

SUMMER VILLAGE OF ISLAND LAKE

BYLAW 03-2024

A BYLAW OF THE SUMMER VILLAGE OF ISLAND LAKE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION, CONTROL AND MANAGEMENT OF OFF HIGHWAY VEHICLES WITHIN ITS' BOUNDARIES.

WHEREAS pursuant to the Municipal Government Act, a council may pass bylaws;

AND WHEREAS the Summer Village of Island Lake considers it desirable and expedient to regulate off-highway vehicles within its' boundaries in accordance with the laws of the Province of Alberta;

THEREFORE, the Council of the Summer Village of Island Lake, duly assembled, hereby enacts as follows:

1. TITLE:

- a) This Bylaw may be cited as the Off Highway Vehicle Bylaw.

2. DEFINITIONS:

- a) "Act" means the Traffic Safety Act, R.S.A. 200, c. T-6 as amended;
- b) "Bylaw" means Bylaw of the Summer Village of Island Lake, including amendments thereto;
- c) "Bylaw Enforcement Officer" means the person or persons appointed as such by the Summer Village of Island Lake Council, to perform any duties under this Bylaw and includes, but is not limited to, members of the Royal Canadian Mounted Police, a Peace Officer and a Bylaw Enforcement Officer;
- d) "CAO" means the Chief Administrative Officer of the Summer Village of Island Lake or their designate;
- e) "Council" means the duly elected Council for the Summer Village of Island Lake;
- f) "Highway" means a highway as defined in the Traffic Safety Act, Revised Statutes of Alberta 200, Chapter H-8;
- g) "Off-Highway Vehicle" means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or on marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing includes, when specifically designed for such travel:
 - i) 4-wheel drive vehicles,
 - ii) low pressure tire vehicles,
 - iii) motorcycles and related 2-wheel vehicles,
 - iv) amphibious machines,
 - v) all-terrain vehicles,
 - vi) utility task vehicles (commonly called side-by-sides),
 - vii) miniature motor vehicles,
 - viii) snow vehicles,

- ix) mini-bikes and
- x) any other means of transportation which is propelled by any power other than muscle power or wind, but does not include:
- xi) motorboats, or
- xii) any other vehicle exempted from being an off-highway vehicle by regulation.
- h) “Operator” means a person who drives or is in physical control of a vehicle;
- i) “Owner” means the person who owns the off-highway vehicle including the registered owner and including any person renting an off-highway vehicle or having exclusive use of that vehicle for a period of more than 30 days.
- j) “Roadway” means that part of a highway intended for use by vehicular traffic, and for the purposes of this Bylaw, means roadways within the Summer Village of Island Lake;
- k) “Safety Helmet” means a safety helmet as prescribed in the Regulations made pursuant to the Act;
- l) “Traffic Control Device” means any sign, signal, marking or device placed, marked or erected under the authority of the Act for the purpose of regulating, warning or guiding traffic.

3. OPERATING RULES:

- a) No person is authorized to operate an off-highway vehicle on any highway under the direction, management and control of the Summer Village of Island Lake except as specifically provided for within the Bylaw.
- b) The maximum speed at which off-highway vehicles are permitted to travel within the Summer Village of Island Lake is 30 km/hr.
- c) No person shall operate or be a passenger on an off-highway vehicle unless wearing a safety helmet securely fastened on their head when the off-highway vehicle is in motion.
- d) All operators and passengers of off-highway vehicles equipped with a seatbelt assembly must wear that seatbelt during operation of the vehicle.
- e) Off-highway vehicles equipped with factory Rollover Protection Structures and seatbelts are allowed to operate without the provisions of 3.c) above provided the operator and any passenger(s) are wearing seatbelts per Section 3.d) above.
- f) Operators of off-highway vehicles on designated municipal roads shall travel on the extreme right-hand side of the roadway and shall travel in single file at all times.
- g) No person is authorized to operate an off-highway vehicle in ditches, on medians or boulevards within the Summer Village of Island Lake.

4. LICENSING and REGISTRATION:

- a) No person shall operate an off-highway vehicle on any portion of a highway within the municipal boundaries of the Summer Village of Island Lake unless they are the holder of a valid Operators’ License or Learners’ Permit and are abiding by the rules of that license or permit as per provisions of the Act.

- b) No person shall permit another person who is not a holder of a valid operators' license or learners' permit, as per Section 4.a, to drive an off-highway vehicle on any portion of a highway within the municipal boundaries of the Summer Village of Island Lake.
- c) No person under the age of fourteen (14) years shall operate an off-highway vehicle in a public place.
- d) No person shall operate an off-highway vehicle within municipal boundaries of the Summer Village of Island Lake unless:
 - a. the off-highway vehicle is insured to cover bodily injury and property damage and;
 - b. the off-highway vehicle is insured to cover third party liability and;
 - c. the off-highway vehicle has current registration and;
 - d. the license plate is displayed on the off-highway vehicle.

5. OFFENCES:

- a) A Peace Officer or Bylaw Enforcement Officer who, on reasonable and probable grounds, believes that an offence under this Bylaw has been committed may seize and detain any off-highway vehicle in respect of which the offence was committed until the final disposition of any proceedings that may be taken under this Bylaw or the Off-Highway Vehicle Act.
- b) Any owner who permits another person to operate an off-highway vehicle in contravention of this Bylaw is guilty of an offence and subject to a penalty as outlined in Schedule A of this Bylaw.
- c) Any person who operates an off-highway vehicle in contravention of this Bylaw is guilty of an offence and subject to a penalty as outlined in Schedule A.

6. SEVERABILITY:

- a) Should any section or part of this Bylaw be found to have been improperly enacted, such section shall be deemed to be severable from all other sections of this Bylaw.

7. COMING INTO EFFECT:

- a) This Bylaw comes into force and effect on the date of final passing.
- b) Bylaw 02-2013 is repealed upon this Bylaw coming into force.

READ a first time this 21st day of January, 2025.

READ a second time this 18th day of February, 2025.

READ a third and final time on this 18th day of February, 2025.

ORIGINAL SIGNED

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Schedule “A”**Penalties**

Penalty Section	Fee – First Offence	Fee – Second & Subsequent Offences
3(b) Exceed Maximum speed of 30 km/hr.	\$100.00	\$200.00
3(c) Fail to wear helmet	\$250.00	\$500.00
3(d) Driver/passenger fail to wear seatbelt	\$250.00	\$500.00
4(a) Operate OHV w/o valid license	\$250.00	\$500.00
4(b) Allow others to operate OHV w/o valid license	\$250.00	\$500.00
Any offence under this Bylaw for which a penalty is not otherwise provided	\$250.00	\$500.00