

## BY-LAW NO. 08/95

Being a By-Law of the Village of Bentley in the Province of Alberta to establish regulations for the control and operation of Off-Highway Vehicles within Village limits.

WHEREAS, under the authority of Section 18 of the Off-Highway Vehicle Act, Chapter 0-4 RSA 1980 and amended thereto, Village Council deems it necessary to regulate and control the operation of Off-Highway Vehicles within the Village corporate limits, and;

WHEREAS, Council's intention is to allow an owner or operator of an Off-Highway Vehicle to travel on registered roadways, lanes and designated trails for the purpose of providing:

- a) a direct route of travel to areas outside of the Village limits;
- b) a direct route of travel from outside the Village limits to a pre-determined destination within the Village.

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

### 1. Definitions

- a) "Off-Highway Vehicle" means:
  - any motorized vehicle designated for cross country travel on land, water, snow, ice, marsh or swamp land; including
    - i) low pressure tire vehicles
    - ii) motorcycles or related two wheel vehicles (must be equipped with proper sound retardants according to Provincial Standards)
    - iii) amphibious machines
    - iv) all terrain vehicles
    - v) minibikes
    - vi) snow vehicles
- b) "Highway" means street, road, avenue, lane, alley, whether publicly or privately owned, of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- c) "Roadway" means that part of a highway intended for use by vehicular traffic.

2. No person shall operate an Off-Highway Vehicle between the hours of 2200 hour of any day and 0800 hour of the next day succeeding.

3. No person under the age of fourteen years is permitted to operate an Off-Highway Vehicle on any highway or roadway.

4. No person shall cause an Off-Highway Vehicle to operate in excess of twenty kilometers per hour on any highway or roadway.

5. No person who is the owner or operator of an Off-Highway Vehicle may operate or permit any other person to operate the Off-Highway Vehicle when there is not for the time being a subsisting certificate of registration issued pursuant to the Off-Highway Vehicles Act in respect of that Off-Highway Vehicle.

6. All Off-Highway Vehicles shall be insured by a policy of insurance pursuant to the Insurance Act and said policy must contain coverage for public liability, property damage and accident benefits.

7. All Off-Highway Vehicles are prohibited from the following areas:

- a) school grounds and parking lots
- b) Hospital grounds and parking lot
- c) all designated recreation areas including but not limited to ball diamonds, arena grounds and parking lots, horseshoe pit area
- d) all parks, playgrounds and green areas designated by the Village
- e) cemetery area
- f) Waste Transfer and Sewage Lagoon Area

8. Off-Highway Vehicles are permitted to operate on highways or roadways within the Village of Bentley for the purpose of traveling:

- a) via the most direct route to a destination outside of the Village limits, and

b) via the most direct route from outside the Village limits to a pre-determined destination within the Village limits.

9. All provisions, regulations, offenses and penalties contained within the Off-Highway Vehicle Act, with the exception of Section 18(1) shall apply to all owners and operators of Off-Highway Vehicles operating within the Village of Bentley.

10. The onus is on the owner and operator of an Off-Highway Vehicle to be knowledgeable and have an understanding of the provisions and regulations contained within this By-law and the Off-Highway Vehicle Act.

11. This By-Law rescinds By-Law 512/91.

This By-law shall be in effect on the date of the final passing thereof.

READ the first time this 12 day of December 1995.

READ the second time this 12 day of December 1995.

READ a third and final time this 12 day of December 1995.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

Jan.5/96