

**TOWN OF BRUDERHEIM PROVINCE OF ALBERTA**

**BYLAW 01-2022**

**A BYLAW OF THE TOWN OF BRUDERHEIM, IN THE PROVINCE OF ALBERTA, TO REGULATE  
VEHICLE, ANIMAL, AND PEDESTRIAN TRAFFIC.**

WHEREAS, the *Traffic Safety Act* reads that “the Council of a Municipality may, with respect to a highway under its direction, control, and management, make bylaws that are not consistent with this Act;”

WHEREAS, the *Municipal Government Act* gives the Municipalities the power to enact Bylaws and impose fines and penalties for infractions of their Bylaws;

NOW THEREFORE, the Municipal Council of the Town of Bruderheim, Alberta, duly assembled, hereby enacts as follows.

**PART 1: DEFINITIONS**

This bylaw may be cited as the “Traffic Safety Bylaw.”

In this bylaw; except where otherwise defined or specified:

- 1.1 **“ACT”** means the *Traffic Safety Act* RSA 2000c Chapter T-6 and *Off Highway Vehicle Regulations* 319/2002 *Amendments Alberta Regulations* 148/2003 and any amendments and changes so.
- 1.2 **“ALLEY”** means a narrow highway providing access to rear of a building(s) and parcel(s) of land.
- 1.3 **“APPLICANT”** means a person applying for a Permit.
- 1.4 **“BICYCLE”** means any cycle propelled by human power upon which a person may ride, regardless of size or the number of wheels it has.
- 1.5 **“BOULEVARD”** means, in an urban area, that part of a highway that:
  - 1.5.1 Is not a roadway; and
  - 1.5.2 Is part of the sidewalk that is not especially adapted for the use of or ordinarily used by pedestrians
- 1.6 **“CENTRE LINE”** means:
  - 1.6.1 The centre of the highway measured from the curbs or, in the absence of curbs, from the edges of the highway; or
  - 1.6.2 In the case of a divided highway, that portion of the highway separating the highways for traffic moving in the opposite directions.
- 1.7 **“CAO”** means the Chief Administrative Officer appointed by Council of Bruderheim, Alberta, or the Director(s) or Department(s) designated by the Chief Administrative Officer.
- 1.8 **“COMMERCIAL LOADING ZONE”** means the area parallel to the curb side of the highway and falling within two Traffic Control Devices marking the area as a Commercial Vehicle Loading Zone, or within ten meters of either side of such a sign, if only a single sign is present.
- 1.9 **“COMMERCIAL VEHICLE”** means a commercial vehicle as defined by the *Traffic Safety Act*, and includes any vehicle from which sales are made of goods, wares, merchandise or

commodities, or a Vehicle by which delivery is made of goods, wares, services, merchandise or commodities to a purchaser or consignee thereof.

- 1.10 **“COUNCIL”** means the municipal council of Bruderheim, Alberta.
- 1.11 **“CROSSWALK”** means:
- 1.11.1 That part of the roadway at an intersection included within the connection of the lateral line of the sidewalks on either side of the highway measured from the curbs; or
- 1.11.2 Any part of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by markings on the road surface.
- 1.12 **“CURB”** means the actual curb if there is one, and if there is no curb in existence, it shall mean the division of a highway between the highway and the sidewalk or boulevard, as the case may be.
- 1.13 **“DRIVEWAY AIDS”** means any material placed on the Roadway Right-of-Way to assist access to a driveway including but not limited to rubber ramps, metal grates, wood ramps, and concrete blocks.
- 1.14 **“DISABLED PERSON VEHICLE”** means a vehicle identified as such, by either an Alberta disabled person’s license plate or Identification Placard, clearly displayed in the vehicle, bearing the international symbol of the disabled.
- 1.15 **“ELECTION SIGN”** means a sign connected with a municipal, school board, provincial or federal election or any election held pursuant to the *Local Authorities Election Act*, including but not limited to, signs describing or promoting the election process or a candidate or party seeking election.
- 1.16 **“EMERGENCY LANE”** means all that portion of a highway used to provide access to buildings by emergency vehicles, and so marked by signs stating “Fire Lane” or “Emergency Lane”.
- 1.17 **“EMERGENCY SERVICES”** means the Town’s Emergency Services Department.
- 1.18 **“EMERGENCY VEHICLE”** means:
- 1.18.1 A vehicle operated by a police force or Peace Officer;
- 1.18.2 A firefighting or other type of vehicle operated by a fire protection service;
- 1.18.3 An ambulance by a person or organization providing ambulance services;
- 1.18.4 A vehicle operated as a gas disconnection unit of the public utilities;
- 1.18.5 A vehicle designated as an emergency response unit, pursuant to the regulations under the Traffic Safety Act.
- 1.19 **“EMERGENCY WORK”** means the installation, maintenance, repair or replacement of Equipment in Rights-of-Way where health, safety or the provision of essential services is endangered.
- 1.20 **“FIRE CHIEF”** means a person appointed as the head of the Fire Department.
- 1.21 **“FIRE POINT LINE”** means a temporary line established by the Fire Chief, Peace Officer or the on-scene Commander of an emergency response, beyond which, no person shall pass.
- 1.22 **“FOREIGN MATTER”** means snow, ice, dirt, debris or other such material.
- 1.23 **“HEAVY VEHICLE”** means a vehicle, with or without load, exceeding any one of the following:
- 1.23.1 a maximum allowable weight of 5,500kg;

- 1.23.2 two axles; or
- 1.23.3 12.5 metres in length.
- 1.24 **"HIGHWAY"** means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether public alley or privately owned, and part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- 1.24.1 A sidewalk, including boulevard portion;
- 1.24.2 If a ditch lies adjacent to and parallel with, the highway, the ditch, and;
- 1.24.3 If a highway right of way is contained between fences or between a fence and one side of the highway, all the land between the fences, or all the land between the fence and the edge of the highway as the case may be, but does not include a place declared by regulation not to be a highway.
- 1.25 **"HELMET"** means a protective device intended to be worn on the head that must meet the Canadian Standards Association, and/or American Standards Institute and/or SNELL guidelines for head protection for activities including but not limited to operating a motorcycle or bicycle. Helmet must include labeling of certifying agency.
- 1.26 **"HOLIDAY"** means any Statutory Holiday as recognized by the Town, including but not limited to the following: New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Annual Civic Holiday (first Monday in August), Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.
- 1.27 **"INTERSECTION"** means the area embraced within the correction or prolongation of:
- 1.30.1 The lateral curb lines; or if none
- 1.30.2 The exterior edges of the highways, of two or more highways which join one another at an angle whether or not one highway crosses the other.
- 1.28 **"LANDOWNER"** means any Person having a legal or equitable interest in any land or building and includes any resident, tenant or occupier of such land or building.
- 1.29 **"LAND USE BYLAW"** means the Bruderheim Land Use Bylaw, as amended from time to time.
- 1.30 **"MOBILE UNIT"** means any vacation trailer or house trailer or re-locatable trailer, or any structure whether ordinarily equipped with wheels or not, that is constructed and manufactured to be moved from one point to another, by being towed or carried and to provide living accommodations for other use by one or more people.
- 1.31 **"MOBILITY AID"** means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability. A mobility aid user is by definition considered a pedestrian. All rules that apply to pedestrians also apply to individuals operating a mobility aid. Mobility aids may include, but not limited to items such as wheel chairs, electric driven wheel chairs or scooters.
- 1.32 **"MOTOR CYCLE"** means a motor vehicle, other than a moped, that is mounted on two or three wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters.
- 1.33 **"MGA"** means the *Municipal Government Act* RSA 2000, c. M-26, as amended or repealed and replaced from time to time.
- 1.34 **"MUNICIPALITY"** or **"TOWN"** means the Town of Bruderheim in the Province of Alberta.
- 1.35 **"OBSTRUCTION"** means an encroachment, excavations, structure or other obstacles including but not limited to: trees, shrubs, signage (permanent or non-permanent) that:
- 1.35.1 Interferes with or prevents the vision, passage, maintenance or use of public space by a vehicle or pedestrian or

- 1.35.2 Interferes with or prevents the proper work operations of Town employees or Alberta transportation staff.
- 1.36 **“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:
- 1.36.1 Four wheel drive vehicles
  - 1.36.2 Low pressure tire vehicles
  - 1.36.3 Motor cycles and related 2-wheel vehicles
  - 1.36.4 Amphibious machines
  - 1.36.5 All terrain vehicles
  - 1.36.6 Utility terrain vehicles
  - 1.36.7 Miniature motor vehicles
  - 1.36.8 Snow vehicles
  - 1.36.9 Mini bikes, and
  - 1.39.10 Any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats.
- 1.37 **“OPERATOR”** means the registered Owner thereof, or if not the registered Owner, the person driving or in the position of control over the vehicle.
- 1.38 **“OWNER”** means, in the case of a vehicle, the person named on the certificate of registration or any person who is renting or leasing the vehicle. In the case of land, an OWNER means any person who is registered under the *Land Titles Act* R.S.A. 2000, Chapter L-4, and subsequent amendments, as the owner of the land.
- 1.39 **“PARADE”** or **“PROCESSION”**, with the exception of a military parade or funeral procession, means any group of:
- 1.39.1 More than fifty (50) pedestrians;
  - 1.39.2 More than ten (10) vehicles; or
  - 1.39.3 Any combination of pedestrians or vehicle which together exceed 50 in number on a highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or vehicle traffic on the highway.
- 1.40 **“PARK”**, when prohibited, means to allow a vehicle occupied or not, to remain standing in one place, excepting the following:
- 1.40.1 When standing temporarily for the purpose of and while actually engaged in loading and unloading passengers; or
  - 1.40.2 When standing in obedience to a peace officer or a traffic control device.
- 1.41 **“PASSENGER LOADING ZONE”** shall mean a space on a portion of a highway posted with a Traffic Control Device permitting parking therein, for the period of time indicated on the sign, solely for the purpose of loading or unloading passengers.
- 1.42 **“PEACE OFFICER”** means a member of the Royal Canadian Mounted Police, a Community Peace Officer appointed by the Town (pursuant to the provisions of the *Police Act* R.S.A. 2000 c.P-17, as amended, repealed and replaced from time to time) or a Bylaw Enforcement Officer, appointed by the Municipality, pursuant to the *Municipal Government Act*
- 1.43 **“PEDESTRIAN”** means a person on foot, or a person in or on a mobility aid.
- 1.44 **“PERMIT”** means an authorization issued by the CAO and/or designate pursuant to this or any other Bylaw of the Town.
- 1.45 **“PERSON”** means any individual, corporation, society, association, partnership or firm.

- 1.46 **“PLAYGROUND ZONE”** means that portion of a highway, falling between two Traffic Control Devices, marking the portion of highway as a Playground Zone.
- 1.47 **“POSTED”** means to erect, place or mark with Traffic Control Devices.
- 1.48 **“PRIVATE PROPERTY”** means any property within the Town not owned by, or occupied by the Government of Canada, the Government of Alberta or by the Town, except as otherwise indicated by express provision of this Bylaw.
- 1.49 **“PROVINCIAL OFFENCES PROCEDURE ACT”** means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or appealed and replaced from time to time in relation to violation tickets.
- 1.50 **“PUBLIC PLACE”** means any highway, park land, recreation area, footway, court, passageway, whether a thoroughfare or not, and includes but is not limited to, any open space to which the public has or may have access to, owned by or under the direction, control and management of the Town.
- 1.51 **“RECREATIONAL VEHICLE”** means a vehicle or trailer that provides temporary accommodation for recreation or travel purposes and includes any motor home, travel trailer, fifth wheel trailer, a camper when it is not mounted on a truck, but placed on the ground, a stand or otherwise stored, or any similar vehicles, but does not include small utility trailers, camper van conversions, tent trailers, campers mounted on trucks, off-road vehicles or watercraft and trailers to transport them, unless they are being used as a dwelling unit, in which case they will be considered Recreational Vehicles for the purposes of this bylaw.
- 1.52 **“RIGHTS-OF-WAY”** means the highways, roads, road allowances, streets, lanes, road diversions, bridges, public utility lots, public space, public water or other public places within the jurisdiction of the Town, excluding:
- 1.55.1 reserve property;
  - 1.55.2 tax recovery property;
  - 1.55.3 easements, leases and licenses;
  - 1.55.4 fee simple titled property; or
  - 1.55.5 any other property designated by the Chief Administrative Officer.
- 1.53 **“RIGHTS-OF-WAY CONSTRUCTION ACTIVITY PERMIT”** means a permit approved by the Chief Administrative Officer from time to time that contains one or more provisions for the granting of consent to a Person to do work in Rights-of-Way upon compliance by such Person with all other applicable municipal requirements.
- 1.54 **“ROAD”** means land (a) shown on a plan of survey that has been filed or registered in a land titles office, or (b) used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road.
- 1.55 **“ROAD BAN”** means the axle weight allowance prescribed in respect of the use of a Highway.
- 1.56 **“ROAD USE AGREEMENT”** or **“RUA”** means an agreement entered into with the Town for the purpose of ensuring that the Highway or Highways affected are protected.
- 1.57 **“ROADWAY”** means that part of the Highway intended for use by multi-modal traffic.
- 1.58 **“RURAL RIGHTS-OF-WAY”** shall mean all Rights-of-Way located within the boundaries of the Town of Bruderheim that are not located within the Urban Service Area.
- 1.59 **“SCHOOL ZONE”** means a school area designated and identified through signs where the speed limit is thirty kilometres per hour (30 km/hr) from 0730 to 1630 on school days from September 1 to June 30 or as otherwise posted.

- 1.60 **“SIDEWALK”** means that part of the highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line thereof (on the edge of the highway where there is no curb line), and the adjacent property line, whether or not paved or improved.
- 1.61 **“SIGN”** or **“SIGNAGE”** means a, “Traffic Control Device” as defined in the current *Traffic Safety Act* of Alberta or as defined in the Bruderheim Land Use Bylaw.
- 1.62 **“SIGN HEIGHT”** means the vertical distance measured at right angles from the highest point of the sign or sign structure to the grade below or when required to the grade level of the highway.
- 1.63 **“SPECIAL ROADWAY EVENT”** means:
- 1.63.1 any procession or march organized primarily for the purpose of entertainment of spectators, and includes display, inspection or promotion of a cause or purpose; or
  - 1.63.2 an event or competition involving walking, running, or the use of bicycles, motorcycles, cars or other Vehicles taking place in whole or in part, on a Highway and which blocks, obstructs, impedes, hinders or otherwise interferes with or which may block, obstruct, impede, hinder or otherwise interfere with, pedestrians or vehicular traffic on a Highway and which consists of an organized group of:
    - (i) more than fifty (50) pedestrians; or
    - (ii) more than ten (10) Vehicles; or
    - (iii) any combination of pedestrians and Vehicles which together exceed fifty (50) in number;
  - 1.63.3 but does not include:
    - (i) a military, police, or emergency services parade, or
    - (ii) a funeral procession.
- 1.64 **“STOP”** means:
- 1.64.1 When required, a complete cessation from vehicular movement; and
  - 1.64.2 When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary, to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control device.
- 1.65 **“TEMPORARY TRAFFIC CONTROL PLAN”** means a Plan, submitted under the Rights-of-Way Construction Activity Permit request which shows the temporary control of traffic:
- 1.65.1 to minimize traffic disruption around a worksite;
  - 1.65.2 to protect Equipment; and
  - 1.65.3 to ensure the safety of motorists and pedestrians and employees within a work site.
- 1.66 **“TERMS AND CONDITIONS”** shall mean those Terms and Conditions outlined in a Permit.
- 1.67 **“TIME”** shall mean either Mountain Standard Time or Mountain Daylight Savings Time, which is proclaimed by the Province of Alberta.
- 1.68 **“TOWN”** means the Town of Bruderheim.
- 1.69 **“TRACK”** means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill or fall from any vehicle, appurtenances, or tires onto any highway.
- 1.70 **“TRAFFIC CONTROL DEVICE”** means any authorized sign, signal, marking or device placed, marked, or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.

- 1.71 **"TRAILER"** means a Vehicle so designed that it may be attached to or drawn by a Vehicle and is intended to transport property or Persons, but does not include machinery or Equipment used in construction or maintenance of Highways.
- 1.72 **"TRANSIT VEHICLE"** means a vehicle used for public transportation including school buses.
- 1.73 **"TRANSIT ZONE"** means the area parallel to the curb side of the highway and within fifteen (15) meters of either side of a Traffic Control Device.
- 1.74 **"TRIDEM AXLE CERTIFICATE"** or **"TAC"** means a Permit, issued under the Act or under this Bylaw, authorizing the operation of a Commercial Vehicle, with any three consecutive axles on a Vehicle, on a Highway.
- 1.75 **"TRUCK LOADING AND UNLOADING SPACE"** means a space on a portion of a highway designated by the Municipality, and marked by a sign, for the purpose of loading and unloading for a period as indicated by the said sign. For the purposes of this definition, truck means any vehicle licensed under the *Traffic Safety Act* as a public service, commercial, or heavy vehicle.
- 1.76 **"URBAN RIGHTS-OF-WAY"** shall mean those Rights-of-Way located within the boundaries of the Urban Services Area for the Town of Bruderheim.
- 1.77 **"VEHICLE"** means, other than in part VI, a device under 5,500kg 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.
- 1.78 **"VIOLATION TICKET"** means a ticket issued pursuant to Part II or III as applicable, of the *Provincial Offences Procedure Act*, and the regulations there under.
- 1.79 **"WHEELED APPARATUS"** means any type of equipment that utilizes wheels for movement.
- 1.80 **"WORK"** means the installation, maintenance, repair, replacement, extension or operation of any equipment in Rights-of-Way, excluding Emergency Work.

## **PART II: STANDARD VEHICLE PARKING**

### **Section 201 MARKED PARKING SPACE**

Where a vehicle parking space upon the highway is designated, an operator using the same space shall park the vehicle wholly within the limits of the space.

### **Section 202 PROHIBITED PARKING / CONSTRUCTION**

No person shall park a vehicle for any period of time whatsoever at the following locations:

- 1.1 upon any portion of a highway adjacent to any structure in the course of erection or repair when such parking will impede or obstruct traffic;
- 1.2 in any truck loading or unloading space marked by a sign indicating the restrictions which apply hereto except a commercial vehicle lawfully engaged in loading or unloading materials. Notwithstanding the foregoing, such space may be used on a Sunday or any holiday or at times other than those restricted by the sign;
- 1.3 in the entranceway to any fire hall, police station, or ambulance station;
- 1.4 where the vehicle may in any way interfere with the use of a doorway intended as a fire emergency exit from any building abutting the highway;

- 1.5 at a place or area where the sign indicates that parking there is restricted to a certain class of vehicle. For the purpose of this subsection, the following classes of vehicles are established:
- 1.5.1 small cars: cars having a wheelbase of 270 centimetres or less;
  - 1.5.2 police, fire, ambulance, and other emergency vehicles;
  - 1.5.3 tour line buses;
  - 1.5.4 funeral cars;
  - 1.5.5 school buses;
  - 1.5.6 taxi cabs;
  - 1.5.7 vehicles displaying a handicapped placard or licence plate.
- 1.6 in an emergency access.
- 1.7 No Person shall Park or Stop or allow to be Stopped or Parked a Vehicle within five (5) metres of any Fire Hydrant, or, when the hydrant is not located at the curb, within five (5) metres from the point on the curb nearest the hydrant.
- 1.8 No Person shall park a Commercial Vehicle on a Roadway, Highway or Right-of-Way adjacent to a residence not owned by the Owner or Operator of the Commercial Vehicle without consent of residence owner.

### **Section 203 NO PARKING SNOW REMOVAL / STREET CLEANING**

Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer may cause moveable signs to be placed on or near a highway within the Town prohibiting parking of any vehicle for the purpose of snow removal, street cleaning, flushing, or road repair. Signs shall be placed at the entrance/exit of a cul-de-sac or highway so that signs are clearly visible. Such signs shall be posted a minimum of 24 hours prior to the commencement of such work being done, and shall at a minimum have wording indicating "NO PARKING".

### **Section 204 PARKED VEHICLES**

Except where actually taking or discharging passengers, no person shall park a vehicle:

- 1.1 in a passenger loading space marked with a sign;
- 1.2 on a portion of a highway marked by a sign as "No Parking";
- 1.3 upon a highway in front of, adjacent to or abutting any building, structure, place or premises, in the course of construction or repair, when such parking will impede or obstruct traffic;
- 1.4 in a bus zone except buses.

### **Section 205 ALLEY PARKING**

No person shall park a vehicle in an alley unless a traffic control device permits, excepting the following:

- 1.1 the loading or unloading of goods from a commercial and/or private vehicle for a period not exceeding 30 minutes;
- 1.2 the loading and unloading of passengers from a vehicle for a period not exceeding 5 minutes.

Notwithstanding provisions in Section 205 Subsection 1.1 and 1.2, no person shall park a vehicle in such a manner to obstruct passage of other vehicles in the alley.

### **Section 206 PRIVATE PROPERTY / PRIVATE PARKING LOTS**

- 1.1 No person shall park or leave a vehicle on private land which has been clearly marked by a sign erected by the landowner, tenant, occupant, or person in charge of the private land.



- 1.2 No person shall park or leave a vehicle that is parked on private property without the consent of the owner of the property or on a highway in a manner that obstructs a private driveway as per the *Traffic Safety Act* RSA 2000.

#### **Section 207 MUNICIPAL PROPERTY**

No person shall park a vehicle upon any land owned by the Town unless designated by a traffic control device.

#### **Section 208 MUNICIPAL PARKING LOTS**

No person shall park their vehicle on a municipally owned parking lot in contravention of the prohibitions stated on a traffic control device placed in the said lot.

#### **Section 209 HANDICAP PARKING STALL**

- 1.1 The Chief Administrative Officer is hereby authorized to establish, sign or otherwise designate such parking stalls or zones within the Town as he/she deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
- 1.2 In accordance with the provisions of the Town's Land Use Bylaw, the owner, tenant, occupant or person in control of private property within the Town to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage or markings used to so designate such parking spaces shall be in a form similar to that approved and used by the Chief Administrative Officer.

### **PART III: SPECIAL CLASSES OF VEHICLES (PARKING AND OTHER REGULATIONS)**

#### **Section 301 UNATTACHED TRAILERS AND RECREATIONAL VEHICLES**

- 1.1 No person shall park any trailer upon any highway, unless the said trailer is attached to a vehicle by which it may be propelled or drawn, and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles unless otherwise authorized by the Chief Administrative Officer.
- 1.2 No person shall occupy or suffer or permit any person to occupy a trailer or Recreational Vehicle or mobile unit upon a highway or upon public property unless such property has been designated for use as a mobile home, recreational vehicle or trailer park.
- 1.3 Notwithstanding the provisions of Section 301 Subsection 1.2 a Person may park and occupy a trailer or Recreational Vehicle upon Town owned property provided that written permission has been obtained from the Chief Administrative Officer.
- 1.4 An owner or operator of a Vehicle and Trailer or Recreational Vehicle shall not park the Vehicle and Trailer or Recreational Vehicle on a Roadway for more than thirty-six (36) consecutive hours. A Recreational Vehicle shall be removed to an off-Highway location for at least 24 consecutive hours before it may be Parked on the Roadway again.
- 1.5 No person shall place or cause to be placed, any unauthorized structure or object on or which projects into or obstructs the use of any highway, sidewalk or boulevard.
- 1.6 The Town may remove or cause to be removed any unauthorized structure or other object in Section 301 Subsection 1.1 and the charges for removal and storage of any such structure or object shall be paid by the owner or other responsible person and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this section.

### **Section 302 ANGLE PARKING**

No person shall angle park a vehicle upon any highway unless such parking is permitted by a traffic control device. No person shall park any vehicle or vehicle and trailer combination exceeding six (6) meters in overall length within any angle parking stall on a highway.

### **Section 303 HEAVY VEHICLE PARKING**

No person shall park a vehicle or a vehicle with any type of trailer attached thereto upon any highway if the vehicle or vehicle and trailer can be defined as a Heavy Vehicle except when loading or unloading goods to or from premises abutting such highway provided that during a period of restricted visibility the vehicle or vehicle and trailer shall have front and rear parking lights illuminated.

### **Section 304 TRACKED VEHICLES**

Unless written consent is given by the Chief Administrative Officer, no person shall operate on a highway:

- 1.1 a vehicle or trailer having metal spikes, logs or cleats, or bands projecting from the surface of its wheels or tires; or
- 1.2 any vehicle or trailer having skids or not using a triple grouser or flat surface tracks.

### **Section 305 SPECIAL ROADWAY EVENTS**

- 1.1 Any Person desiring to hold a Special Roadway Event within the Town shall, at least two weeks prior to the time desired to hold the same, make application in writing to the Chief Administrative Officer and in such application shall furnish information with respect to the following:
  - 1.1.1 the name and address of the applicant;
  - 1.1.2 the nature and object of such Special Roadway Event;
  - 1.1.3 the day, dates and hours during which the same will be held;
  - 1.1.4 the intended route thereof;
  - 1.1.5 the approximate number of Persons and/or Vehicles taking part therein;
  - 1.1.6 the nature of signs, flags, banners, placards or such similar things to be carried therein and particulars of inscriptions and wording to be exhibited thereon;
  - 1.1.7 the proposed use of public address systems or loudspeakers; and
  - 1.1.8 the signatures and addresses of the Persons who will be in control of such Special Roadway Event and who undertake to be responsible for the good order and conduct thereof; and
  - 1.1.9 any other information that might be requested by the Chief Administrative Officer.
- 1.2 The Chief Administrative Officer may issue a Permit, refuse a Permit or may issue the Permit subject to such conditions as are deemed necessary in the circumstances, including the requirement for fees or bonds.
- 1.3 Where an application for a permit has been refused under Section 306 Subsection 1.2, the Applicant may request a review by the Chief Administrative Officer.
- 1.4 Failure to submit any information required by the Chief Administrative Officer or evidence of previous mismanagement of prior Special Roadway Events authorized by a Permit shall be good and sufficient reason for the Chief Administrative Officer, to refuse issuance of a Permit.
- 1.5 Upon a Permit being granted under this bylaw, the Chief Administrative Officer is hereby authorized, to the extent he deems necessary, to temporarily close or restrict the use of any Highway, subway, bridge or overpass or any part of any Highway, subway, bridge or overpass within the Town, either as to the full width of it or as to part of the width of it and with respect to any class or any classes of Vehicles or with respect to pedestrians, and may provide for the proper enforcement of any such

closing either by way of erection of barricades or by the adoption of any other means considered necessary or expedient.

- 1.6 No Person shall hold, conduct, manage, organize or take part in any Special Roadway Event unless and until a Permit for the Special Roadway Event has been issued by the Chief Administrative Officer or as expressly permitted by resolution of Council.
- 1.7 A non-refundable fee as set out in the Fees and Charges Bylaw shall accompany each application for a Permit under this Section.
- 1.8 No Person shall install or use a loudspeaker system or other device for the amplification of sound in any public place except as authorized by a Permit.
- 1.9 Section 306 Subsection 1.8 does not apply to use of sound amplification devices by ambulance, police, firefighting or other Emergency Services.

### **Section 306 RIGHTS-OF-WAY CONSTRUCTION ACTIVITY**

- 1.1 The purpose of this Section is to:
  - 1.1.1 require every Person proposing to carry out Work for the installation, maintenance, repair, replacement, construction of Equipment in municipal Rights-of-Way to apply for any required Permits and to obtain the Town's consent for any such Work; and
  - 1.1.2 provide the Town with information on the type and location of work to be undertaken in the Right-of-Way; and
  - 1.1.3 protect the Town from costs, damages or liability associated with the installation, maintenance, repair, replacement, and construction in Rights-of-Way by any Person.

Council may pass Rights-of-Way Resolutions and Council or the Chief Administrative Officer may approve Rights-of-Way Access Agreements, subject to such Terms and Conditions, as Council deems appropriate.

- 1.2 No Person shall perform any Work in Rights-of-Way unless the Person has:
  - 1.2.1 obtained the consent of the Town or is acting on behalf of a Person who has obtained consent of the Town by way of Rights-of-Way Permit;
  - 1.2.2 obtained all applicable Permits required by the Town as determined by the Chief Administrative Officer;
  - 1.2.3 paid all applicable Rights-of-Way Fees required by the Town as determined by the Chief Administrative Officer; and
  - 1.2.4 obtained an approved and valid Rights-of-Way Construction Activity Permit including a Temporary Traffic Control Plan and have setup the Work zone in accordance with such Plan.
- 1.3 For the purposes of Subsection 1.1.1 the following agreements shall constitute consent of the Town for the purposes of performing Work in Rights-of-Ways, however, the Person obtaining such consent shall in all other respects be subject to and comply with this Bylaw:
  - 1.3.1 development agreements;
  - 1.3.2 existing utility franchise agreements approved by the Alberta Energy & Utilities Board; and
  - 1.3.3 existing railway crossing agreements approved by the National Transportation Board.
- 1.4 Every Applicant shall provide all of the information required for a Permit. An application for a Permit that does not meet these requirements shall be deemed to be incomplete.
- 1.5 The Chief Administrative Officer may reject a Rights-of-Way Construction Activity Permit application where:
  - 1.5.1 the application for the Permit is incomplete;
  - 1.5.2 the payment of all applicable Rights-of-Way Fees has not been made;

- 1.5.3 the consent of the County has not been obtained in accordance with Subsection 1.3; or
- 1.5.4 any Conditions precedent to granting the Permit have not been met.
- 1.6 The Chief Administrative Officer is hereby authorized to approve or refuse any application for a Rights-of-Way Construction Activity Permit and to issue a Permit subject to such Terms and Conditions as he deems appropriate.
- 1.7 The Chief Administrative Officer shall provide an Applicant whose application for a Permit is refused, written reasons for the refusal at the time that the Applicant is advised of the refusal.
- 1.8 When an application for a permit has been refused under 1.6, the Applicant may request a review by the Chief Administrative Officer.
- 1.9 Every Person who obtains a Permit shall comply with the Terms and Conditions of that Permit, including, without limitation, Terms and Conditions restricting Work in the Rights-of-Way to the Alignments or other portion of the Rights-of-Way for which authorization is granted in the Permit.
- 1.10 All Work zones must retain and produce upon request an approved Rights-of-Way Construction Activity Permit.

### **Section 307 OFF-HIGHWAY VEHICLES**

- 1.1 No person shall operate an off-highway vehicle within the limits of the Town, unless:
  - 1.1.1 they are fourteen (14) years of age or older;
  - 1.1.2 they are traveling on the most direct route when going to and returning from activities outside the limits of the Town;
  - 1.1.3 it is between the hours of 0800 and 2200; and
  - 1.1.4 the maximum rate of speed which a driver may operate an off-highway vehicle within the Town shall be twenty (20) kilometres per hour.

As outlined in the *Traffic Safety Act* and off-Highway Vehicle Regulation.
- 1.2 An operator of an off-highway vehicle shall immediately, on being signalled; or requested to stop by a Peace Officer, bring his or her vehicle to a stop, and furnish any information respecting the driver or the vehicle that the Peace Officer requires and shall not start his or her vehicle until he or she is permitted to do so by the Peace Officer.
- 1.3 An owner who permits another person to operate the owner's off-highway vehicle or an off-highway vehicle of which the owner has exclusive use, in contravention of this bylaw is guilty of an offence.
- 1.4 An owner of a property from which an off-highway vehicle has been used in contravention of this Act or any other Provincial Act is in contravention of this bylaw is guilty of an offence.
- 1.5 No person shall be in contravention of a specific provision of this bylaw if written permission has been granted for the contravention by the Chief Administrative Officer in advance.
- 1.6 Permits can also be provided for those private individuals who, for the purpose of snow removal, travel from sidewalk to sidewalk in the spirit of community service.
- 1.7 Permits and special permissions may be granted by the Chief Administrative Officer for the use of off highway vehicles for special events, parades run by organizations.
- 1.8 The employees, servants, and agents of the Town, while acting in the course of their employment and duties, are exempt from the provisions of this bylaw.
- 1.9 During an emergency, disaster or search and rescue operation with the Town, the provisions of this bylaw may be waived, suspended or varied by the Director of Emergency Management or their designate.

**Section 308 OPERATION OF SCHOOL BUSES**

- 1.1 Alternately flashing warning lamps shall be used when a school bus is stopped to load or unload passengers on a highway within the Town.
- 1.2 No person shall activate the alternately flashing warning lamps of a school bus in a school bus loading zone located on or adjacent to school grounds.
- 1.3 Between the hours of 0700 and 1700 on days in which school is in session, school buses may be parked in residential areas.

**PART IV: RIGHTS AND DUTIES OF PEDESTRIANS****Section 401 NO CROWDING OR JOSTLING**

No pedestrian shall crowd or jostle other pedestrians in such a manner as to create or cause discomfort, disturbance, or confusion.

**Section 402 OBSTRUCTING HIGHWAY**

- 1.1 No person shall stand in a group of 3 or more persons or so near each other on a highway as to obstruct or prevent other persons using such highway. Once a Peace Officer or another person duly authorized has made a request to disperse, then all shall disperse and move away.
- 1.2 No person shall place or caused to be placed an obstruction of any kind along a highway as defined within the bylaw or with in its right-a-way except where written permission has been given by the Chief Administrative Officer or where specific guidelines/exemptions have been met.
- 1.3 The Town maintains the right to remove any obstruction that is viewed as a hazard or impedes the use of a highway for vehicle or pedestrian use that affects:
  - 1.3.1 sight lines,
  - 1.3.2 is in a condition of disrepair, or
  - 1.3.3 where approval requirements have not been met.
- 1.4 In addition to any other enforcement actions required, a person upon notification must take actions to remove or rectify the condition immediately with in any timeline assigned by the authorized agents of the municipality and failure to do so, all costs needed to render the condition safe or repaired by the Municipality will then be applied as a debt owing to the Town by the person placing or causing the obstruction.

**Section 403 HITCHHIKING**

No person shall stand upon or walk along a highway for the purposes of soliciting a ride from the driver of any vehicle.

**PART V: SIDEWALKS/TRAILS****Section 501 RIDING ON SIDEWALK/TRAILS**

- 1.1 No Person shall operate a wheeled apparatus in reckless manner on a sidewalk which in the opinion of a Peace Officer would be seen as causing a risk to other pedestrians. (bicycles, skateboards, scooters extra)
- 1.2 All persons under the age of eighteen (18) must wear an approved helmet when operating a bicycle.

**PART VI: DELEGATED AUTHORITY TO THE CHIEF ADMINISTRATIVE OFFICER****Section 601 GENERAL**

The Chief Administrative Officer hereby delegates the authority to prescribe where traffic control devices are to be located.

**Section 602 HIGHWAY CLOSING**

Subject to provisions and processes outlined in the current *Municipal Government Act* of Alberta, Council may designate any Municipal highway as one which is closed. In such cases, the Chief Administrative Officer shall cause said highway to be marked as closed.

**Section 603 TEMPORARY HIGHWAY CLOSING**

Subject to the *Municipal Government Act* and any other Act, the Chief Administrative Officer is hereby authorized to designate any highway as one that is closed temporarily in whole or in part, and shall cause the highway to be marked as such with Traffic Control Devices. All road closures must be vetted through the Chief Administrative Officer to ensure protective services are advised of the closure.

Highway 45 (48 Street) is Provincial jurisdiction and does require approval by Alberta Transportation in conjunction with the Town if an organization or group requests to close the road.

**Section 604 TRAFFIC LANES**

The Chief Administrative Officer is hereby authorized to designate any Municipal highway as one to be divided into traffic lanes of such number as they consider proper.

**Section 605 SCHOOL AND PLAYGROUND ZONES**

The Chief Administrative Officer is hereby authorized to designate, "SCHOOL ZONES" and "PLAYGROUND ZONES". The Chief Administrative Officer shall cause such zones to be marked by "a traffic control device".

**Section 606 SPEED LIMITS**

The Chief Administrative Officer is authorized to designate vehicle speed limits on Municipal highways or a portion of a highway, and the Chief Administrative Officer shall cause such speed limits to be marked.

**Section 607 BOULEVARD PARKING**

The Chief Administrative Officer is hereby authorized to designate any boulevard upon which parking is permitted and shall cause signs permitting such parking to be erected there on.

**Section 608 PASSENGER AND TRUCK LOADING**

The Chief Administrative Officer is hereby authorized to designate passenger and truck loading and unloading spaces and shall cause the same to be marked.

**Section 609 BUS STOPS**

The Chief Administrative Officer is hereby authorized to designate transit zones and shall cause the same to be marked.

**Section 610 PARKING TIME LIMITS**

The Chief Administrative Officer is hereby authorized to designate portions of any highway where parking is limited to a period of time and shall cause signs to be erected indicating such parking limitations.

**Section 611 TRUCK ROUTES**

When the Chief Administrative Officer has approved any highway or part of a highway being designated for "TRUCK ROUTES" and such highway description is recorded in Schedule 1 of this bylaw the Chief Administrative Officer shall cause the same to be marked with signs reading 'TRUCK ROUTE'.

**Section 612 LOAD LIMITS**

The Chief Administrative Officer is hereby authorized in case of unfavourable road conditions, to limit load limits upon Municipal highways.

**Section 613 PRIVATE DRIVEWAYS**

The Chief Administrative Officer is hereby authorized to prohibit or restrict by signs the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

**Section 614 MEDIANS**

The Chief Administrative Officer is hereby authorized to close any existing median or divider on any municipal highway.

**Section 615 BICYCLES**

The Chief Administrative Officer is hereby authorized to designate locations:

- 1.1 On public highways where the use of bicycles is prohibited and shall cause same to be marked by signs. Where the use of bicycles is prohibited by the Town, a reasonable alternative route shall be provided.
- 1.2 On sidewalks, walkways, and special bicycle paths where the use of bicycles is permitted unless otherwise signed by traffic control device.
- 1.3 Of Municipal highways for the use of bicycles only and to regulate the movement of bicycles upon the portion of such highway designated for the use of bicycles.

**Section 616 WEIGHT RESTRICTIONS**

- 1.1 The Chief Administrative Officer, in his or her sole discretion, may make a determination that the use of a Highway by a Commercial Vehicle or Commercial Vehicles may or will likely cause damage to a Highway due to:
  - 1.1.1 the weight of the Commercial Vehicle or Commercial Vehicles; or
  - 1.1.2 the frequency of use of the Highway by the Commercial Vehicle or Commercial Vehicles.
- 1.2 The Chief Administrative Officer, in exercising his or her discretion under Subsection 1.1, shall have consideration for the following:
  - 1.2.1 Highway surface classification;
  - 1.2.2 daily vehicular traffic count; and
  - 1.2.3 number of occupied driveways adjacent to the Highway.
- 1.3 Where the determination is made that the use may or will likely cause damage to a Highway under Subsection 1.1, the Chief Administrative Officer, is authorized to

require any Operator to enter into a Road Use Agreement (RUA) prior to operating a Commercial Vehicle upon a Highway.

- 1.4 An Operator entering into an RUA shall at all times ensure that the Terms and Conditions contained within the RUA are complied with.
- 1.5 Where an Operator has entered into an RUA, failure to comply with this Bylaw may result in the cancellation of that RUA.
- 1.6 Prior to operation of a Commercial Vehicle on a Highway, a Commercial Vehicle must have a Provincial TAC issued in accordance with the provisions of the Act.
- 1.7 Notwithstanding Subsection 1.5, an Operator shall comply with all other provisions of the Act and this Bylaw, and without limiting the generality of the foregoing, shall obey all prohibitions, limitations, increases or restrictions imposed by an RUA.

## **Section 617 ROAD BANS**

- 1.1 The Chief Administrative Officer, is hereby authorized to impose Road Bans from time to time to define:
  - 1.1.1 load limits upon Highways;
  - 1.1.2 Highway locations with percentage axle weights for those Highways; and
  - 1.1.3 bridge locations with the maximum gross Commercial Vehicle weights to be posted on those bridges.
- 1.2 Where the Chief Administrative Officer, imposes a Road Ban with respect to a Highway, he or she shall cause signs to be erected along the Highway as he or she considers necessary to notify Operators using Commercial Vehicles on the Highway of the Road Ban Order.
- 1.3 This Section does not apply to:
  - 1.3.1 snow removal and ice control Equipment, motor graders or Highway construction Equipment operated or hauled by or on behalf of the Town;
  - 1.3.2 Commercial Vehicles or combinations of Commercial Vehicles required by the Town to transport materials needed for maintenance and repair of Highways;
  - 1.3.3 the movement of Equipment to a natural or man-made disaster such as a fire, flood, train derailment or pipeline spill, provided that the Chief Administrative Officer is immediately notified of the occurrence of such disaster;
  - 1.3.4 Special Roadway Events as per Section 305; or
  - 1.3.5 Right-of-Way Construction Activity as per Section 306.

## **PART VII: MISCELLANEOUS**

### **Section 701 LOADING ACROSS SIDEWALK**

No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading or unloading facilities have been provided at another area in the premises to which the goods or merchandise are being delivered or from which they are being taken.

### **Section 702 EMERGENCY SCENES**

No person shall pass beyond a point designated by a Peace Officer, Firefighter or a member of emergency services personnel at emergency scenes.

### **Section 703 PROHIBITED CONVEYANCES**

- 1.1 No person shall ice skate or skateboard upon a highway or sidewalk in such a manner as to obstruct pedestrian or vehicle traffic or as to inconvenience any other person on the highway.
- 1.2 No person shall coast on a sled, toboggan, skis, or other conveyance, except a bicycle, upon a highway excluding sidewalks/trails.



**Section 704 MOBILITY AID VEHICLE**

- 1.1 No person is required to hold a licence, insurance, or obtain registration to operate a mobility aid vehicle.
- 1.2 There is no minimum age requirement to operate a mobility aid vehicle.
- 1.3 No person is required to wear a helmet when operating a mobility aid vehicle. However, it is recommended especially when operating on uneven surfaces.

**Section 705 WASHING AND REPAIRING A VEHICLE**

- 1.1 No person shall carry out activities upon a highway or so near a highway as to result in depositing mud or other materials, or creating slush or ice, upon a public sidewalk or highway.
- 1.2 No person operating a premise shall allow water, mud, slush, or other materials to deposit on a public sidewalk from a highway.

**Section 706 SHRUB / FENCES AT INTERSECTIONS**

- 1.1 No person shall allow trees, hedges, or shrubs on private property within 5 meters of a highway intersection, to grow to such a height or width that good visibility for safe traffic flow is interfered with.
- 1.2 The Chief Administrative Officer may require any person concerned to comply with the provisions of Section 706, Subsection 1.1 hereof within fourteen (14) days of written notification to do so. If the person fails to comply with such notice, the Chief Administrative Officer may direct employees or agents of the Town to enter upon the private property to carry out the necessary work. In such cases, the cost of performing the required work and the pertinent fines outlined in this bylaw will be charged to the property owner in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property owner.
- 1.3 No person shall erect, build or place a fence, wall or other object on private property within 5 metres of a highway intersection so that good visibility for safe traffic flow is interfered with.

**Section 707 SIGNAGE**

- 1.1 The purpose of this section is to regulate the number, size, type, form appearance and locations of signs on or along a highway in order to:
  - 1.1.1 Balance the need for signs and expression with the requirement for orderly and safe flow of vehicular and pedestrian traffic.
  - 1.1.2 Enhance the aesthetics of the Municipality by preventing sign proliferation and encouraging signs that compliment rather than distract from the street scape.
  - 1.1.3 To ensure required regulatory signs are not impeded by vision or recognition for pedestrian and vehicle traffic use.
  - 1.1.4 Create consistency of requirements found in the Land Use Bylaw for sign provision.
  - 1.1.5 Any terms referred to and have not been defined in this bylaw are as defined in the Land Use Bylaw.
- 1.2 With written permission from the Chief Administrative Officer, signage greater than 0.6 metres in width to a maximum of 3 metres in width and not exceed a sign height of 3 metres from grade as determined by approval from the Chief Administrative Officer may be erected on or next to a highway with the following conditions:

- 1.2.1 Must maintain a minimum distance of 5 metres from a fire hydrant or other emergency use equipment. 1.2.2 Must maintain a minimum of 10 metres or as specified by permission a distance from any intersection.
- 1.2.3 Must be installed with a minimum of 3 metre set back from the highway edge or placement on a boulevard maybe be limited to areas of 10 meters in width or when maintained within the business/owner's property line shall comply with the Land Use Bylaw.
- 1.2.4 Any type of marketing sign must be separated by at least 10 metres from another Marketing sign.
- 1.2.5 A Development Marketing Sign must be located in or clearly provide direction to the subject area, and be located only during the duration the subject area is actively under development
- 1.2.6 No portable sign shall be attached, affixed or displayed on any parked vehicle or trailer not normally used in daily activity of the business so as to act as a sign for the advertisement of products or to direct people to a business or activity.
- 1.2.7 A maximum of 90 days display, subject to renewal upon conditions of changes to sign content.
- 1.3 An "A" Frame sign or special event sign like a garage sale may be placed within the right-a-way of a highway if the sign:
  - 1.3.1 is self-supported;
  - 1.3.2 does not exceed 0.7 metre square in sign area and maximum 1 metre sign height;
  - 1.3.3 minimum of 5 metres from a fire hydrant or emergency equipment and 3 metres from an intersection;
  - 1.3.4 is posted no more than 24 hours prior to the advertised event and no more than 24 hours following the event; and
  - 1.3.5 in a Commercial/Industrial District an "A" Frame sign or Special Events Sign is posted only during regular business hours.
- 1.4 Signage compliance and risk
  - 1.4.1 Upon notice from the Town that any sign posing a public safety risk, is structurally damaged, has been vandalized, or is otherwise not in compliance with this bylaw, a person responsible for the sign shall repair or remove the sign as directed, failing which, the Town may, without limitation to any other remedy, proceed to remove and dispose of the sign.
  - 1.4.2 All signage shall comply with the requirements of any relevant Federal or Provincial legislation and any other relevant bylaws.

## **Section 708 ELECTION SIGNS**

An Election sign may be placed with in the right-a way of a highway in any land use district with the following conditions:

- 1.1 Election signs shall only be displayed or placed between:
  - 1.1.1 noon on nomination day and 24 hours after the close of polls on election day for municipal and school board elections; or
  - 1.1.2 noon on the date the election is called and 24 hours after the close of polls on election day for provincial and federal elections.

- 1.2 Election signs located outside shall be free from material structural damage and shall not be located:
- 1.2.1 within 5 metres of a hydrant;
  - 1.2.2 within 15 metres of any intersection or merge lane;
  - 1.2.3 within 15 metres of a sign indicating an emergency vehicle egress or ingress;
  - 1.2.4 within 3 metres of a highway or road, as measured away from the highway or road starting at the farthest edge of the curb or, where present, the sidewalk;
  - 1.2.5 within the property boundary of a polling station;
  - 1.2.6 within 100 metres of an area demarked for public works or road construction;
  - 1.2.7 on any traffic control device as defined in the Traffic Safety Act and all subsequent amendments or successors thereto;
  - 1.2.8 on any municipal off-street parking area, overpass, bridge, recreation trail, telephone, fire alarm, electric wire, or utility lamp or pole;
  - 1.2.9 on the exterior of a moving vehicle or attached trailer, unless securely flush-mounted; or
  - 1.2.10 in a manner which, in the opinion of the CAO or designate, poses a public safety risk.
- 1.3 An election sign shall:
- 1.3.1 not exceed 1.0 metres square in sign area when placed in a boulevard less than 10 metres wide and a maximum of 5 metres square when placed beyond 10 metres of a Highway; and,
  - 1.3.2 not exceed 1.0 metres in height from finished grade to highest point of sign structure when placed within the Right-a-way of a highway of less than 10 metres and a maximum of 2.5 metres in height when placed a minimum of 10 metres away from a highway.
- 1.4 Where an election sign:
- 1.4.1 has been located in a manner that is contrary to Section 708, Subsection 1.3;
  - 1.4.2 poses, in the opinion of the Chief Administrative Officer or designate, a risk to public safety;
  - 1.4.3 has material structure damage; or
  - 1.4.4 has been vandalized.

The Town may give notice to a person responsible for the sign directing the person to remove or repair the sign.

- 1.5 Notwithstanding Section 708, Subsection 1.4 the Town may:
- 1.5.1 where an election sign contravenes Section 708, Subsection 1.3 and is on land owned by the Town or under its direction, control, and management; or
  - 1.5.2 where, regardless of location, the election sign poses, in the opinion of the Chief Administrative Officer or designate, an immediate and substantial public safety risk,

Immediately proceed to remove the sign without notice.

- 1.6 Upon notice from the Town that an election sign poses a public safety risk, is structurally damaged, has been vandalized, or is otherwise not in compliance with this bylaw, a person responsible for the sign shall repair or remove the sign as directed, failing which, the Town may, without limitation to any other remedy, proceed to remove and dispose of the sign.
- 1.7 Each candidate, must, prior to placing any election sign, provide the Town with the name and contact information of the person responsible for his or her election signs.
- 1.8 All election signs shall comply with the requirements of any relevant federal or provincial legislation, and any other relevant bylaws.

**Section 709 SNOW, ICE, DIRT AND DEBRIS REMOVAL**

- 1.1 No Person shall place or deposit or allow the placement or deposit of any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other material in the Rights-of-Way that will impede or obstruct traffic.
- 1.2 Snow from any sidewalk may be placed upon a highway when no other option is available.
- 1.3 No person shall place, or permit to be placed, any snow, ice, dirt, debris, or other material removed from the highway, private land, or other public places within the Town onto another highway, or other public place within the Town or onto private property other than their own. In default, or any person not complying with this subsection, and in addition to any other remedy available to the Town for non-compliance with this Bylaw, the Town may arrange to have the highway, public, or private property cleared. In such cases, the cost of performing the required work and the pertinent fines outlined in this bylaw will be charged to the property owner in default. Upon demand, and failing payment, such cost shall be charged against the property as a special assessment.
- 1.4 No Person shall place, permit to be placed, or allow to remain any Foreign Matter on or within one point five (1.5) metres of any Fire Hydrant located on Public or Private Property.
- 1.5 No Person shall damage, or permit to be damaged, any Highway or Fire Hydrant by scraping, cutting or in any other manner whatsoever, whether or not such Person is engaged in removing Foreign Matter from any Highway or Fire Hydrant.
- 1.6 The placement of Driveway Aids in the Rights-of-Way will be allowed from April 15 to November 1.

**PART VIII: POWERS OF PEACE OFFICERS****Section 801 REMOVALS AND IMPOUNDMENTS OF VEHICLES**

- 1.1 Any Peace Officer is hereby authorized to remove or cause to be removed from a Municipal highway any vehicle or Recreational Vehicle:
  - 1.1.1 parked in contravention of a provision of this bylaw;
  - 1.1.2 parked in contravention of the *Traffic Safety Act*;
  - 1.1.3 when emergency conditions require such removal;
  - 1.1.4 where such vehicle is obstructing an area where road maintenance is occurring or about to occur.
- 1.2 Such vehicle may be removed to a place designated by the Chief Administrative Officer and will remain impounded until claimed by the owner. The owner of the vehicle or recreational vehicle shall be responsible for all costs associated with the removal, impoundment, and storage, as well as any pertinent fines outlined in this bylaw.
- 1.3 Notwithstanding anything else in this bylaw, where portable "No Parking" signs have been placed on or near a highway by the Town or with permission of the Town, its employees, servants, agents or representatives may tow any vehicles parked in contravention of those signs at the expense of their owner and park the same on an adjacent highway without impounding the vehicles, after the expiration of twenty-four (24) hours from the time the portable "No Parking" signs are erected.

**Section 802 VIOLATION TICKETS AND PENALTIES**

- 1.1 Where a Peace Officer believes that a person has contravened any provision of this bylaw, he/she may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, or Violation Tag.

- 1.2 Any person who is issued a violation ticket for contravention of this bylaw shall immediately discontinue the offence to avoid prosecution for a second offence.
- 1.3 Ticket Evidence of Service
- 1.3.1 A violation ticket shall be deemed to be sufficiently served if:
- i. in compliance with the *Provincial Offences Procedure Act* 2000 Ch. P-34 S32 (1) if an offence notice is served by the Peace Officer who issued it, the Peace Officer shall complete and sign a certificate of service on the violation ticket that the Peace Officer personally served the offence notice on the person charged and the Peace Officer shall indicate the date of service;
  - ii. in compliance with the *Provincial Offences Procedure Act* 2000 Ch. P-34 S 30(1-2) 31(1-6) and 32(1) a violation ticket under this part must include:
    - a certificate of offence; and
    - an offence notice.
  - iii. a certificate of offence:
    - shall be completed and signed by a Peace Officer who believes on reasonable and probable grounds that an offence has been committed;
    - shall be filed with a clerk prior to the initial appearance date indicated on the violation ticket; and
    - does not need to be sworn.
- 1.3.2 An offence notice shall:
- i. indicate the specified penalty for the offence;
  - ii. how and when the defendant may respond to the offence notice; and
  - iii. that the defendant may be convicted in the defendant's absence without a hearing if the defendant fails to respond to the violation ticket by the initial appearance date indicated on the offence notice or if the defendant pleads not guilty and fails to appear in court in person or by an agent on the defendant's trial date.
- 1.3.3 An offence notice shall be served on a defendant:
- i. in the case of a defendant who is an individual, by delivering it personally to the defendant;
  - ii. in the case of a defendant that is a municipality by delivering it personally to the Chief Administrative Officer of the municipality;
  - iii. in the case of a defendant that is a Metis settlement, by delivering it personally to the settlement chair or the settlement administrator.
  - iv. in the case of a defendant that is a corporation other than a municipality or Metis settlement:
    - by sending it by single registered mail to the registered office of the corporation; or
    - by delivering it personally to the manager, secretary, or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address.
- 1.3.4 Where an offence notice is mailed to a defendant and the date of the mailing of the offence notice is set out in the related certificate of offence.
- 1.3.5 That offence notice is in the absence of evidence to the contrary deemed to have been served on the defendant on the seventh day from the date of mailing as set out in the certificate of offence.
- 1.4 Evidence of Service
- 1.4.1 If an offence notice is served by the Peace Officer who issued it, the Peace Officer shall complete and sign a certificate of service on the violation ticket that the Peace Officer personally served the offence notice on the person charged and the Peace Officer shall indicate the date of service;
- 1.4.2 a certificate of service does not need to be sworn; and
- 1.4.3 service is posted in a conspicuous place on the land referred to on the notice.

1.5 Penalty Provisions

1.5.1 The operator of an off-highway vehicle 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 6 of this bylaw.

**Section 803 PENALTIES**

Any person who commits a breach of any of the provisions of this bylaw shall on conviction for such a breach be liable to a penalty as prescribed in the Town bylaws as amended from time to time.

**Section 804 ONUS OF PROOF**

Where a vehicle is driven, used, parked, or left in contravention of any provision of this bylaw, the owner of the vehicle is responsible for the contravention and liable to the penalty provided herein unless proven to the satisfaction of the Provincial Judge trying the case that at the time of the contravention the vehicle was not driven, used, parked, or left by any person.

**Section 805 SEVERABILITY**

If any section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such section or parts shall be deemed to be severable and all other section or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

That Bylaws 7-2011 (Parking Bylaw), 778-2008 (Road Bans Bylaw), and 3-2011 (Off-Highway Bylaw) are hereby rescinded.

**Section 806 EFFECTIVE DATE**

THIS Bylaw shall take effect on the day of final passing thereof.

READ a first time the <sup>PA</sup>~~17~~ day of <sup>PA</sup>August, 2022.

READ a second time the <sup>PA</sup>~~07~~ day of <sup>PA</sup>Sept, 2022.

READ a third time and finally passed the 21 day of June, 2023.



Karl Hauch, Mayor



Phyllis Forsyth, CAO

Section	Offence	Penalty
202	Parking in space designated for Parking of Vehicle of Disabled Person	\$ 150.00
202	Parking in a Truck Loading Zone	\$ 57.00
202	Parking on a Highway, Roadway or Highway Right-of-Way	\$ 250.00
202	Parking or Stopping illegally in a Fire or Emergency Lane	\$ 200.00
202	Parking or Stopping within five (5) metres of a fire hydrant or point on curb nearest the hydrant	\$ 175.00
202	Parking of a Commercial Vehicle	\$ 57.00
203	Parking when portable "No Parking" signs are in place	\$ 100.00
204	Parking in front of a building under construction	\$ 57.00
204	Parking in a Bus Stop	\$ 57.00
204	Parking where there is a "No Parking" sign	\$ 57.00
204	Parking a Vehicle and Trailer or Recreational Vehicle that creates an obstruction, presents a safety concern or otherwise impedes traffic	\$ 150.00
205	Parking illegally in a Lane	\$ 57.00
206	Unauthorized Parking on Private Property	\$ 57.00
207	Unauthorized Parking on Public Property	\$ 57.00
209	Unauthorized Parking in a Reserved Parking space on Public Property	\$ 57.00
301	Parking of Trailer without Vehicle attached	\$ 150.00
301	Occupying a Trailer on a Highway	\$ 150.00
301	Parking a Vehicle and Trailer or Recreational Vehicle in excess of thirty-six (36) hours	\$ 100.00
303	Parking a Heavy Vehicle in a residential area	\$ 250.00
305	Holding a Special Roadway Event without a Permit	\$ 200.00
305	Using a Loudspeaker without a Permit	\$ 100.00
306	Failure to comply with any provision of Section i. First offence ii. Second offence iii. Third and subsequent offences	\$ 200.00 \$ 500.00 \$ 1000.00
306	Failure to comply with any provision of Section 306	\$ 200.00
306	Failure to produce a ROWCAP when requested	\$ 200.00
307	Failure to comply with any provision of Section 307 i. First offence ii. Second offence	\$ 100.00 \$ 200.00
616	Operating a Vehicle without a Road Use Agreement i. First offence ii. Second offence iii. Third and subsequent offences	\$ 500.00 \$ 1000.00 \$ 2000.00
616	Failure to comply with the Terms and Conditions of a TAC or RUA	\$ 200.00
616	Operating a Vehicle without a TAC	\$ 500.00
709	Placing or permitting to be placed Foreign Matter onto any Roadway or Sidewalk	\$ 200.00
709	Placing or permitting to be placed Foreign Matter onto any Fire Hydrant located on Public or Private Property	\$ 150.00
709	Damaging or permitting to be damaged any Highway or Fire Hydrant by scraping, cutting or in any manner whatsoever, whether or not such person is engaged in removing Foreign Matter from any Highway or Hydrant	\$ 200.00
709	Placing or depositing any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other material in the road rights-of-way that will impede or obstruct traffic i. First offence ii. Second offence iii. Third and subsequent offences	\$ 100.00 \$ 500.00 \$ 1000.00
709	The placement of driveway aids in the road rights-of-way outside of permitted dates and/or locations i. First offence ii. Second offence iii. Third and subsequent offences	\$ 100.00 \$ 500.00 \$ 1000.00