

BYLAW 939-08
PEDESTRIAN/VEHICLE TRAFFIC

BYLAW 939-08

BEING A BYLAW OF THE TOWN OF TURNER VALLEY IN THE PROVINCE OF ALBERTA TO REGULATE PEDESTRIAN/VEHICLE TRAFFIC WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF TURNER VALLEY

The Council of the Town of Turner Valley in the Province of Alberta, pursuant to authority conferred upon it by the Municipal Government Act, Revised Statutes of Alberta, 2000 enacts as follows:

WHEREAS the *Traffic Safety Act* authorizes a municipal council to pass bylaw pertaining to general traffic regulation in that municipality, which bylaws shall not be inconsistent with that Act;

AND WHEREAS the *Municipal Government Act*, provides that a Municipality may pass Bylaws for the peace, order, and good government of the Municipality and for providing for the health, safety, and welfare thereof and for the regulating, and controlling of transport trucks;

NOW, THEREFORE, the Town Council of the Town of Turner Valley in the Province of Alberta enacts as follows:

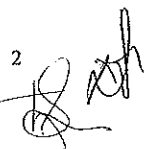
PART 1 - DEFINITIONS

1. This Bylaw may be cited as "The Traffic Bylaw".
2. In this Bylaw, except where otherwise defined:
 - (a) Alley is as defined in the *Traffic Safety Act* or any replacement legislation enacted by the Province of Alberta from time to time.
 - (b) Approved Helmet means a safety helmet that is approved under the current *Vehicle Equipment Regulation*,
 - (c) Bicycle means any cycle propelled by human power on which a person may ride, regardless of the number of wheels it has;
 - (d) Boulevard means that part of a highway in an urban area that
 - i) is not roadway, and
 - ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
 - (e) Bylaw means a Town bylaw, including any amendments thereto;
 - (f) Carrier means any Vehicle that is transporting any amount of Dangerous Goods into, through or out of the Town;
 - (g) Centre Line is as defined in the current *Traffic Safety Act*;
 - (h) Commercial Vehicle is as defined in the current *Traffic Safety Act*;
 - (i) Council means the Council of the Town of Turner Valley;
 - (k) Crossing means a Curb, Sidewalk or Boulevard crossing constructed for the purpose of Vehicle access;
 - (l) Crosswalk is as defined in the current *Traffic Safety Act*;
 - (m) Curb means the actual Curb if there is one or the division point between that portion of the Highway intended for the use of Vehicles and that

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portion occupied by a Sidewalk;

- (n) Dangerous Goods is as defined in the current *Dangerous Goods Transportation and Handling Act*;
- (o) Director of Finance means the Director of Finance for the Town;
- (p) Disabled Persons Vehicle means a Vehicle that displays a disabled placard or license plate that is issued or recognized by the Registrar of Motor Vehicle Services (or any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services);
- (q) Emergency Access Route means a route or lane so designated to provide Emergency Vehicles with unencumbered access to adjacent or nearby areas;
- (r) Emergency Vehicle means
 - (i) a Vehicle operated by a Peace Officer or police service as defined in the *Peace Officer Act*,
 - (ii) a fire-fighting or other type of Vehicle operated by the fire protection service or a municipality,
 - (iii) an ambulance operated by a Person or organization providing ambulance services,
 - (iv) a Vehicle operated as a gas, power or water disconnection unit of a public utility, or
 - (v) a Vehicle designated by regulation as an emergency response unit;
- (s) Fire Chief means the Member appointed by the Town Manager as the head of the Town of Turner Valley Fire Department;
- (t) Funeral Procession means a group of Vehicles, the occupants of which are gathered to attend funeral services, that is likely to block, obstruct, impede, hinder or otherwise interfere with Pedestrian or vehicular traffic on the Highway;
- (u) Government Vehicle means any Vehicle that is owned or leased by a municipal, provincial or federal level of government;
- (v) Hoarding means the fencing required to enclose an Obstruction on Public Place;
- (w) Highway is as defined in the current *Traffic Safety Act*;
- (x) Heavy Vehicle means:
 - (i) a vehicle with or without a load weighing 5000 kgs or more, or exceeding 11 metres in length, or
 - (ii) a vehicle with a trailer with or without a load weighing 5000 kgs or more in total weight or, 11 metres in total length, or
 - (iii) a vehicle licensed to transport a load of 900 kgs or more;
- (y) Inoperable Vehicle means a Vehicle that, in the opinion of a Peace Officer, is incapable of moving without repair;
- (z) Intersection means the area embraced within the prolongation or connection of

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- (i) the lateral Curb lines, or
 - (ii) if there are not any lateral Curb lines, the exterior edges of the Roadways, of 2 or more Highways, which join one another at an angle whether or not, one Highway crosses the other;
- (aa) Land Use Bylaw means the Town of Turner Valley *Land Use Bylaw*;
- (bb) Lead Vehicle means the Vehicle leading a Funeral Procession;
- (cc) Loading Zone means a portion of a Highway adjacent to the Curb designated for the exclusive use of Vehicles loading or unloading passengers or materials;
- (dd) Member means any Person who is a duly appointed member of the Town of Turner Valley Fire Department;
- (ee) Mobile Home means a structure, whether ordinarily equipped with wheels or not, that
- (i) is constructed or manufactured to be moved from one point to another, and
 - (ii) is intended to be occupied by one or more Persons,
- but does not include a holiday Trailer or a Recreational Vehicle when the holiday Trailer or Recreational Vehicle is being used for bona fide recreational purposes;
- (ff) Motorcycle means any two or three wheeled Vehicle that is operated other than by human power and includes any two or three wheeled Vehicle operated by a combination of human and any other source of power;
- (gg) Municipal Violation Tag means a Town-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence;
- (hh) Obstruction means an encroachment, excavation, structure or other obstacle, including a tree, shrub or hedge, that
- (i) interferes with or prevents the vision, passage, maintenance or use of Public Places by Vehicles or Pedestrians; or
 - (ii) interferes with or prevents the proper operation of a public work;
- (ii) Off-Highway Vehicle means any motorized mode of transportation not intended for normal Roadway use, but 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 non- Roadway travel,
- (i) 4-wheel drive Vehicles,
 - (ii) low pressure tire Vehicles,
 - (iii) Motorcycles and related 2-wheel Vehicles,
 - (iv) amphibious machines,
 - (v) all terrain Vehicles,



- (vi) miniature motor Vehicles,
 - (vii) snow Vehicles,
 - (viii) minibikes, and
 - (viii) any other means of transportation that is propelled by any power other than muscular power or wind, but does not include
 - (x) motor boats, or
 - (xi) any other Vehicle exempted from being an off-highway vehicle by provincial regulation;
- (ji) Operator means a Person who drives a Vehicle or operates equipment as the Owner thereof, or as an agent, employee or servant of the Owner;
- (kk) Over-Dimensional Vehicle means any Vehicle that exceeds the maximum dimensions set out in the current *Commercial Vehicle Dimension and Weight Regulation*;
- (ll) Over-Weight Vehicle means any Vehicle that exceeds the maximum weight set out in the current *Commercial Vehicle Dimension and Weight Regulation*;
- (mm) Owner means the Person who owns a Vehicle and includes any Person renting a Vehicle or having the exclusive use of a Vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a Vehicle for a period of more than 30 days, or if the context dictates, a duly registered land titleholder;
- (nn) Parade means a procession or march that is
- (i) organized to entertain spectators, for display or inspection purposes, or to promote a cause or purpose, and
 - (ii) likely to block, obstruct, impede, hinder or otherwise interfere with Vehicle or Pedestrian traffic.
- For the purposes of this Bylaw, a Special Roadway Event shall not be considered a Parade;
- (oo) Park is as defined in the current *Traffic Safety Act*;
- (pp) Parking Stall means a portion of a street indicated by marking space for one Vehicle;
- (qq) Parkland means any developed or undeveloped property that is owned, controlled or maintained by the Town of Turner Valley is intended to be used by members of the public for recreation purposes, and is
- (i) preserved as a natural area,
 - (ii) designated or districted as park or park corridor land,
 - (iii) dedicated as municipal reserve, environmental reserve or a public utility lot property pursuant to the *Municipal Government Act*, or
 - (iv) a Boulevard contiguous with, partially within or fully within the property referenced under subsections (i), (ii) or (iii) above;



- (rr) Passenger Zone means an area or space on a Highway established for the loading or unloading of passengers only;
- (ss) Peace Officer means:
- (i) a member of the Royal Canadian Mounted Police, while the member is in the exercise or discharge of the member's powers or duties,
 - (ii) a member of a municipal police service, while the member is in the exercise or discharge of the member's powers or duties,
 - (iii) a Peace Officer appointed under the *Peace Officer Act*, while the Peace Officer is in the exercise or discharge of the special constable's powers or duties,
 - (iv) a person who is employed or retained by the Government, a municipality or a Metis settlement and whose duties include written authorization to issue violation tickets under Parts 2 and 3, while the person is in the exercise or discharge of that duty and while the person is serving a summons, offence notice or subpoena,
 - (v) a park warden appointed under the *Parks Canada Agency Act* (Canada) and a park officer designated under the *National Parks Act* (Canada), while they are in the exercise or discharge of their powers or duties in a national park established under the *National Parks Act* (Canada),
 - (vi) a person appointed under the *National Defence Act* (Canada) regulations for the purposes of section 156 of the *National Defence Act* (Canada), while the person is in the exercise or discharge of the person's powers or duties in a defence establishment as defined in that Act, and
 - (vii) any other person employed by a municipality, a Metis settlement, the Government of Alberta or the Government of Canada for the preservation and maintenance of the public peace, while the person is in the exercise or discharge of the person's powers and duties;
- (tt) Pedestrian is as defined in the current *Traffic Safety Act*;
- (uu) Person includes any individual, corporation, society, association, partnership or firm;
- (vv) Playground Zone means that portion of a Highway identified as a playground zone by a Traffic Control Device;
- (ww) Public Place means any Highway, parkland, public bridge, Roadway, lane, footway, square, court, Alley or passage, whether a thoroughfare or not, and includes any open space to which the public have or are permitted to have access, whether by payment or otherwise, to Town land;
- (xx) Private Vehicle means any Vehicle used for personal transportation including the transportation of goods which are the property of the owner intended for the use and enjoyment of himself or members of his household and includes motor homes, campers, trailers, or vans used for recreational purposes only;
- (yy) Recreational Vehicle means a Vehicle designed or used for travel with temporary living accommodation for vacations or camping purposes;

- (zz) Registrar means the Registrar of Motor Vehicle Services and includes any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services;
- (aaa) Roadway is as defined in the current *Traffic Safety Act*;
- (bbb) Schedule means a schedule attached to and forming part of this Bylaw;
- (ccc) School Bus means a motor Vehicle used primarily for transporting persons to and from a school;
- (ddd) School Zone means that portion of a Highway identified as a school zone by a Traffic Control Device;
- (eee) Service Vehicle means any Vehicle that is operating mainly to provide services to the public other than the delivery of goods;
- (fff) Sidewalk means that part of a Highway especially adapted to the use of or ordinarily used by Pedestrians, and includes that part of a Highway between the Curb line, or where there is no curb line, the edge of the roadway and the adjacent property line, whether or not it is paved, or improved;
- (ggg) Skateboard means a device for coasting made of a board mounted on coasters, commonly called a skateboard;
- (hhh) Slow Moving Vehicle means
- (i) a Vehicle or other machinery or equipment designed for use at speeds that are less than 40 km/h, or
 - (ii) a Vehicle upon which must be displayed, in accordance with provincial regulations, an emblem indicating that it is a slow moving vehicle,
- but does not include
- (i) a Bicycle;
 - (ii) any Vehicle owned by or under contract to the Town of Turner Valley while actually engaged in Highway or public works maintenance operations, or
 - (iii) any Vehicle used in connection with the servicing of public utilities while that Vehicle is actually engaged in public utility maintenance operations on a Highway;
- (iii) Small Car means a passenger Vehicle having a wheel base of 270cm or less;
- (jjj) Special Class of Vehicle means any of the following
- (i) Small Cars,
 - (ii) Emergency Vehicles,
 - (iii) Transit Vehicles,
 - (iv) tour buses,
 - (v) limousines,
 - (vi) funeral cars,

- (vii) School Buses,
 - (viii) Disabled Persons Vehicles,
 - (ix) Motorcycles,
 - (x) Commercial Vehicles, or
 - (xi) Government Vehicles;
- (lkk) Special Roadway Event means a competition, spectacle or event (including a block party or similar gathering) that takes place in whole or in part on a Highway and which may involve walking, running or the use or display of Bicycles, Motorcycles or Vehicles;
- (lll) Stop means
- (i) when required, a complete cessation from vehicular movement, and
 - (ii) 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 a direction given by a Peace Officer or Traffic Control Device;
- (mmm) Street Furniture includes every Curb, Sidewalk, Pole, Traffic Control Device, Waste Receptacle, Bus Bench, Bus Enclosure, Tree, Plant, Grass, Utility, Utility Service, or any other property authorized of placement on a Highway or a public place by the Town;
- (nnn) Taxi Cab shall mean a public vehicle including a livery or any other motor vehicle designed to carry twelve passengers or less which is used to transport passengers and their baggage, on request, to a stated destination;
- (ooo) Whenever Time is referred to in this Bylaw, it means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the Province of Alberta.
- (ppp) Town means the Town of Turner Valley;
- (qqq) Town Manager shall mean the Chief Administrative Officer for the Town of Turner Valley or the person designated by the Chief Administrative Officer to perform the duties of the Town Manager set out in this Bylaw;
- (rrr) Town Vehicle means any Vehicle owned by the Town used in connection with the duties and responsibilities of the Town and includes emergency vehicles;
- (sss) Traffic Control Device is as defined in the current *Traffic Safety Act*;
- (ttt) Traffic Safety Act means the statute enacted by the Province of Alberta as Chapter T-6 of the Revised Statutes of Alberta, 2000 and any regulations enacted thereunder, as amended or replaced from time to time.
- (uuu) Trailer means a Vehicle so designed that it
- (i) may be attached to or drawn by a motor Vehicle or tractor, and
 - (ii) is intended to transport property or Persons,

and includes any Vehicle defined by Alberta Regulation as a trailer, but does not include machinery or equipment solely used in the construction or maintenance of Highways;

- (vvv) Truck means any Vehicle, other than a registered Disabled Persons Vehicle, Recreational Vehicle, School Bus or Transit Vehicle, that is
- (i) greater than 11 metres in length, or
 - (ii) registered (in any jurisdiction) to operate at a maximum gross weight of 8000 kg or more;
- (www) Vehicle is as defined in the current *Traffic Safety Act*;
- (xxx) Violation Ticket means a violation ticket issued in accordance with the current *Provincial Offences Procedure Act*;
- (yyy) Walkway means any footpath or trail, as part of the Town's Trail System, which is limited for the use of Pedestrians and Bicycle traffic or any other devices operated by human power only.
- (zzz) Waste means
- (i) any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to,
 - (a) rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or a part of an animal carcass, or
 - (b) the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of.

PART 2 - AUTHORITIES

AUTHORITY OF COUNCIL

3. Notwithstanding any other provisions of this Bylaw, Council may by resolution exempt any class of vehicle from such provision of this Bylaw relating to parking and stopping as Council may deem fit and under such conditions as the Council may impose, and may provide for the identification of vehicles so exempted.
4. Notwithstanding any other provisions of this Bylaw, Council may by resolution prescribe where traffic signs for controlling and regulating traffic in public places are to be located.
5. Notwithstanding any other provisions of this Bylaw, Council may by resolution designate a highway as one to be divided into traffic lanes.

AUTHORITY OF TOWN MANAGER

General

6. The Town Manager is hereby delegated the authority to prescribe where Traffic Control Devices, either permanent or temporary, are to be located, including Traffic Control Devices restricting the speed of Vehicles; such Traffic Control Devices located by such persons pursuant to a delegation made under this Bylaw shall be deemed to have been made by Bylaw of the Town and such persons shall maintain a record of all such locations which shall be open to public inspection during normal working hours.

Crosswalks

7. The Town Manager is hereby authorized to designate Crosswalks upon any Roadway and cause to mark the same.

Turns

8. The Town Manager is hereby authorized to designate a Highway intersection or other place on a Highway as a place at which no left-hand turn or no right-hand turn or both shall be made, and shall cause the place to be signed, barricaded or otherwise restricted.
9. The Town Manager is hereby authorized to designate any intersection or place on a Highway, including a place where a railway right-of-way crosses a Highway, as a place where U-turns are prohibited, and shall cause such intersections or places to be marked.
10. The Town Manager is hereby authorized to designate any Highway as one, which is closed in whole or in part to traffic, and shall cause such Highway to be marked.

Traffic Lanes

11. The Town Manager is hereby authorized to designate any Highway as one to be divided into lanes in such numbers as he considers proper.

School Zones

12. The Town Manager is hereby authorized to designate "School Zones" and "Playground Zones". The Town Manager shall cause such zones to be marked by Traffic Control Devices.
13. The Town Manager is hereby delegated the authority to prescribe where emergency or construction Traffic Control Devices are to be located on any Highway, and shall cause the same to be marked.

Parking Near Intersections

14. The Town Manager is hereby authorized to designate distances from any intersection with which no parking is permitted and may cause Traffic Control Devices to be erected indicating "No Parking". This provision shall not apply to Vehicles stopped in compliance with any provision of this Bylaw.

Parking Time Limits

15. The Town Manager is hereby authorized to designate portions of a Highway where parking is limited to a period of Time and shall cause Traffic Control Devices to be erected indicating such parking limitations.

Authority for Traffic Control Devices

16. The Town Manager is hereby delegated the authority to authorize the placing, marking, or erecting of Traffic Control Devices. The Town Manager shall cause such devices to be placed correctly such that they are clearly recognizable in all reasonable light and weather conditions.

Parallel and Angle Parking

17. The Town Manager is hereby authorized to designate angle parking on any Highway and to cause the same to be marked.

Limitation of Load Limits

18. The Town Manager is hereby authorized, in case of unfavourable road conditions, to establish and post load limits upon Town Highways.

Maximum Bridge Loading

19. The Town Manager is hereby authorized to designate the maximum loading permitted on any bridge and to cause the same to be marked by a Traffic Control Device.

Private Driveway Prohibition Signs

20. The Town Manager is hereby authorized to prohibit or restrict by Traffic Control Devices the movement of Vehicles from a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.
21. The Town Manager is hereby authorized to temporarily close any existing median or divider opening on any Municipal Highway.
22. The Town Manager is hereby authorized to designate any day or days, or parts thereof, in which parking metres will be inoperative.

Highway Repairs

23. The Town Manager is hereby delegated the authority to authorize the moving of Vehicles from Highways and Alleys when grading, maintaining, or repairing same.

PART 3 OVERARCHING AUTHORITY

24. Fine Amount \$200.00
- (a) Notwithstanding anything in this Bylaw, no Person shall act in contravention of
- (i) the directions of a Peace Officer or a Member acting in the course of his or her employment duties; or
- (ii) in the absence or circumstances set out under subsection (i), a Traffic Control Device placed by or under the direction of the Town.
- (b) No Person other than a Peace Officer or a Member shall attempt to direct or regulate traffic or place anything resembling a Traffic Control Device other than with the permission of, and in accordance with any conditions imposed by, the Town Manager.

PART 4 - PARKING

25. Fine Amount \$50.00
- (a) No Person shall Park a Vehicle on any portion of a Highway upon which Parking is prohibited by a Traffic Control Device.
- Fine Amount \$50.00
- (b) No Person shall Stop a Vehicle on any portion of a Highway upon which Stopping during such time is prohibited by a Traffic Control Device.
26. Unless required or permitted by a Traffic Control Device, this Bylaw, the *Traffic Safety Act*, in compliance with the direction of a Peace Officer, or to avoid conflict with other traffic, a driver shall not stop, park, or leave his Vehicle:

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- Fine Amount \$50.00 (a) on a sidewalk or boulevard;
- Fine Amount \$100.00 (b) on a Crosswalk or any part of a Crosswalk;
- Fine Amount \$50.00 (c) within an intersection other than immediately next to the curb in a "T" intersection;
- Fine Amount \$50.00 (d) at an intersection nearer than five (5) metres to the projection of the corner property line immediately ahead or immediately to the rear except when his Vehicle is parked in a space where a parking meter or other Traffic Control Device indicates parking is permitted;
- Fine Amount \$50.00 (e) within 5 metres of the approach to any "STOP" sign or "YIELD" sign;
- Fine Amount \$50.00 (f) within 5 meters of any fire hydrant, or when the hydrant is not located at the curb, within 5 meters of the point on the curb nearest the hydrant;
- Fine Amount \$50.00 (g) within 1.5 meters from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
- Fine Amount \$50.00 (h) within 5 metres from the near side of a marked Crosswalk;
- Fine Amount \$50.00 (i) along side or opposite any Highway excavation or obstruction when stopping or parking would obstruct traffic;
- Fine Amount \$50.00 (j) on any bridge or in any subway or on the approaches to either of them;
- Fine Amount \$50.00 (k) on any portion of a Roadway marked as an Emergency Access Route or fire lane;
- Fine Amount \$50.00 (l) on the Roadway side of a Vehicle parked or stopped at the Curb or edge of the Roadway;
- Fine Amount \$50.00 (m) such that the Vehicle impedes or obstructs the orderly flow of Vehicle or Pedestrian traffic;
- Fine Amount \$50.00 (n) at any place for a time longer than that stated on Traffic Control Devices providing for parking for a specified time;
- Fine Amount \$50.00 (o) on wrong side of a Roadway against the flow of traffic;
- Fine Amount \$50.00 (p) in a Roadway maintenance or construction area unless the Vehicle is employed in the maintenance or construction work;
- Fine Amount \$50.00 (q) where any Vehicle may interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the Highway;
- Fine Amount \$100.00 (r) such that the Vehicle obstructs access to the entrance way of a fire hall, police station or hospital;
- Fine Amount \$50.00 (s) upon Parkland, or land designated by a public authority other than the Town as park or reserve land;
- Fine Amount \$100.00 (t) on private land which has been clearly marked by a

Traffic Control Device directed by the owner, tenant, or their agent, unless such person is in charge of the private land;

- Fine Amount \$50.00 (u) in any place where a Traffic Control Device indicates that parking or stopping is restricted to a Special Class of Vehicle, except if that Vehicle qualifies as a member of such authorized Special Class of Vehicle.
- Fine Amount \$50.00 (v) in such manner as to obstruct the access to or exit from any theatre or other building being used for public gatherings; or
- Fine Amount \$100.00(w) in such manner as to interfere with the proper operation of any Vehicle used by the Fire Department or other department of the Town;
- Fine Amount \$50.00 (x) on any land owned by the Town unless designated as a Parking stall without the express or written approval of the Town Manager;
- Fine Amount \$50.00 (y) in a way that impedes traffic or restricts the safe operation of other motor vehicles using the highway

Abandoned Vehicles

27. Fine Amount \$150.00

No person shall park or leave a Vehicle upon public or private property without express or implied consent of the owner, or person in lawful possession or control of the property for a period of more than 72 hours. Any vehicle is deemed to be abandon, if after receiving a warning sticker or ticket, has still not been removed after the 72 hour period has expired, and may be towed and the owner or person responsible for the vehicle, will be liable for the towing and storage fees.

Parallel Parking

28. Fine Amount \$50.00

- (a) When parking on a Roadway the driver shall park his Vehicle with the sides thereof parallel to the Curb or edge of the Roadway, and
- (i)with the right-hand wheels thereof no more than 500 millimetres from the right-hand Curb or edge of the Roadway, or
 - (ii)in the case of a one way Highway where parking on either side is permitted with the wheels closest to the Curb or edge of the Roadway not more than 500 millimetres from that Curb or edge.
- (b) This section does not apply where angle parking is permitted or required.
- (c) Where a Vehicle parking space for parallel parking upon the Highway is marked or designated, an operator using the same, shall park such vehicle wholly within the limits of the space provided that where any vehicle and trailer exceeds the length of a single Parking Stall, the same may occupy two, but no more than two Parking Stalls.

Angle Parking

29. Fine Amount \$50.00

- (a) When a parking sign indicates that angle parking is permitted, or required, a driver shall Park his Vehicle:
- (i) with its sides at an angle of between 30 and 60 degrees to the Curb or edge of the Roadway; and
 - (ii) with one front wheel not more than 500 Millimetres from the Curb or edge of the Roadway; and
 - (iii) shall not cross nor enter oncoming traffic to either enter or exit from the parking area.

30. Fine Amount \$50.00

Notwithstanding Part 4 Section 29(1) of this Bylaw no person shall angle park any Vehicle or trailer which exceeds six (6) metres in overall length upon any Highway except at such locations as may have been designated by Council.

Repairing Vehicles

31. Fine Amount \$150.00

No person shall stand or park any Vehicle on any Highway for the purpose of servicing or repairing such Vehicle except for emergency repairs such as changing a flat tire, boosting a vehicles electrical system, transferring of gas from a CSA approved container to a vehicle's gas tank.

Washing Vehicles

32. Fine Amount \$50.00

No person shall wash any Vehicle on any Highway in such a manner as to constitute a nuisance or hazard.

33. Fine Amount \$50.00

No person operating a garage business or any other business involving the use of motor Vehicles shall permit water, oil, gasoline, or grease arising from the washing, repairing, or maintaining of any Vehicle to be deposited on or run onto any Highway within the Town.

Idling Vehicle

34. Fine Amount \$50.00

No person shall park any vehicle with motor running, in such a manner and such a location as to cause a disturbance.

Over-revving Vehicle

35. Fine Amount \$100.00

No person having care or control of a vehicle on any Highway shall permit the motor of such Vehicle to run at excessive revolutions per minute in the manner commonly known as "revving."

Alley Parking

36. Fine Amount \$50.00

- (a) No Person shall Park a Vehicle or Trailer in an Alley except while loading and unloading goods

(i) from a Commercial Vehicle; or

(ii) from a passenger Vehicle for a period not exceeding 15 minutes.

- (b) Notwithstanding subsection (a), no Person shall Park a Vehicle in an Alley such that the passage of other Vehicles through the Alley is obstructed.

Parking Space

37. Fine Amount \$50.00

Where a parking space is indicated on a Roadway surface, an Operator shall Park a Vehicle wholly within the limits of the parking space.

Disabled Person's Parking Space

38. Fine Amount \$200.00

No person shall park or stop on private or public land, in a Parking Stall reserved for the exclusive use of persons with disabilities which has been designated by a Traffic Control Device unless such a person has marked the Vehicle with an official placard issued by the Alberta Solicitor General - Motor Vehicle Division, indicating it a disabled person Vehicle.

Walkways

39. Fine Amount \$50.00

No driver of any Vehicle shall leave or operate any Vehicle on any Walkway within the Town.

Timed Parking

40. Fine Amount \$50.00

- (a) At any place for a time longer than that stated on Traffic Control Devices providing for parking for a specified time,
- (b) If a Vehicle, being the subject of a Municipal Violation Tag or a Violation Ticket issued due to a contravention of subsection (1), remains parked for a further span of time in excess of the number of minutes or hours permitted, an additional offence shall be deemed to have occurred.

Recreational Vehicle/Trailers

41. Fine Amount \$100.00

No Person shall Park a Recreational Vehicle/Trailer on any portion of a Highway;

- (a) unless the Recreational Vehicle/Trailer is securely attached to a Vehicle that is mechanically capable of, and properly equipped for, towing the Trailer in a safe manner.
- (b) between October 1st to May 1st of the current year
- (c) no part of the Recreational Vehicle or Trailer shall extend on to a roadway, private property or public property.
- (c) exceeding 48 hours at which time the recreational vehicle must be removed for a period of time no less than 48 hours

Mobile Home

42. Fine Amount \$50.00

No Person shall Park a Mobile Home in a Public Place except in an area designated by the Town as a Mobile Home site.

Cords

43. Fine Amount \$50.00

No Person shall place or leave on, cross, or above any part of highway, sidewalk, boulevard, or any other Town property, a cord or cable that may transmit electrical current to a vehicle or recreational vehicle or trailer.

PART 5 - ZONES AND RULES FOR THE OPERATION OF VEHICLES

Parades

44. Fine Amount \$50.00

No person shall leave any Vehicle on any Highway which has been cleared or is about to be cleared for a parade provided that sufficient warning signs have been placed at the particular Highway intersection, at least twelve (12) hours before such parade is to take place.

45. Fine Amount \$150.00

No person shall hold or take part in any parade or procession without first having obtained from the Town Manager or his designate a permit for the parade or procession to be held.

Every member of a parade or procession and the organization and leaders thereto shall be guilty of an offence for each and every violation of this section.

46. Fine Amount \$150.00

Any person desiring to hold a parade or procession within the Town shall make application in writing to the Town Manager at least seven clear days prior to the time that they desire to hold the same. Said application shall furnish to the Town Manager information with respect to the following:

- (a) the name and address of the applicant (if such application is made on behalf of an organization, the names, and addresses of the full executive),
- (b) the nature and object of such parade or procession,
- (c) the day, date, and hours during which same is proposed to be held.
- (d) the intended route thereof,
- (e) the approximate number of vehicles and persons to participate in said parade or procession, and
- (f) written confirmation from the R.C.M.P. and the Town Fire Chief that the proposed route meets with their approval.

Horse Drawn Vehicle

47. Fine Amount \$50.00

- (a) When any horse drawn Vehicle is in motion the driver or other person in charge of such Vehicle shall, at all times, have physical control over the horses drawing such Vehicle.
- (b) No Person shall leave any horse drawn Vehicle unattended on any road within the limits of the Town, but shall leave such horse or horse drawn Vehicle suitably tethered and protected from the weather in a suitable

- place.
(c) The driver or any other person in charge of any horse shall cause any defecation to be removed immediately.

Interference with Emergency Equipment

48. Fine Amount \$300.00

Where any unprotected equipment of the Fire Department has been set out on any Highway or driveway for use at a fire or any other department activity, or alarm of a fire, no person shall drive any Vehicle over such equipment except with the consent of the Fire Department Official in command.

Speed Restrictions

School Zones/Playground Zones

Fine Amount As prescribed by the Traffic Safety Act.

49. (a) A School Zone's hours of operation are in effect during the following periods of time on any day that school is held:
- (i) the period between 8:00 a.m. and 9:30 a.m.
 - (ii) the period between 11:30 a.m. and 1:30 p.m.
 - (iii) the period between 3:00 p.m. and 4:30 p.m.
- (b) A Playground Zone's hours of operation are daily from 08:30 to one hour after sunset.
- (c) The speed limit in a School Zone is 30 km/h during the School Zone's hours of operation.
- (d) The speed limit in a Playground Zone is 30 km/h during the Playground Zone's hours of operation.
- (e) A School Zone or Playground Zone
- (i) begins at the point where there is a Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone, and
 - (ii) ends at the point where there is a Traffic Control Device indicating a greater rate of speed or the end of the zone.

Passing

50. Fine Amount \$150.00

No driver of any Vehicle shall draw along side of or pass or attempt to draw along side of or pass any other Vehicle travelling in the same direction in any school zone or playground safety zone during the hours in which a speed limit of thirty (30) kilometres per hour is in effect.

51. Fine Amount \$100.00

No driver of any Vehicle shall pass, or attempt to pass, another Vehicle travelling in the same direction across any intersection of a Roadway.

52. Fine Amount \$100.00

No person when driving a Vehicle on a bridge having not more than two lanes for traffic shall pass, or attempt to pass another Vehicle travelling in the same direction.

Overload Vehicle

53. Fine Amount \$50.00

No person shall drive a Vehicle so overloaded that the motor power of such Vehicle is unable to move it at a reasonable rate of speed on any Highway.

Restricted Vehicle

54. Fine Amount \$100.00

No person shall drive a Vehicle on any Highway that has been restricted by the Council or Town Manager for that class of Vehicle.

Exemption Stickers

55. Fine Amount \$50.00

No person shall display on any Vehicle any identification card or sticker purporting to provide for an exemption grander under the provision of any section of any statute or Bylaw unless such card or sticker has been duly authorized.

Pedestrian Right of Way

56. Fine Amount \$150.00

(a) A driver of a Vehicle shall yield the right of way to a Pedestrian crossing the Roadway within a Crosswalk, whether or not the Pedestrian is or about to enter the Vehicle's traffic lane.

Fine Amount \$150.00

(b) Whenever any Vehicle is stopped at a Crosswalk to permit a Pedestrian to cross the Roadway, any other Vehicle approaching from the front or the rear shall not overtake or pass the stopped Vehicle.

Turning Lane

57. Fine Amount \$100.00

On any Highway, when a traffic lane is marked by a Traffic Control Device, showing the words, "TURN LEFT ONLY" or "TURN RIGHT ONLY" the Vehicle travelling in that lane may make only the movement indicated by the Traffic Control device at the intersection or other place to which the Traffic Control Device applies.

Vehicle "U" Turn

58. Fine Amount \$100.00

A driver shall not turn his Vehicle so as to proceed in the opposite direction:

- (a) on a Roadway between intersections,
- (b) at a place where a Traffic Control Device prohibits making a "U" turn,
- (c) at an intersection controlled by a Traffic Control Device,
- (d) at an Alley intersection,
- (e) at an intersection when the Vehicle is required to stop, or
- (f) at any other intersection unless the movement can be made in
- (g) safety.

Backing

59. Fine Amount \$100.00

No person shall back a Vehicle into an intersection or Crosswalk.

PART 6 – RULES FOR PEDESTRIANS AND BICYCLISTS

Sidewalks

60. Fine Amount \$50.00

- (a) Where a Sidewalk or Footpath is located beside a Roadway, a pedestrian shall at times when reasonable and practical to do so use the Sidewalk or Footpath and shall not walk or remain on the Roadway.

Fine Amount \$50.00

- (b) Where there is no Sidewalk or Footpath, a Pedestrian shall, at all times when reasonable and practical to do so, walk only on the left side or the shoulder of the Roadway facing traffic approaching from the opposite direction.

Crossing Highway

61. Fine Amount \$50.00

- (a) A Pedestrian crossing a Roadway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise imposing the free movement of vehicle thereon.

Fine Amount \$50.00

- (b) A Pedestrian shall not step onto a Roadway and walk or run into the path of any Vehicle that is so close that it is impracticable for the driver of the Vehicle to yield the right-of-way.

62. Fine Amount \$50.00

A Pedestrian crossing a Roadway at any point other than within a Crosswalk shall yield the right-of-way to Vehicles upon the Roadway.

63. Fine Amount \$50.00

At a place where there is a Crosswalk, a Pedestrian has the right-of-way over Vehicles for the purpose of crossing a Highway within the Crosswalk unless otherwise directed by a Peace Officer or a Traffic Control Signal, but nothing in this Section relieves a Pedestrian from the duty of exercising due care for his own safety.

64. Fine Amount \$50.00

Where a yellow light or a Traffic Control Device indicating "WAIT" is shown at an intersection by a Traffic Control Device at the same time as or following the showing of a green light:

- (a) A pedestrian facing the yellow light or Traffic Control Device indicating "WAIT" shall not enter the Roadway, and
- (b) A Pedestrian proceeding across the Roadway and facing a yellow light or Traffic Control Device indicating "WAIT" after he has entered the Roadway:
 - (i) shall proceed to the Sidewalk as quickly as possible, and
 - (ii) has the right-of-way for that purpose over all other vehicles.

65. Where a red light alone is shown at an intersection by a Traffic Control Device:

Fine Amount \$50.00

- (a) Any Pedestrian facing the red light shall not enter the Roadway unless instructed that he may do so by a Pedestrian Traffic Device;
- (b) A Pedestrian proceeding across the Roadway facing the red light shown after he entered the Highway:
 - (i) shall proceed to the Sidewalk as quickly as possible, and
 - (ii) has the right-of-way for that purpose over all Vehicles.

66. Fine Amount \$50.00

Where and when a Pedestrian is instructed or permitted by a Traffic Control Device to enter or to proceed across the Roadway he shall do so at an intersection within a Crosswalk Only.

67. Fine Amount \$150.00

No person shall attempt to "hitch-hike" or solicit or attempt to solicit a ride or transportation while standing on a highway or curb, within the corporate limits of Turner Valley.

No Hitch-Hiking

68. Fine Amount \$150.00

No person shall solicit or attempt to solicit personal transportation for themselves while standing on a Highway or within 3 meters of a curb.

Obstructing Highway

69. Fine Amount \$50.00

No person shall stand in a group of Three (3) or more persons near to each other on any Highway as to obstruct the entrance to buildings, or to obstruct, or prevent other persons using such highway and forthwith after a request has been made by a Peace Officer or other person duly authorized to do so shall disperse and move away.

70. Fine Amount \$500.00

No person shall stand, sit, or lie, or otherwise position himself on any Highway

in such a manner as to obstruct vehicular or pedestrian traffic, or as to annoy, or inconvenience any other person upon the Highway.

71. Nothing in Sections 69 and 70 of this Bylaw shall be construed as prohibiting the congregating or assembling of individuals to attend and listen to public speaking so long as the proceedings thereat are peaceable, and orderly, and sufficient space is left on the Highway to allow free movement of such ordinary traffic, but should any Highway at or near such assembly become in consequence thereof so obstructed as to obstruct or impede such ordinary traffic, the persons so requested to do so by any Peace Officer or by any person duly away upon being requested as aforesaid shall be guilty of a breach of this Bylaw.

In-Line Skates / Roller Skates / Skateboards / Non-Motorized Scooters

72. Fine Amount \$50.00
No Person shall use in-line skates, roller skates, a skateboard or a non-motorized scooter on a Sidewalk in a reckless manner or without yielding to other Pedestrian traffic.

Bicycles

73. Fine Amount \$60.00
- (a) No person who is less than 18 years old shall operate or ride as a passenger on a bicycle unless that person is properly wearing a safety helmet.
 - (b) A parent or guardian of a person who is less than 18 years old shall not authorize or knowingly permit the person to operate or ride as a passenger on a bicycle unless that person is properly wearing a safety helmet.
 - (c) No person shall operate a bicycle on which a passenger who is less than 18 years old is riding unless the passenger is properly wearing a safety helmet.

74. Fine Amount \$50.00
- No person shall ride a bicycle, motorcycle, or a vehicle on any sidewalk except when it is required for cleaning and maintenance of the sidewalks or in order to enter or leave a Highway.

75. Fine Amount \$50.00
- Notwithstanding Section 74, a Person may operate a bicycle on a sidewalk if:

- (a) that Person is 12 years of age or younger;
- (b) that Person is using the Sidewalk in order to gain immediate access to a private residence, commercial premises, Parkland or Roadway; or
- (c) in accordance with a Traffic Control Device.

76. Fine Amount \$50.00
- (a) A person who is operating a Bicycle on a Roadway shall ride as near as practicable to the right hand curb or edge of the Roadway.
 - (b) A person shall not operate a Bicycle on a Roadway where signs prohibit its use.

PART 7 - USE OF HIGHWAYS

Metal Spikes

77. Fine Amount \$150.00

Unless written authorization has been obtained from the Council, no vehicle with metal spikes, lugs, or cleats, or bands projecting from the surface of the wheel or tire of a Vehicle may be operated or propelled on any paved, hard surfaced or oiled Highway or land.

PART 8 - COMMERCIAL VEHICLES

78. This part shall not apply to service Vehicles or Private Vehicles.

79. Fine Amount \$100.00

(a) A Commercial Vehicle shall not be deemed to be operating in contravention of Subsection (1) of the Commercial Vehicle is being operated on the most direct and practical route between the premises or location and the nearest Truck Route by:

- (i) persons delivering, or collecting goods, or merchandise to, or from the premises of a bona fide customer within the corporate limits of Turner Valley;
- (ii) a school bus or utility company vehicle;
- (iii) persons moving a building for which necessary moving permits have been issued by the Town;
- (iv) persons pulling a disabled vehicle from a highway;
- (v) persons going to or from premises for the servicing or repairing of the Commercial Vehicle, or
- (vi) persons going to or actually performing work on a Highway.

(c) Notwithstanding Subsection (a) and (b), persons having more than one delivery, collection, or service in the same area may make all deliveries, collections, or services within that area before proceeding by the most direct and practical route to the nearest Truck Route. In this section "AREA" is defined as one bounded on all sides by a Truck Route.

80. Fine Amount \$100.00

No person shall operate a Commercial Vehicle on any highway within the Town of Turner Valley with a weight exceeding the axle weight applicable to such Commercial Vehicle by the current *Motor Vehicle Transport Act*;

81. Fine Amount \$100.00

No person shall park any Vehicle that exceeds 12 metres in length upon a Highway within the Town, except that Commercial Vehicles exceeding 12 meters in length are permitted to park within the Town in areas zoned as Industrial in the Land Use Bylaw.

82. Fine Amount \$100.00

No person shall operate a Heavy Vehicle in an area other than a designated Truck Route unless the Heavy Vehicle is one intended for recreational purposes only, or is:

- (a) A Town Vehicle while on duty, or is
 - (b) A Commercial Vehicle while making pick-ups or deliveries.
83. Fine Amount \$100.00
- A person shall, when requested by a Peace Officer, produce for such officer's inspection, a bill of lading, an industrial waste report or other document showing the origin of and destination of the trip and description of the load.
84. Particulars obtained by a Peace Officer under Section 83 shall be prima facie proof of the particulars thereof submitted in evidence without proof of the signature of the official capacity of the person signing the bills of lading or the documents.

Dangerous Goods

85. Fine Amount \$100.00
- (a) No person shall park or leave unattended any Vehicle primarily intended for the conveyance of any Dangerous Goods neither upon any Highway nor on any property other than those in the Industrial District areas as defined in the Land Use Bylaw, as amended, of the Town of Turner Valley.
 - (b) The prohibition described in Section 85 (a) shall not apply to:
 - (i) Vehicles loading or unloading Dangerous Goods;
 - (ii) Vehicles that are immobilized by a bona fide breakdown provided such Vehicle is repaired or removed for repair at the earliest opportunity. The driver of such Vehicle immobilized by a bona fide breakdown shall take such precautions as may be reasonably necessary to warn other users of the Highway of the location of the Vehicle and of the Dangerous Goods contained thereon.
 - (i) Vehicles on a Highway in a well lit area at least 30 metres distance from any building or playground for such length of time as is actually necessary for him to secure and eat a meal.
 - (ii) Vehicles operating in compliance with directions of a Peace Officer.
86. Fine Amount \$100.00
- When requested to do so by
- (a) a Peace Officer; or
 - (b) a Dangerous Goods inspector acting in accordance with the current *Dangerous Goods Transportation and Handling Act*,
- An Operator of a Carrier shall produce all documentation relating to the Dangerous Goods being transported, including bills of lading, industrial waste reports, and documents showing the origin and destination of the trip and a description of the Carrier's load.
87. Fine Amount \$500.00
- In the event of a traffic collision involving a transporting Dangerous Goods, or in the event of a Dangerous Goods leakage or spillage, the Carrier or Operator shall immediately inform a Peace Officer and the Town of Turner Valley Fire

Department of the incident and of the nature of the Dangerous Goods being transported.

PART 9 OBSTRUCTIONS

Removal of Obstructions

88. The Council or Town Manager may cause to be removed any unauthorized structure or other thing, which projects into or obstructs the use of any Highway, Sidewalk, or Boulevard.
- (a) The charges for removal and storage of any structure or other thing shall be paid by the owner or other person responsible therefore, and shall be in addition to any fine or penalty imposed in respect of any such provision or to any payment made in lieu of prosecution under Part 11 of this Bylaw.
89. If Council or the Town Manager is satisfied that any tree hedge or shrub heretofore or hereafter planted on private property, interferes with or obstructs the view of the driver of any vehicle, Council or the Town Manager may require the owner, by giving 7 days notice by registered mail, to remove, prune, trim, or alter such tree, hedge, or shrub and if the owner does not eliminate the obstruction within 7 days, the Council or the Town Manager may direct the work done and the full cost, therefore will be charged to the owner.

PART 10 OFF-HIGHWAY VEHICLES

90. Fine Amount \$250.00
No person shall operate an Off-Highway Vehicle within the limits of the Town. The Off-Highway vehicle may towed and seized by the Peace Officer for a period of 30 days and held at a designated facility at the owners expense.
91. Fine Amount \$250.00
No person shall permit anyone to operate an Off-Highway vehicle within the limits of the Town. The Off-Highway vehicle may towed and seized by the Peace Officer for a period of 30 days and held at a designated facility at the owners expense.
92. This section shall not apply to any Peace Officer in the performance of his duties.
93. The Town Manager may issue permits for special activities, celebrations or functions.
94. This section shall not apply to any vehicles owned or leased by the Town of Turner Valley and employed on the business of the Town.

PART 11 MISCELLANEOUS PROVISIONS

Littering

95. Fine Amount \$100.00
- (b) In this section, "LITTER" means to allow, cause, or permit any substance or material whatsoever to become, loose, or detached, or blow, drop, spill, or fall from the Vehicle or equipment.
- (c) No person shall drive, operate or permit to be driven or operated any Vehicle or equipment of any nature or kind in such manner as to litter a Highway.

- (d) Any person who litters upon a Highway shall, in addition to the penalty specified, be liable to clean up or remove the substance or material littered upon the Highway, in default of which the Town may clean up or remove such substance or material, the expense therefore, shall be chargeable to the person responsible, which shall be in addition to any fine or penalty imposed or to any payment made in lieu of prosecution under Part 11 of this Bylaw.

96. Fine Amount \$50.00

No driver of any Vehicle shall enter a paved Roadway from any construction site without first removing mud or other material from the wheels of the Vehicle.

97. Fine Amount \$100.00

No person shall, without authorization from the Town, deposit any earth, rocks, trees or other substances on any Highway, Sidewalk, or Boulevard within the Town, and if such deposits have been made without authorization and the Town removes same, the expense therefore, shall be chargeable to the person responsible, which shall be in addition to any fine or penalty imposed or to any payment made in lieu of prosecution under Part 11 of this Bylaw.

98. Fine Amount \$100.00

- (a) No person shall dispose of waste on a highway except in a container placed for the purpose of collecting it.
- (b) No person shall transport waste in or on a vehicle on a highway unless the waste is adequately contained, secured or covered to prevent it from falling off or being blown off the vehicle while being transported.
- (c) If waste is disposed of from a vehicle other than a bus or taxi and it cannot be determined which of 2 or more occupants of the vehicle transporting the waste is responsible for the disposal, the operator of the vehicle is deemed to be the person who disposed of the waste.
- (d) If waste is disposed of from a vehicle other than a bus or taxi and it cannot be determined who is the operator of the vehicle transporting the waste, the owner of the vehicle is deemed to be the person who disposed of the waste unless the owner proves to the satisfaction of a court that at the time of the offence the vehicle was not being operated or parked or left by the owner or by any other person with the owner's consent, express or implied.

Taxi Cabs

99. Fine Amount \$50.00

- (a) No person shall park a vehicle that is not a taxi cab in a marked taxi cab stand.
- (b) No operator of a taxi cab shall park and leave his vehicle unattended for a period exceeding five minutes at any taxi cab stand on a street unless such taxi stand is at or adjoining the operators' taxi cab office.
- (c) No operator of a taxi cab shall park such vehicle on a Highway except at a place so authorized by a traffic control device or as permitted by this Bylaw.

Obstruction of the Highways

100. Fine Amount \$75.00

Unless he has first obtained the written permission of Council or Town Manager or unless otherwise permitted by any Bylaw, no person shall:

- (a) erect any doorstep, porch, railing, awning, or other projection into, or over any Highway, Sidewalk, or Boulevard; or
- (b) place, or maintain, or cause to be placed or maintained on any Highway, Sidewalk, or Boulevard anything which obstructs the free use of such Highway, Sidewalk, or Boulevard.

Public Property

101. Fine Amount \$75.00

- (a) No person shall remove, damage, or interfere with any barricade, notice, marker sign, flare, or other Street Furniture or other utility work of the Town,
- (b) No person shall deface or make any advertisement, legend, or sign of any kind on any Highway, Street Furniture or hoarding unless authorized to do so by Council.

Flow of Water

102. Fine Amount \$50.00

No occupier of any premises shall permit the unrestricted flow of any water from such premises over any Highway, Sidewalk, or Boulevard.

Engine Retarder Brakes

103. Fine Amount \$100.00

No Person shall use engine retarder brakes within the Town.

EXCESSIVE NOISE FROM MOTOR VEHICLES

Fine Amount: \$250.00

104. No person or registered owner of a vehicle shall allow excessive noise to be emitted from a motor vehicle that would distract other users of the highway, or would be considered excessive by a Peace Officer

PART 12 - ENFORCEMENT

Temporary Notices/Markings

105. A Peace Officer may, in enforcing this Bylaw, place temporary and removable markings or notices on any Vehicle or Trailer being investigated in relation to a contravention of this Bylaw.

Breach of Bylaw

106. All persons shall comply with all Sections of this Bylaw. The minimum penalty for breach of this Bylaw shall be described by the amounts set out in, before or beside each Section of the Bylaw as "Fine Amount" unless specified otherwise in this Bylaw or any other Bylaw of the Town.

Offence

107. (a) A person who contravenes any provision of this Bylaw is guilty of an offence.
- (b) When a Vehicle is Operated or Parked or Stopped in contravention of

any provision of this Bylaw, the Owner of that Vehicle shall be deemed to have committed the offence unless the operator of the vehicle can be immediately determined.

Continuing Offence

108. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

Fines and Penalties

109. A Person who is guilty of an offence under this Bylaw is liable
- (a) to a fine as prescribed in this Bylaw or
 - (b) on summary conviction, to a fine not exceeding \$1,000.00 or to imprisonment for not more than 6 months, or both.

Municipal Violation Tag

110. (a) A Peace Officer may issue, with respect to an offence under this Bylaw,
a Municipal Violation Tag specifying the fine amount established by this Bylaw.
- (b) Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

111. (a) A Peace Officer may issue, with respect to an offence under this Bylaw,
a Violation Ticket:
- (i) specifying the fine amount established by this Bylaw; or
 - (ii) requiring an appearance in court without the option of making a voluntary payment.
- (b) Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Voluntary Payment

112. (a) A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
- (i) specifying the fine amount established by this Bylaw; or
 - (ii) requiring an appearance in court without the option of making a voluntary payment.
- (b) Where a Violation Ticket specifies a fine amount, a voluntary payment equal to specified payment amount may be made as directed.
- (c) Any such notice or tag shall be deemed to be sufficiently served:
- (i) if served personally on the accused,
 - (ii) if sent by ordinary mail to the registered owner of a Vehicle that

is alleged to have breached this Bylaw at the last known address of the Registered Owner shown by the records of Registrar of Motor Vehicles,

- (iii) if sent by ordinary mail to the address of the person concerned, or
 - (iv) is attached to, left in, or upon the Vehicle in respect of which the offence is alleged to have been committed.
- (d) Nothing in this Section contained shall:
- (i) prevent any person from exercising his right to defend any charge of committing a breach of this Bylaw,
 - (ii) prevent any Peace Officer from informing or laying a complaint against a person for committing a breach of this Bylaw, or
 - (iii) prevent any person from exercising any legal right such person may have to inform or lay a complaint against any other person whether such other person has made a payment under the provision of this Bylaw or not, for a breach of any of the provisions of this Bylaw.

Powers of Peace Officers

113. All Peace Officers are hereby charged with the duty of enforcing this Bylaw.
114. (a) Any person who contravenes any of the provisions or requirements of this Bylaw and upon whom a notice or tag is served pursuant to Section 111 of this Bylaw and who fails to pay the Fine Amount specified, is guilty of an offence and liable on conviction under the current *Provincial Offences Procedures Act*.
- (b) A Peace Officer is hereby authorized and empowered to issue a Violation Ticket.
- (c) The Violation Ticket may be in the form prescribed by the Alberta Regulations as amended being the Violation Ticket Regulations Pass pursuant to the *Provincial Offences Procedures Act*.

Removal and Impoundment of Vehicles

115. All Peace Officers are hereby authorized to remove or cause to be removed any Vehicle:
- (a) A Peace Officer may cause to be removed and/or impounded any Vehicle that is Parked in contravention of a provision of this Bylaw.
 - (b) Notwithstanding that the Vehicle may be Parked in compliance with this Bylaw, a Peace Officer or a Member may cause to be removed and/or impounded, any Vehicle Parked on a Highway where emergency conditions require the Vehicle's removal from the Highway
 - (c) Any Vehicle may be removed under Section 109 to an impound facility where it will remain impounded until claimed by the Owner or in accordance with applicable provincial laws.
 - (d) A Peace Officer or a Member shall notify the Owner of a Vehicle in the event of the Vehicle's removal in accordance with subsection (a) or (b).

Payment of Costs

116. Notwithstanding any other penalty that may be provided by law, any Peace Officer is hereby authorized to impound any Bicycle, Motorcycle, Skateboard, Snowmobile, or other Vehicle operated, parked, or abandoned in contravention of this Bylaw. Any such impounded property shall be released to the owner thereof upon payment of any towing, transportation, or storage costs applicable to such impounded property. Any property impounded hereby shall, in addition to any impounding, towing, transportation or other fees, carry a storage fee of \$1.00 per day for and after the 8th day following the day of impounding. Any impounded property not claimed by its rightful owner within 45 days of impounding may be sold by public or private auction without notice to the owner thereof and the proceeds of this sale shall be applied as follows:

- Firstly In payment of sale expenses;
- Secondly In payment of all impounding, storage, towing, and transportation fees applicable thereto;
- Thirdly To any encumbrance or lien holder registered against same;
- Fourthly The balance shall be paid to the owner of such property and in the event the owner cannot be determined within 45 days following sale, the balance shall be applied to the general revenue of the Town.

All property impounded hereby shall be and remain at the risk of the owner while impounded.

117. Any expense incurred by the Town for the removal of any obstruction on a Highway placed therein in contravention of this Bylaw, may be recovered by distress upon the goods and chattels of the person by whom, or by whose direction, any obstruction is so placed in the same manner as if such expenses were taxes levied pursuant to the *Municipal Government Act* and so recoverable.


PART 13 ENACTMENT

- 118. Should any provision of this Bylaw be found to be invalid then such invalid provision shall be severed and the remaining Bylaw shall be maintained.
- 119. Traffic Bylaw #02-850 and any amendments thereto are hereby repealed.
- 120. This bylaw shall come into full force and effect on third and final reading.

Read a first time this 19th day of February, A.D. 2008

Read a second and third time this 3rd day of March, A.D. 2008


MAYOR


CHIEF ADMINISTRATIVE OFFICER

