

**SUMMER VILLAGE OF NAKAMUN PARK
BYLAW NO. 2009-03**

A BY-LAW FOR THE PURPOSE OF REGULATING THE USE OF OFF HIGHWAY VEHICLES IN THE SUMMER VILLAGE OF NAKAMUN PARK IN THE PROVINCE OF ALBERTA, UNDER THE PROVISIONS OF THE TRAFFIC SAFETY ACT, BEING CHAPTER T-6 OF THE REVISED STATUTES OF ALBERTA, 2000, AS AMENDED.

NOW THEREFORE, the Council of the Summer Village of Nakamun Park, in the Province of Alberta, duly assembled enacts the following bylaw controlling the operation of Off-Highway Vehicles on Highways in the Summer Village of Nakamun Park excepting Provincial Highways with two (2) and three (3) digit numbers.

1. In this bylaw, "off-highway vehicle means:

- (a) any motorized mode of transportation built for cross-country travel on land water, snow, ice or 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) motor cycles and related 2-wheel vehicles,
 - (iv) amphibious machines,
 - (v) all terrain vehicles,
 - (vi) miniature motor vehicles,
 - (vii) snow vehicles,
 - (viii) minibikes, and
 - (ix) any other means of transportation that is propelled by any power other than muscle power or wind.

but does not include

- (x) motor boats, or
- (xi) any other vehicle exempted from being an off-highway vehicle by regulation, or
- (xii) golf carts (electrical or gas powered);

- (b) "vehicle" means a device in, on or by which a person or thing may be transported or drawn and includes a combination of vehicles but does not include a mobility aid.

2. In this bylaw, "highway" means any thoroughfare, street, road (developed or undeveloped), trail avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes

- (i) a sidewalk, including a boulevard adjacent to the sidewalk,
- (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
- (iii) 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 does not include a place declared by regulation not to be a highway;

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3. Any person qualified to operate an off-highway vehicle may operate same on any Municipal highway within the Summer Village of Nakamun Park, subject to the following conditions:
 - (a) The hours of operating an off-highway vehicle on Municipal highways shall be restricted to the period of time between 7:00 a.m. and 11:00 p.m. in any one day.
 - (b) The maximum speed at which off-highway vehicles are permitted to travel on Municipal highways is 30km per hour unless otherwise posted at a lower speed limit.
 - (c) Operators of off-highway vehicles on Municipal highways shall travel on the extreme right hand side of the highway and shall travel single file at all times.
 - (d) All off-highway vehicles travelling on Municipal highways shall be equipped with at least one headlight and tail light(s). At any time during the night time hours or at any other time, when due to insufficient light or unfavorable atmospheric conditions objects are not clearly discernible on the highway at a distance of five hundred (500) feet ahead, no off-highway vehicles shall be in motion on a highway unless the headlight and tail lights(s) are alight.
 - (e) Without restricting the generality of the foregoing the provisions of The Traffic Safety Act shall apply to the operation of any off-highway vehicle on Municipal highways.
 - (f) All off-highway vehicles must be duly registered and insured pursuant to The Traffic Safety Act.
 - (g) All riders of off-highway vehicles must have a minimum Class 7 driver's license.
4. During times of high to extreme fire hazard or weather conditions as defined by Alberta Environmental Protection Land & Forest Services, the CAO or designate shall have the authority to ban the use of off-highway vehicles.
5. No person shall operate or be a passenger on an off-highway vehicle unless he/she is wearing a U.S. A. Federal Motor Vehicle Safety FMCSS 218 Standard, BSI BS 6658:85 Standard (Department of Transportation standards), or Snell Memorial Standard M2000, approved safety helmet securely attached to his/her head.
6. No person shall operate an off-highway vehicle on Municipal Reserve Property (including boulevards and parks), Playground or Campgrounds with the exception of Municipal employees or contractors during the course of their employment /work. During the winter months, when Council determines that there is sufficient snow coverage, the chains on the green belts will be removed and the will be covered up permitting snowmobile traffic on the greenbelts.
7. Any person found in violation of this bylaw or the Traffic Safety Act may be required to complete an off – highway training course prior to being able to operate on Summer Village of Nakamun Park property again. The training courses must be approved by the Summer Village of Nakamun Park and include the Canadian Safety Council ATV Course, the Alberta Safety Council ATV course and the Lac Ste Anne County OHV course.

Every person who contravenes the provisions of this bylaw is guilty of an offence and liable to summary conviction to a penalty as prescribed in the Traffic Safety Act and/or any related Alberta regulation.

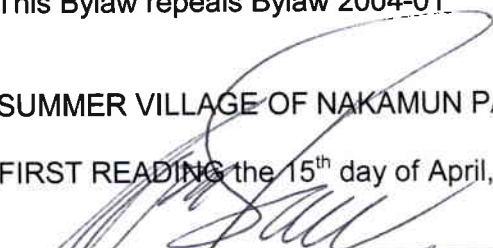
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The Council of the Summer Village of Nakamun Park reserves the right to revoke the provisions of this bylaw at any time without notice,

This Bylaw repeals Bylaw 2004-01.

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FIRST READING the 15th day of April, 2009




William (Bill) Burrell, Mayor



Hilda R. Marsh, CAO

SECOND READING the 15th day of April, 2009.




William (Bill) Burrell, Mayor

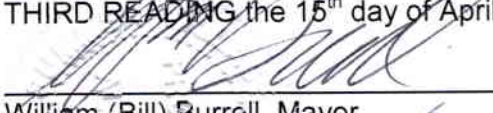


Hilda R. Marsh, CAO

THIRD READING the 15th day of April, 2009



William (Bill) Burrell, Mayor



Hilda R. Marsh, CAO

PASSED AT THIRD READING the 15th day of April, 2009