



County of Wetaskiwin No. 10 BYLAW # 2026/13

A Bylaw of the County of Wetaskiwin No. 10 in the Province of Alberta, to establish conditions for the operation of Off-Highway Vehicles on municipal roads within the County.

WHEREAS the *Municipal Government Act* (MGA), RSA 2000, c. M-26, and amendments thereto, provides that a Council has the general jurisdiction to pass Bylaws respecting:

- a. the safety, health, and welfare of people and the protection of people and property;
- b. people, activities, and things in, on or near a public place or place that is open to the public; and
- c. the enforcement of Bylaws including the creation of offences and the imposition of a penalty for an offence.

AND WHEREAS pursuant to the *Traffic Safety Act* (TSA) RSA 2000 c. T-6, and amendments thereto, Council may, with respect to a highway under its direction, control and management, make Bylaws that are not inconsistent with the TSA.

AND WHEREAS an Off-Highway Vehicle may not be operated on any highway, road, or ditch unless authorization has been expressly granted by the Minister of Transportation through written documentation, such as a Ministerial Order or a permit, or a municipality has a bylaw allowing operation on the road and/or within the road right-of-way.

AND WHEREAS the Council of the County of Wetaskiwin No. 10 wishes to encourage safe and responsible OHV use, while including enforcement and compliance measures.

NOW THEREFORE the Council of the County of Wetaskiwin No. 10, in the Province of Alberta, duly assembled, hereby enacts the following:

PART 1 - TITLE

1. This Bylaw shall be cited as the “**Off-Highway Vehicles**” Bylaw.

PART 2 - DEFINITIONS AND INTERPRETATION

2. In this Bylaw:
 - a. “**Highway**” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, 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; or
 - 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.
 - b. “**Municipal Land**” means a parcel of land or a part of a parcel of land owned by the County or land in which the County is in the process of acquiring and does not include lands designated for public use including but not limited to campgrounds. Such lands include but are not limited to lands designated as Community Services Reserve (CSR), Conservation Reserve (CR), Environmental Reserve (ER), Municipal Reserve (MR), School Reserve (SR), Municipal and School Reserve (MSR), or Public Utility Lots (PUL).
 - c. “**Obstruct**” means any person who;
 - i. resists or wilfully obstructs a Peace Officer in the execution of their duty or any person lawfully acting in aid of such an Officer;
 - ii. omits, without reasonable excuse, to assist a Peace Officer in the execution of their duty in arresting a person or in preserving the peace, after having reasonable notice that they is required to do so; or
 - iii. resists or wilfully obstructs any person in the lawful execution of a process against lands or goods or in making a lawful distress or seizure,

is guilty of an offence under this Bylaw.



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- d. **“Off-Highway Vehicle (OHV)”** means vehicles as defined in Section 117 of the *Traffic Safety Act*, as amended.
- e. **“Operator”** means the person, while driving an OHV is directly responsible for the care and control of an OHV, the safety of passengers, vehicle and other road users.
- f. **“Passenger”** means a person or persons travelling in an OHV other than the Operator.
- g. **“Peace Officer”** means a bylaw enforcement officer appointed by the County pursuant to the *Municipal Government Act* and includes a member of the Royal Canadian Mounted Police and, when authorized, a Community Peace Officer appointed under the *Peace Officer Act*.
- h. **“Private Property”** means land that has been legally designated as being owned by a non-governmental legal entity and refers to one or more individuals.
- i. **“Safety Helmet”** means as defined in *Off-Highway Vehicle Regulation*.

PART 3 - APPLICATION

3. The provisions in the *Traffic Safety Act* and *Off-Highway Vehicle Regulation* for OHV use apply to all areas within the County of Wetaskiwin No. 10.
4. This Bylaw does not apply to private property or roadways which are not under the jurisdiction of the County of Wetaskiwin No. 10 including, but not limited to, Provincial Highways.
5. Operation and/or use of OHVs shall be permitted on Roads between the hours of 7:00 a.m. and 11:00 p.m. (0700-2300 hours) within the corporate limits of the County of Wetaskiwin No. 10, as specified and restricted by this Bylaw.
6. Operators of OHVs are to obey all regular traffic laws and to follow posted speed limit while traveling on Roads within the Corporate Limits.
7. No person shall operate an OHV on any highway road within the County of Wetaskiwin No. 10 where a Fire Ban or Road Closure is in effect that explicitly restricts OHV use.
8. The operation of any OHV is prohibited at all times on any Municipal Lands within the jurisdiction of the County of Wetaskiwin No. 10, unless otherwise posted.
9. Prohibitions in this Bylaw shall not apply to:
 - a. Any person who has the powers, duties and functions of a Peace Officer while acting for the purposes of enforcing with respect to OHVs, as defined in the TSA.

Employees or contractors of the County while carrying out the duties required by their employment or contract.

PART 4 - ENFORCEMENT

10. A Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
11. A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
12. Specified Penalties for Offences of this Bylaw are prescribed in Schedule “A”, attached to this Bylaw.
13. A Violation Ticket issued in respect of an offence may:
 - a. specify the fine amount established by this Bylaw for the offence in Schedule “A”; or
 - b. require a person to appear in court without the alternative of making voluntary payment.

PART 4 - SEVERABILITY

23. Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.





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PART 5 - REPEAL CLAUSE

24. That Bylaw 2012/13 and 2014/31 are hereby repealed in their entirety.

PART 6 - EFFECTIVE DATE

25. This Bylaw shall come into force and take effect upon the date of Third and Final Reading.

READ for the FIRST TIME this	<u>24th</u>	day of	<u>February</u>	, A.D.,	<u>2026</u>
READ for the SECOND TIME this	<u>24th</u>	day of	<u>February</u>	, A.D.,	<u>2026</u>
READ for a THIRD and FINAL time this	<u>24th</u>	day of	<u>February</u>	, A.D.,	<u>2026</u>

Original Signed

COUNTY REEVE Josh Bishop

Original Signed

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CAO Scott MacDougall



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SCHEDULE "A"

OFFENCES AND SPECIFIED PENALTIES

Part	Section	Description of Offence	In lieu of Prosecution		Subsequent or Continuing Offence
			First Offence	Second Offence	
2	c	Obstruct	\$500.00	\$500.00	\$500.00
3	5	Operate OHV outside of hours permitted	\$162.00	\$200.00	\$300.00
3	7	Operate an OHV where OHV restrictions, Fire Bans or Road Bans are in effect	\$162.00	\$200.00	\$300.00
3	8	Unauthorized operation of OHV on Municipal Lands	\$162.00	\$200.00	\$300.00