

A BY-LAW OF THE VILLAGE OF INNISFREE IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL THE OPERATION OF OFF-HIGHWAY VEHICLES WITHIN THE CORPORATE LIMITS OF THE VILLAGE.

WHEREAS many persons are operating off-highway vehicles within Village limits; and

WHEREAS off-highway vehicles operate at speeds which may make them a source of danger to pedestrians or which may result in damage to public areas; and

WHEREAS it is deemed necessary in the interest of public safety to control and regulate the use of off-highway vehicles within Village limits; and

WHEREAS Section 7 of the *Municipal Government Act, RSA 2000* provides that a municipal council may pass bylaws respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS Section 120(5) of the *Traffic Safety Act, RSA 2000* provides that a municipal council may, by bylaw, with respect to highways under its direction and control, authorize persons to operate off-highway vehicles on any portion of any such highway or class of highway,

NOW THEREFORE, the Council of the Village of Innisfree, duly assembled, enacts as follows:

1. DEFINITIONS

- 1.1 “Off-Highway Vehicle” means an off-highway vehicle as defined in the *Traffic Safety Act, RSA 2000, C. T-6*;
- 1.2 “Highway” means a highway as defined in the *Traffic Safety Act, RSA 2000*;
- 1.3 “Parkland” shall mean every recreational area owned or controlled by the Village that lies within the limits of the Village whether such parkland is improved in whole or in part or remains in its natural state but shall include other neighborhood beautification areas and publicly maintained areas administered by the Village.

2. PERMITTED AREAS

- 2.1 There shall be no permitted area whatsoever within the limits of the Village of Innisfree for the operation of an off-highway vehicle not withstanding legally licensed vehicles operating on public roadways.

3. REGULATIONS

- 3.1 That no person who is the owner or operator of an off-highway vehicle shall operate or permit any other person to operate an off-highway vehicle within the corporate limits of the Village of Innisfree, inclusive of all parkland areas, except as provided for in the *Traffic Safety Act, RSA 2000* and this bylaw.
- 3.2 Unless the Village grants special permission, no rally or race involving off-highway shall be permitted.
- 3.3 The foregoing restrictions shall not apply so as to;
- a) Prohibit any peace officer, bylaw officer or agent authorized by the Chief Administrative Officer from duly enforcing the provisions of this bylaw;

- b) Prohibit employees or agents of the Village from operating an off-highway vehicle in the performance of their Village assigned duties, subject to said employees or agents adhering to the following conditions;
 - i. The operator of the vehicle is wearing a traffic vest and a CSA approved helmet.
 - ii. The vehicle is clearly marked as a Village of Innisfree vehicle or clearly marked as an agent of the Village.
 - iii. The vehicle is not used at speeds greater than 30 km per hour.
 - iv. If used on a highway, the vehicle must utilize a rotating amber light signifying a Municipal Public Works vehicle.

4 PENALTIES

4.1 Every person who contravenes this Bylaw is guilty of an offence and subject to a fine.

- a) For a first offence, an fine of not more than \$250.00
- b) For a second offence and every subsequent offence, a fine of not more than \$500.00.

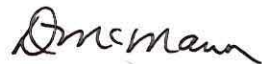
5 SEVERABILITY

5.1 If any clause of this Bylaw is found to be invalid, it shall be severed from the remainder of this Bylaw and shall not invalidate the whole Bylaw.

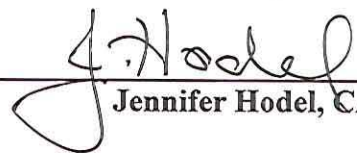
6 EFFECTIVE DATE

6.1 This bylaw shall come into full force and effect upon the date of the third and final reading.

READ A FIRST, SECOND, AND BY UNANIMOUS CONSENT OF COUNCIL A THIRD TIME AND FINALLY PASSED THIS 17th DAY OF FEBRUARY, 2015.



Mayor McMann



Jennifer Hodel, CAO