

MUNICIPALITY OF JASPER
BYLAW #098

BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO REGULATE THE USE OF OFF-ROAD VEHICLES IN THE TOWN OF JASPER.

WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, a municipality may pass bylaws regulating activities in public places and on public lands;

NOW THEREFORE, the Council of the Municipality of Jasper in the Province of Alberta, duly assembled, enacts:

1. CITATION

1.1 This Bylaw may be cited as the “Municipality of Jasper Off-Road Vehicles Bylaw”.

2. DEFINITIONS

2.1 In this Bylaw:

- 2.1.1 “*All-Terrain Vehicle*” shall mean a wheeled or tracked Motor Vehicle designed for travel primarily on unprepared surfaces such as open country and marsh land, but does not include a Snow Vehicle, implement of husbandry, or construction machinery;
- 2.1.2 “*Council*” shall mean the Council of the Municipality of Jasper;
- 2.1.3 “*Minibike*” shall mean a Motor Cycle defined as a minibike in the Off-highway Vehicle Act (Alberta, R.S.A. 2000, c-5) as amended;
- 2.1.4 “*Miniature Motor Vehicle*” shall mean a Motor Vehicle other than a Motorcycle defined as a miniature motor vehicle in the Off-highway Vehicle Act (Alberta, R.S.A. 2000, c-5) as amended;
- 2.1.5 “*Motorcycle*” shall mean a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motor cycles, scooters and power bicycles;
- 2.1.6 “*Municipal Manager*” shall mean the individual duly appointed to that position for the Municipality of Jasper at any given time and includes any person authorized to act for and in the name of that individual;
- 2.1.6 “*Municipality of Jasper*” shall mean the Municipality of Jasper in Jasper National Park in the Province of Alberta;
- 2.1.7 “*Off-Highway Vehicle*” shall mean any motorized vehicle designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on any other natural terrain and, without limiting the generality of the foregoing, includes, when designed for such travel:

- 2.1.7.1 Four-wheel drive or low-pressure tire Vehicles;
- 2.1.7.2 Motorcycles and related two-wheeled and three-wheeled Vehicles;
- 2.1.7.3 Amphibious machines;
- 2.1.7.4 All-Terrain Vehicles;
- 2.1.7.5 Miniature Motor Vehicles;
- 2.1.7.6 Snow Vehicles;
- 2.1.7.7 Minibikes; and
- 2.1.7.8 Any other means of transportation that is propelled by any power other than muscular power or wind,

But does not include

- 2.1.7.9 Motor boats;
- 2.1.8 "*Person*" shall mean an individual, society, partnership or corporation;
- 2.1.9 "*Roadway*" shall mean those parts of roads, streets, alleys and parking areas intended for use by Vehicular traffic;
- 2.1.10 "*Snow Vehicle*" shall mean a motor vehicle designed or intended to be driven exclusively or chiefly on snow or ice or both;
- 2.1.11 "*Town*" and "*Town of Jasper*" shall mean the Town of Jasper as defined in the Agreement for the Establishment of Local Government in Jasper dated June 13th, 2001;
- 2.1.12 "*Vehicle*" shall mean a device in, on, or by which a person or thing may be transported or drawn on a Roadway;
- 2.1.13 Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa;
- 2.1.14 Words importing the singular shall include the plural or vice versa whenever the context so requires.

3. OPERATION OF OFF-HIGHWAY VEHICLES

- 3.1 Within the Town of Jasper, no Person shall operate or allow to be operated an Off-Highway Vehicle on lands under the control of the Municipality of Jasper and every Person who does so shall be guilty of an offence and liable upon conviction to a fine of \$500.
- 3.2 Within the Town of Jasper, and notwithstanding the provisions of Section 3.1 above, the Municipal Manager may authorize for municipal purposes the operation of Off-Highway Vehicles on lands under the control of the Municipality of Jasper.

3.3 Nothing in this bylaw shall prevent the operation of Off-Highway Vehicles on Roadways within the Town when such operation is undertaken in compliance with all applicable federal and provincial legislation and regulation.

4. SEVERANCE

4.1 If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

5. COMING INTO EFFECT

5.1 This Bylaw shall come into force and effect on the final day of passing thereof.

5.2 If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

GIVEN FIRST READING THIS 27th DAY OF DECEMBER A.D., 2007

GIVEN SECOND READING THIS 15th DAY OF JANUARY A.D., 2008

GIVEN THIRD AND FINAL READING THIS 5th DAY OF FEBRUARY A.D., 2008

Mayor

Municipal Manager