

TOWN OF EDSON

BYLAW NO. 1790

Consolidated Bylaw #1790 with Amendment #1868

A Bylaw of the Town of Edson in the Province of Alberta, pursuant to the provisions of the Off-Highway Vehicle Act, being Chapter 0-4 of the Revised Statutes of Alberta 1980 and amendments thereto, to provide for the control and regulation of Off-Highway Vehicles within the corporate limits of the Town of Edson, and within public recreation areas administered by the Town.

WHEREAS Council deems it desirable and expedient to control and regulate the operation of Off-Highway Vehicles within the corporate limits of the Town and within public recreation areas administered by the Town;

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

PART I TITLE AND DEFINITIONS

Section 1

This Bylaw may be cited as “The Off-Highway Vehicles Bylaw” of the Town of Edson.

Section 2

In this Bylaw, unless the context otherwise requires, the word, term or expression:

1. “Council shall mean the Council of the Town of Edson.
2. “Highway” shall mean any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for passage or parking of vehicles; and
 - i) includes
 - a) a sidewalk (including the boulevard portion of the sidewalk)
 - b) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - c) if 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

- ii) does not include a place declared by the Lieutenant Governor in Council NOT to be a highway.
3. "Motor Vehicle" shall mean any vehicle propelled by a source of power other than muscular power of a moped, but does not include aircraft, tractors whether equipped with rubber tires or not, an implement of husbandry, or a motor vehicle that runs only upon rails.
 4. "Off-Highway Vehicle" shall mean 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 designed for such travel.
 - i) four-wheel drive or low pressure tire vehicles,
 - ii) motor cycles and related 2-wheel vehicles,
 - iii) amphibious machines,
 - iv) all terrain vehicles,
 - v) miniature motor vehicles,
 - vi) snow vehicles,
 - vii) minibikes, and
 - viii) any other means of transportation which is propelled by any power other than muscular power, wind or gravity,

but does not include

- ix) motor boats, or
 - x) four-wheel driven vehicles licensed for highway travel under the Motor Vehicle Administration Act.
5. "Parkland" shall mean every recreational neighborhood beautification, and public area owned or controlled by the Town, whether such area owned is improved in whole or in part or remains in its natural state.
 6. "Snow Vehicle" shall mean a motor vehicle designed or intended to be driven exclusively or chiefly on snow or ice
 7. "Special Permit" shall mean a permit authorized by Council to allow a person or persons to operate an off-highway vehicle or motor vehicle for a special purpose within areas which are otherwise restricted.

8. "Town" shall mean the municipal corporation of the Town of Edson.
9. "Town Manager" shall mean the appointed Chief Administrative Officer or the Town of Edson.

PART II USE OF OFF-HIGHWAY VEHICLES

Section 3 - Operation

1. No person shall operate, or shall be in the care and control of, an off-highway vehicle on any parkland or public place, or on any lands owned or controlled by the Town of Edson.
2. No off-highway vehicle shall drive under its own power on any highway of the Town.
3. Notwithstanding (1) and (2) above, a Peace Officer shall be permitted to operate an off-highway vehicle in the performance of his or her duties to enforce the provisions of this Bylaw.

PART III PENALTIES

Section 5

1. A person who contravenes of any provisions of this Bylaw is guilty of an offense and liable
 - i) for a first offense, to a fine of not more than \$500.00 and in default of payment to imprisonment for a term of not more than 30 days, and
 - ii) for a second or subsequent offense, to a fine of not more than \$1,000 and in default of payment to imprisonment for a term of not more than 60 days.

PART IV ENACTMENT

Section 6

1. Bylaw No. 1628 is hereby repealed.
2. This Bylaw shall take force and have effect upon final reading thereof.

READ a first time this 18th day of January A.D. 1994.

READ a second time this 18th day of January A.D. 1994.

READ a third time and finally passed this 18th day of January
A.D. 1994.

Mayor

Director of Finance & Administration