly assembled, enacts as follows:

SECTION 1 – Definitions

- 1.1 "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passing or parking of vehicles, including a sidewalk and boulevard portion thereof, a ditch that lies adjacent to and parallel with the roadway and where 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 the Lieutenant Governor in Council to be a highway.
- 1.2 "Off-Highway Vehicle" means any 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 such as four wheel drive or low pressure tire vehicles, motorcycles and related two wheel vehicles, amphibious machines, all terrain vehicles, miniature motor vehicles, snowmobiles and any other means of transportation which is propelled by any power other than muscular power or wind but not including motorboats or any other vehicle exempted from all of the provisions of this Act by the regulations.
- 1.3 "Operator" means a person who drives or is in actual physical control of a vehicle.

1.4 "Snowmobile" shall mean a vehicle propelled by mechanical power that is primarily designed to travel over ice or snow and is supported in part by skis, belts or cleats.

SECTION 2 – Regulations

2.1 No person shall operate any Off-Highway Vehicle on any area designated as parks or reserve land or town owned property within the jurisdiction and under the control of the Town of Bruderheim, with the following exceptions:

- i A snowmobile is permitted to use streets or roads within the Town of Bruderheim as the most direct route in and out of the Town limits,
- ii A snowmobile is permitted to access the Town of Bruderheim along 48th Avenue and to park adjacent to Queen's Park, but not in Queen's Park, for the purpose of accessing the businesses along Queen Street.
- iii Peace Officers, agents and employees of the Town of Bruderheim are exempt from the provisions of this bylaw while performing their official duties.

SECTION 3 – Enforcement

3.1 Every person in contravention of this bylaw is guilty of an offence and liable on summary conviction:

- i For a first offence, to a fine of \$250.00, and
- ii For a second and subsequent offence, to a fine of \$500.00

SECTION 4: REPEAL

4.1 Bylaw number 755-2006 is hereby repealed.

SECTION 5: EFFECTIVE DATE

5.1 This Bylaw shall come into force on the third and final reading.

Read a first time this 2nd day of MARCH, 2011.

Read a second time this 3rd day of MARCH, 2011.

Read a third time and finally passed this 23rd day of MARCH, 2011.



MAYOR



TOWN ADMINISTRATION

Date signed: March 25/2011