

## BYLAW 1073

### A BYLAW OF THE TOWN OF MILK RIVER IN THE PROVINCE OF ALBERTA, AUTHORIZING THE OPERATION, REGULATION, AND CONTROL OF GOLF CARTS ON HIGHWAYS AND MUNICIPAL LANDS IN THE TOWN OF MILK RIVER.

**WHEREAS** the Municipal Government Act, R.S.A. 2000, c. M-26, provides that a Council of a municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property; and

**WHEREAS** the Traffic Safety Act Traffic Safety Act, R.S.A. 2000, c. T-6, provides that a Council of a municipality may by bylaw authorize or issue a permit authorizing persons to drive golf carts along any portion of a highway within the municipality subject to the conditions outlined in the Pilot Project (Golf Carts) Regulation; and

**WHEREAS** the Traffic Safety Act Traffic Safety Act, R.S.A. 2000, c. T-6, further provides that a Council of a municipality may by bylaw regulate and control the operation of golf carts 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** the Council of the Town of Milk River believes that it is in the best interests of the residents of the Town of Milk River that a bylaw be passed to regulate and control the operation of golf carts pursuant to the powers granted to municipalities under the Traffic Safety Act, R.S.A. 2000 c. T-6;

**NOW THEREFORE**, the Council of the Town of Milk River in the Province of Alberta, duly assembled, enacts as follows:

#### 1. TITLE

1.1. This bylaw shall be known as the "Golf Carts Pilot Project Bylaw."

#### 2. APPLICATION

2.1. This bylaw applies to all golf carts operated on highways within the Town of Milk River.

#### 3. DEFINITIONS

Definitions in the Pilot Project (Golf Carts) Regulation, and definitions in the Traffic Safety Act and its regulations, as applicable, are adopted for the purposes of the interpretation and the application of this bylaw.

**ACT** means the Traffic Safety Act, RSA 2000, T-6.

**COUNCIL** refers to the Council of the Town of Milk River, and as defined in the Municipal Government Act, RSA 2000, M-26.

**CHIEF ADMINISTRATIVE OFFICER (CAO)** means the Chief Administrative Officer of the Town of Milk River or designate.

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**DESIGNATED HIGHWAY** means a highway identified by the Town of Milk River and approved by the Registrar as a highway that golf carts may operate on and includes a crossing location.

**DESIGNATED OFFICER** shall mean the person appointed to the position or a member of the Royal Canadian Mounted Police or a Peace Officer appointed pursuant to the Peace Officer Act or a Bylaw Enforcement Officer.

**GOLF CART** means a 4-wheel motor vehicle that (i) is designed by a manufacturer primarily for use on golf courses or paved surfaces, (ii) cannot attain a speed of more than 40 km/h on a paved level surface, (iii) has a structure that (A) partially or fully encloses its operator and passengers, and (B) is not less than 1.2 m above the ground, and (iv) has a gross vehicle weight rating of less than 1361kg.

**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, 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.

**PERMIT** means a permit issued in accordance with this Bylaw under Section 7.

#### **4. OPERATION RESTRICTIONS FOR GOLF CARTS**

No person shall:

- 4.1 Operate a golf cart in a manner contrary to the Act, its regulations, or this bylaw.
- 4.2 Operate a golf cart unless they are the holder of a subsisting operator's license issued pursuant to the Act.
- 4.3 Operate a golf cart on any highway unless they are on a Designated Highway.
- 4.5 Operate a golf cart:
  - 4.5.1 Without exercising due care and attention;
  - 4.5.2 Without reasonable consideration for other persons in the area or who might reasonably be expected to be in the area;
  - 4.5.3 With more passengers than the design of the golf cart can safely handle; and
  - 4.5.4 With any person being towed on or with any type of equipment or trailer attached to the golf cart.

#### **5. OPERATOR RESPONSIBILITIES FOR GOLF CARTS**

- 5.1. Every operator of a golf cart shall follow the rules of the road as per the Alberta Traffic Safety Act.



- 5.1 Forthwith must report to the Town a collision resulting in property damage of any amount, or an injury or fatality, as per the Alberta Traffic Safety Act Pilot Project (Golf Carts) Regulation.
- 5.2 Owner is responsible for their own liability insurance.

## **6. DESIGNATED HIGHWAYS**

- 6.1. Council hereby designates those highways included in Schedule 'B' as designated highways for the purposes of this bylaw.
- 6.2. Any changes to designated highways shall be submitted to the Registrar for approval.
- 6.3. Designated highways shall be posted at a speed of no more than 50 km/h.
- 6.4. The CAO shall ensure signs are erected on designated highways and shall be in the form and manner set out in Schedule 'C'.
- 6.5. Golf carts may not be parked on any public roadway.

## **7. PERMITS**

- 7.1. Council hereby authorizes the CAO to issue permits, attach conditions, and to charge a fee to regulate and control of golf carts within the Town.
- 7.2 Persons shall register their golf cart:
  - 7.2.1 confirming that the golf cart has, and while registered/permitted will continue to have, the features required by the Pilot Project (Golf Carts) Regulation;
  - 7.2.2 acknowledging understanding of all terms and conditions related to the operation of golf carts as required by the Traffic Safety Act and its regulations, the Pilot Project (Golf Carts) Regulation and this Bylaw;
  - 7.2.3 acknowledging that all information collected in connection with the permit/registration may be shared with the Registrar in accordance with the Municipality's reporting responsibilities as required by the Pilot Project (Golf Carts) Regulation.
- 7.3 Permits at a minimum shall include:
  - 7.3.1 The owners name and operator's license information;
  - 7.3.2 Make, model, serial number of golf cart;
  - 7.3.3 Conditions and responsibilities of golf cart operators and owners; and
  - 7.3.4 Any other information as required by the Registrar.



7.4 Permits shall only be valid from January 1 - December 31 of any one calendar year.

7.5 Permit fees are identified in the Town of Milk River's Rates Bylaw.

## **8. COMPLIANCE AND ENFORCEMENT**

### **8.1. Stopping for Designated Officer**

8.1.1. For the purposes of administering and enforcing this bylaw, a Designated Officer may:

8.1.1.1. Signal or direct a driver of a golf cart to stop the vehicle, and

8.1.1.2. Request information from the driver of the golf cart and any passengers on or in the vehicle.

8.1.2. When signaled or directed to stop by a Designated Officer, a driver of a golf cart shall:

8.1.2.1. Forthwith bring the vehicle to a stop; and

8.1.2.2. Forthwith furnish to the Designated Officer:

8.1.2.2.1. Their operator's license issued pursuant to the Act;

8.1.2.2.2. Any permit issued pursuant to this bylaw; and

8.1.2.2.3. Any other information respecting the driver or the vehicle that the Designated Officer requires; and

8.1.2.3. Remain stopped until permitted by the Designated Officer to leave.

## **9. OFFENCES**

9.1. The owner of a golf cart that is involved in a contravention of this bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule 'A' of this bylaw.

9.2. A person who contravenes any provision of this bylaw may have their municipal registration/permit for their golf cart seized by a Designated officer or revoked by the municipality.

## **11. VIOLATION TICKET**

11.1. A Designated Officer is hereby authorized and empowered to issue a violation ticket, pursuant to Part II of the Provincial Offences Procedure Act (Alberta), to any person who the Designated Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

## **12. SEVERABILITY**

12.1. Should any section or part of this bylaw be found to have been improperly enacted, such section shall be deemed to be severable from all other sections of this bylaw.



**13. GENERAL**

13.1. This Bylaw comes into force:

13.1.2. The date of the final passing thereof, and

13.1.3. Upon the approval of the Registrar.

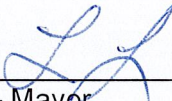
13.2. This bylaw shall expire on June 14, 2029.

Read for a first time this 13<sup>th</sup> day of January 2025.

Read for a second time this 13<sup>th</sup> day of January 2025.

Received Unanimous Consent for presentation of third reading this 13<sup>th</sup> day of January 2025.

Read for a third and final time this 13<sup>th</sup> day of January 2025.

  
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Larry Liebelt – Mayor

  
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Kelly Lloyd – Chief Administrative Officer

Signed by the Chief Elected Official and the Chief Administrative Officer this 13<sup>th</sup> day of January 2025.

## SCHEDULE A

### Specified Penalties – Violation Ticket

<b>Bylaw Section</b>	<b>Offence</b>	<b>Fine</b>
4 & 5	Operator restrictions and responsibilities	\$125.00
8.1.2.1.	Fail to stop for a Designated Officer	\$250.00
8.1.2.2.	Fail to produce documents for inspection	\$125.00
8.1.2.3.	Fail to remain stopped	\$250.00
Second offence within a 12-month period	Two times the fine indicated above	
Third offence within a 12- month period	Three times the fine indicated above	



SCHEDULE C



**CROSSING**

**SHARE  
THE ROAD**