

DISTRICT OF LOGAN LAKE

BYLAW 722, 2012

A bylaw to regulate the operation of all terrain vehicles within the District of Logan Lake.

WHEREAS subsection 4.(4) of the *Motor Vehicle (All Terrain) Act* provides that a Council of a municipality may pass bylaws, consistent with the Act and the regulations, regulating, governing or prohibiting the operation of all terrain vehicles in the municipality or on highways that are solely under the jurisdiction of the municipality

AND WHEREAS pursuant to Section 64 of the Community Charter, the authority of Council may be exercised in relation to nuisances; and/or noise, vibration, odor, illumination or any other matter that is liable to disturb the quiet, peace, rest enjoyment, comfort or convenience of individuals or the public;

AND WHEREAS Council deems it necessary and in the public interest to regulate the use of all terrain vehicles within the municipality;

NOW, THEREFORE, the Council of the District of Logan Lake, in open meeting assembled enacts as follows:

1. This bylaw may be cited as "District of Logan Lake All Terrain Vehicle Regulations Bylaw 722, 2012".
2. In this bylaw the following definitions apply:

"All terrain vehicle" means a type of vehicle propelled by motorized power and capable of travel on or off a highway, as defined in the *Transportation Act*; and may include a quad, quad bike, three-wheeler or four-wheeler, off-road motorcycles also known as dirt bikes and dual-sport motorcycles also known as on/off road motorcycles, specifically designed for off-road use, and/or snowmobiles.

"District" means the District of Logan Lake.

"Highway" means a highway as defined in the *Transportation Act*, except an arterial highway within the meaning of PART I of the *Transportation Act*.

"Municipality" means the District of Logan Lake.

"Operator" means a person who uses or operates or is in actual physical control of an all terrain vehicle.

"Owner" means the registered owner in fee simple, and includes an occupant of land.

3. Regulations:
 - (a) The operation of all terrain vehicles in the municipality, is deemed to be a nuisance, objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public in the neighbourhood or vicinity of its operation.
 - (b) No person shall operate an all terrain vehicle in the municipality.
 - (c) Notwithstanding the requirements of the *Transportation Act* and required permits for use on highways, Council may grant exemptions in writing from the provisions of subsection 3.(b) above, for a community event, program or project.
 - (d) District employees are exempt from subsection 3.(b) above, for use of all terrain vehicles in performing District work, subject to requirements of the *Transportation Act* and required permits for use on highways.

4. Offence and Penalties

- (a) Every person who violates a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, is guilty of an offence and subject to a penalty by means of a ticket in the form prescribed under the Community Charter, as described in Schedule "A" which is attached to and forms a part of this bylaw; and in addition may be liable on summary conviction to a penalty of not more than \$2,000.00 and not less than \$250.00.
- (b) Any person having been served with a ticket or being the owner or operator of a ticketed all terrain vehicle, may pay to the District during normal office hours within the time limited for such payment, a penalty in the amount established for such violation.


5. General

- (a) District of Logan Lake All Terrain Vehicle Bylaw 234, 1985 and all amendments thereto are hereby repealed in their entirety.
- (b) This bylaw shall come into full force and effect upon adoption.

READ A FIRST AND SECOND TIME this 14th day of August, 2012.

READ A THIRD TIME this 14th day of August, 2012.

RECONSIDERED AND ADOPTED this 4th day of September, 2012.



Mayor (M. Dosch)

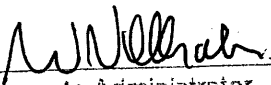


Chief Administrative Officer (W. Vollrath)

Certified a true copy of the
District of Logan Lake

Resolution No. _____ or
Bylaw No. 722

Dated this 18 day of
SEPTEMBER 2012


Corporate Administrator
District of Logan Lake

Schedule "A"
All Terrain Vehicle Regulations Bylaw 722, 2012
Offence, Section and Penalty

Bylaw Offence	Section	Penalty
First Offence in calendar year: Operate a all terrain vehicle in the municipality	3.(b)	\$250.00
Second Offence in calendar year: Operate a all terrain vehicle in the municipality	3.(b)	\$500.00
Third or more Offences in calendar year: Operate a all terrain vehicle in the municipality	3.(b)	\$500.00 per offence