

**TOWN OF CORONATION
BY-LAW 2013-605**

A BYLAW OF THE Town of Coronation, PROVINCE OF ALBERTA, TO RESTRICT THE OPERATION OF OFF-HIGHWAY VEHICLES

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, being Chapter M-26 of the Statutes of Alberta, 2000 and amendments thereto, and the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta 2000, and amendments thereto, the Municipal Council of the Town of Coronation, in the Province of Alberta, duly assembled, enacts as follows:

1. Definitions:

- a. The definitions as contained in Section 1 of the Off-Highway Vehicle Regulation 319/2002 under the Traffic Safety Act shall apply;
- b. "**CAO**" means the Chief Administrative Officer of the Town of Coronation, a person duly appointed pursuant to the Municipal Government Act and the Municipality's Chief Administrative Officer Bylaw.
- c. "**Council**" means the Council of the Town of Coronation elected pursuant to the Local Authorities Election Act, Revised Statutes of Alberta.
- b. "**highway**" means any thoroughfare, street road, trail, avenue, parkway, driveway, viaduct, land, alley, square, bridge, causeway, trestle way, or other place, whether publicly or privately owned, and part of which the public is ordinarily or permitted to use the passage of vehicles; and
 - i. includes:
 1. where a ditch lies adjacent to and parallel with a roadway, the ditch;
 2. where highway right of way is contained between fences or between the fences, or all the land between the fence and the edge of the roadway, as the case may be; and
 - ii. Does not include a place declared by the Lieutenant Governor in Council not to be a highway.
- c. "**Off-highway vehicle**" means 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. 4-wheel drive or low pressure tire vehicles;
- ii. motor cycles and related 2-wheel vehicles;
- iii. all-terrain vehicles;
- iv. miniature motor vehicles;
- v. snow vehicles;
- vi. mini bikes; and
- vii. Any other means of transportation which is propelled by any power other than muscular power or wind.

But does not include:

- i. motor boats; or
- ii. Any other vehicle exempted from all of the provisions of the Traffic Safety Act by the regulations.

d. "Town" means the Town of Coronation

2. Subject to any other restrictions and provisions that may be contained in this bylaw, no person shall operate an off-highway vehicle in the corporate limits of the Town; or on property owned, leased or otherwise managed by the Town.

3. Access to Prohibited Areas:

- a. Access by off-highway vehicles on prohibited areas; and contravention of all other sections of this bylaw shall be allowed for Peace Officers if required to do so for the purpose of carrying out duties.
- b. Access by off-highway vehicles for the purpose of assisting with bylaw enforcement, maintenance or other approved functions, shall be permitted at locations and times approved by the Town.

4. Exemptions to Bylaw

- a. Upon application to Council a "Letter of Permission" or "Permit" to operate an Off-Highway Vehicle for snow removal on sidewalks and driveways may be issued.
- b. Clubs or organizations wishing to hold fund raising events such as snowmobile rallies, may, upon application to Council, receive permission to operate off-highway vehicles within the Town for the scheduled event only.
- c. Council may delegate by resolution the authority to issue a "Letter of permission" or "Permit" to the CAO.

5. Any person who breaches any section of this Bylaw is guilty of an offence and liable to:
 - a. payment of the penalty specified in Schedule "A" hereto; or
 - b. for any offence for which there is no penalty specified, to a penalty of not less than \$150.00 and not more than \$1,000.00; and in default of payment of any penalty, to imprisonment for up to 6 months

6. This bylaw repeals Bylaw 535-2006

READ a first time this 25th day of February, 2013

READ a second time this 25th day of February, 2013

READ a third and final time this 25th day of February, 2013

Mayor

Chief Administrative Officer

Schedule "A"
Schedule of Penalties

<u>Offence</u>	<u>Penalty</u>
Operating an Off Highway Vehicle with the municipality without a permit	
• First offence:	\$150.00
• Second offence:	\$250.00
Contravening terms or conditions of permit to operate an Off Highway Vehicle within Town Limits	\$300.00