

# TOWN OF THREE HILLS

## BYLAW NO. 1459-20

### TRAFFIC BYLAW

**BEING A BYLAW OF THE TOWN OF THREE HILLS, IN THE PROVINCE OF ALBERTA, TO REGULATE THE TRAFFIC WITHIN THE TOWN OF THREE HILLS.**

**WHEREAS** the *Traffic Safety Act*, RSA 2000, C. T-6 and the *Municipal Government Act*, RSA 2000, C. M-26, as amended, provide authority for the Town to regulate traffic within the Town of Three Hills; and

**WHEREAS** Council deems the enactment of this Bylaw to be in the best interests of the health, safety and welfare of its inhabitants;

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

#### PART I: TITLE, DEFINITIONS, AND INTERPRETATIONS

##### 1. SHORT TITLE

1.1. This Bylaw shall be known as the "Traffic Bylaw".

##### 2. DEFINITIONS

2.1. Except where otherwise defined in this Bylaw or in a context otherwise required by this Bylaw, all defined terms shall have the same meaning as is ascribed to them in the *Traffic Safety Act*, RSA 2000, C. T-6, as amended.

2.2. In this Bylaw, unless the context otherwise requires:

2.2.1. "Alley" shall mean a narrow Highway intended chiefly to give access to the rear of buildings and parcels of land.

2.2.2. "Boulevard" shall mean that part of the Highway in an urban area that:

i. is not the Highway; and

ii. is that part of the Sidewalk that is not especially adapted to the use of or ordinarily used by Pedestrians.


2.2.3. "CAO" shall mean the Chief Administrative Officer for the Town of Three Hills or his designate.

2.2.4. "Commercial Vehicle" means a Vehicle operated on a Highway by or on behalf of a Person for the purpose of providing transportation but does not include a private passenger Vehicle.

2.2.5. "Council" shall mean the body of elected officials who govern the Town.

- 2.2.6. "Crosswalk" means:
- i. that part of a Highway at an Intersection included within the connection of the lateral line of the Sidewalks on opposite sides of the Highway measured from the Curbs or, in the absence of Curbs, from the edges of the Highway, or
  - ii. any part of a Highway at an Intersection or elsewhere distinctly indicated for Pedestrian crossing by signs or by lines or by other markings on the road surface.
- 2.2.7. "Curb" shall mean the actual concrete or asphalt Curb, or in the absence of one, the dividing line of a Highway between the edge of the Highway and the Sidewalk.
- 2.2.8. "Disabled Parking Zone" shall mean a space or portion of a Highway or Parking lot set apart and designated exclusively for the Parking of Vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services, and so marked with a sign or other marking authorized by the CAO.
- 2.2.9. "Driveway" shall mean an entrance from a Highway to private property or a road or space on private property designed for vehicular traffic that is not open to the general public.
- 2.2.10. "Emergency Vehicle" shall mean:
- i. a Vehicle operated by a police service as defined in the *Police Act*;
  - ii. a fire-fighting or other type of Vehicle operated by the fire protection service of the Town;
  - iii. an ambulance operated by a Person or organization authorized to provide ambulance services in the Town;
  - iv. a Vehicle operated as a gas disconnection unit of a public utility;
  - v. a Vehicle designated by regulation as an emergency response unit.
- 2.2.11. "Enforcement Officer" shall refer to a Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act* to enforce Town Bylaws, a member of the Royal Canadian Mounted Police or, when authorized, a Community Peace Officer appointed under the *Peace Officer Act*, SA 2006, c. P-3.5, as amended.
- 2.2.12. "Fire Chief" shall mean the Fire Chief for the Town of Three Hills.
- 2.2.13. "Heavy Vehicle" shall mean a Motor Vehicle, alone or together with any Trailer, semi-Trailer or other Vehicle being towed by the Motor Vehicle, with a registration gross weight of five (5) tonnes or more, or exceeding eleven (11) metres in total length. A public passenger Vehicle, when engaged in the transport of passengers, shall be deemed to be excluded from the definition of a Heavy Vehicle for the purposes of this Bylaw.
- 2.2.14. "Highway" means any thoroughfare, Street, road, trail, avenue, Parkway, Driveway, viaduct, lane, Alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or Parking of Vehicles and includes:



- i. a Sidewalk, including a Boulevard adjacent to the Sidewalk;
  - ii. if a ditch lies adjacent to and parallel with the Highway, the ditch; and
  - iii. 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
  - iv. does not include a place declared by regulation not to be a Highway.
- 2.2.15. "Intersection" means the area embraced within the prolongation or connection of:
- i. the lateral Curb lines; or
  - ii. if there are not any lateral Curb lines, 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.
- 2.2.16. "Loading Zone" shall mean a portion of the Street adjacent to the Curb designated by Traffic Control Device for the exclusive use of Vehicles loading or unloading passengers or materials.
- 2.2.17. "MGA" shall refer to the *Municipal Government Act*, RSA 2000, C. M-26, as amended from time to time.
- 2.2.18. "Motor Vehicle" shall mean:
- i. a Vehicle propelled by any power other than muscular power;
  - ii. or a moped;
  - iii. but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a Motor Vehicle that runs only on rails.
- 2.2.19. "Obstruction" means an encroachment, excavation, structure or other obstacle, which interferes with, or prevents the vision, passage, maintenance or use of Highways or public places by Vehicles or Pedestrians.
- 2.2.20. "Off-highway Vehicle" shall mean any motorized mode of transportation built for cross-country travel on land, water, snow, ice or on other natural terrain and without limiting the generality of the foregoing, includes when specifically designed for such travel:
- i. 4-wheel drive Vehicles;
  - ii. low pressure tire Vehicles;
  - iii. dirt bikes and related 2-wheel Vehicles;
  - iv. amphibious machines;
  - v. all-terrain Vehicles (ATV);
  - vi. miniature Motor Vehicles;
  - vii. snow Vehicles;
  - viii. minibikes;
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- ix. and other means of transportation that is propelled by any power other than muscular power or wind;  
but does not include mobility aids.
- 2.2.21. "Operator" means a Person who drives or is in actual physical control of a Vehicle.
- 2.2.22. "Parade" or "Procession", with the exception of a military Parade or funeral Procession shall mean any group of:
  - i. More than twenty (20) Pedestrians; and/or
  - ii. More than ten (10) Vehicles; and/or
  - iii. Any combination of Pedestrians and Vehicles which together exceed twenty (20) in number on a Highway that is likely to block, obstruct, impede, hinder or otherwise interfere with Pedestrian or vehicular traffic on the Highway.
- 2.2.23. "Park", "Parked" or "Parking" means allowing a Vehicle, whether occupied or not, to remain stationary in one place, except:
  - i. while actually engaged in loading or unloading passengers; or
  - ii. when complying with a direction given by an Enforcement Officer or Traffic Control Device.
- 2.2.24. "Parkland" means any land used as a playground or recreation area and includes any Public Park, Parkway or square.
- 2.2.25. "Pedestrian" shall mean:
  - i. A Person on foot; or
  - ii. A Person in or on a mobility aid; and
  - iii. Includes those Persons designated by regulation as Pedestrians.
- 2.2.26. "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- 2.2.27. "Public Place" means any Highway, Parkland, public bridge, road, lane, footway, square, court, Alley or passage, whether a thoroughfare or not, and includes any open space to which the public may have or are permitted to have access whether on payment or otherwise, that is owned by the Town.
- 2.2.28. "Recreational Pathway" means a path or trail that is not part of a Highway and which is designed primarily for the exclusive use of Pedestrians, bicycles, rollerblades and skateboards.
- 2.2.29. "Recreational Vehicle" means a Vehicle or Trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place. This shall include travel Trailers, fifth-wheel Trailers, motor homes, tent Trailers, van conversions, and truck campers. This shall not include a truck camper that is mounted to and used as daily transportation, utility Trailers, snow mobiles, all-terrain Vehicles, jet skis, motorcycles, or Trailers designed to carry the aforementioned.



- 2.2.30. "Refuse" shall mean any substance or material discarded or disposed of within the Town other than by lawful deposit at a disposal site and includes animal waste, dry waste, construction waste, garbage, industrial waste, chemical waste, yard waste, litter, ashes, medical waste and any other types of Refuse or waste whatsoever.
- 2.2.31. "School Bus" means a Motor Vehicle that is used for the purpose of transporting pupils and bearing the sign "School Bus".
- 2.2.32. "School Patrol" shall mean a group of crossing guards assisting Pedestrians, including but not limited to students, in crossing the Street.
- 2.2.33. "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:
- i. the Curb line; or
  - ii. where there is no Curb line, the edge of the Highway;
  - iii. and the adjacent property line, whether or not it is paved or improved.
- 2.2.34. "Sign" means an inscribed board, structure or device serving for advertising or information and includes, without being limited to freestanding signs, portable signs and banners.
- 2.2.35. "Slow-moving Vehicle" shall mean a Vehicle that is:
- i. a piece of slow-moving equipment or machinery;
  - ii. an animal drawn Vehicle;
  - iii. a piece of machinery or equipment designed for use at speeds that are less than 40 kilometers per hours, or
  - iv. a Vehicle which is required to display an emblem indicating that such Vehicle is a slow-moving Vehicle pursuant to the *Traffic Safety Act*.
- 2.2.36. "Statutory Holiday" shall mean News Years Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Heritage Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.
- 2.2.37. "Stop" means 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 an Enforcement Officer or Traffic Control Device.
- 2.2.38. "Street" shall mean any public thoroughfare for movement of Vehicles and pedestrians and where the context so requires include the whole of the place between the boundaries of the Street as recorded in the Land Titles Office and includes an Alley, but does not include a parking lot.
- 2.2.39. "Street Furniture" shall mean every Curb, Sidewalk, traffic sign, waste receptable, bench, enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the Town capable of being marked, defaced, or damaged.
- 2.2.40. "Time" as referred to in this Bylaw, shall mean either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the

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Province of Alberta.

- 2.2.41. "Town" shall mean the Town of Three Hills.
- 2.2.42. "Track" shall mean to allow, cause or permit any substance or material, excluding snow or ice clinging to Vehicles due to winter conditions, from being deposited by becoming loose or detached from the tires or any other part of a Vehicle whether the Vehicle is moving or stationary.
- 2.2.43. "Traffic Control Device" shall mean any sign, signal, marking or device placed, marked or erected under the authority of the *Traffic Safety Act* for the purpose of regulating, warning or guiding traffic.
- 2.2.44. "Traffic Control Signal" shall mean a Traffic Control Device, whether manually, electrically or mechanically operated, by which traffic is directed to Stop and to proceed.
- 2.2.45. "*Traffic Safety Act*" shall refer to the *Traffic Safety Act*, RSA 2000, C. T-6, as amended.
- 2.2.46. "Trailer" means a Vehicle designed so 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
  - iii. includes any Vehicle defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways.
- 2.2.47. "Truck Route" shall mean the Highways within the Town that have been posted with signs indicating Truck Route.
- 2.2.48. "Vehicle", other than in the *Traffic Safety Act*, shall mean a device 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.
- 2.2.49. "Violation Tag" shall mean a tag or similar document issued by the Town pursuant to the *Municipal Government Act*, RSA. 2000, c.M-26 as amended.
- 2.2.50. "Violation Ticket" shall mean a ticket issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000, as amended.

### 3. INTERPRETATION

- 3.1. The headings in this Bylaw are for reference purposes only.
- 3.2. Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 3.3. Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.
- 3.4. Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of



this Bylaw remain valid and in force.

**PART II: REQUIREMENTS TO COMPLY FOR THE OPERATION OF VEHICLES**

**4. GENERAL PROVISIONS**

- 4.1. All Persons shall comply with all Traffic Control Devices within the Town authorized under this or any other bylaw of the Town.
- 4.2. No Person shall remove, damage, alter or tamper with any Traffic Control Device.
- 4.3. No Person shall proceed beyond the point designated by police, Enforcement Officers or fire department officers, at the site of a fire, disaster, emergency, or emergency practice.
- 4.4. Nothing in this Bylaw shall be construed to prevent or prohibit Emergency Vehicles or Vehicles engaged in Highway maintenance or repair, from being Parked or operated by their Operators in the performance of their duties.
- 4.5. Every Person operating a Motor Vehicle, a bicycle, a tractor, an implement of husbandry or other type of Vehicle upon a Highway in the Town shall, insofar as they are applicable, obey the rules of the road as set out in *Use of Highway and Rules of the Road Regulation AR 304/2002* or the *Traffic Safety Act*, as amended.

**5. CONSTRUCTION ZONES**

- 5.1. No Person shall operate a Vehicle on any public Highway in excess of the construction speed limit as established by the erection of appropriate speed limit signs.

**6. DIRECTION**

- 6.1. A Person operating a Vehicle on a Highway shall comply with any direction provided by a Traffic Control Device or an Enforcement Officer.

**7. DRIVING ACROSS THE SIDEWALK**

- 7.1. A Person shall not operate or permit the operation of a Vehicle so as to cross over a Sidewalk or Boulevard except at a crossing authorized by the Town.

A Person shall not construct, cause or permit the construction of any crossing of a Sidewalk or Boulevard unless a valid permit has been issued by the Town.

**8. FUNERAL**

- 8.1. Under authority provided in the *Traffic Safety Act*, the Town permits the protocol of Funeral Processions when completed in accordance with said *Traffic Safety Act*.

**9. HARASSING/INTIMIDATING/STARTLING OTHER HIGHWAY USERS**

9.1. No Person, whether as the Operator or passenger in a Vehicle, or as a Pedestrian, shall do any act that does, or is likely to, intimidate, frighten, harass, or startle any other user of the Highway.

**10. PARADES AND PROCESSIONS**

10.1. Under the authority provided in the *Traffic Safety Act*, the Town permits the protocol of Parades and Processions when completed in accordance with said *Traffic Safety Act*.

10.2. A Person shall not organize, conduct, or participate in a Parade or Procession unless a permit has been issued by the Town.

10.3. The approval of Council may specify the hours and route of a Parade or Procession and give such directions to the applicants in regard to such Parade or Procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the Highway or tend to prevent a breach of the peace.

10.4. No Parade or Procession shall move at a slower speed than five (5) kilometers per hour or obstruct any Highway for a longer period than is reasonably necessary.

10.5. All Persons participating in a funeral procession are exempt from this section.

**11. PLAYGROUND ZONES**

11.1. No Operator shall drive within a playground zone at any rate of speed greater than thirty (30) kilometers per hour between the hours of 8:30 am until one hour after sunset seven (7) days a week, in accordance with the *Use of Highway and Rules of the Road Regulation* AR 304/2002, as amended.

**12. SCHOOL BUS FLASHING LIGHTS**

12.1. The Operator of a Vehicle bearing the sign "School Bus" may activate the alternately flashing yellow lights, red lights or "STOP" arm on the Vehicle while loading or unloading passengers on any Highway under the jurisdiction of the Town.

12.2. No Person shall drive past a school bus while red lights are flashing or when Stop arm is down.

**13. SCHOOL PATROL**

13.1. Every Person shall comply with any Traffic Control Signal or direction of a School Patrol.

**14. SCHOOL ZONES**

14.1. No Operator shall drive within a school zone at any rate of speed greater than thirty (30) kilometers per hour between the hours outlined in section 14.2 of this Bylaw.





14.2. Subject to the *Use of Highway and Rules of the Road Regulation* AR 304/2002, as amended, where a portion of a Highway is identified as a school zone by a Traffic Control Device, the speed limit that is established or prescribed for that school zone is in effect during the following periods of time on any day that school is held:

- 14.2.1. the period between 8:00 am and 9:30 am;
- 14.2.2. the period between 11:30 am and 1:30 pm;
- 14.2.3. the period between 3:00 pm and 4:30 pm.

## 15. SECURING LOADS

- 15.1. No Person shall drive or pull onto or upon a Highway with a Vehicle containing a load unless the load has been secured in such a manner as to prevent the load from falling onto a Highway or land adjacent thereto or shifting within the Vehicle.
- 15.2. In the event that any part of a Vehicle, load or other materials becomes loose or detached or blows, drops, spills or falls from any Vehicle onto a Highway, it shall be the duty of the Operator of the Vehicle forthwith to take all reasonable precautions to safeguard traffic and also to remove such materials from such Highway.

## 16. SPEED LIMITS

16.1. Every Person operating a Motor Vehicle, a bicycle, a tractor, and implement of husbandry or any other type of Vehicle upon a Highway in the Town shall not exceed a speed of fifty (50) kilometers per hour, with the following exceptions:

- 16.1.1. Highways posted with a speed other than fifty (50) kilometers per hour; and
- 16.1.2. an Alley, where the speed shall not be in excess of twenty (20) kilometers per hour.

The CAO may, by signs posted along a Highway, temporarily fix a maximum speed greater or lesser than the speed prescribed by provincial regulations. Such designation is for a maximum of ninety (90) days. In all cases, Council, through a resolution of Council, must give final approval to make the maximum speed permanent.

## 17. TRACKING

- 17.1. No Person shall drive, operate or permit to be driven or operated, any Vehicle or equipment of any nature or kind in such a manner as to Track upon a Highway. The Operator of any Vehicle or equipment, which does Track upon a Highway, shall clean up any Tracking, accidental or otherwise.
- 17.2. In default, the Town may clean up or remove such substance or material at the expense of the Person Tracking or the owner of the Vehicle.

## 18. UNATTENDED VEHICLES

18.1. A Person shall not leave a Vehicle unattended on a Highway for more than twenty-four (24)

if:

18.1.1. the Vehicle is on a jack or a similar device; and

18.1.2. one or more wheels have been removed from the Vehicle or part of the Vehicle is raised.

**PART III. REQUIREMENTS TO COMPLY FOR PERSONS AND PEDESTRIANS**

**19. GENERAL PROVISIONS**

19.1. Every Person shall, insofar as they are applicable, obey the rules for pedestrians as set out in *Use of Highway and Rules of the Road Regulation AR 304/2002* or the *Traffic Safety Act*, as amended.

**20. HITCHHIKING**

20.1. A Person shall not hitchhike or otherwise solicit a ride on a Highway.

**21. ITEMS ON A ROADWAY**

21.1. A Person shall not place, cause or permit to be placed any mud, grease, oil, ice, slush or any other material upon any Sidewalk or Highway.

**22. JAYWALKING**

22.1. A Person shall not cross, or attempt to cross, from one side a Highway to another at any location other than a Crosswalk.

22.2. A Person shall not cross, or attempt to cross, a Highway within a Crosswalk when a Traffic Control Device prohibits such crossing.

22.3. Notwithstanding the above, an Operator of a Vehicle is not relieved from exercising due care in any event.

**23. THROWING, CASTING OF PROJECTILES**

23.1. No Person shall cast, project or throw any stones or balls of snow or ice or other projectiles dangerous to the public on any of the Highways or Public Places of the Town.

**24. WATCHING A PARADE**

24.1. Nothing in this part shall be construed as prohibiting the assembling of Persons for the purpose of watching a Parade or Procession duly authorized by Council.

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24.2. During such a Parade or Procession, all Pedestrians not taking part therein shall be restricted to the use of the Sidewalk area.

**PART IV. PARKING**

**25. GENERAL PROVISIONS**

25.1. Every Person parking a Motor Vehicle, a tractor, an implement of husbandry or any other type of Vehicle upon a Highway in the Town shall, insofar as they are applicable, obey the parking regulations as set out in *Use of Highway and Rules of the Road Regulation AR 304/2002* or the *Traffic Safety Act*, as amended.

**26. ALLEY PARKING**

26.1. No Person shall Park a Vehicle in an Alley in such a manner as may obstruct the passage of other Vehicles along the Alley unless a Traffic Control Device otherwise permits, except for the loading or unloading of goods for a period not exceeding (30) minutes.

**27. ANGLE PARKING**

27.1. When a Traffic Control Device indicates that angle Parking is permitted or required a Vehicle shall be Parked on a Highway:

27.1.1. with one front wheel not more than five hundred (500) millimeters from the Curb or edge of the Highway; and

27.1.2. if there are no markings on the Highway, with the Vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the Curb or edge of the Highway.

27.2. Notwithstanding subsection 27.1, when a Traffic Control Device indicates that angle Parking is permitted or required, a motorcycle may be Parked with:

27.2.1. a wheel of the motorcycle not more than five hundred (500) millimeters from the Curb or edge of the Highway, and

27.2.2. the motorcycle angled in the direction of travel authorized for the traffic lane adjacent to the motorcycle.

27.3. A Vehicle, or a Vehicle with a Trailer attached, with a total length exceeding six (6) meters shall not be Parked at an angle on a Highway unless a Traffic Control Device permits such Parking or the Vehicle displays a valid permit issued by the Town.

**28. BOULEVARD PARKING**

28.1. A Vehicle shall not be on a Sidewalk or Boulevard, or any part of a Sidewalk or Boulevard, unless a Traffic Control Device permits or requires such Parking.



**29. DISABLED PARKING ZONE**

29.1. No Person shall Park a Vehicle in a Disabled Parking Zone on public or private property, unless:

29.1.1. the Vehicle displays a handicap placard or license plate that is issued or recognized by Alberta Registries, and

29.1.2. the Vehicle is operated by, or is being used to transport, a disabled Person.

**30. EMERGENCY ACCESS**

30.1. A Vehicle shall not be Parked on a Highway in any location identified as a fire lane, emergency access zone or otherwise being for the use of Emergency Vehicles.

30.2. A Vehicle shall not be Parked in any location so as to interfere with the use of a doorway intended as a fire or emergency exit from any building.

30.3. A Vehicle shall not be Parked in any location so as to impede access to an entrance way to any fire hall or to any police station or any ambulance station or emergency entrance to any hospital.

**31. FIRE HYDRANTS**

31.1. A Vehicle shall not be Stopped within five (5) meters of a fire hydrant or, when the fire hydrant is not located at the Curb, within five (5) meters of the point on the Curb nearest to the fire hydrant.

**32. INTERSECTIONS AND CROSSWALKS**

32.1. A Vehicle shall not be Parked, unless permitted by a Traffic Control Device:

32.1.1. within five (5) meters of an Intersection;

32.1.2. within an Intersection, other than immediately next to the Curb edge or edge of the Highway in a "T" intersection; or

32.1.3. within one and a half (1.5) meters of any Vehicle crossway over a Sidewalk.

**33. LOADING ZONES**

33.1. No Person shall Park a Vehicle in any Loading Zone marked with a Traffic Control Device for a period of more than that indicated on the control device, except while in the process of loading or discharging passengers, goods, or merchandise.

33.2. No Person shall cause Pedestrians to walk on a Highway by loading or unloading goods or merchandise across a Sidewalk or Boulevard.



**34. PARALLEL PARKING**

34.1. A Vehicle shall be Parked on a Highway with:

- 34.1.1. the sides of the Vehicle parallel to the Curb or edge of the Highway; and
- 34.1.2. the wheels of the Vehicle that are the closest to the Curb or edge of the Highway not more than five hundred (500) millimeters from the Curb or edge of the Highway; and
- 34.1.3. the Vehicle facing in the direction of travel authorized for the traffic lane adjacent to the Vehicle.

34.2. Notwithstanding subsection 34.1, a motorcycle may be Parked:

- 34.2.1. at an angle, other than perpendicular, to the Curb or edge of the Highway;
- 34.2.2. with a wheel of the motorcycle not more than five hundred (500) millimeters from the Curb or edge of the Highway; and
- 34.2.3. with the motorcycle angled in the direction of travel authorized for the traffic lane adjacent to the motorcycle.

34.3. Subsection 34.1 does not apply where angle Parking is permitted or required.

**35. PARKING FOR SPECIAL CLASSES**

35.1. No Person shall Park a Vehicle in any place or area where the Traffic Control Device indicates that Parking there is restricted to a special class of Vehicles only.

**36. PARKING ON TOWN LANDS**

36.1. No Person shall Park or direct another Person to Park a Vehicle upon any land owned by the Town, Parkland, Boulevard, playground, recreation area, or right-of-way, unless authorized by the CAO by way of a permit, sign or signs.

**37. PARKING TO OBSTRUCT**

37.1. No Person shall Park a Vehicle upon any portion of a Highway adjacent to any structure in the course of erection or repair when such Stopping or Parking will impede or obstruct traffic.

**38. PARKING WITHIN PRESCRIBED SPACE**

38.1. Where a Vehicle Parking space upon a Highway is marked out or designated, an Operator using the same shall Park such Vehicle wholly within the limits of that space.

**39. PARKING WHERE PROHIBITED BY TRAFFIC CONTROL DEVICE**

39.1. No Person shall Park a Vehicle in any location identified as a zone where Parking is

prohibited by a Traffic Control Device.

39.2. For the purpose of this Bylaw, the marking of a Curb with yellow paint, placed by the Town, shall be deemed to be a Traffic Control Device.

**40. PRIVATE PROPERTY PARKING**

40.1. A Vehicle shall not be Parked on private property that is clearly identified as having restrictions on Parking unless the permission or authorization of the owner or Person having possession or control of the property has been given for such Parking.

40.2. For this Section, "Private Land" means any land owned or controlled by an individual, a business, corporation or a Municipal, Provincial or Federal Government.

40.3. A Vehicle Parked contrary to this Section may be impounded and removed and an information and complaint may be laid against the owner or Person in charge of the illegally Parked Vehicle.

**41. SNOW ROUTE**

41.1. No Person shall Park a Vehicle or permit a Vehicle to be Parked on a Highway marked as a Snow Route.

41.2. All Vehicles Parked on signed Snow Routes after the declaration are subject to immediate removal at the expense of the owner of the said Vehicle.

**42. STOP SIGNS**

42.1. A Vehicle shall not be Parked within five (5) meters of the approach to a Stop or yield sign, unless a Traffic Control Device permits or requires such Parking.

**43. TEMPORARY "NO PARKING/NO STOPPING"**

43.1. Notwithstanding any other provision in this Bylaw, the CAO may cause "No Parking" or "No Stopping" signs to be placed on or near a Highway with twenty-four hours (24) notice for Highway maintenance, construction purposes or snow removal.

43.2. After temporary "No Parking" Traffic Control Devices are placed on or near a Highway, no Person shall Park or leave a Vehicle on that portion of Highway contrary to the Traffic Control Devices.

43.3. When Highway maintenance or construction commences, any Vehicle Parked on the signed Highway may be removed pursuant and, when it is practicable to do so, the Vehicle upon removal from the signed Highway, will be left nearby to minimize the inconvenience to its owner and Operator.

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**44. TIME RESTRICTED PARKING**

- 44.1. Where a Traffic Control Device restricts the Parking of Vehicles to a maximum time, or within certain hours, it shall be an offence to Park a Vehicle in excess of the time or outside the hours so designated and marked on the Traffic Control Device.
- 44.2. After the issuance of a Violation Tag to a Vehicle for a first violation and a Vehicle remaining Parked in excess of the time permitted on the Traffic Control Device for a further period, the Vehicle in violation may be towed.
- 44.3. The provisions of this Section shall not apply on a Sunday or a Statutory Holiday to Vehicles that are not Heavy Vehicles.

**45. RESTRICTIONS**

- 45.1. Notwithstanding any other provision of this Part, a Vehicle shall not be Parked on a Highway in contravention of any specific restrictions on Parking identified for the location.

**PART V. SPECIAL CLASSES OF VEHICLES**

**46. COMMERCIAL VEHICLES/HEAVY VEHICLES**

*46.1. General Provisions*

- 46.1.1. No Person shall operate a Vehicle or Trailer or combination thereof on a Highway under the direction, control and management of the Municipality other than in accordance with the weight and load limitations as specified in the *Traffic Safety Act* and the *Commercial Vehicle Dimension and Weight Regulation*, AR 315/2002, as amended.
- 46.1.2. No Person shall operate a Vehicle in respect of which an overload or over-dimensional permit is issued pursuant to the *Traffic Safety Act* on a Highway under the direction, control and management of the Municipality unless:
  - i. the CAO has given written approval;
  - ii. the owner, Operator, driver or mover of the Vehicle shall agree to be responsible for all damages which may be caused to the Highway by reason of driving, operating or moving of any such Vehicle and/or equipment upon the Highway;
  - iii. if requested by the CAO, the Owner, Operator, driver, or mover of the Vehicle pays a sufficient deposit to cover the cost of repairing possible damages to the Highway, landscaping and Street Furniture in an amount satisfactory to the Town.
- 46.1.3. Notwithstanding Section 46.1.2. above, the CAO may:
  - i. Issue a single trip or an open permit to an applicant for any number of trips and for such a period of time as they deem advisable, with permit conditions applied describing routing, time of day or other restrictions as deemed necessary for the

safe movement of the load or loads:

- ii. Issue a permit to an applicant who requests same by any communication device, providing the information required for a permit is complete.
- 46.1.4. Any Person who violates the provisions contained in the permit issued under this Bylaw is guilty of an offence.
- 46.1.5. An Enforcement Officer may revoke and cancel any permit issued if he finds the permit holder in violation of any conditions of the permit. Any and all permits revoked or canceled means that the issued permit is no longer valid. A new permit must be obtained from the Town to continue to operate within the Town's jurisdiction.
- 46.1.6. Where permitted, a Heavy Vehicle shall take the most direct route between the delivery or collection point and a designated Truck Route.
- 46.1.7. No Vehicle or Trailer having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire, or having caterpillar Tracks or skids, may be operated on any Highway within the Town. This restriction shall not apply to studded tires on passenger Vehicles.
- 46.1.8. No Person shall utilize engine retarder brakes while operating Heavy Vehicles within the Town.
- 46.1.9. No Person shall Park a Heavy Vehicle upon any Highway except on a Truck Route, unless otherwise posted.

#### *46.2. Exemptions*

- 46.2.1. The following shall not be deemed to be in contravention of Section 46.1.1 if the Heavy Vehicle was being operated on the most direct and practicable route between the premises or location concerned and the nearest Heavy Vehicle route for the purpose of:
  - i. providing services to, delivering goods to, or collecting goods from a customer;
  - ii. traveling to or from the business premises of the owner of the Vehicle;
  - iii. moving a building pursuant a valid permit issued by the Town;
  - iv. travelling to or from premises for the servicing or repair of the Vehicle;
  - v. removing a disabled Vehicle from a Highway not designated as a truck route;
  - vi. travelling to or from a hotel or motel; or
  - vii. travelling to or from performing work on a Highway not designated as a truck route.
- 46.2.2. This section does not apply to:
  - i. buses;
  - ii. recreational Vehicles;





- iii. Emergency Vehicles; or
- iv. public utility Vehicles performing the installation, servicing or repair of public utilities.

46.2.3. Persons that have 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 Heavy Vehicle route.

46.2.4. Provisions pertaining to Commercial Vehicles and Heavy Vehicles shall not apply to Town Vehicles or Vehicles under hire by the Town for snow removal, road building or maintenance, or maintenance of Town property.

**47. EMERGENCY VEHICLES AND EQUIPMENT**

47.1. No Person shall drive on or over a hose, line or similar equipment of any Fire Department which has been placed on a Highway, except where the express consent of an official of the municipal Fire Department has been obtained.

47.2. A Person shall not Park or stand a Vehicle or permit such Vehicle to remain Parked in such a manner as to interfere with the proper operation of any Vehicle used by the Fire Department or any other Emergency Vehicle.

**48. MOBILITY AIDS**

48.1. Mobility Aids (i.e. Scooters) may be driven on any Highway or Street so long as they do not exceed twenty (20) kilometers per hours.

48.2. Mobility Aids may also be driven on pathways and Sidewalks so long as they yield the right of way to Pedestrians.

**49. OFF-HIGHWAY VEHICLES**

49.1. No Person shall operate an Off-Highway Vehicle within the corporate boundaries, except to proceed to and from his/her place of residence to a recreation location outside the corporate boundaries, taking the shortest route possible.

49.2. The Operator of an Off-Highway Vehicle shall yield the right of way to all other traffic on any Highway and to all Pedestrians at all times and places within the corporate boundaries.

49.3. No Off-Highway Vehicles shall operate between the hours of 11:00 pm and 7:00 am.

49.4. No Person shall operate an Off-Highway Vehicle upon any Parkland within the Town.

49.5. No Person shall operate an Off-Highway Vehicle on any lane, Alley or Street crossing in excess of twenty (20) kilometers per hour.

49.6. Except as pursuant to the *Traffic Safety Act*, and amendments thereof, no Person shall Park an Off-Highway Vehicle on any Highway or Public Place within the Town.

49.7. Notwithstanding the above, Enforcement Officers are hereby authorized to operate any Off-Highway Vehicle within the Town for the performance of their duties.

49.8. All other sections of the *Traffic Safety Act* shall be in effect.

**50. RECREATIONAL VEHICLES**

50.1. A Recreational Vehicle shall not be Parked on a Highway unless it is Parked in a location completely adjoining residential property where the permission or authorization of the owner or Person in possession or control of the property has been given for such Parking.

50.2. A Recreational Vehicle Parked pursuant to this section:

50.2.1. shall not be Parked for more than 72 consecutive hours; and

50.2.2. shall be removed to an off-Highway location for at least 48 consecutive hours before it may be Parked again on a Highway.

50.3. No Person shall occupy, camp or dwell in a Recreational Vehicle as a temporary or permanent dwelling place, living abode or sleeping place on a Highway that is not a Recreational Vehicle Park.

**51. SLOW-MOVING VEHICLES**

51.1. No Person shall operate a Slow-moving Vehicle upon any Highway between the hours of 7:00 am and 9:00 am or between the hours of 2:30 pm and 5:30 pm, Monday through Friday, inclusive.

51.2. No Person shall operate a Slow-moving Vehicle during nighttime (commencing one hour after sunset and terminating one hour before sunrise) on any Highway unless escort Vehicles leading in front and following behind accompany the slow-moving Vehicle.

51.3. The provisions of this section shall not apply to:

51.3.1. any Vehicle owned by or under contract to the Town while engaged in Street maintenance operations upon any Highway, or

51.3.2. any Vehicle owned by or under contract to the Town while traveling to any locations for the purpose of carrying out Street maintenance operations of an emergency nature, or

51.3.3. any Vehicle used in connection with the servicing of public utilities including telephone, electricity, natural gas and cable systems while such Vehicle is engaged in maintenance or emergency operations on a Highway.

**52. UNATTACHED TRAILERS**

52.1. No Person shall Park a Trailer upon a Highway unless attached to a Vehicle by which it may be drawn after dark.

**53. VEHICLES CARRYING DANGEROUS GOODS**

53.1. No Person shall:

- 53.1.1. Park, or permit to be Parked, a Vehicle on a Highway, where that Vehicle contains dangerous goods; or
- 53.1.2. Park or permit to be Parked, a Vehicle within fifteen (15) meters of any building, where that Vehicle contains dangerous goods.
- 53.2. Section 53.1. above does not apply where the Vehicle is Parked while loading or unloading the dangerous goods in the ordinary course of business.

**PART VI. SKATEBOARDS, LONGBOARDS, ROLLERSKATES, ROLLERBLADES, BICYCLES AND HORSE DRAWN VEHICLES**

**54. GENERAL PROVISIONS**

- 54.1. The Operator or other Person in charge of any horse drawn Vehicle on a Highway shall remain upon such a Vehicle while it is in motion or shall walk beside the horse drawing such a Vehicle.
- 54.2. No Person shall ice skate or toboggan upon any Highway or Sidewalk.
- 54.3. No Person shall operator a bicycle having a wheel diameter in excess of fifty (50) centimeters on any Sidewalk, except where permitted to do so by a Traffic Control Device.
- 54.4. No Person shall ride a bicycle, roller skate, skateboard or in-line skate where signs are posted to prohibit such activity.
- 54.5. Every Person riding a bicycle, roller skating, in-line skating, or skateboarding on a Sidewalk, Recreational Pathway or in a Crosswalk shall:
  - 54.5.1. yield the right-of-way to Pedestrians;
  - 54.5.2. when passing a Pedestrian, use the care and control required to ensure the safety of the Pedestrian;
  - 54.5.3. give an audible signal before overtaking a Pedestrian, which signal shall be produced a reasonable time prior to overtaking, by voice, bell or other warning device; and
  - 54.5.4. conduct themselves in such a manner so as to not impede vehicular traffic.
- 54.6. Cyclists, roller skaters, skateboarders and in-line skaters using Sidewalks, Highways & Recreational Pathways do so at their own risk.
- 54.7. Every Cyclist, Skater, Skateboarder (and other devices such as scooters) under the age of 18 years old, must wear a helmet when on any Public Highways, Sidewalks, Parks, and Town property.
- 54.8. No Person shall ride a bicycle, roller skate, in-line skate, skateboard, longboard or ride a scooter upon a Sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the Sidewalk and the amount and kind of Pedestrian traffic that is or might reasonably be expected to be on the Sidewalk.

54.9. Notwithstanding any penalty specified, any Person who operates a bicycle, skateboard or longboard within the corporate limits of the Town in contravention of any of the provisions of this Bylaw or any other Bylaw of the Town, or any Act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Enforcement Officer for a period not exceeding sixty (60) days.

## **PART VII: OBSTRUCTIONS**

### **55. GENERAL PROVISION**

- 55.1. No owner of a Vehicle or Person operating a Vehicle shall Stop a Vehicle or permit a Vehicle to be left upon any Highway in such a manner to block, obstruct, impede or hinder traffic thereon.
- 55.2. Notwithstanding the above, where the obstruction is unavoidable due to mechanical failure, the Operator shall not be in breach of this Section provided the Operator promptly takes measures to remove such Vehicle from the Highway.
- 55.3. No Person shall so conduct himself or otherwise position himself or anything on a Highway in such a manner as to obstruct vehicular or Pedestrian traffic or as to inconvenience any other Person upon the Highway.
- 55.4. No Person shall obstruct traffic by playing any game on any Highway or Alley in the Town.

### **56. OBSTRUCTION BY SHRUBS AND FENCES AT INTERSECTIONS**

- 56.1. No Person shall allow trees, hedges or shrubs on private property, whether planted before or after the date of the passing of this Bylaw, to grow to such a height that good visibility for safe traffic flow is thereby interfered with.
- 56.2. No Person shall erect or cause to be erected, built or placed, a fence, wall or other object on private property within five (5) meters of a Highway Intersection so that good visibility for safe traffic flow is thereby interfered with.
- 56.3. If the Person fails to comply with such notice, the CAO may direct employees or agents of the Town to enter upon the private property to carry out the necessary work and may recover the cost of doing so from the owner or occupier of the said property.

### **57. PERMIT AUTHORIZING OBSTRUCTION**

- 57.1. No Person shall make, place or allow an obstruction of any kind in, upon, or above any of the Highways of the Town unless authority has been granted by the CAO pursuant to a permit.
- 57.2. Every Person making or placing an obstruction of any kind in, upon or above any of the Highways of the Town shall produce the permit granted pursuant to Section 57.1. for



inspection upon the request of an Enforcement Officer or a representative of the CAO.

57.3. Every Person who fails to obtain or to comply with the provisions of a permit pursuant to Section 57.1. shall be guilty of an offence and shall, in addition to any other penalty, cause the removal of the obstruction forthwith after being notified to do so by the CAO. The CAO may cause the removal of the obstruction and such removal shall be at the expense of the Person causing, placing or permitting the obstruction on the Highway or public place.

## **58. REMOVAL OF OBSTRUCTIONS**

58.1. An Enforcement Officer is hereby authorized to remove or cause to be removed any Vehicle or Trailer:

58.1.1. Parked or left at a standstill in contravention of this Bylaw; or

58.1.2. where emergency conditions may require such removal from a Highway.

58.2. Any such Vehicle may be removed to a place designated by the CAO where it will remain impounded until claimed by the owner thereof or his authorized agent.

58.3. The owner or his authorized agent, of any Vehicle removed because of a contravention of this Bylaw, shall pay to the Town all storage and/or removal charges. Such charges shall be in addition to any fine or penalty imposed in respect of any such contravention.

58.4. In the event that an owner of a Motor Vehicle does not claim such Vehicle, the storage and removal charges may be collected pursuant to the provisions of the Motor Vehicle Administration Act (Alberta) as amended.

58.5. In the event that an owner of any other Vehicle does not claim such Vehicle, the storage and removal charges may be collected pursuant to the provisions of the Municipal Government Act (Alberta), as amended.

58.6. Where an obstruction of any kind exists in, upon or above any Highway or public place and, in the opinion of the CAO, creates an unsafe condition, the CAO shall be entitled to take such measures as are required for the protection of life or property.

## **PART VIII. MISCELLANEOUS**

### **59. POSTERS & SIGNS**

59.1. Unless authorized, no Person shall place any poster, portable sign, banner or any other type of sign not referred to in this or any other Bylaw:

59.1.1. on any item of Street Furniture and includes but is not limited to benches, bus shelters, garbage receptacles, planters, bicycle racks and newspaper boxes, which impedes or impairs the safe movement of traffic;

59.1.2. on any Highway; or

59.1.3. on any Traffic Control Device.

59.2. In addition to any other penalty for a breach of Section 59.1, the CAO may remove or cause the removal of any poster or sign placed or erected contrary to Section 59.1 which impedes or interferes with any repair or maintenance work on a Highway, without prior notice, and such removal shall be at the expense of the Person who placed or erected the poster or sign.

59.3. For the purposes of this Part, the individual, organization or corporation who is being referred to on the poster or sign shall be deemed to be the individual, organization or corporation who placed or erected the poster or sign.

## **60. WASHING VEHICLE**

60.1. No Person shall wash a Vehicle upon a Highway or so near a Highway as to result in depositing mud or creating slush or ice upon a public Sidewalk or Highway.

60.2. No Person operating a business for the sale of new or used Vehicles or for washing Vehicles shall wash such Vehicles so as to result in water, mud, slush or ice upon the public Sidewalk or Highway.

## **PART IX: AUTHORITY OF CAO**

### **61. POWERS OF THE CAO**

61.1. Without restricting any other power, duty or function granted by this Bylaw, the CAO may:

61.1.1. carry out any inspections to determine compliance with this Bylaw;

61.1.2. take any steps or carry out any actions required to enforce this Bylaw;

61.1.3. take any steps or carry out any actions required to remedy a contravention of this Bylaw;

61.1.4. establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of Property and such procedures may differ depending on the type of Property in question;

61.1.5. establish areas where activities restricted by this Bylaw are permitted;

61.1.6. establish forms for the purposes of this Bylaw;

61.1.7. issue permits with such terms and conditions as are deemed appropriate;

61.1.8. establish the criteria to be met for a permit pursuant to this Bylaw;

61.1.9. designate where Traffic Control Devices are to be erected and, for purposes of greater certainty, this includes Traffic Control Devices restricting the speed of Vehicles;

61.1.10. designate Crosswalks upon any Highway;



- 61.1.11. designate any Intersection, or place on a Highway, as a place at which no left-hand turn or no right-hand turn, or both, shall be made;
- 61.1.12. designate any Intersection, or place on a Highway, as a place at which only a left-hand turn or a right-hand turn shall be made;
- 61.1.13. designate any Intersection or place on a Highway as a place where U-turn's are prohibited;
- 61.1.14. designate any Highway or portion thereof for one-way traffic only;
- 61.1.15. temporarily close any Highway or portion thereof;
- 61.1.16. designate "School Zones" and "Playground Zones";
- 61.1.17. designate Highways or any portion thereof as passenger or Commercial Vehicle Loading Zones and set time limits for those spaces;
- 61.1.18. designate school bus Loading Zones;
- 61.1.19. designate portions of any Highway as no Parking or no Stopping;
- 61.1.20. designate portions of any Highway as time limited Parking spaces and set time limits for those spaces;
- 61.1.21. designate certain Parking locations for the exclusive use of Persons with disabilities;
- 61.1.22. designate any Parking restrictions on property owned by the Town;
- 61.1.23. designate angle Parking on any Highway or portion thereof;
- 61.1.24. designate Highways as truck routes;
- 61.1.25. designate Highways as special routes;
- 61.1.26. designate portions of any Highway where the use of bicycles is prohibited;
- 61.1.27. designate portions of any Highway for the use of bicycles only;
- 61.1.28. designate any Highway as one to be divided into traffic lanes of such number as is proper;
- 61.1.29. prohibit or restrict 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 in the public interest for the regulation of traffic;
- 61.1.30. close any existing median or divider on a Highway;
- 61.1.31. In any case where, by reason of any emergency or any other special circumstances, it is the opinion of the CAO that it is desirable and in the public interest to do so, the CAO may:
  - i. Temporarily close within the Town, any Highway, Sidewalk, Boulevard or public Parking lot, in whole or in part, to traffic;
  - ii. Temporarily suspend Parking privileges granted by the provision of this or any other bylaw;

- iii. Take such measures necessary for the temporary closing of such Highways, Sidewalks, Boulevards or public Parking lots or suspension of Parking and place barricades or post appropriate notices on or near the Highways, Sidewalks, Boulevards or public Parking lots concerned; and
- 61.1.32. Set permit terms and conditions and permit fees;
- 61.1.33. Revoke permits; and
- 61.1.34. and delegate any powers, duties or functions under this Bylaw to an employee of the Town.

**PART X: AUTHORITY OF PEACE OFFICERS & OFFENCES**

**62. POWERS OF AN ENFORCEMENT OFFICER**

- 62.1. Without restricting any other power, duty or function granted by this Bylaw, an Enforcement Officer may:
  - 62.1.1. control and regulate Vehicles and Highway traffic on all Highways within the Town's jurisdiction;
  - 62.1.2. remove or cause to be removed any Vehicle or Trailer operated or Parked in contravention of any provision of this Bylaw, or where emergency conditions may require such removal from a Highway;
  - 62.1.3. in case of fire or other emergency, may designate a point beyond which no Person shall pass;
  - 62.1.4. issue a notice, Violation Tag, or Ticket to any Person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw; and
  - 62.1.5. enforce the provisions of this Bylaw.

**63. OFFENCE**

- 63.1. A Person who contravenes this Bylaw is guilty of an offence.

**64. CONTINUING OFFENCE**

- 64.1. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established in this Bylaw for each such day.





**65. OWNER LIABLE**

- 65.1. In this section "owner" includes any Person registered as an owner at the Motor Vehicle Registry.
- 65.2. If a Vehicle is involved in an offence under this Bylaw, the owner of that Vehicle is guilty of that offence.
- 65.3. This section does not apply if the owner of the Vehicle satisfies the court that, at the time that the Vehicle was involved in the offence:
  - 65.3.1. the owner of the Vehicle was not driving or did not Park the Vehicle, and
  - 65.3.2. no other Person was driving or Parked the Vehicle with the owner's expressed or implied consent.
- 65.4. An owner who is guilty of an offence by operation of this section is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

**66. VICARIOUS LIABILITY**

- 66.1. For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent exercising the powers of or performing duties on behalf of the Person under their agency relationship.

**67. CORPORATIONS AND PARTNERSHIPS**

- 67.1. When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 67.2. If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

**68. FINES AND PENALTIES**

- 68.1. A Person who is guilty of an offence is liable to a fine as outlined in the *Master Rates, Fees and Charges Bylaw*, as amended.

**69. VOLUNTARY PAYMENT**

- 69.1. A Person who commits an offence may, if a municipal tag is used in respect of the offence,



pay the fine amount established by Section 68, and if the amount is paid on or before the date specified on the municipal tag, the Person will not be prosecuted for the offence.

**70. VIOLATION TAG**

70.1. A Peace officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

**71. VIOLATION TICKET**

71.1. If a violation ticket is issued in respect of an offence, the violation ticket may:

71.1.1. specify the fine amount for the offence; or

71.1.2. require the Person charged to appear in court without the alternative of making a voluntary payment.

71.2. If a Violation Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

71.3. Notwithstanding section 71.2, an Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

**72. ORDER TO COMPLY**

72.1. If the CAO believes, on reasonable grounds, that a Person is contravening any provision of this Bylaw, the CAO may, by written order, require any Person responsible for the contravention to remedy it.

72.2. The order may:

72.2.1. direct a Person to Stop doing something or to change the manner in which the Person is doing it;

72.2.2. direct a Person to take any actions of measures necessary to remedy the contravention of the bylaw and, if necessary, to prevent a re-occurrence of the contravention;

72.2.3. state a time within which the Person must comply with the directions;

72.2.4. state that if the Person does not comply with the directions within a specified time, the Town will take the action or measure.

72.3. A Person named in and served with an order issued pursuant to this section shall comply with any action of measure required to be taken within the time specified.

72.4. An order issued pursuant to this section may be served:

72.4.1. in the case of an individual:

- i. by serving it Personally to the individual;
- ii. by leaving it for the individual at their apparent place of residence with someone who appears to be 18 years of age; or
- iii. by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the Town or at the Land Titles registry; and

72.4.2. in the case of a corporation:

- i. by delivering it Personally to any director or officer of the corporation;
- ii. by delivering it Personally a Person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
- iii. by mail addressed the registered office of the corporation.

### **73. PERMITS**

- 73.1. A Person to whom a permit has been issued pursuant to this Bylaw, and any Person carrying out an activity otherwise regulated, restricted or prohibited by this Bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.
- 73.2. A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.
- 73.3. If any term or condition of a permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the CAO may immediately cancel the permit.
- 73.4. A Person shall immediately produce a permit issued pursuant to this Bylaw when requested to do so by an Enforcement Officer.

### **74. PROOF OF PERMIT**

- 74.1. The onus of proving a permit or approval has been issued in relation to any activity otherwise regulated, restricted or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.

## **PART XI: SEVERABILITY, REPEALS & ENACTMENT**

### **75. SEVERABILITY**

- 75.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

**76. REPEALS**

76.1. Bylaw 1417-18 – Traffic Bylaw is hereby repealed in its entirety.

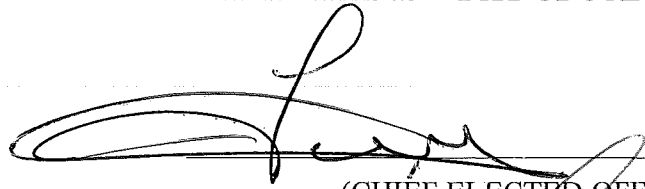
**77. ENACTMENT**

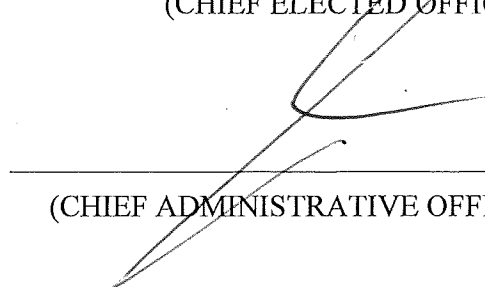
77.1. This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

**READ A FIRST TIME THIS 13<sup>TH</sup> DAY OF JULY 2020.**

**READ A SECOND TIME THIS 13<sup>TH</sup> DAY OF JULY 2020.**

**READ A THIRD TIME THIS 13<sup>TH</sup> DAY OF JULY 2020.**

  
\_\_\_\_\_  
(CHIEF ELECTED OFFICIAL)

  
\_\_\_\_\_  
(CHIEF ADMINISTRATIVE OFFICER)

SEAL