



**COUNTY OF BARRHEAD NO. 11**  
**PROVINCE OF ALBERTA**  
**BY-LAW NO. 7-2010**  
**OFF HIGHWAY VEHICLES BYLAW**

Page 1 of 5

---

**A BY-LAW OF THE COUNTY OF BARRHEAD NO. 11, IN THE PROVINCE OF ALBERTA, TO REGULATE THE OPERATION AND USE OF OFF-HIGHWAY VEHICLES ON HIGHWAYS UNDER THE JURISDICTION OF THE COUNTY OF BARRHEAD NO. 11.**

**WHEREAS**, pursuant to the provisions contained in Sections 120(5) and 128 of the Traffic Safety Act (Supra), the Council of a municipality, by By-Law is given certain powers to regulate and control the operation of Off-Highway Vehicles on highways which are subject to the direction, control and management of the municipality and on property that is not a highway and is located within the municipality; and

**WHEREAS**, pursuant to the provisions of Section 120(4)(b) of the Traffic Safety Act, R.S.A., 2000 c. T-6, the Council of a municipality may, by By-Law, authorize or issue a permit authorizing persons to drive Off Highway Vehicles along any portion of a highway that is under the direction, control and management of the municipality; and

**WHEREAS**, the Council of the County of Barrhead No. 11 is of the view that it is in the best interest of the residents of the County of Barrhead No. 11 that a By-Law be passed to regulate and control the operation of Off-Highway Vehicles pursuant to the powers granted to municipalities under the said sections of the Traffic Safety Act (Supra).

**NOW THEREFORE**, the Council of the County of Barrhead No. 11 in the Province of Alberta, duly assembled, hereby enacts as follows:

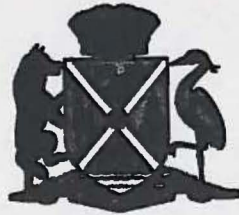
**1. NAME OF BYLAW**

This Bylaw may be cited as the "Off-Highway Vehicle Bylaw".

**2. DEFINITIONS**

In this By-Law:

- a) "Act" shall mean the Traffic Safety Act, R.S.A. 2000 c. T-6.;
- b) "Bylaw Enforcement Officer" shall mean a person appointed by Council as prescribed in the Municipal Government Act R.S.A. 2000, c.M-26, for the preservation and maintenance of the public peace that pertains to this bylaw, who may also be appointed as Special Constable or Community Police Officer with jurisdiction in the County of Barrhead No. 11 by the Solicitor General of Alberta, and also includes a member of the Royal Canadian Mounted Police;
- c) "Council" means the Council of the County of Barrhead No. 11;
- d) "County" means the County of Barrhead No. 11;
- e) "Country Residential District" means an area within the County with defined boundaries and established by bylaw in accordance with the County of Barrhead Land Use Bylaw as amended;



**COUNTY OF BARRHEAD NO. 11**  
**PROVINCE OF ALBERTA**  
**BY-LAW NO. 7-2010**  
**OFF HIGHWAY VEHICLES BYLAW**

Page 2 of 5

---

- f) "Hamlet" means an area within the County with defined boundaries and established by bylaw in accordance with the Municipal Government Act R.S.A., 2000 c. M-26.;
- g) "Motor Vehicle" means a motor vehicle as defined by the Traffic Safety Act R.S.A., 2000 c. T-6 and amendments thereto; (See Schedule "B")
- h) "Municipal Highway" means a highway as defined in the Traffic Safety Act R.S.A., 2000 c. T-6 and amendments thereto, and which is subject to the direction, control and management of the County; (See Schedule "B")
- i) "Off-Highway Vehicle" means an off-highway vehicle as defined in the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto; (See Schedule "C")
- j) "Operator" means a person who drives or is in actual physical control of an Off-Highway Vehicle;
- k) "Owner" means an owner as defined in the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto; (See Schedule "B");
- l) "Park" shall mean those reserved lands, recreational lands, posted recreation grounds, and other lands within the County which are owned by or controlled by the County and which do not form part of a Municipal Highway;
- m) "Parking Lane" means that portion of a highway between:
  - (i) the edge of the roadway to the right of the direction of traffic, and
  - (ii) the nearest solid white line (not being the center line) marked on the roadway;
- n) "Peace Officer" means a peace officer as defined in the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto; (See Schedule "B")
- o) "Posted Recreation Grounds" means developed parks or recreational areas.
- p) "Prohibited Highways" are those Municipal Highways as described and shown on Schedule "E" attached to and forming part of this by-law.
- q) "Public Property" means property owned or controlled by the County or the local school authority.
- r) "Reserve Land" means environmental reserve, municipal reserve, school reserve or municipal and school reserve as defined under the Municipal Government Act R.S.A. 2000, c. M-26, as amended.
- s) "Roadway" means roadway as defined in the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto; (See Schedule "B")
- t) "Safety Helmet" means a safety helmet as prescribed in the Regulations made pursuant to the Traffic Safety Act, R.S.A. 2000 c. T-6;
- u) "Vehicle" means a vehicle as defined in the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto; (See Schedule "B")
- v) "Violation Tag" shall mean a tag or similar document used by the County (as attached in Schedule "D") pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, as amended.

---

Page 2 of 5





**COUNTY OF BARRHEAD NO. 11**  
**PROVINCE OF ALBERTA**  
**BY-LAW NO. 7-2010**  
**OFF HIGHWAY VEHICLES BYLAW**

Page 3 of 5

---

w) "Violation Ticket" shall mean a ticket issued pursuant to the Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34 amended, and Regulations there under.

**3. OPERATING RESTRICTIONS**

All operations of Off-Highway Vehicles must conform with all provisions of this bylaw, the Act and all other Provincial legislation and regulation that relates to the operation of Off-Highway Vehicles. Any qualified person may operate an Off-highway on a Municipal Highway within the County, and is subject to the following conditions:

- a) The hours of operating an Off-Highway Vehicle on a Municipal Highway or within a Hamlet or Country Residential District shall be restricted to the period of time between 8:00 a.m. and 11:00 p.m.;
- b) The maximum speed at which an Off-Highway Vehicle is permitted to travel on a Municipal Highway is 40 kilometers per hour, unless the highway is posted for a slower speed; then the slower speed shall apply;
- c) An operator of an Off-Highway Vehicle on a Municipal Highway shall travel on the extreme right-hand side of the highway or in the extreme right-hand side of the ditch and shall travel single file at all times;
- d) An operator of an Off-Highway Vehicle, when travelling on any Municipal Highway as permitted in this Bylaw, shall travel in the same direction as vehicles travelling on that side of the roadway closest to the Off-Highway Vehicle;
- e) Off-Highway Vehicles shall not be operated on Municipal Highways within a Hamlet or Country Residential District except for purposes of exiting and entering the hamlet to and from the operator's residence using the most direct route possible;
- f) Off-Highway Vehicles shall not be operated on prohibited Municipal Highways.
- g) The maximum speed at which an Off-Highway Vehicle is permitted to travel in a Hamlet and Country Residential District is 20 kilometers per hour;
- h) No person shall operate an Off-Highway Vehicle while on public property unless the Operator is wearing a Safety Helmet securely attached to his or her head;
- i) No person shall permit another person to ride as a passenger on an Off-Highway Vehicle, while on public property, unless the passenger is wearing a Safety Helmet securely attached on his or her head;
- j) No person shall operate an Off-Highway Vehicle in any Park or school property.
- k) No person shall operate an Off-Highway Vehicle within the County where Council has authorized by resolution, the erection of a sign or signs prohibiting such operation;



**COUNTY OF BARRHEAD NO. 11**  
**PROVINCE OF ALBERTA**  
**BY-LAW NO. 7-2010**  
**OFF HIGHWAY VEHICLES BYLAW**

Page 4 of 5

- l) No person shall operate an Off-Highway Vehicle at any time of the day or night in such a way as to unduly disturb the peace of other residents. All Off-Highway Vehicles shall be equipped with mufflers and/or sound reducing equipment as well as spark arresters, as per the Traffic Safety Act, R.S.A. 2000 c. T-6 and amendments thereto.
- m) No person shall operate an Off-Highway Vehicle on school property or County property including but not exclusively: Municipal Highways and roadways, Parks, Reserve Lands, Recreation Grounds, Hamlets or Country Residential Districts unless that person possesses a valid Class 7 Drivers Licence or greater. Violators may be required to pass an Off-Highway Vehicle Safety Course that is acceptable to the County.
- n) This Section does not apply to Peace Officers, agents or employees of the County or the local school authority when operating an Off-Highway Vehicle in the performance of their duties.

**4. SPECIAL PERMITS**

The County of Barrhead may issue, from time to time, on receipt of a written request therefore, Special Permits to authorize the use and operation of Off-Highway Vehicles in a restricted area, or areas, for special purposes or events.

**5. OFFENCES AND PENALTIES**

- a) Any person who contravenes the provisions of this Bylaw is guilty of an Offence.
- b) Whenever a Bylaw Enforcement Officer has reason to believe that a person has contravened any of the Sections of this bylaw, such By-Law Enforcement Officer may serve upon such person a Violation Tag indicating the County of Barrhead No. 11 will accept payment for penalty as set out in Schedule "A" in lieu of prosecution for such contravention under Section 5(c).
- c) Whenever a Bylaw Enforcement Officer or a Peace Officer has reason to believe that a person has contravened any of the Sections of this bylaw, such By-Law Enforcement Officer or Peace Officer may, in their sole discretion, issue a Violation Ticket as opposed to a Violation Tag as provided for pursuant to Section 5(b). In the event a person to whom a Violation Ticket is issued is found guilty of an Offence, they are liable upon summary conviction to the penalties contained in Schedule "A".

**6. METHOD OF SERVICE**

- a) Service of the Violation Tag referred to in Section 5(b) upon the person therein mentioned may be affected either personally or by leaving such ticket for the person at his/her residence with a person on the premises who appears to be at least eighteen (18) years of age, or by mailing such ticket to such person at his last known address.
- b) Service of the Violation Ticket referred to in Section 5(c) upon the person therein mentioned may be affected either personally or by leaving such ticket for the person at his/her residence with a person on the premises who appears

Page 4 of 5





**COUNTY OF BARRHEAD NO. 11**  
**PROVINCE OF ALBERTA**  
**BY-LAW NO. 7-2010**  
**OFF HIGHWAY VEHICLES BYLAW**

**Page 5 of 5**

to be at least eighteen (18) years of age, or by mailing to the last known address by ordinary mail.

**7. SEVERABILITY**

If at any time, any provision of this Bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this Bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid or ultra vires provision.

**8. REPEAL OF BYLAW NO. 9-94**

Bylaw No.9-94 and amendments thereto is hereby repealed.


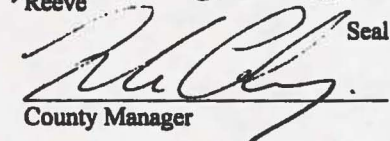
**9. EFFECTIVE DATE**

This Bylaw comes into force upon final passing and proper signature thereof.

**FIRST READING GIVEN the 3rd day of August 2010.**

**SECOND READING GIVEN the 17th day of August 2010.**

**THIRD READING GIVEN the 7th day of September, 2010.**

  
Reeve  
  
County Manager

**SCHEDULE "A"**  
**OFF-HIGHWAY VEHICLE BY-LAW NO. 7-2010 - PENALTIES FOR OFFENCES**

**(A) THE AMOUNT THAT MAY BE ACCEPTED BY THE COUNTY IN LIEU OF PROSECUTION UNDER SECTION 5 (b) FOR CONTRAVENTIONS OF THIS BYLAW SHALL BE THE AMOUNTS SET OUT AS FOLLOWS:**

SECTION	DESCRIPTION	PENALTY
3(a)	Operate an OHV during restricted hours	\$500.00
3(b), (g)	Exceed Maximum Speed Limit on a Municipal Highway	As per the penalties provided for under the Traffic Safety Act, R.S.A. 3000, Chapter T-6
3(c), (d)	Operate an OHV contrary to travel restrictions	\$250.00
3(e)	Operate an OHV within a Hamlet or Country Residential District contrary to the conditions as outlined in 3(e)	\$250.00
3(g)	Exceed Maximum speed limit in a Hamlet or Country Residential District	As per the penalties provided for under the Traffic Safety Act, R.S.A. 3000, Chapter T-6
3(h)	Operator of an OHV not wearing a safety helmet	\$250.00
3(i)	Passenger of an OHV not wearing a safety helmet	\$250.00
3(f), (j), (k)	Operate an OHV in Park or School Property or Reserve Land or where prohibited by Council	\$500.00
3(l)	Disturbing the Peace	\$500.00
3(m)	Operator of an OHV not having a Class 7 Licence or greater	\$250.00

**(B) PENALTIES UNDER SECTION 5(c) FOR CONTRAVENTIONS OF THIS BYLAW**

SECTION	DESCRIPTION	PENALTY
3(a)	Operate an OHV during restricted hours	\$500.00
3(b), (g)	Exceed Maximum Speed Limit on a Municipal Highway	As per the penalties provided for under the Traffic Safety Act, R.S.A. 3000, Chapter T-6
3(c), (d)	Operate an OHV contrary to travel restrictions	\$250.00
3(e)	Operate an OHV within a Hamlet or Country Residential District contrary to the conditions as outlined in 3(e)	\$250.00
3(g)	Exceed Maximum speed limit in a Hamlet or Country Residential District	As per the penalties provided for under the Traffic Safety Act, R.S.A. 3000, Chapter T-6
3(h)	Operator of an OHV not wearing a safety helmet	\$250.00
3(i)	Passenger of an OHV not wearing a safety helmet	\$250.00
3(f), (j), (k)	Operate an OHV in Park or School Property or Reserve Land or where prohibited by Council	\$500.00
3(l)	Disturbing the Peace	\$500.00
3(m)	Operator of an OHV not having a Class 7 Licence or greater	\$250.00

A person found guilty of an offence against this By-Law of the County of Barrhead No. 11, where no penalty has been specifically provided, is liable on summary conviction to a fine of not more than Twenty Five Hundred Dollars (\$2,500.00) and the costs of committal and in default of payment to imprisonment of a term of not more than six (6) months.



**Part 9**  
**Transitional Provisions, Consequential**  
**Amendments, Repeals and Coming into Force**

189	Transitional provisions
190	Transitional
191	Regulations
192-213	Consequential amendments
214	Repeals
216	Coming into force
	Schedule

County of Barrhead No. 11

**SCHEDULE "B"**  
**to By-Law No. 7-2010**

**8 Pages**

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

**Interpretation**

**1(1) In this Act,**

- (a) "alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- (b) "axle" means
  - (i) one or more shafts on which or with which 2 or more wheels revolve, and
  - (ii) the wheels on each shaft;
- (c) "axle group" means 2 or more axles that are on a vehicle and that are situated on the vehicle as specified in the regulations;
- (d) "Board" means the Alberta Transportation Safety Board;
- (e) "boulevard" means that part of a highway in an urban area that
  - (i) is not roadway, and
  - (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
- (f) "centre line" means
  - (i) the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway,

- (ii) in the case of a highway
  - (A) that is an offset centre highway as designated by a traffic control device, or
  - (B) that is a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times as designated by a traffic control device,  
the line dividing the lanes for traffic moving in opposite directions, or
- (iii) in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions;
- (g) "certificate of registration" means a certificate of registration that is issued under this Act and includes a document or information and other data contained in an electronic form that is recognized under this Act as a certificate of registration;
- (h) "commercial vehicle" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle;
- (i) "cycle" means a bicycle, power bicycle, motor cycle or moped;
- (j) "dealer" means any person who buys or sells motor vehicles as a business, either as principal or agent;
- (k) "driver" means a person who is driving or is in actual physical control of a vehicle;
- (l) "driving" or "drive" includes having the care or control of a vehicle;
- (l.1) "driving record" means a record of all of the information held by the Registrar that relates to an individual driver's history;
- (m) "emergency vehicle" means
  - (i) a vehicle operated by a police service as defined in the *Police Act*;
  - (ii) a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;



- (iii) an ambulance operated by a person or organization providing ambulance services;
- (iv) a vehicle operated as a gas disconnection unit of a public utility;
- (v) a vehicle designated by regulation as an emergency response unit;
- (n) "financial responsibility card" means a card issued or authorized pursuant to the *Insurance Act*;
- (o) "goods" means any thing or load that is or may be carried by means of a vehicle;
- (p) "highway" means any thoroughfare, street, road, 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;
- (q) "insured motor vehicle" means a motor vehicle the owner of which
  - (i) is insured in respect of that motor vehicle by an insurer, or
  - (ii) is a corporation that has provided for financial responsibility in respect of that motor vehicle,in accordance with the *Insurance Act*;
- (r) "insurer" means an insurer licensed under the *Insurance Act* to carry on the business of automobile insurance in Alberta;

- (r.1) "intersection safety device" means a device that is installed or erected at an intersection with a traffic control signal and that is capable of
- (i) photographing a vehicle and recording data related to the traffic control signal and the vehicle,
  - (ii) being used for or in connection with establishing the speed of a vehicle while the vehicle is approaching and proceeding through the intersection, or
  - (iii) both photographing a vehicle and recording data as described in subclause (i) and being used as described in subclause (ii);
- (s) "licence plate" means a licence plate that is issued under this Act and includes an object that is recognized under this Act as a licence plate;
- (t) "maximum allowable weight" means the weight that may be borne by a commercial vehicle;
- (u) "Minister" means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (v) "mobility aid" means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability;
- (w) "motor cycle" means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motor cycles and scooters;
- (x) "motor vehicle" means
- (i) a vehicle propelled by any power other than muscular power, or
  - (ii) a moped,
- but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails;
- (y) "motor vehicle document" means
- (i) an operator's licence;
  - (ii) a certificate of registration;



- (iii) a financial responsibility card;
- (iv) a licence plate;
- (v) an operating authority certificate;
- (vi) a safety fitness certificate;
- (vii) a permit;
- (viii) a validation tab for a licence plate;
- (ix) any other document not referred to in subclauses (i) to (viii) that is prescribed by regulation as a motor vehicle document;
- (z) "municipality" means a municipality as defined in the *Municipal Government Act* and includes a Metis settlement;
- (aa) "non-repairable vehicle" means a motor vehicle or a trailer described by the regulations as a non-repairable vehicle;
- (bb) "operator's licence" means an operator's licence that is issued under this Act and includes a document or information and other data contained in an electronic form that is recognized under this Act as an operator's licence;
- (cc) "optometrist" means a regulated member of the Alberta College of Optometrists;
- (dd) "over-dimensional vehicle" means a vehicle, including any load that is carried on the vehicle, that exceeds the dimensions prescribed by regulation;
- (ee) "owner" means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days;
- (ff) "peace officer" means
  - (i) a member of the Royal Canadian Mounted Police;
  - (ii) a member of a municipal police service;
  - (iii) a peace officer appointed under the *Peace Officer Act* for the purposes of this Act;

- (iv) a park warden appointed under the *Parks Canada Agency Act* (Canada);
- (v) a conservation officer appointed under section 1 of Schedule 3.1 to the *Government Organization Act*;
- (vi) a forest officer appointed under the *Forests Act*;
- (vii) a wildlife officer appointed under the *Wildlife Act*;
- (gg) "pedestrian" means
  - (i) a person on foot, or
  - (ii) a person in or on a mobility aid,and includes those persons designated by regulation as pedestrians;
- (hh) "permit" means a permit issued under this Act;
- (ii) "policy" means an owner's or non-owner's motor vehicle liability policy that is in conformity with Part 7 of the *Insurance Act*;
- (jj) "private passenger vehicle" means a vehicle used solely for personal transportation,
  - (i) including the carriage of goods intended for the use or enjoyment of the owner of the vehicle or members of the owner's household, but
  - (ii) not including, in respect of a person's business, work or employment, the carriage of passengers or of goods, except for sample cases or display goods that are conveyed by a salesperson and that are not for delivery or resale;
- (kk) repealed 2007 c45 s2;
- (ll) "Registrar" means the Registrar of Motor Vehicle Services and includes any person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services;
- (mm) "road authority" means,
  - (i) in the case of a highway or road that is, by virtue of the operation of section 3 or 5 of the *Highways Development and Protection Act*, under the direction,



- control and management of the Minister under that Act, that Minister;
- (ii) in the case of a highway that is under the direction, control and management of a municipality, the council of the municipality;
  - (iii) repealed 2004 cH-8.5 s76;
  - (iv) in the case of a highway that is located in a special area and that is under the direction, control and management of the Minister responsible for the *Special Areas Act*, the Minister responsible for the *Special Areas Act*;
  - (v) in the case of a highway that is located in a provincial park or recreation area and that is under the direction, control and management of the Minister responsible for the *Provincial Parks Act*, the Minister responsible for the *Provincial Parks Act*;
  - (vi) in the case of a licence of occupation road, the Minister responsible for the *Public Lands Act*;
  - (vii) repealed 2004 cH-8.5 s76;
  - (viii) in the case of a highway that is under the direction, control and management of a Metis settlement, the Metis settlement;
  - (nn) "roadway" means that part of a highway intended for use by vehicular traffic;
  - (oo) "salvage motor vehicle" means a motor vehicle described by regulation as a salvage motor vehicle;
  - (pp) "sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between
    - (i) the curb line, or
    - (ii) where there is no curb line, the edge of the roadway, and the adjacent property line, whether or not it is paved or improved;
  - (qq) "state of the United States of America" includes the District of Columbia;

- (rr) "subsisting" when used in relation to a motor vehicle document or a policy means, that at the relevant time, the motor vehicle document or policy is current and has not expired nor been suspended or cancelled;
  - (ss) "traffic control device" means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
  - (tt) "traffic control signal" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;
  - (uu) "trailer" means a vehicle so designed that it
    - (i) may be attached to or drawn by a motor vehicle or tractor, and
    - (ii) is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways;
  - (vv) "urban area" means a city, town or village or an urban service area within a specialized municipality;
  - (ww) "vehicle", other than in Part 6, means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.
- (1.1) For the purposes of this Act, an individual who is a peace officer by virtue of
- (a) section 1(1)(ff)(iv) has the powers, duties and functions of a peace officer only while acting in a national park established under the *National Parks Act* (Canada), and
  - (b) section 1(1)(ff)(vi) has the powers, duties and functions of a peace officer only while acting for the purposes of enforcing this Act with respect to off-highway vehicles as defined in Part 6.
- (2) In sections 11, 69, 70, 71, 72 and 169(2)(f), a reference to a vehicle is a reference to a vehicle other than a bicycle.



- (e) governing any matter respecting the riding of persons on or in or the carrying of persons by vehicles;
- (f) governing any matter respecting the safe use and operation of vehicles;
- (g) limiting the operation of vehicles during specific periods of time;
- (h) governing any matter respecting the equipping of vehicles with and the use of flashing lights;
- (i) designating vehicles as emergency response units and governing any matter respecting the use and operation of those vehicles;
- (j) governing any matter respecting traffic control devices;
- (k) governing the prescribing and utilization of speed limits referred to in section 108(1)(g);
- (l) respecting the requirements for and the use of intersection safety devices.

RSA 2000 cT-6 s116;2007 c45 s9

**County of Barrhead No. 11****SCHEDULE "C"**  
**to By-Law No. 7-2010****2 Pages****Part 6**  
**Off-highway Vehicles****Definitions****117** In this Part,

- (a) "off-highway vehicle" means 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 muscular power or wind,  
but does not include
  - (x) motor boats, or
  - (xi) any other vehicle exempted from being an off-highway vehicle by regulation;
- (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.

1999 cT-6.4 s117

**Application of Act**

**118(1)** When a person drives an off-highway vehicle on a highway,

- (a) the driving of that vehicle by that person on the highway is, and
- (b) the obligations on the person driving the vehicle and any person riding in or on that vehicle while the vehicle is located on the highway are,

except as otherwise provided for under this Act, subject to the other Parts of this Act in the same manner as if the off-highway vehicle were a vehicle as defined in section 1.

**(2)** When a person drives an off-highway vehicle in a location other than on a highway,

- (a) the driving of that vehicle by that person is, and
- (b) the obligations on the person driving the vehicle and any person riding in or on that vehicle are,

except as otherwise provided for under this Act, subject to this Part and sections 53(1)(b), 160(1) and (2) and 169(2)(j), (k), (l) and (m).

**(3)** In sections 18, 64, 70, 71, 81 and 91(1), (3) and (4), any reference to a vehicle includes a reference to an off-highway vehicle.

RSA 2000 cT-6 s118;2001 c14 s17



**SCHEDULE "D"**  
**OFF-HIGHWAY VEHICLE BY-LAW NO. 7-2010**

**VIOLATION TAG (Compressed to Fit Page)**

**TAG NUMBER** \_\_\_\_\_

**COUNTY  
LOGO**

**PROTECTIVE SERVICES**

**DATE of ISSUE** On or About \_\_\_\_\_ **TIME** \_\_\_\_\_

**NAME** \_\_\_\_\_  
(Last) (First)

**ADDRESS** \_\_\_\_\_  
(Address)

(Town) (Province) (Postal Code) (Telephone)

**OFFENCE DATE** \_\_\_\_\_ **TIME** \_\_\_\_\_

**OFFENCE** \_\_\_\_\_

**LOCATION** \_\_\_\_\_

**DETAILS** \_\_\_\_\_

\_\_\_\_\_ **This**

Fine must be paid within 30 days of Date of Issue, by cheque or money order  
at the County of Barrhead Office or postmarked on or before 30 days from  
Date of Issue.

**PENALTY** \_\_\_\_\_



**THIS IS A WARNING NOTICE ONLY**

**FURTHER OFFENCE MAY RESULT IN A FINE AND/OR  
FURTHER ACTION**

**ISSUING OFFICER** \_\_\_\_\_ **REG #** \_\_\_\_\_

If you have any questions regarding this notice please contact County of  
Barrhead No. 11 at 780 674 3331 during regular office hours.

**Main Office 5306 - 49 Street, Barrhead Alberta. T7N-1N5**

### **Prohibited Municipal Highways**

- a) The area contained in Registered Road Plan 882 1566, and**  
**b) The area contained in Roadway Reservation 12073**  
**within Townships Sixty One, Ranges 6 and 7, West of the Fifth Meridian**  
**shown on the map below marked with heavy black lines.**

