



**BYLAW NO. 2016/03/P**

**Name of Bylaw:**      **Traffic Bylaw**

**WHEREAS** the *Traffic Safety Act*, R.S.A. 2000, c.T-6 as amended or repealed and replaced from time to time, authorizes a municipal Council to pass Bylaws not inconsistent within the *Traffic Safety Act*, respecting highways under its direction, control and management, for the regulation and control of traffic within the boundaries of the Town;

**AND WHEREAS** the Council for the Town deems it to be in the best interests of the public to regulate traffic within the Town;

**NOW THEREFORE**, the Council of the Town of Drayton Valley, duly assembled, enacts as follows:

**1.      TITLE**

This Bylaw may be cited as the "Traffic Enforcement Bylaw" of the Town of Drayton Valley.

**2.      PURPOSE**

The purpose of this Bylaw is to regulate and control the use of highways within the Town of Drayton Valley.

**3.      DEFINITIONS**

In this Bylaw, including this section, unless the context otherwise requires:

- 3.1      *Act* means the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6;
- 3.2      *alley* means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- 3.3      *approved helmet* means a safety helmet that is approved under Part 6 Divisions 4 and 5 of the *Vehicle Equipment Regulation* AR 122/2009 (as amended);
- 3.4      *arterial roads* means a high-capacity highway or roadway intended to carry traffic between important centres of activity;

- 3.5 *bicycle* includes any cycle propelled by human muscular power on which a person may ride regardless of the number of wheels that the cycle may have;
- 3.6 *boulevard* means that part of a highway that:
- a. is not roadway; and
  - b. is that part of a sidewalk or walkway that is not specifically adapted to the use of, or ordinarily used by, pedestrians;
- 3.7 *bus* means a motor vehicle:
- a. that is designed for carrying eleven (11) or more persons, including the person driving the vehicle; and
  - b. that is used, or intended to be used, for the transportation of persons;
- 3.8 *CAO* means the Town of Drayton Valley Chief Administrative Officer, who may also be referred to as the Town Manager;
- 3.9 *centre line* means:
- a. the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway;
  - b. in the case of a highway
    - i. that is an offset centre Highway as designated by a traffic control device; or
    - ii. that has a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times as designated by a Traffic Control Device;
  - c. the line dividing the lanes for traffic moving in opposite directions; or
  - d. in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions;
- 3.10 *Council* means the Municipal Council for the Town of Drayton Valley;
- 3.11 *crossing* means a curb, sidewalk or boulevard crossing constructed for the purpose of vehicle access;

3.12 *crosswalk* means:

- a. that part of a roadway 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 roadway; or
- b. any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by traffic control devices or by line or by other markings on the road surface;

3.13 *curb* means the actual roadway curb if there is one, and if there is no curb in existence shall mean the division of a highway between the roadway and the sidewalk or boulevard, as the case may be;

3.14 *daytime* means the period commencing one (1) hour before sunrise and ending one (1) hour after the following sunset;

3.15 *debris* means loose material which is an obstruction to the free use of a roadway, highway or fire hydrant, or which may encroach thereon, including, but not limited to, snow, ice, sand, dirt, gravel, turf, leaves, branches and solid waste;

3.16 *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);

3.17 *emergency vehicle* means:

- a. a vehicle operated by a Peace Officer or police service as defined in the *Police Act*, as amended or repealed and replaced from time to time;
- b. a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
- c. an ambulance operated by a person or organization providing ambulance services;
- d. a vehicle operated as a gas, power or water disconnection unit of a public utility; or
- e. a vehicle designated by regulation as an emergency response unit;

- 3.18 *Engineer* means the individual appointed as the engineer for the Town of Drayton Valley or his/her designates;
- 3.19 *funeral procession* means a group of vehicles, the occupants of which are gathered pursuant to funeral services, that is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on the highway;
- 3.20 *government vehicle* means any vehicle that is owned or leased by a federal, provincial or municipal government;
- 3.21 *highway or roadway* means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle-way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and Includes:
- a. a sidewalk (including a boulevard portion thereof);
  - b. where a ditch lies adjacent to and parallel with the roadway, the ditch; and
  - c. where a highway right-of-way is contained between a property line and one side of the roadway, all land between the property line and the edge of the roadway, as the case may be, but does not include a place declared by the Lieutenant Governor in Council not to be a highway;
- but does not include a place declared by regulation passed pursuant to the *Traffic Safety Act* not to be a highway;
- 3.22 *hoarding* means the fencing required to enclose an obstruction on a public place;
- 3.23 *holiday* includes:
- a. New Year's Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Heritage Day, Labour Day, Remembrance Day and Christmas Day;
  - b. the birthday or the day fixed by proclamation for the celebration of birthday of the reigning sovereign;
  - c. December 26<sup>th</sup>, or if that date falls on a Sunday or Monday, then December 27<sup>th</sup>; and
  - d. any day appointed by proclamation of the Governor General in Council or proclamation of the Lieutenant Governor in Council for a public holiday or for a day of fast or Thanksgiving or as a day for mourning;

- 3.24 *inoperable vehicle* means a vehicle that, in the opinion of a Peace Officer, is incapable of moving without repair;
- 3.25 *intersection* means the area embraced within the prolongation or connection of:
- a. the lateral curb lines, or if none;
  - b. the exterior edges of the roadways; and
  - c. of two or more highways, which join one another at an angle whether or not one highway crosses the other;
- 3.26 *lead vehicle* means the motor vehicle which is at the head or front of a funeral procession, escorting the other vehicles forming the procession;
- 3.27 *mobility aid* means a device that is used to facilitate the transport, in a normal seated orientation, of a Person with a disability;
- 3.28 *motorcycle* means a motor vehicle, other than a moped, that is mounted on two (2) or three (3) wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters;
- 3.29 *nighttime* means the period commencing one (1) hour after sunset and ending one (1) hour before sunrise;
- 3.30 *obstruction* means an encroachment, excavation, structure or other obstacle, including a tree, shrub or hedge, that:
- a. interferes with or prevents the vision, passage, maintenance or use of public places by vehicles or pedestrians; or
  - b. interferes with or prevents the proper operation of a public work;
- 3.31 *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;
- 3.32 *operate or operating* means to drive, or be in actual physical control of, a vehicle;
- 3.33 *owner* means the person named as the registered owner of the 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 thirty (30) days or otherwise having the exclusive use of a vehicle for a period of more than thirty (30) days;

- 3.34 *parade* means a procession or march that is:
- a. organized to entertain spectators, for display or inspection purposes, or to promote a cause or purpose; and
  - b. 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;
- 3.35 *park* means to allow a vehicle (whether occupied or not) to remain standing in one place, except:
- a. when standing temporarily for the purpose of, and while actually engaged in, loading or unloading passengers or goods; or
  - b. when standing in obedience to a Peace Officer or traffic control device;
- 3.36 *parkland* means any developed or undeveloped property that is owned, controlled or maintained by the Town, is intended to be used by members of the public for recreation purposes, and is:
- a. preserved as a natural area;
  - b. designated or districted as park or park corridor land;
  - c. dedicated as municipal reserve, environmental reserve or a public utility lot property pursuant to the *Municipal Government Act* R.S.A. 2000, Ch.M-26 (as amended); or
  - d. a boulevard contiguous with, partially within or fully within the property referenced under the foregoing subsections;
- 3.37 *Peace Officer* means a person appointed as a Peace Officer pursuant to section 7 of the *Peace Officer Act*, S.A. 2006, Chapter P-35, and also includes but is not limited to a Police Officer, Royal Canadian Mounted Police Officer, Special Constable, Bylaw Enforcement Officer, or a person designated by Council to enforce the provisions of this Bylaw;

3.38 *pedestrian* means:

- a. a person on foot; or
- b. a person in or on a mobility aid;

and includes those persons designated by regulation as pedestrians and for the purposes of this Bylaw, includes users of in-line skates, roller skates, and non-motorized scooters;

3.39 *Permit* means written authorization issued by the CAO which evidences the CAO's permission to operate a specified type of vehicle upon a highway or roadway within the Town of Drayton Valley;

3.40 *person* includes a corporation, partnership, or individual, and the heirs, executors, administrators or other legal representative of an individual, joint venture, proprietorship, association, or society;

3.41 *playground zone* means that portion of a highway identified by a traffic control device as a playground zone;

3.42 *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 of Drayton Valley;

3.43 *recreational pathway* means a path or trail that is not part of a roadway and which is designated primarily for the exclusive use of pedestrians, bicycles, rollerblades and skateboards;

3.44 *recreational vehicle* means a vehicle designed or used for travel with temporary living accommodation for vacations or camping purposes;

3.45 *refuse* means all solid and liquid waste which is an obstruction to the free use of a roadway, highway or fire hydrant, or which may encroach thereon, including but not limited to, organic and inorganic yard waste, mud, dirt, soil, fuels, chemicals, hazardous materials, automotive liquids, manure, animal waste or any other form of waste or litter;

3.46 *road ban* means the seasonal axle weight allowance prescribed by an Engineer in respect of a highway;

3.47 *school bus* means a motor vehicle used primarily for transporting persons to and from a school;

- 3.48 *school zone* means that portion of a highway identified as a school zone by a traffic control device;
- 3.49 *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:
- a. the curb line; or
  - b. where there is no curb line, the edge of the roadway;
- and the adjacent property line, whether or not it is paved or improved;
- 3.50 *slow moving vehicle* means:
- a. a vehicle or other machinery or equipment designed for use at speeds that are less than 40 km/h; or
  - b. 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 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;
- 3.51 *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;
- 3.52 *stop* means:
- a. when required, a complete cessation from vehicular movement; and
  - c. 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;

- 3.53 *street furniture* includes every curb, sidewalk, utility pole, traffic control device, waste receptacle, bus bench, bus or taxi shelter, tree, plant, grass, utility service equipment or any other property authorized for placement on a public place by the Town;
- 3.54 *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 Province of Alberta;
- 3.55 *Town* means the municipal corporation of the Town of Drayton Valley;
- 3.56 *track* means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill, or fall from any vehicle, appurtenances, or tires onto any highway;
- 3.57 *traction device* means apparatus, including but not limited to metal spikes, lugs, cleats, chains, or bands, designed to increase the friction between a vehicle's tire and a road surface covered with ice or snow;
- 3.58 *traffic control device* means any sign, signal, marking or device placed, marked or erected under the authority of the Act and this Bylaw for the purpose of regulating, warning or guiding traffic;
- 3.59 *trailer* means a vehicle so designed that it:
- a. may be attached to or drawn by a motor vehicle or tractor;
  - b. is intended to transport property or persons; and
  - c. includes any vehicle defined by regulation as a trailer, but
  - d. does not include machinery or equipment used in the construction or maintenance of highways;
- 3.60 *vehicle* means a device in, upon, or by which a person or thing may be transported or drawn upon a highway and includes a combination of vehicles but does not include a mobility aid;
- 3.61 *Violation Tag* means a tag or similar document issued by the Town for the purpose of notifying a person that an offence has been committed for which a prosecution may follow;
- 3.62 *Violation Ticket* means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.

**4. APPLICATION AND OVERARCHING AUTHORITY**

- 4.1 This Bylaw applies to municipal property and highways under the direction, control and management of the Town and nothing in this Bylaw authorizes, or in any way affects, the operation of a vehicle on any provincial highway.
- 4.2 Nothing in this Bylaw relieves any person from complying with any provision of any federal or provincial legislation affecting vehicles, including without restriction, the *Act* and all applicable regulations thereunder.
- 4.3 Notwithstanding anything in this Bylaw, no person shall act in contravention of:
  - a. the directions of a Peace Officer acting in the course of his or her employment duties; or
  - b. in the absence of circumstances set out under subsection a., a traffic control device placed by or under the direction of the Town.
- 4.4 No Person other than a Peace Officer 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 CAO.

**ARTICLE I - RULES FOR THE OPERATION OF VEHICLES**

**5. ROADWAYS**

- 5.1 No Person shall operate a vehicle within the Town except on a roadway or, subject to the consent of the owner, on private property.
- 5.2 No person shall drive or park any vehicle across a sidewalk or boulevard, or both, unless a crossing has been constructed as required by the Town.

**6. INTERFERENCE WITH TRAFFIC CONTROL DEVICES**

- 6.1 No person shall take down, interfere with, remove, deface, or otherwise damage any traffic control device, barricade, notice, mark, flashing warning light or other street furniture erected by or placed under the direction of the Town for the purpose of guiding or warning motorists or other travelers.
- 6.2 No person shall place any traffic control device, sign, street furniture or other obstacle upon a highway unless so authorized by the CAO.

## **7. EXEMPTIONS**

### **7.1 Nothing in this Part shall apply to**

- a. emergency vehicles or operators of emergency vehicles acting in accordance with their official employment duties;
- b. Peace Officers acting in accordance with their official employment duties; or
- c. a person acting in accordance with:
  - i. a traffic control device; or
  - ii. notwithstanding the existence of a traffic control device, the directions of a Peace Officer or the CAO.

## **ARTICLE II – SPEED RESTRICTIONS**

## **8. ROADWAYS**

### **8.1 Except as indicated**

- a. by a separate Bylaw adopted by Council; or
- b. elsewhere in this Bylaw,

the speed limit on all roadways shall be fifty kilometers (50 km/h) per hour.

## **9. SCHOOL ZONES AND PLAYGROUND ZONES**

- 9.1 School zone hours established for the purposes of traffic control within the Town shall be continuous between the hours of eight o'clock am (08:00) and four-thirty o'clock pm (16:30) on school days.
- 9.2 The speed limit in a school zone is thirty kilometers (30 km/h) per hour during the school zone hours of operation.
- 9.3 Playground zone hours of operation are daily from eight-thirty o'clock am (08:30) to one (1) hour after sunset.
- 9.4 The speed limit in a playground zone is thirty kilometers (30 km/h) per hour during the playground zone hours of operation.

9.5 A school zone or playground zone:

- a. 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
- b. ends at the point where there is a traffic control device indicating a greater rate of speed or the end of the zone.

**10. ALLEYS**

The speed limit in an alley is thirty kilometers (30 km/h) per hour.

**ARTICLE III – PARKING AND STOPPING**

**11. GENERAL PROHIBITIONS**

- 11.1 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.
- 11.2 No person shall park a vehicle on any portion of a highway upon which parking is prohibited by a traffic control device.
- 11.3 No person shall stop a vehicle on any portion of a highway upon which stopping is prohibited by a traffic control device.
- 11.4 At no time shall a person park or stop a vehicle:
  - a. on a sidewalk or boulevard;
  - b. such that the vehicle impedes or obstructs the orderly flow of vehicle or pedestrian traffic;
  - c. on a crosswalk or any part of a crosswalk;
  - d. near a building such that the vehicle interferes with the use of a doorway marked as a fire or emergency exit;
  - e. on any portion of a roadway marked as an emergency access route or fire lane;

- f. on any portion of a highway designated as a “no parking” or “prohibited” area by a traffic control device located above or to the side of the highway or if no sign, parked adjacent to curb side clearly marked by yellow paint or marker;
- g. in the case of an approach to a stop sign or yield sign, within five (5) metres from the stop sign or yield sign;
- h. such that the vehicle obstructs access to the entranceway of a fire hall, police station, ambulance station or hospital;
- i. in a roadway maintenance or construction area unless the vehicle is employed in the maintenance or construction work;
- j. within one and a half (1.5 m) metres from any access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
- k. within five (5 m) meters of a fire hydrant curb point;
- l. within five (5 m) meters of a marked crosswalk;
- m. within an intersection other than immediately next to the curb in a “T” intersection;
- n. within an intersection nearer than five (5 m) meters to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a traffic control device indicates parking is permitted;
- o. upon parkland, or land designated by a public authority other than the Town as park or reserve land;
- p. in a Town-owned parking lot contrary to a traffic control device;
- q. in any place or area where the traffic control device indicates that parking there is restricted to a special class of vehicle only;
- r. in any loading or unloading space marked by a traffic control device indicating the restrictions which apply thereto, unless lawfully engaged in loading or unloading merchandise; or
- s. as otherwise restricted by signage.

## **12. PARALLEL PARKING**

12.1 When parking a vehicle on a highway, a person may only park a vehicle with:

- a. the sides of the vehicle parallel to the curb or edge of the roadway; and
- b. the right wheels of the vehicle not more than fifty (50 cm) centimetres from the right curb or edge of the roadway; and
- c. the vehicle facing in the direction of travel authorized for the highway, or

12.2 In the case of a one-way highway where parking on either side is permitted, with:

- a. the sides of the vehicle parallel to the curb or edge of the roadway;
- b. the wheels that are the closest to a curb or edge of the roadway not more than fifty (50 cm) centimetres from that curb or edge; and
- c. the vehicle facing in the direction of travel authorized for the highway.

12.3 Notwithstanding sections 12.1 and 12.2, a motorcycle may be parked at an angle, other than perpendicular, to the curb or edge of the roadway, with:

- a. a wheel of the motorcycle not more than fifty (50) centimetres from the curb or edge of the roadway, and
- b. the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is parked.

12.4 Section 12.3 does not apply where angle parking is permitted or required.

## **13. ANGLE PARKING**

13.1 Where a sign indicates that angle parking is permitted or required and parking guidelines are visible on the surface of the roadway, a driver shall park his vehicle:

- a. with its sides between and parallel to any two of the guidelines; and
- b. with the front wheel closest to the edge of road or curb not more than fifty (50 cm) centimeters from the curb or edge of the roadway,

13.2 Any operator of a vehicle failing to comply these regulations shall be guilty of an offence and liable for a penalty as prescribed in Schedule "B" attached.

13.3 Where a sign indicates that angle parking is permitted or required but no parking guidelines are visible on the surface of the roadway, a driver shall park his vehicle:

- a. with its sides at an angle of between thirty (30°) and sixty (60°) degrees to the curb or edge of the roadway; and
- b. with one (1) front wheel not more than fifty (50 cm) centimetres from the curb or edge of the roadway.

13.4 A vehicle, recreational vehicle or trailer that singly or together exceeds five point eight (5.8 m) meters in length shall not be parked at an angle on a highway unless:

- a. a sign specifically permits parking; or
- b. the vehicle displays a Permit authorized by the Town.

#### **14. ALLEY PARKING**

14.1 No person shall park a vehicle in an alley except while loading and unloading goods:

- a. from a commercial vehicle for a period of thirty (30) minutes; or
- b. from a passenger vehicle for a period not exceeding fifteen (15) minutes.

14.2 Notwithstanding section 14.1, no person shall park a vehicle in an alley such that the passage of other vehicles through the alley is obstructed.

#### **15. DISABLED PERSON'S PARKING SPACE**

15.1 The CAO is hereby delegated the authority to establish parking places on public property, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, for the exclusive use of persons with disabilities who display on their vehicle a handicap placard or license plate that is issued or recognized by Alberta Registries.

15.2 No person shall stop or park a vehicle in a space marked by a traffic control device as a disabled person's parking space unless:

- a. the vehicle clearly displays a placard or license plate issued by or acceptable to the Registrar, which placard or license plate has been issued in reference to a disabled person's use of the vehicle; and

- b. the disabled person referred to in subsection 15.2(a) enters or exits the vehicle while it is stopped or parked in the referenced parking space.

15.3 A vehicle parked contrary to section 15.2 may be removed and impounded, without any liability to the Town, by a Peace Officer.

**16. TIMED PARKING**

16.1 Where a traffic control device restricts parking to a number of minutes or hours, or within certain hours or days of the week, no person shall park a vehicle in the applicable parking area in excess of that time span or outside the hours so designated and marked on the traffic control device.

16.2 If a vehicle, having been issued a Violation Tag or a Violation Ticket due to a contravention of section 16.1, 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.

**17. PASSENGER LOADING**

No person shall park a vehicle in any passenger loading space marked with a traffic control device for a period of more than that indicated on the traffic control device, except while in the process of loading or discharging passengers.

**18. PARKING ON TOWN LANDS**

No person shall park or direct another person to park a vehicle upon any land owned by the Town, including parkland, boulevards and rights-of-way, unless authorized by the CAO by way of a Permit.

**19. SCHOOL BUS**

19.1 No school bus operator shall park a school bus in a residential district except while engaged in loading or unloading passengers,

19.2 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 and unloading passengers on any Town highway.

**20. TEMPORARY NO PARKING**

- 20.1 Notwithstanding any other provision in this Bylaw, the CAO may cause Traffic Control Devices indicating "No Parking" and/or "Street Maintenance" or similar wording, to be placed on or near a roadway for the purposes of regulating parking during roadway maintenance, snow removal or construction purposes.
- 20.2 Traffic Control Devices imposing a temporary parking restriction will be placed a minimum of twelve (12) hours prior to the enforcement of those parking restrictions.
- 20.3 When such traffic control devices are placed on or near a roadway, no person shall park or leave a vehicle on that portion of roadway contrary to the traffic control device
- 20.4 When roadway maintenance, snow removal or construction commences any vehicle parked on the signed roadway may be ticketed and/or removed pursuant to the authority provided under this Bylaw and the owner of the vehicle shall be responsible for all penalties incurred.

**21. SEASONAL PARKING BAN**

- 21.1 A vehicle shall not be parked on a highway in any location identified as a seasonal parking ban route.
- 21.2 This section only applies when the location identified as a seasonal parking ban route has been declared in effect by the CAO
- 21.3 A vehicle parked on a highway in a location identified as a seasonal parking ban route must be removed from the location identified as a seasonal parking ban route within eight (8) hours of a seasonal parking route ban having been declared in effect.

**22. RECREATIONAL VEHICLE**

- 22.1 A recreational vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the recreation vehicle owner's residence as shown in the records of the Albert Motor Vehicle Registry.
- 22.2 A recreational vehicle parked pursuant to this section:
  - a. shall not be parked for more than seventy-two (72) consecutive hours; and

- b. shall be removed to an off-highway location for forty-eight (48) consecutive hours before it may be parked again on a highway.

22.3 A recreational vehicle parked on a highway shall not be occupied.

22.4 No person shall park a trailer or recreational vehicle upon a highway unless the trailer or recreational vehicle is attached to a vehicle by which it may be drawn.

**23. ABANDONED VEHICLE**

Except with the written permission of the CAO, no person shall park a vehicle at a single location on a highway (or in close proximity to that single location) for a period exceeding seventy-two (72) consecutive hours.

**24. INOPERABLE VEHICLE**

No Person shall park an inoperable vehicle on any part of a highway.

**25. REPAIRS**

No person shall perform vehicle maintenance or repair work on a vehicle located upon a highway unless that work would normally be considered a minor emergency repair.

**26. VEHICLE ON JACKS**

26.1 Except for emergency situations, such as changing a flat tire or vehicle breakdown requiring immediate repair, no vehicle shall be parked on a highway if:

- a. the vehicle is on a jack or a similar device; or
- b. one (1) or more wheels have been removed from the vehicle or part of the vehicle is raised.

26.2 No vehicle on a jack or similar device, nor a vehicle which has one (1) or more wheels removed or is partially raised, shall be left unattended on a highway at any time.

**27. TRAILER**

27.1 No person shall park a trailer on any portion of a highway unless:

- a. the trailer is attached to a vehicle that is mechanically capable of, and properly equipped for, towing the trailer in a safe manner; and

- b. at a single location (or in proximity to that single location) for a period exceeding seventy-two (72) consecutive hours.

**28. PROPANE-FUELED VEHICLES**

No person shall park a propane-fueled vehicle in any underground parking facility or within an enclosed or partially enclosed structure used by the public for parking vehicles.

**29. TAXI ZONE**

29.1 No person shall stop or park a vehicle that is not a taxi in a marked taxi zone;

29.2 No operator of a taxi shall stop or park and leave a vehicle unattended for a period exceeding fifteen (15) minutes in any taxi zone.

**ARTICLE IV – RESTRICTED VEHICLE OPERATIONS**

**30. ROAD BANS**

30.1 Except while operating:

- a. a vehicle having a gross weight (all axle total) of five thousand (5,000 kg) kilograms or less;
- b. a school bus;
- c. a rubber tired farm tractor that is not pulling a trailer;
- d. a vehicle crossing a highway;
- e. a government vehicle, or a vehicle operated on behalf of a government authority, that is engaged in testing or construction/maintenance activities on the highway; or
- f. an over-weight vehicle that is the subject of a Permit or authorization allowing the over-weight vehicle's operator to operate that vehicle on a highway subject to a road ban,

no person shall operate a vehicle on any highway, or portion thereof, if the gross weight of any carrying axle of that vehicle exceeds the weight as determined by the percentage of axle weight prescribed on any traffic control device.

**31. CLEARANCE OF STRUCTURES**

No person shall ride, operate or cause or permit to be operated, any vehicle through or under any structure, when the vehicle's height exceeds the maximum clearance posted on a traffic control device for that structure

**32. HORSE-DRAWN VEHICLE**

32.1 No person shall operate or drive a horse-drawn vehicle within the Town except with the written permission of the CAO.

32.2 Upon demand, a person operating or driving a horse-drawn vehicle within the Town shall produce to a Peace Officer a copy of the permission document referenced in section 33.1.

**33. MATERIALS ON HIGHWAY**

33.1 No person shall place, cause or permit to be placed any snow, ice, refuse, debris or other material from their private property upon any portion of a sidewalk, roadway, highway, other public place within the Town, or private property other than their own.

33.2 No person shall wash a vehicle upon a roadway or so near a highway as to result in depositing refuse, or creating slush or ice upon a public sidewalk or roadway.

33.3 No person operating premises for the sale of new or used vehicles or for washing vehicles shall wash such vehicles so as to result in refuse, water, mud, slush or ice upon a public sidewalk or roadway

33.4 No person shall drive or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track refuse or other debris upon a highway. The operator of any vehicle or equipment, which does track refuse or other debris upon a highway, shall clean up any tracking, accidental or otherwise.

33.5 Any person who tracks refuse or other debris upon a highway shall, in addition to the penalty specified, be liable to clean up or remove the refuse or other debris tracked upon the highway.

33.6 The Town may, after the expiration of forty-eight (48) hours of the deposit of refuse or other debris on a highway, remove and clean away all refuse or other debris, as defined in this Bylaw, required to be removed pursuant to this section and charge the expenses thereof to the owner of the vehicle responsible for the tracking of the refuse or other debris.

**34. ENGINE RETARDER BRAKES**

No Person shall use engine retarder brakes within the Town limits.

**35. FIRE HYDRANTS**

35.1 No person may place or permit to be placed any snow, ice, advertising material, refuse or other debris onto any fire hydrant located on public or private property.

35.2 No person may damage or permit to be damaged, any fire hydrant by scraping, cutting or in any manner whatsoever, whether or not such Person is engaged in removing snow, ice, advertising material, refuse or other debris from any fire hydrant.

35.3 The provisions of Section 14.1 and 14.2 shall not apply to agents or employees of the Town in the performance of maintaining said fire hydrants.

**36. SLOW MOVING VEHICLES**

36.1 Unless permission to do so has been granted by the CAO, no person shall operate a slow moving vehicle:

- a. on any roadway, from Monday to Friday (inclusive) between the hours:
  - i. seven o'clock am (07:00) and nine o'clock am (09:00); and
  - ii. three-thirty o'clock pm (15:30) and six o'clock pm (18:00); and
- d. during nighttime hours unless the slow moving vehicle is accompanied by an escort vehicle following behind and employing the use of flashing lights.

36.2 The provisions of section 38.1 shall not apply to:

- a. any vehicle owned by or under contract to the Town while actually engaged in street maintenance operations upon any highway;
- b. any vehicle owned or under contract to the Town while travelling to any locations for the purpose of carrying out street maintenance operations of an emergency nature; or

- c. any vehicle used in connection with the servicing of public utilities including telephone, electricity, natural gas, cable and fibreoptic systems which such vehicle is actually engaged in maintenance or emergency operations on a highway.

**37. TRACTION DEVICES**

Unless permission to do so has been granted by the CAO, no person shall operate on a roadway a vehicle or trailer having a traction device projecting from a tire, or any part of the vehicle or trailer, such that the projecting traction device make contact with the roadway surface while the vehicle or trailer is moving.

**38. TOW TRUCKS**

38.1 No driver of a tow truck shall attend at the scene of a vehicle collision for the purpose of soliciting towing business from the owner or driver of a vehicle involved in that collision, unless previously requested to do so by the owner or driver of the vehicle involved in the collision or by a Peace Officer.

38.2 Every driver of a tow truck shall, before towing any vehicle from the scene of a collision, clear all debris from the highway.

**39. USE OF ROAD ALLOWANCE**

39.1 No person shall occupy or use a road allowance, public highway or a portion of a road allowance or highway when it is not required for public use, without first obtaining a License of Occupation from the CAO.

39.2 A License of Occupation may be terminated upon thirty (30) days written notice by either party.

## **ARTICLE V – RULES FOR PEDESTRIANS AND BICYCLISTS**

### **40. GENERAL**

- 40.1 No pedestrian shall act in such a manner as to obstruct, interfere with or prevent the passage of vehicular or pedestrian traffic along a highway.
- 40.2 This section does not apply to person participating in or assembled to watch a parade for which a Permit has been issued pursuant to this Bylaw.
- 40.3 No person shall ice skate or toboggan upon any roadway, sidewalk or recreational pathway.

### **41. HITCHHIKING**

No person shall hitchhike or stand upon or walk along a highway for the primary purpose of soliciting gratuitous transportation from operators of passing vehicles, excluding taxicabs.

### **42. BICYCLES**

- 42.1 No person may leave any bicycle on any sidewalk, highway or attached to street furniture where it unduly impedes pedestrian traffic on sidewalks or impedes access to doorways.
- 42.2 No Person shall ride any bicycle where prohibited by a traffic control device.
- 42.3 Any bicycle found abandoned on any sidewalk, highway or attached to street furniture or bike rack, may be impounded by a Peace Officer.
- 42.4 An employee of the Town or a Peace Officer, while in the official course of performing their duties, shall be exempt from the restrictions imposed on the use of cycling within Town limits.
- 42.5 No person shall attach a bicycle to a tree, another living plant, fire hydrant or utility box located on a highway or public place.

### **43. BICYCLE OPERATIONS**

- 43.1 Notwithstanding section 44.2, a person may operate a bicycle on a sidewalk.
- 43.2 Every person operating a bicycle on a sidewalk, recreational pathway or in a crosswalk shall:
  - a. yield the right of way to pedestrians; or

- b. when passing a pedestrian, use the care and control required to ensure the safety of the pedestrian; and
  - c. 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, which is audible to the pedestrian.
- 43.3 No person shall operate a bicycle on a highway without wearing an approved helmet except for:
  - a. a person for whom the wearing of a helmet would interfere with an essential religious practice of the person operating the bicycle; or
  - b. a person who is in the possession of, and produces on request to a Peace Officer, a valid certificate issued by a medical practitioner certifying that the person is, for the period stated in the certificate, unable for medical reasons to wear an approved safety helmet.
- 43.4 No person shall permit a person under the age of twelve (12) years to use a bicycle on a highway without wearing an approved helmet specifically designed for such use, unless:
  - a. the wearing of a helmet would interfere with an essential religious practice of the person using the bicycle; or
  - b. that person is in the possession of, and produces on request to a Peace Officer, a valid certificate issued by a medical practitioner certifying that the person is, for the period stated in the certificate, unable for medical reasons to wear an approved helmet.
- 43.5 Every person operating a bicycle on a sidewalk or recreational pathway shall yield the right-of-way to any vehicle on a highway, which crosses a sidewalk or recreational pathway. This section does not relieve the operator of a vehicle from exercising due care.
- 43.5 Bicyclists using sidewalks, roadways and recreational pathways do so at their own risk.

**44. IN-LINE SKATES/ROLLER SKATES/SKATEBOARDS/NON-MOTORIZED SCOOTERS**

- 44.1 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.
- 44.2 No person shall permit a person under the age of twelve (12) years to use in-line skates, roller skates, a skateboard or a non-motorized scooter on a highway without wearing an approved helmet specifically designed for such use, unless:
- a. the wearing of a helmet would interfere with an essential religious practice of the person using the in-line skates, roller skates, skateboard or non-motorized scooter; or
  - b. that person is in the possession of, and produces on request to a Peace Officer, a valid certificate issued by a medical practitioner certifying that the person is, for the period stated in the certificate, unable for medical reasons to wear an approved helmet.
- 44.3 Every person roller skating, in-line skating or skateboarding on a sidewalk or recreational pathway shall yield the right-of-way to any vehicle on a highway, which crosses a sidewalk or recreational pathway. This section does not relieve the operator of a vehicle from exercising due care.
- 44.4 Every person roller skating, in-line skating or skateboarding, using sidewalks, roadways and recreational pathways do so at their own risk.

**ARTICLE VI - PARADES / SPECIAL ROADWAY EVENTS / FUNERAL PROCESSIONS**

**45. PARADE/SPECIAL ROADWAY EVENT**

- 45.1 No person shall cause to be held any parade or special roadway event without first obtaining the CAO's written permission.
- 45.2 Any person wishing to obtain permission to hold a parade or special roadway event shall, at least eight (8) weeks prior to the proposed event date, make application in writing to the CAO.
- 45.3 An application for permission to hold a parade or special roadway event shall include, in addition to any other information required by the CAO:
- a. the name and address of the applicant (or if such applicant is an organization, the names, addresses and positions of the organization's executive);

- b. the nature and object of such parade or special roadway event;
- c. the day, date, and hours during which the parade or special roadway event will be held;
- d. the intended route;
- e. the approximate number of people and vehicles participating;
- f. proof of comprehensive general liability insurance of at least one million (\$1,000,000.00) dollars; and

such written application shall bear the signatures and addresses of the persons who will be in control of such parade or special roadway event and who undertake to be responsible for the good order and conduct thereof.

- 45.4 Any person referenced in an application form submitted in accordance with this section shall ensure that, where the CAO grants written permission to hold a parade or special roadway event, there is full compliance with all conditions imposed by the CAO, including, but not limited to, insurance and indemnity requirements.
- 45.5 During such parade or special roadway event all pedestrians not taking part therein shall be restricted to the use of the sidewalk area.
- 45.6 Notwithstanding the *Act* or anything in this Bylaw, any vehicle may enter an intersection without stopping if:
  - a. the vehicle is part of an authorized parade;
  - b. the vehicle is travelling immediately behind the vehicle in front of it so as to form a continuous line of traffic; and
  - c. the passage into the intersection can be made safely.

#### **46. FUNERAL PROCESSION**

- 46.1 For the duration of a funeral procession, the operator of a lead vehicle must display, in a conspicuous fashion, a device, light or placard on the roof or inside of the lead vehicle.

- 46.2 Notwithstanding the Act or anything in this Bylaw, a vehicle in a funeral procession may enter an intersection without stopping when normally required if:
- a. it is the lead vehicle employing the use of the a device, light or placard referred to in section 48.1;
  - b. the vehicle is not the lead vehicle and it is traveling immediately behind another vehicle that is also part of the funeral procession so as to form part of a continuous line of traffic;
  - c. the vehicle's headlamps are alight; and
  - d. the passage into the intersection can be made in safety.

## **ARTICLE VII - OBSTRUCTIONS**

### **47. GENERAL**

- 47.1 No person shall make, place, allow or cause to be placed an obstruction of any kind in, upon or above any highway or public place of the Town except with the CAO's written permission.
- 47.2 Every person making or placing an obstruction of any kind, in, upon or above any of the highways of the Town shall produce the permission granted pursuant to section 47.1 for inspection upon the request of a Peace Officer or a representative of the Town.
- 47.3 Notwithstanding section 47.1, where the obstruction is unavoidable due to mechanical failure of a vehicle or motor vehicle collision, the operator shall not be in breach of this section, provided he/she promptly takes measures to remove such vehicle from the highway.
- 47.4 In addition to being subject to any other enforcement action, a person who violates section 49.1 shall cause the immediate removal or rectification of the obstruction upon being notified to do so by the Town.
- 47.5 If a person fails to remove or rectify the obstruction as required under section 47.4, the Town may cause the removal or rectification of the obstruction.
- 47.6 Notwithstanding the foregoing sections, if the CAO determines that an obstruction creates an unsafe condition, the Town may immediately remove or rectify the obstruction as the CAO deems appropriate.

47.7 Any costs incurred by the Town while acting in accordance with the foregoing sections are debts owing to the Town by the person placing or causing the obstruction.

47.8 Nothing in this section shall be construed as prohibiting the congregating or assembling of individuals to attend public events so long as the proceedings are:

- a. peaceable and orderly;
- b. compliant with Town Bylaws and Policies; and

so long as sufficient space is left on the highway to allow free movement of the ordinary vehicular and pedestrian traffic.

47.9 Should any highway at or near such assembly become so obstructed as to obstruct or impede such ordinary traffic, the person obstructing or impeding shall forthwith move away upon being requested to do so by a Peace Officer or by any other person duly authorized.

#### **48. CONSTRUCTION ON HIGHWAY**

48.1 No person shall, unless having first obtained permission from the CAO, perform construction or maintenance work upon any highway if the work involves:

- a. excavation of roadways, sidewalks or boulevards;
- b. non-excavation work that interferes with traffic flows on arterial roadways during the hours of six o'clock am (06:00) through nine o'clock am (09:00) or three-thirty o'clock pm (15:30) and six o'clock pm (18:00).

#### **49. HOARDINGS**

49.1 No person shall place any covered way, fence, railing, boarding, barricade, guard, timber buffer, temporary walkway, or any other structures, materials or equipment (hereinafter referred to as hoarding) upon a highway without first obtaining the written approval of the CAO for the location of the hoarding on the highway.

49.2 No person shall erect a hoarding unless a hoarding agreement has been entered into with the Town including approval to place the hoarding.

#### **50. SWING GATE**

No owner or occupant of any premises shall allow a gate of such premises to swing or project over a highway.

**51. SHRUBS AT INTERSECTIONS**

- 51.1 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 or width that visibility for safe traffic flow is thereby interfered with.
- 51.2 The CAO may require compliance with the provisions of section 53.1 within seventy-two (72) hours of the owner of the premises being notified to do so. 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.

**52. FENCES AT INTERSECTIONS**

- 52.1 No person shall erect or cause to be erected, built, or placed, a fence, wall or other structure on private property within five (5 m) metres of a highway intersection so that visibility for safe traffic flow is thereby interfered with.
- 52.2 No person shall continue the existence of a fence, wall or other structure on private property within five (5 m) metres of an intersection, which interferes with the visibility for safe traffic flow.
- 52.3 Every owner or occupant of private property who erects, builds, places or continues the existence of a fence, wall, or other structure on said property contrary to this section shall cause the removal or reduction in height of the said fence, wall or other structure within ten (10) days after being notified to do so by the CAO. After the expiration of the said ten (10) days, the CAO may cause the removal or reduction in height and such work shall be at the expense of the owner or occupant of the said property.

**53. SECURED/DETACHED LOADS OR MATERIALS**

- 53.1 No person shall operate a vehicle carrying a load or pulling a trailer carrying a load unless the load is:
- a. covered entirely by a tarpaulin or other covering device; or
  - b. where more appropriate, secured in such a manner as to prevent it from shifting or falling onto a highway or adjacent land.

53.2 No person shall permit or cause:

- a. any part of a vehicle, trailer or its respective load; or
- b. a vehicle's engine or mechanical fluids,

to spill or become loose such that the referenced parts, load or fluids fall onto a highway or land adjacent thereto.

53.3 If any part of a vehicle or trailer or its respective load or mechanical fluid becomes loose or detached, or blows, drops, falls or spills onto a highway, the operator of the vehicle or trailer shall forthwith take all reasonable precautions to safeguard traffic and to remove such materials from the highway immediately upon discovering or being notified of the same.

53.4 If an operator fails to remove the material from the highway as required under section 55.3, the Town may cause that removal.

53.5 Notwithstanding section 55.4, if the CAO determines that the detached, spilled or dropped material creates an unsafe highway condition, the Town may immediately remove the material from the highway as the CAO deems appropriate.

53.6 Any cost incurred by the Town while acting in accordance with sections 55.4 or 55.5 is a debt owing to the Town by the person contravening section 55.3 or the owner of the vehicle or trailer.

53.7 This section shall not apply as a consequence of a person acting in accordance with valid written permission granted by the Town, but only with respect to that portion of highway being repaired or constructed.

#### **54. INDUSTRIAL WASTE CONTAINER PLACEMENT**

54.1 No person shall place an industrial waste container upon a highway in the Town unless:

- a. permission has first been obtained from the CAO approving such placement;
- b. the container is marked with white or yellow high intensity reflective sheeting for use on traffic control signs, placed mid-height to the following minimum requirements:

- i. a zero-point-three (0.3 m) metre by zero-point-three (0.3 m) metre piece of sheeting wrapped around each of the four (4) corners such that there is a zero-point-three (0.3 m) metre by zero-point-one-five (0.15 m) metre surface on both sides of the corner; or
    - ii. a zero-point-one-five (0.15 m) metre horizontal band at each end of the container with a zero-point-one-five (0.15 m) metre wrap around each corner.
  - c. a red and white zero-point-zero-five (0.05 m) metre-wide diamond grade truck marking tape may be used in a similar fashion to cover the same lengths described in subsection 5.6.1(b) above, as an alternative to the zero-point-one-five (0.15 m) metre-wide yellow or white sheeting.
- 54.2 The name and telephone number of the owner of the container shall be displayed on the two (2) sides of the container facing the flow of traffic in lettering not smaller than five (5 cm) centimeters high.
- 54.3 The owner of the container shall maintain in respect of the container, public liability insurance in an amount determined by the Town.

#### **ARTICLE VIII - AUTHORITY OF THE CAO**

#### **55. GENERAL**

- 55.1 In addition to acting in accordance with the authority held by his or her office, and authority specifically granted elsewhere in this Bylaw, the CAO may:
- a. upon the passing of a Bylaw by Council to designate speed on a highway or portion of a highway, other than set out within this Bylaw, cause traffic control devices to be placed to give effect;
  - b. upon the passing of a Bylaw by Council to approve a highway or a portion of a highway to be designated for one-way traffic, cause traffic control devices to be placed to give effect to the restriction to one way traffic as approved;
  - c. restrict vehicle access along a roadway where, in the CAO's opinion, the volume, speed or nature of traffic thereon is inconsistent with the intended safety and convenience of the roadway provided that existing vehicle access to properties adjacent to the roadway is not entirely terminated;

- d. designate any intersection or other place on a roadway as a place where left or right-hand turns shall be restricted, prohibited or mandatory;
- e. designate any intersection or place on a roadway as a place where U-turns are prohibited;
- f. divide a roadway into multiple traffic lanes of such numbers as he/she considers proper;
- g. designate crosswalks;
- h. designate school zones, playground zones;
- i. designate construction zones;
- j. designate passenger vehicle loading and unloading zones;
- k. designate no parking areas and distances from any intersection within which no parking is permitted;
- l. declare temporary roadway closures at any time that a construction or maintenance project on or adjacent to the roadway may create a hazard;
- m. set speed limits on roadways that are restricted for use during parades or special roadway events, or roadways that are under construction or repair, or in a state of disrepair;
- n. designate portions of a roadway where parking is prohibited, restricted to special classes of vehicles, or limited to a period of time;
- o. restrict vehicle weight or vehicle and carried load weight on roadways;
- p. prohibit or restrict movement of vehicles from a private driveway onto a roadway or from a roadway onto a private driveway;
- q. designate locations on roadways where the use of bicycles is prohibited and provide reasonable alternative routes;
- r. designate portions of highways within the Town for use of bicycles only and regulate the movement of bicycles upon the portion of such designated highway.

55.2 Where appropriate, actions taken in accordance with subsection (1) shall be marked by the conspicuous placement of traffic control devices.

- 55.3 The CAO shall implement the fees to be charged for each Permit, sticker or special permission issued under this Bylaw, as approved by Council.

**56. TRAFFIC CONTROL DEVICES**

- 56.1 The CAO shall prescribe the location of traffic control devices.
- 56.2 The Town shall maintain an accessible public record of all traffic control devices authorized by the CAO pursuant to this section.
- 56.3 All persons owning or operating Vehicles shall comply with all traffic control devices authorized under this Bylaw.

**57. PERMITS**

- 57.1 Subject to the terms and conditions required by the Bylaw, the CAO is hereby authorized to set the terms and conditions for each Permit, sticker or special permission required under this Bylaw.
- 57.2 Upon request by an applicant or Permit holder, and when it is decided by the CAO that extenuating circumstances exist, the CAO is hereby authorized to waive or alter any term of an agreement, permission or Permit required by this Bylaw.

**58. REVOKING PERMITS**

- 58.1 The CAO may, in writing, alter, suspend or revoke permission or a Permit issued in accordance with this Bylaw if it is determined that:
- a. the Permit was issued in error;
  - b. the Permit was issued based on incorrect information supplied to the Town;
  - c. the Permit issued is in violation of any other Bylaw or resolution; or
  - d. circumstances exist whereby the CAO, acting reasonably, determines that the Permit should be altered, suspended or revoked.
- 58.2 In suspending or revoking the Permit, or permission, the CAO may require that the highway be made passable to the satisfaction of the Town.
- 58.3 In addition to the specified penalty, all work being performed without permission or a Permit shall be stopped immediately and the person performing the work shall be liable for costs incurred in making the highway passable.

**59. DELEGATION OF AUTHORITY**

The CAO may delegate his or her authority under this Bylaw to another employee of the Town as he or she deems fit.

**ARTICLE IX - ENFORCEMENT**

**60. AUTHORITY TO ENFORCE**

Any Peace Officer is hereby authorized to enforce this Bylaw.

**61. TEMPORARY NOTICES/MARKINGS**

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.

**62. REMOVAL AND IMPOUNDMENT OF VEHICLE**

62.1 A Peace Officer may cause to be removed and/or impounded any vehicle that is in contravention of a provision of this Bylaw.

62.2 Notwithstanding that the vehicle may be parked in compliance with this Bylaw, a Peace Officer 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.

62.3 A Peace Officer shall notify the owner of a vehicle in the event of the vehicle's removal in accordance with section 64.1 or 64.2.

62.4 Any vehicle removed under section 64.1 or 64.2 shall be delivered to an impound facility designated by the CAO, where it will remain impounded until claimed by the owner or his/her authorized agent, or in accordance with applicable provincial laws.

62.5 The owner or authorized agent of any vehicle removed as a result of a contravention of this Bylaw shall pay to the Town all storage and removal charges. Such charges shall be in addition to any fine or penalty imposed in respect of any such contravention.

62.6 In the event that an owner of a vehicle does not claim such vehicle, the storage and removal charges may be collected pursuant to the provisions of the Act.

### 63. OFFENCES AND VIOLATION

63.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to:

- a. payment of the penalty as set out in Schedule "B" hereto; or
- b. for any offence for which there is no penalty specified, to a penalty of not less than one hundred (\$100.00) dollars and not more than ten thousand (\$10,000.00) dollars;

and in default of payment of any penalty, to imprisonment for up to six (6) months.

- 63.2
- a. Where a Peace Officer has reasonable grounds to believe that any person has committed a breach or contravention of any provision of this Bylaw the Peace Officer may issue such persons a Violation Tag in accordance with the provisions of this Bylaw or a Violation Ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34, and the regulations thereunder.
  - b. 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 the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by the Bylaw for each such day.
  - c. 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's exercising the powers of performing the duties on behalf of the person under their agency relationship.
  - d. When a corporation commits an offense under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offense or assented to or acquiesced or participated in the act or omission that constitutes the offense is guilty of the offense whether or not the corporation has been prosecuted for the offense.
  - e. If a partner in a partnership is guilty of an offense under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offense or assented to or acquiesced or participated in the act or omission that constitutes the offense is guilty of the offense.

- f. The Violation Ticket or Violation Tag must specify the date of the offense, the time of the offense, the place where the offense occurred, the Section of the Bylaw which was contravened and the time within which the penalty must be paid. If a Violation Tag is issued in respect of an offense, the Violation Tag must also specify the fine amount established by this Bylaw for the offense.
- g. A person authorized to issue a Violation Ticket or Violation Tag as provided herein is not required to issue a Violation Tag if, in his or her sole discretion, it seems expedient to him or her to issue a Violation Ticket prosecuting the offense instead of issuing a Violation Ticket or Violation Tag.

**64. SERVICE OF A VIOLATION TICKET OR BYLAW VIOLATION TAG**

- 64.1 A Violation Tag or Violation Ticket shall be deemed to be sufficiently served when it is:
- a. served personally on the accused;
  - b. mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
  - c. attached to or left upon the vehicle allegedly involved in the offense.

**65. PAYMENT**

Upon production of any Violation Ticket or Violation Tag within fourteen (14) days from the date of service of such notice, together with the payment of the sum specified in the attached Schedule "B" adopted by Town Council, to a person authorized by the Town to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this section, such payment shall be accepted in lieu of prosecution.

**66. PENALTIES**

66.1 The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in the attached Schedule "B" in respect of that provision.

66.2 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.

**67. INTERPRETATION**

67.1 Words used in the singular include the plural and vice-versa.

67.2 When a word is used in the masculine or feminine it will refer to either gender.

67.3 Words used in the present tense include the other tenses and derivative forms.

67.4 A second or third offence means one or more subsequent offences committed by a person within one year after that person has been convicted of the same offence or has voluntarily paid a fine for the same offence.

**68. SEVERABILITY**

If any provision of this Bylaw is held be invalid by a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions of the Bylaw.

**AND THAT** this Bylaw shall rescind Bylaw No. 2000-09 and Bylaw No. 2001-16 of the Town of Drayton Valley, and shall have force and come into effect from and after the date of third reading thereof.

Read a first time this 20<sup>th</sup> day of April, 2016, A. D.

Read a second time this 1<sup>st</sup> day of June, 2016, A. D.

Read a third and final time this 1<sup>st</sup> day of June, 2016, A. D.

\_\_\_\_\_  
MAYOR

Acting  
\_\_\_\_\_  
CAO

**SCHEDULE "B"**  
**FINES AND PENALTIES**

<b>Section</b>	<b>Violation</b>	<b>Penalty</b>
5.1	Operate a vehicle off a roadway	\$100.00
5.2	Drive or park a vehicle across a sidewalk or boulevard	\$100.00
6.1	Take down, interfere with, remove, deface or damage a traffic control device, barricade, notice, mark, flashing warning light or other street furniture	\$200.00
6.2	Place any traffic control device, sign, street furniture or other obstacle on a highway	\$200.00
8.1	Operating a vehicle in excess of the speed limit	In accordance with <i>Traffic Safety Act</i>
11.1	Fail to park within marked space	\$100.00
11.2	Park in prohibited area	\$100.00
11.3	Stop in prohibited area	\$100.00
11.4 (except as noted)	Park or stop when prohibited	\$100.00
11.4(c)	Park on a crosswalk	\$200.00
11.4(d)	Park blocking emergency exit	\$200.00
11.4(e)	Park in Fire Lane	\$200.00
11.4(h)	Park obstructing entrance to Fire Hall, Police Station, Ambulance Station or Hospital	\$200.00
11.4(k)	Park within 5 meters of a Fire Hydrant	\$200.00
12.	Improper parallel parking	\$100.00
13.	Improper angle parking	\$100.00
14.1	Park in an alley in excess of allowed time	\$100.00
14.2	Park so as to obstruct an alley	\$100.00
15.2	Park in a disabled person's parking spot without displaying placard or license plate	\$200.00
16.	Park in excess of permitted time or outside of permitted hours	\$100.00
17.	Park in excess of time permitted for loading/unloading of passengers	\$100.00
18.	Park on Town lands without permit	\$100.00
19.1	School bus parked in residential district other than for loading/unloading passengers	\$100.00
20.3 & 20.4	Park in contravention of a temporary "no parking" or "street maintenance" sign	\$100.00
21.1	Park in contravention of a seasonal parking ban	\$100.00
22.1	Park RV on a highway not adjoining RV owner's residence	\$100.00
22.2	Park RV in excess of 72 hours; not remove RV from location for 48 hours	\$100.00
22.3	Occupy RV on a highway	\$100.00
22.4	Park RV on highway unattached to vehicle	\$100.00
23.	Park vehicle in excess of 72 hours	\$100.00
24.	Park inoperable vehicle on highway	\$100.00
25.	Perform non-emergency vehicle maintenance or repairs on a highway	\$100.00

26.	Park and leave unattended a vehicle on a highway on jack, one or more wheel(s) removed or part of vehicle raised	\$100.00
27.	Park unattached trailer on highway or in excess of 72 hours	\$100.00
28.	Park propane-fueled vehicle in underground or enclosed/partially enclosed public parking structure	\$100.00
29.1	Park or stop a vehicle that is not a taxi in a taxi zone	\$100.00
29.2	Park or stop a taxi unattended in excess of 15 minutes in a taxi zone	\$100.00
30.	Operating a vehicle in contravention of a road ban	\$750.00
31.	Exceed height restrictions	\$250.00
32.1	Operate horse-drawn vehicle without written permission	\$100.00
32.2	Horse-drawn vehicle fail to produce permission document	\$100.00
33.1 & 33.3	Place or cause snow, ice, refuse, debris or other material to be on sidewalk, etc.	\$100.00
33.2	Wash vehicle on or near highway	\$100.00
33.4	Track refuse or debris upon highway; fail to clean refuse or debris	\$100.00
34.	Use engine retarder breaks	\$100.00
35.1	Place snow, ice, advertising material, refuse or other debris on fire hydrant	\$100.00
35.2	Damage a fire hydrant	\$200.00
36.1 a.	Operate a slow moving vehicle during prohibited hours without permission	\$100.00
36.1 b.	Operate a slow moving vehicle at nighttime without permission or escort vehicle	\$100.00
37.	Use traction devices without permission	\$150.00
38.1	Tow truck driver soliciting at site of a collision	\$100.00
38.2	Fail to clear all debris from collision site	\$100.00
39.1	Occupy or use road allowance, highway without License of Occupation	\$100.00
40.1	Pedestrian obstructing vehicular or pedestrian traffic	\$100.00
40.3	Ice skate or toboggan on a roadway, sidewalk or pathway	\$100.00
41.	Hitchhike or solicit gratuitous transportation	\$100.00
42.1	Leave a bicycle on a sidewalk, highway or street furniture where it impedes traffic or access	\$50.00
42.2	Ride a bicycle where prohibited	\$50.00
42.5	Attach bicycle to tree, plant, fire hydrant or utility box	\$50.00
43.2	Fail to yield bicycle to pedestrian, use care when passing a pedestrian, or give audible signal	\$50.00
43.3	Fail to wear an approved helmet	\$75.00
43.4	Permit a person under 12 years to use bicycle without an approved helmet	\$75.00
43.5	Fail to yield bicycle to vehicle	\$50.00
44.1	Operate in-line skates, roller skates, skateboard or non-motorized scooter in a reckless manner or fail to yield to pedestrian	\$50.00
44.2	Permit a person under 12 years to use in-line skates, roller skates, skateboard or non-motorized scooter without an approved helmet	\$75.00
44.3	Fail to yield in-line skates, roller skates, skateboard or non-motorized scooter to vehicle	\$50.00
45.1	Hold parade or special roadway event without permission	\$100.00

45.4	Fail to comply with conditions of permission to hold parade or special roadway event	\$200.00
46.1	Fail to display a device, light or placard for funeral procession	\$100.00
47.1	Obstruct highway without permission	\$100.00
47.2	Fail to produce permit for obstruction	\$150.00
47.3, 47.4 & 47.5	Fail to promptly remove obstruction	\$200.00
47.11	Fail to disburse a congregation or assembly obstructing a highway	\$100.00
48.1	Perform construction or maintenance on a highway without permission	\$150.00
49.1	Place hoarding on a highway without written permission	\$100.00
49.2	Place hoarding without an agreement with the Town	\$150.00
50.	Allow gate to swing or project over a highway	\$100.00
51.1	Allow tree, hedge or shrub to interfere with traffic	\$100.00
51.2	Fail to remove tree, hedge or shrub causing interference with traffic	\$100.00
52.1 & 52.2	Erect or allow fence, wall or structure within 5 metres of an intersection causing interference with traffic	\$100.00
52.3	Fail to remove fence, wall or structure causing interference with traffic	\$100.00
53.1	Fail to cover or secure a load	\$100.00
53.2	Allow vehicle, load, engine or fluids to fall onto a highway	\$150.00
53.3 & 53.4	Fail to safeguard traffic and remove dropped material	\$200.00
54.1 a.	Place an industrial waste container on a highway without permission	\$100.00
54.1 b. & c.	Fail to properly mark industrial waste container	\$100.00
54.2	Fail to display company name and telephone number	\$100.00
54.3	Fail to maintain public liability insurance	\$100.00
56.3	Fail to comply with Traffic Control Device	

1577361; June 1, 2016