

**BYLAW 187-03  
OF  
ALBERTA BEACH  
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF ALBERTA BEACH, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE OPERATION OF ALL OFF-HIGHWAY VEHICLES WITHIN THE BOUNDARIES OF ALBERTA BEACH.

WHEREAS pursuant to the provisions of section 118(1)(2) of the Traffic Safety Act, (Alberta) and amendments thereto;

WHEREAS pursuant to the provisions of section 128(a)(b) of the said Statute, the council of a municipality may, by law, with respect to highways under its direction, control and management, authorize such persons to operate Off-Highway Vehicles on any portion of any such highway or class thereof and may restrict the hours during with such operation may take place, and prescribe maximum and minimum rates of speed; and

WHEREAS the council of Alberta Beach, in the Province of Alberta, considers it desirable and expedient to restrict the operation of Off-Highway Vehicles within its boundaries in accordance with the regulations specified in Part 6 of the Traffic Safety Act (Off-Highway Vehicle Regulation) (Alberta), as amended and regulations thereto, the Council of Alberta Beach, in the Province of Alberta, duly assembled, enacts:

**SECTION 1 - CITATION**

This bylaw may be cited as the Alberta Beach "Off-Highway Vehicles Bylaw"

**SECTION 2 - DEFINITIONS**

In this bylaw:

1. "All terrain 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;
2. "Financial responsibility card" means a card issued or authorized pursuant to the Insurance Act;
3. "Highway" means a highway as defined in the Traffic Safety Act;
4. "Insured off-highway vehicle" means an Off-Highway Vehicle 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;
5. "Insurer" means a person licensed under the Insurance Act to carry on the business of automobile insurance of Alberta;
6. "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
7. "Motor cycle" means a motor vehicle mounted on 2 or 3 wheels and includes those motor vehicles known to the trade as motor cycles, scooters and power bicycles;

**BYLAW 187-03**

8. "Off-highway vehicle" means any motorised 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 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. All terrain vehicles,
  - v. Snow vehicles, Snowmobiles,
  - vi. And other means of transportation which is propelled by any power other than muscular power or wind that is set out under the Off-Highway Vehicle Regulations;

But does not include:

- vii. Motor boats, or,
  - viii. Any other vehicle exempted from all of the provisions of this bylaw by the regulations.
9. "Park land" shall mean every recreational area owned or controlled by the Village of Alberta Beach that lies within the limits of the Village whether such park land is improved in whole or in part or remains in its natural state but shall include other neighbourhood beautification areas and publicly maintained area administered by the Village;
10. "Permitted Area" shall mean any area outside of the Village limits where Off-Highway Vehicles may operate;
11. "Snow Vehicle" shall mean a motor vehicle designed or intended to be driven exclusively or chiefly upon snow or ice or both;
12. "Act" means the Part 6 of the Traffic Safety Act of the Revised Statutes of Alberta 2000 and amendments thereto;
13. "Council" means the Alberta Beach Council;
14. "Current season" means the current calendar year;
15. "Highway" means a highway as defined in the Traffic Safety Act;
16. "Operator" means a person who drives or is in actual physical control of a vehicle;
17. "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;
18. "Roadway" means that part of a highway intended for use by vehicular traffic;
19. "Unrestricted public property" shall mean land leased to the Village or under the Village's management and control within Alberta Beach;
20. "Restricted parking" means parking or permitting to park any vehicle within the limits of Alberta Beach where a traffic control device is present or at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited, or as described in the Traffic Safety Act and revised statutes and amendments thereto, or as described by Alberta Beach Parking bylaw;
21. "Peace officer" means a member of the Royal Canadian Mounted Police, a member of a municipal police force, a member of the patrol division of the Department of the Solicitor General, a forest officer, a park officer or a wildlife officer or a Special Constable appointed by the Municipal Council.

