

TRAFFIC BYLAW NO. 10_176_2022

A BYLAW OF THE VILLAGE OF HALKIRK, IN THE PROVINCE OF ALBERTA, TO REGULATE VEHICLE, ANIMAL, AND PEDESTRIAN TRAFFIC

WHEREAS, the *Traffic Safety Act* provides that “the Council of a Municipality may, with respect to a highway under its direction, control, and management, make bylaws that are consistent with this *Act*;”

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

NOW THEREFORE, the Municipal Council of the Village of Halkirk, Alberta, duly assembled, hereby enacts as follows:

PART 1: DEFINITIONS

Section 1.01 Definitions

This bylaw may be cited as the “**TRAFFIC BYLAW**”.

In this bylaw; except where otherwise defined or specified:

- 1.1 “**ACT**” means the *Traffic Safety Act* RSA 2000 c. T-6 and Off Highway Vehicle Alberta Regulation 319/2002 Amendments Alberta Regulation 148/2003, in each case amended from time to time.
- 1.2 “**ALLEY**” means a narrow highway providing access to rear of a building(s) and parcel(s) of land.
- 1.3 “**BICYCLE**” means any cycle propelled by human power upon which a person may ride, regardless of size or the number of wheels it has.
- 1.4 “**BOULEVARD**” means, that part of a highway, in an urban area that:
 - a) is not a highway; and
 - b) is part of the sidewalk that is not especially adapted for the use of or ordinarily used by pedestrians
- 1.5 “**CENTRE LINE**” means:
 - a) The center of the highway measured from the curbs or, in the absence of curbs, from the edges of the highway; or
 - b) In the case of a divided highway, that portion of the highway separating the highways for traffic moving in the opposite directions.

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- 1.6 “**CAO**” means the Chief Administrative Officer appointed by Council of Halkirk, Alberta, or the Director(s) or Department(s) designated by the Chief Administrative Officer.
- 1.7 “**CARRIER**” means any Vehicle that is transporting any amount of Dangerous Goods into, through or out of the VILLAGE.
- 1.8 “**COMMERCIAL LOADING ZONE**” means the area parallel to the curb side of the highway and falling within two Traffic Control Devices marking the area as a Commercial Vehicle Loading Zone, or within ten meters of either side of such a sign, if only a single sign is present.
- 1.9 “**COMMERCIAL VEHICLE**” means a Commercial Vehicle as defined by the *Traffic Safety Act*, and includes any Vehicle from which sales are made of goods, wares, merchandise or commodities, or a Vehicle by which delivery is made of goods, wares, services, merchandise or commodities to a purchaser or consignee thereof.
- 1.10 “**COUNCIL**” means the municipal council of Halkirk, Alberta.
- 1.11 “**CROSSWALK**” means:
- a) That part of the highway at an intersection included within the connection of the lateral line of the sidewalks on either side of the highway measured from the curbs;
or
 - b) Any part of the highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by markings on the road surface.
- 1.12 “**CURB**” means the actual curb if there is one, and if there is no curb in existence, it shall mean the division of a highway between the highway and the sidewalk or boulevard, as the case may be.
- 1.13 “**DANGEROUS GOODS**” means any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c.D-4, as amended or repealed and replaced from time to time.
- 1.14 “**DISABLED PERSON VEHICLE**” means a Vehicle identified as such, by either an Alberta disabled person’s license plate or an Identification Placard, clearly displayed in the Vehicle, bearing the international symbol of the disabled.

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- 1.15 “**EMERGENCY LANE**” means all that portion of a highway used to provide access to buildings by Emergency Vehicles, and so marked by signs stating “Fire Lane” or “Emergency Lane”.
- 1.16 “**EMERGENCY VEHICLE**” means:
- a) A Vehicle operated by a police force;
 - b) A firefighting or other type of Vehicle operated by a fire protection service;
 - c) An ambulance by a person or organization providing ambulance services;
 - d) A Vehicle operated as a gas disconnection unit of the public utilities;
 - e) A Vehicle designated as an emergency response unit, pursuant to the regulations under the *Traffic Safety Act*.
- 1.17 “**FIRE CHIEF**” means a person appointed as the head of the Fire Department.
- 1.18 “**FIRE POINT LINE**” means a temporary line established by the Fire Chief, Peace Officer or the On Scene Commander of an emergency response, beyond which, no person shall pass.
- 1.19 “**FUNERAL PROCESSION**” means 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;
- 1.20 “**GOVERNMENT VEHICLE**” means any Vehicle that is owned or leased by a municipal, provincial or federal level of government;
- 1.21 “**HEAVY VEHICLE**” means a Vehicle with or without load weighing 5,500 kg or more.
- 1.22 “**HIGHWAY**” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether public alley or privately owned, and part of which the public is ordinarily entitled or permitted to use for the passage or parking of Vehicles, and includes:
- a) A sidewalk, including boulevard portion;
 - b) If a ditch lies adjacent to and parallel with, the highway, the ditch, and;
 - c) If a highway right of way is contained between fences or between a fence and one side of the highway, all the land between the fences, or all the land between the fence and the edge of the highway as the case may be, but does not include a place declared by regulation not to be a highway.

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.23 “**HANDICAP PARKING STALL**” means:

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

1.24 “**HELMET**” means a protective device intended to be worn on the head that must: meet the Canadian Standards Association, and /or American Standards Institute and/or SNELL guidelines for head protection for activities including but not limited to operating a Motorcycle or bicycle. Helmet must include labeling of certifying agency.

1.25 “**HOLIDAY**” means any Statutory Holiday as recognized by the Municipality, including but not limited to the following: New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Annual Civic Holiday (1st Monday in August), Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.

1.26 “**IDENTIFICATION PLACARD**” means a placard issued by the Province of Alberta for the purpose of identifying a Vehicle as operated or use by a disabled person.

1.27 “**INOPERABLE VEHICLE**” means a Vehicle that, in the opinion of a Peace Officer is incapable of moving without repair;

1.28 “**INTERSECTION**” means the area embraced within the correction or prolongation of:

- a) The lateral curb lines; or if none
- b) The exterior edges of the highways, of two or more highways which join one another at an angle whether or not one highway crosses the other.

1.29 “**LAND USE BYLAW**” means the VILLAGE of Halkirk Land Use Bylaw, as amended from time to time.

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- 1.30 “**MINIATURE MOTOR VEHICLE**” means a motor Vehicle other than a motorcycle, having specifications prescribed by the regulations in the Act.
- 1.31 “**MINI-BIKE**” means a motorcycle having specifications prescribed by the regulation in the Act.
- 1.32 “**MOBILE UNIT**” means any vacation trailer or house trailer or re-locatable trailer, or any structure whether ordinarily equipped with wheels or not, that is constructed and manufactured to be moved from one point to another, by being towed or carried and to provide living accommodations for other use by one or more people.
- 1.33 “**MOBILITY AID**” means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability. A mobility aid user is considered a pedestrian. All rules that apply to pedestrians also apply to individuals operating a mobility aid. Mobility aids may include, but not limited to items such as wheel chairs, electric driven wheel chairs or scooters.
- 1.34 “**MOPED**” means a Vehicle that (i) is propelled by an electric motor or an engine that has a displacement of not more than 50 cubic centimeters, and (ii) is a limited-speed motorcycle under the *Motor Vehicle Safety Regulations* (Canada) (C.R.C., c. 1038): Interpretation 2.(1).
- 1.35 “**MOTOR CYCLE**” means a motor Vehicle, other than a moped, that is mounted on two or three wheels and includes those motor Vehicles known in the automotive trade as motorcycles and scooters.
- 1.36 “**MGA**” means the *Municipal Government Act* RSA 2000, c. M-26, as amended or repealed and replaced from time to time.
- 1.37 “**MUNICIPALITY**” means the VILLAGE of Halkirk in the Province of Alberta.
- 1.38 “**MUNICIPAL TAG**” means a form alleging an offence of a Municipal bylaw allowing for voluntary payment of the specified penalty.
- 1.39 “**OBSTRUCTION**” means an encroachment, excavations, structure or other obstacles including but not limited to: trees, shrubs, signage (permanent or non-permanent) that:
- a) Interferes with or prevents the vision, passage, maintenance or use of public space by a Vehicle or pedestrian or
 - b) Interferes with or prevents the proper work operations of Municipal employees or Alberta transportation staff.

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- 1.40 “**OFF-HIGHWAY VEHICLE**” means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel:
- a) Four wheel drive Vehicles;
 - b) Low pressure tire Vehicles;
 - c) Motor cycles and related 2-wheel Vehicles;
 - d) Amphibious machines;
 - e) All terrain Vehicles;
 - f) Utility terrain Vehicles;
 - g) Miniature Motor Vehicles;
 - h) Snow Vehicles;
 - i) Mini bikes; and
 - j) Any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats.
- 1.41 “**OPERATOR**” means the registered owner thereof, or if not the registered owner, the person driving or in the position of control over the Vehicle.
- 1.42 “**OWNER**” means, in the case of a Vehicle, the person named on the certificate of registration or any person who is renting or leasing the Vehicle. In the case of land, an owner means any person who is registered under the *Land Titles Act* R.S.A. 2000, c. L-4, and subsequent amendments, as the owner of the land.
- 1.43 “**PARADE**” or “**PROCESSION**”, with the exception of a military parade or funeral procession, means any group of:
- a) More than 50 pedestrians;
 - b) More than 10 Vehicles; or
 - c) Any combination of pedestrians or Vehicle which together exceed 50 in number on a highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or Vehicle traffic on the highway.
- 1.44 “**PARK**”, when prohibited, means to allow a Vehicle occupied or not, to remain standing in one place, excepting the following:
- a) When standing temporarily for the purpose of and while actually engaged in loading and unloading passengers; or
 - b) When standing in obedience to a Peace Officer or a traffic control device.

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- 1.45 “**PASSENGER LOADING ZONE**” shall mean a space on a portion of a highway posted with a Traffic Control Device permitting parking therein, for the period of time indicated on the sign, solely for the purpose of loading or unloading passengers.
- 1.46 “**PEACE OFFICER**” means a member of the Royal Canadian Mounted Police, a community peace officer appointed by the Municipality (pursuant to the provisions of the *Police Act* R.S.A. 2000 c. P-17, as amended, repealed and replaced from time to time) or a Bylaw Enforcement Officer, appointed by the Municipality, pursuant to the *MGA*.
- 1.47 “**PEDESTRIAN**” means a person on foot, or a person in or on a Mobility Aid.
- 1.48 “**PERSON**” means any individual, corporation, society, association, partnership or firm.
- 1.49 “**PLAYGROUND ZONE**” means that portion of a highway, falling between two Traffic Control Devices, marking the portion of highway as a Playground Zone.
- 1.50 “**POSTED**” means to erect, place or mark with Traffic Control Devices.
- 1.51 “**PRIVATE PROPERTY**” means any property within the Municipality not owned by, or occupied by the Government of Canada, the Government of Alberta or by the Municipality, except as otherwise indicated by express provision of this Bylaw.
- 1.52 “**PROVINCIAL OFFENCES PROCEDURE ACT**” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time in relation to violation tickets.
- 1.53 “**PUBLIC PLACE**” means any highway, park land, recreation area, footway, court, passageway, whether a thoroughfare or not, and includes but is not limited to, any open space to which the public has or may have access to, owned by or under the direction, control and management of the Municipality
- 1.54 “**RECREATIONAL VEHICLE**” means a Vehicle or trailer that provides temporary accommodation for recreation or travel purposes and includes any motor home, travel trailer, fifth wheel trailer, a camper when it is not mounted on a truck, but placed on the ground, a stand or otherwise stored, or any similar Vehicles, but does not include small utility trailers, camper van conversions, tent trailers, campers mounted on trucks, offroad Vehicles or watercraft and trailers to transport them, unless such Vehicles are being used as a dwelling unit, in which case they will be considered Recreational Vehicles for the purposes of this bylaw.

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- 1.55 “**SCHOOL ZONE**” means a school area designated and identified through signs where the speed limit is 30 km/hour from 8:00 am to 9:30 am, 11:30 am to 1:30 pm, 3:00 pm to 4:30 pm on school days from September 1 to June 30 or as otherwise posted.
- 1.56 “**SIDEWALK**” means that part of the highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line thereof (on the edge of the highway where there is no curb line), and the adjacent property line, whether or not paved or improved.
- 1.57 “**SIGN**” or “**SIGNAGE**” means a, “Traffic Control Device” as defined in the current *Traffic Safety Act* of Alberta or as defined in the Halkirk Land Use Bylaw.
- 1.58 “**SIGN HEIGHT**” means the vertical distance measured at right angles from the highest point of the sign or sign structure to the grade below or when required to the grade level of the highway.
- 1.59 “**STOP**” means:
- a) When required, a complete cessation from vehicular movement; and
 - b) When prohibited, any halting even momentarily of a Vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control device.
- 1.60 “**TIME**” shall mean either Mountain Standard Time or Mountain Daylight Savings Time, which is proclaimed by the Province of Alberta.
- 1.61 “**TRACK**” means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill or fall from any Vehicle, appurtenances, or tires onto any highway.
- 1.62 “**TRAFFIC CONTROL DEVICE**” means any authorized sign, signal, marking or device placed, marked, or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.
- 1.63 “**TRAILER**” means a Vehicle designed so that it:
- a) May be attached to or drawn by a motor Vehicle or tractor, and
 - b) Is intended to transport property or persons.

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- 1.64 “**TRANSIT VEHICLE**” means a Vehicle used for public transportation including school buses.
- 1.65 “**TRANSIT ZONE**” means the area parallel to the curb side of the highway and within fifteen (15) meters of either side of a Traffic Control Device.
- 1.66 “**TRUCK LOADING AND UNLOADING SPACE**” means a space on a portion of a highway designated by the Municipality, and marked by a sign, for the purpose of loading and unloading for a period as indicated by the said sign. For the purposes of this definition, truck means any Vehicle licensed under the *Traffic Safety Act* as a public service, commercial, or heavy vehicle.
- 1.67 “**TRUCK ROUTE**” means those highways within the Municipality designated as a truck route by the Municipality, on Schedule I of this bylaw.
- 1.68 “**VEHICLE**” means, other than in part VI, a device under 5,500kg in, on, or by which a person or thing may be transported or drawn on a highway and includes a combination of Vehicles but does not include a mobility aid.
- 1.69 “**VIOLATION TICKET**” means a ticket issued pursuant to Part II or III as applicable, of the *Provincial Offences Procedure Act*, and the regulations there under.
- 1.70 “**WHEELED APPARATUS**” means any type of equipment that utilizes wheels for movement.

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PART II: STANDARD VEHICLE PARKING

Section 2.01 - MARKED PARKING SPACE

Where a Vehicle parking space upon the Highway is designated, an Operator using the same space shall Park the Vehicle wholly within the limits of the space.

Section 2.02 PROHIBITED PARKING / CONSTRUCTION

No Person shall Park a Vehicle for any period of time whatsoever at the following locations:

- 1.1 Upon any portion of a Highway adjacent to any structure in the course of erection or repair when such parking will impede or obstruct traffic;
- 1.2 In any Truck loading or unloading space marked by a Sign indicating the restrictions which apply hereto except a Commercial Vehicle/Heavy Vehicle lawfully engaged in loading or unloading materials. Notwithstanding the foregoing, such space may be used on a Sunday or any Holiday or at times other than those restricted by the Sign;
- 1.3 In the entranceway to any fire hall, police station, or ambulance station;
- 1.4 Where the Vehicle may in any way interfere with the use of a doorway intended as a fire emergency exit from any building abutting the Highway;
- 1.5 At a place or area where the Sign indicates that parking there is restricted to a certain class of Vehicle. For the purpose of this subsection, the following classes of vehicles are established:
 - a) Small cars: cars having a wheelbase of 270 centimeters or less;
 - b) Police, fire, ambulance, and other Emergency Vehicles;
 - c) Tour line buses;
 - d) Funeral cars;
 - e) School buses;
 - f) Taxi cabs; and
 - g) Vehicles displaying a handicapped placard or license plate.
- 1.6 In an Emergency Lane.

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Section 2.03 NO PARKING SNOW REMOVAL / STREET CLEANING

Notwithstanding any other provision in this Bylaw, the **CAO** may:

- 1.1 Cause moveable Signs to be placed on or near a Highway within the Municipality prohibiting parking of any Vehicle for the purpose of snow removal, street cleaning, flushing, or road repair. Signs shall be placed at the entrance / exit of a cul-de-sac or Highway so that Signs are clearly visible. Such Signs shall be Posted a minimum of 24 hours prior to the commencement of such work being done, and shall at a minimum have wording indicating “NO PARKING”;
- 1.2 Cause installation of permanent Signs to be placed on or near a Highway with the Municipality prohibiting parking of any Vehicle for the purpose of snow removal from November 1 to March 31.

Section 2.04 PARKED VEHICLES

Except where actually taking or discharging passengers, no Person shall Park a Vehicle:

- 1.1 In a Passenger Loading Zone marked with a Sign;
- 1.2 On a portion of a Highway marked by a Sign as “No Parking”;
- 1.3 Upon a Highway in front of, adjacent to or abutting any building, structure, place or premises, in the course of construction or repair, when such parking will impede or obstruct traffic;
- 1.4 In a bus zone except buses.

Section 2.05 ALLEY PARKING

No Person shall Park a Vehicle in an Alley unless a Traffic Control Device permits, excepting the following:

- 1.1 Where a Commercial Vehicle/Heavy Vehicle is loading or unloading of goods from a Commercial Vehicle, Heavy Vehicle and/or private Vehicle for a period not exceeding 30 minutes;
- 1.2 The loading and unloading of passengers from a Vehicle for a period not exceeding 5 minutes.

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No trailer shall be parked in any alley, except a commercial vehicle engaged in loading or unloading goods.

2. Exceptions:

- a. Within the Village of Halkirk, a portion of the alley located north of Block Eleven, Plan 7822147 will be designated to allow for winter parking of recreational vehicles.
- b. With the permission of the Administrator each year, recreational vehicles owned by current residents of the Village of Halkirk may be parked in the designated area.
- c. The Village of Halkirk will assume no liability for any recreational vehicle parked in the designated winter parking area.
- d. Recreational vehicles are to be removed from the winter parking area in the non-winter months.

Notwithstanding provisions in this Section 2.05 (1.1 and 1.2), no Person shall Park a Vehicle in such a manner to obstruct passage of other Vehicles in the Alley.

A Trailer or Recreation Vehicle shall not be parked:

- 1) On or over a sidewalk.
- 2) In a driveway, or blocking a driveway used for emergency vehicles.
- 3) In any manner that would obstruct or interfere with a fire exit or emergency exit from any building, provided the exit is marked indicating an Emergency Exit or Fire Exit.
- 4) In a parking space where a sign, curb painting, or pavement painting indicates that it is for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Alberta Government.
- 5) Within Five (5) meters (16.4 feet) upon any approach to any stop or yield sign
- 6) Within Five (5) meters (16.4 feet) of any fire hydrant or when the hydrant is not located at the curb, within Five (5) meters (16.4 feet) of the point on the curb nearest to the fire hydrant.
- 7) In such a manner as to obstruct access to a garage, private road, or driveway.
- 8) In such a manner as to wholly or partly block free and unrestricted access to public property.
- 9) On the roadway side of a vehicle parked or stopped at the curb or edge of a highway.

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Section 2.06 PRIVATE PROPERTY / PRIVATE PARKING LOTS

1.1 No Person shall Park or leave a Vehicle on Private Property which has been clearly marked by a Sign erected by the Owner, tenant, occupant, or Person in charge of the Private Property without consent of that Owner, tenant, occupant or Person in charge of the Private Property, which consent may be revoked at any time.

1.2 No Person shall Park or leave a Vehicle that is parked on Private Property without the consent of the Owner of the property or on a Highway in a manner that obstructs a private driveway as per the Act.

Section 2.07 MUNICIPAL PROPERTY

No Person shall Park a Vehicle upon any land owned by the Municipality unless designated by a Traffic Control Device.

Section 2.08 MUNICIPAL PARKING LOTS

No Person shall Park their Vehicle on a parking lot owned by the Municipality in contravention of the prohibitions stated on a Traffic Control Device placed in the said lot.

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

Section 3.01 RECREATIONAL VEHICLES AND TRAILERS

- 1.1 No Recreation Vehicle or Trailer shall be permitted to Park on any Highway between October 16th to April 15th. During this period of Time, all Recreation Vehicles or Trailers must be parked on Private Property.
- 1.2 Between the period of April 16th to October 15th, a Recreation Vehicle or Trailer may Park on a Highway subject to the following conditions:
- a) A Recreation Vehicle or Trailer must not be parked in such a manner as to constitute a traffic hazard, public safety hazard or an unsightly condition. The Municipality's Peace Officer shall have the discretion to determine whether or not a Recreation Vehicle or Trailer constitutes a traffic or public safety hazard.
 - b) No more than one Recreation Vehicle and one Trailer may be parked on or adjacent to one residence, on or adjacent to one commercial property.
 - c) No Recreation Vehicle or Trailer shall be occupied or slept in when parked on Private Property or Public Place except where designated, or on a Highway, for more than a 48-hour period. Extension cords and other objects shall not cross a Sidewalk between the recreation unit or Trailer and a residence or business. The Municipality's Peace Officer is authorized to remove extension cords and other paraphernalia without notice. No Recreation Vehicle or Trailer shall leave steps out, or leave any portion of the Recreation Vehicle or Trailer protruding, in a manner that obstructs a public Sidewalk or roadway.
 - d) No Recreation Vehicle or Trailer shall remain parked on a Highway for more than 48 hours any Recreation Vehicle or Trailer that is moved to avoid prosecution under this Bylaw shall not be returned to a Highway within 48 hours from the Time that it is moved.
 - e) During all Times of year, a Recreation Vehicle or Trailer parked on a privately owned driveway must leave at least one meter of space between the Recreation Vehicle or Trailer and the interior edge of the Sidewalk, Curbs, or driveway, whichever is closest.
 - f) A Recreation Vehicle or Trailer shall not be parked on any Highway unless it is attached to a Vehicle by which it is driven.
 - g) Recreational Vehicle or Trailer parking will be permitted on the west side of the sports grounds behind the Exhibition Centre.

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Section 3.02 ANGLE PARKING

No Person shall angle Park a Vehicle upon any Highway unless such parking is permitted by a Traffic Control Device. No Person shall Park any Vehicle or Vehicle and Trailer combination exceeding six (6) meters in overall length within any angle parking stall on a Highway.

Section 3.03 UNATTACHED TRAILERS

- 1.1 No Person shall Park any Trailer upon any Highway, unless the said Trailer is attached to a Vehicle by which it may be propelled or drawn, and when so attached the Trailer shall be deemed part of the Vehicle and subject to the regulations pertaining to Vehicles unless otherwise authorized by the CAO.
- 1.2 No Person shall occupy or suffer or permit any Person to occupy a Mobile Unit upon a Highway or upon Public Property unless such property has been designated for use as a mobile home or trailer park.
- 1.3 No Person shall place or cause to be placed, any unauthorized structure or object on or which projects into or obstructs the use of any Highway, Sidewalk or Boulevard.
- 1.4 The Municipality may remove or cause to be removed any unauthorized structure or other object in Section 3.01 (1.1) and the charges for removal and storage of any such structure or object shall be paid by the Owner or other responsible Person and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this section.

Section 3.04 HEAVY, COMMERCIAL or FARM TRAILERS VEHICLE PARKING

- 1.1 No Person shall Park a Vehicle or a Vehicle with any type of Trailer attached thereto upon any Highway if the Vehicle or Vehicle and Trailer can be defined as a Heavy Vehicle or a Commercial Vehicle, or the Vehicle is:
 - a. Loading or unloading goods to or from premises abutting such Highway provided that during a period of restricted visibility the Vehicle or Vehicle and Trailer shall have front and rear parking lights illuminated and shall not Park for longer than one (1) hour; or
 - b. Parked on a Truck Route for a period not exceeding 72 hours or as otherwise Posted by a Traffic Control Device; or
 - c. Parked where there is a Traffic Control Device that permits parking between November 1 to March 31 in the Central Business District as defined in Schedule I of this bylaw.

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- d. There is sufficient parking space to Park on Private Property while loading or unloading goods.
- 1.2 It shall not be a breach of section 3.03 (1.1) if the Heavy Vehicle is pulled up into a driveway on Private Property and is parked with consent of the Owner of the Private Property. In the case of a Tractor/Trailer Unit as defined in the *Traffic Safety Act* only the Tractor is permitted to be parked on Private Property and must be backed into the driveway.
- 1.3 No Commercial trailer or Heavy load trailer may be parked on any private property or on any street in any residential area
- 1.4 No Heavy Farm trailer may be parked on any private property or on any street in any residential area.
- 1.5 Commercial or Heavy load Trailer or Heavy Farm Trailer may be parked on any street in the Village for any period longer than Seventy Two (72) hours

Section 3.05 TRACKED VEHICLES

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

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Section 3.06 TRUCK ROUTE

- 1.1 No Person shall operate or Park a Commercial Vehicle or Heavy Vehicle on a Highway other than a Highway specified in Schedule I of this Bylaw, or the Vehicle is:
- a) Delivering or picking up goods from a location in accordance with Section 3.03; or
 - b) Mechanical problems dictate.
- 1.2 If deliveries are made off of a Truck Route the Operator must use the most direct route as specified in Schedule I of this Bylaw.
- 1.3 Notwithstanding Section 3.05(1.1), the following Heavy Vehicles are authorized to operate on non-truck routes:
- a) Public Passenger buses or school buses being operated for the purpose of receiving or delivering passengers;
 - b) Emergency Vehicles being operated in the service of public interest or during an emergency;
 - c) Utility Vehicles being operated for the purpose of installing, servicing or repairing public utilities; or
 - d) Municipal Vehicles being operated in the service of the Municipality.
- 1.4 Persons transporting Dangerous Goods shall travel only on the designated dangerous goods route.

Section 3.07 USE OF RETARDER BRAKES

The use of retarder brakes is prohibited within the limits of the Municipality.

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Section 3.08: OFF-HIGHWAY VEHICLES 1.1 Provisions and Infractions

a) Operating Restrictions

- i. No Person shall operate an Off-highway Vehicle within the limits of the Municipality between the hours of 10:00 p.m. and 8:00 a.m., and for the purpose of proceeding to and from areas outside of the Municipality.
- ii. An Operator of an Off-highway Vehicle shall immediately, on being signaled; or requested to Stop by a Peace Officer or any other law enforcement officer, bring his or her Vehicle to a Stop, and furnish any information respecting the driver or the Vehicle that the Peace Officer or law enforcement officer requires and shall not start his or her Vehicle until he or she is permitted to do so by that Officer.
- iii. An Owner who permits another Person to operate the Owner's Off highway Vehicle or an Off-highway Vehicle of which the Owner has exclusive use, in contravention of this Bylaw is guilty of an offence.

- b) An Owner of a property from which an Off-highway Vehicle has been used in contravention of this Act or any other Provincial Act is in contravention of this Bylaw and is guilty of an offence.

1.2 Exemptions and Allowances

a) Permissions granted by the CAO

- i. No Person shall be in contravention of a specific provision of this Bylaw if written permission has been granted for the contravention by the CAO in advance.
- ii. Permission can also be granted for those Persons who, for the purpose of snow removal, travel from Sidewalk to Sidewalk in the spirit of community service.
- iii. Permission may be granted by the CAO for the use of Off-highway Vehicles for special events, Parades run by organizations.

b) Employees, Servants, and Agents

- i. The employees, servants, and agents of the Municipality, while acting in the course of their employment and duties, are exempt from the provisions of this Bylaw.
- ii. During an emergency, disaster or search and rescue operation with the Municipality, the provisions of this Bylaw may be waived, suspended or varied by the Director of Emergency Management or their designate.

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Section 3.09: - PARKING OF RECREATIONAL VEHICLES:

1. Recreation vehicles parked on any street shall not be parked in front of any residence other than the residence of the owner of the recreation vehicle.
2. No person shall occupy or suffer or permit any other person to occupy a trailer or recreation vehicle upon a highway or upon public property unless such property has been designated for use as a trailer park.
3. No trailer may be parked on any property unless it is wholly contained on the property.
4. No trailer or recreation vehicle shall be parked upon any highway in the Village during the winter time period as specified November 1 through to April 30 of the following year, with the exception that Recreation vehicles may be parked as per Section 4.2 of this Bylaw.
5. No trailer or recreation vehicle shall be parked on any street with a slide extended, except for the period of time required for packing or unpacking the recreational vehicle, and provided that the slide will not interfere with traffic.
6. No person shall suffer or permit any vehicle to park on the roadway side of a recreational vehicle parked or stopped at the curb or edge of the highway.

PART IV: RIGHTS AND DUTIES OF PEDESTRIANS

Section 4.01 OBSTRUCTING HIGHWAY

- 1.1 No Person shall stand in a group of 3 or more Persons or so near each other on a Highway as to create an Obstruction or prevent other Persons using such Highway. Once a Peace Officer or another Person duly authorized has made a request to disperse, then all shall disperse and move away.
- 1.2 No Person shall place or caused to be placed an Obstruction of any kind on or along a Highway as defined within the Bylaw or with in its right-a-way except where written permission has been given by the CAO or where specific guidelines/exemptions have been met.
- 1.3 The Municipality maintains the right to remove any Obstruction that is viewed as a hazard or impedes the use of a Highway for Vehicle or Pedestrian use that affects:
 - a) Sight lines,
 - b) Is in a condition of disrepair, or
 - c) Where approval requirements have not been met.

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1.4 In addition to any other enforcement actions required, a Person upon notification must take actions to remove or rectify the condition immediately within any timeline assigned by the authorized agents of the Municipality and failure to do so, all costs needed to render the condition safe or repaired by the Municipality will then be applied as a debt owing to the Municipality by the Person placing or causing the Obstruction.

PART V: SIDEWALKS/TRAILS

Section 5.01 RIDING ON SIDEWALK/TRAILS

1.1 No Person shall operate a Wheeled Apparatus in reckless manner on a Sidewalk which in the opinion of a Peace Officer would be seen as causing a risk to other Pedestrians. (Bicycles, Skateboards, scooters etc.)

1.2 All Persons under the age of 18 must wear an approved Helmet when operating a Bicycle.

PART VI: DIVISION OF AUTHORITY BETWEEN COUNCIL AND THE CAO

Section 6.01 GENERAL

The Council of the Municipality hereby delegates the authority to prescribe where Traffic Control Devices are to be located to the CAO of the Municipality.

Section 6.02 HIGHWAY CLOSING

Subject to provisions and processes outlined in the current *MGA*, Council may designate any Municipal Highway as one which is closed. In such cases, the CAO shall cause said Highway to be marked as closed.

Section 6.03 TEMPORARY HIGHWAY CLOSING

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

Section 6.04 TRAFFIC LANES

Council may designate any Municipal Highway as one to be divided into traffic lanes of such number as they consider proper.

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Section 6.05 SCHOOL AND PLAYGROUND ZONES

Council shall designate, “SCHOOL ZONES” and “PLAYGROUND ZONES”. The CAO shall cause such zones to be marked by “a Traffic Control Device”.

Section 6.06 SPEED LIMITS

Council shall designate Vehicle speed limits on Municipal Highways or a portion of a Highway, and the CAO shall cause such speed limits to be marked.

Section 6.07 BOULEVARD PARKING

The CAO is hereby authorized to designate any Boulevard upon which parking is permitted and shall cause Signs permitting such parking to be erected there on.

Section 6.08 PASSENGER AND TRUCK LOADING

The CAO is hereby authorized to designate Passenger Loading Zone and Truck Loading and Unloading Spaces and shall cause the same to be marked with a Traffic Control Device.

Section 6.09 BUS STOPS

The CAO is hereby authorized to designate Transit Zones and shall cause the same to be marked with a Traffic Control Device.

Section 6.10 PARKING TIME LIMITS

The CAO is hereby authorized to designate portions of any Highway where parking is limited to a period of Time and shall cause Signs to be erected indicating such parking limitations.

Section 6.11 TRUCK ROUTES

When the CAO has approved any Highway or part of a Highway being designated for “TRUCK ROUTES” and such Highway description is recorded in Schedule I of this Bylaw the CAO shall cause the same to be marked with signs reading ‘TRUCK ROUTE’.

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Section 6.12 LOAD LIMITS

The CAO is hereby authorized in case of unfavorable road conditions, to limit load limits upon Municipal Highways.

Section 6.13 PRIVATE DRIVEWAYS

The CAO is hereby authorized to prohibit or restrict by Signs the movement of Vehicles from a private driveway onto a Highway or from a Highway onto a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

Section 6.14 MEDIANS

The CAO is hereby authorized to close any existing median or divider on any municipal Highway.

Section 6.15 BICYCLES

1.1 The CAO is hereby authorized to designate locations:

- a) On public Highways where the use of Bicycles is prohibited and shall cause same to be marked by Signs. Where the use of Bicycles is prohibited by the Municipality, a reasonable alternative route shall be provided.
- b) On Sidewalks, walkways, and special Bicycle paths where the use of Bicycles is permitted unless otherwise signed by Traffic Control Device.
- c) On Municipal Highways for the use of Bicycles only and to regulate the movement of Bicycles upon the portion of such Highway designated for the use of Bicycles.

1.2 Unless the context otherwise requires, a Person operating a Bicycle on a Highway has all the same rights and is subject to all the rules that any Vehicle Operator has under this Bylaw.

1.3 Notwithstanding Subsection 1.4, a carrier of a newspaper may ride a Bicycle on a Sidewalk, or Boulevard:

- a) If the carrier is delivering copies of the newspaper at the Time; and
- b) If the Bicycle does not interfere with other Persons proceeding by on the said Sidewalk, footpath, or Boulevard.

1.4 Where this Bylaw permits a Person to ride a Bicycle or use in-line skates, scooters or skateboards on any Sidewalk where Pedestrians are also allowed, the Person shall ride the

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Bicycle, skateboard, scooter, or use in line skates only in such a way that it will not interfere with a Pedestrian lawfully on or using such Sidewalk.

1.5 A Peace Officer may seize and impound for a period not exceeding 60 days any Bicycle, scooter or skateboard used or operated in contravention of this Bylaw.

1.6 Where a Bicycle, scooter and or a skateboard has been seized and impounded by a Peace Officer as provided for in Subsection 14.5, the Owner or Operator of such Bicycle, scooter or skateboard shall, aside from any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the Bicycle, scooter or skateboard.

PART VII: MISCELLANEOUS

Section 7.01 LOADING ACROSS SIDEWALK

No Person shall load or unload goods or merchandise across a Sidewalk or Boulevard where a Commercial Loading Zone or Truck Loading And Unloading Space have been provided at another area in the premises to which the goods or merchandise are being delivered or from which they are being taken.

Section 7.02 EMERGENCY SCENES

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

Section 7.03 PROHIBITED CONVEYANCES

1.1 No Person shall ice skate or skateboard upon a Highway or Sidewalk in such a manner as to obstruct Pedestrian or Vehicle traffic or as to inconvenience any other Person on the Highway.

1.2 No Person shall coast on a sled, toboggan, skis, or other conveyance, except a Bicycle, upon a Highway excluding Sidewalks/trails.

Section 7.04 MOBILITY AID VEHICLE

1.1 No Person is required to hold a license, insurance, or obtain registration to operate a Mobility Aid Vehicle.

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- 1.2 There is no minimum age requirement to operate a Mobility Aid Vehicle.
- 1.3 No Person is required to wear a Helmet when operating a Mobility Aid Vehicle. However, it is recommended especially when operating on uneven surfaces.

Section 7.05 WASHING AND REPAIRING A VEHICLE

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

Section 7.06 SHRUB / FENCES AT INTERSECTIONS

- 1.1 No Person shall allow trees, hedges, or shrubs on Private Property within 5 meters of a Highway Intersection, whether planted before or after the date of the passing of this Bylaw; to grow to such a height or width that good visibility for safe traffic flow is interfered with.
- 1.2 The CAO may require any Person concerned to comply with the provisions of Section 7.06(1.1), hereof within 14 days of written notification to do so. If the Person fails to comply with such notice, the CAO may direct employees or agents of the Municipality to enter upon the Private Property to carry out the necessary work. In such cases, the cost of performing the required work and the pertinent penalty outlined in this Bylaw will be charged to the property Owner in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property Owner.

Section 7.07 ALLEY SPEED LIMIT

The maximum speed limit of all alleys within the Municipality shall be 20 kilometres per hour.

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PART VIII: POWERS OF PEACE OFFICERS

Section 8.01 REMOVALS AND IMPOUNDMENTS OF VEHICLES

- 1.1 Any Peace Officer is hereby authorized to remove or cause to be removed from a Municipal Highway any Vehicle or Recreational Vehicle:
- a) Parked in contravention of a provision of this Bylaw;
 - b) Parked in contravention of the *Traffic Safety Act*;
 - c) When emergency conditions require such removal;
 - d) Where such Vehicle is Obstructing an area where road maintenance is occurring or about to occur.
- 1.2 Such Vehicle may be removed to a place designated by the CAO and will remain impounded until claimed by the Owner. The Owner of the Vehicle, Recreational Vehicle or Trailer shall be responsible for all costs associated with the removal, impoundment, and storage, as well as any pertinent penalties outlined in this Bylaw.
- 1.3 Notwithstanding anything else in this Bylaw, where portable “No Parking” Signs have been placed on or near a Highway by the Municipality or with permission of the Municipality, its employees, servants, agents or representatives may tow any Vehicles Parked in contravention of those Signs at the expense of the Owner and Park the same on an adjacent Highway without impounding the Vehicles, after the expiration of twenty four (24) hours from the Time the portable “No Parking” Signs are erected.
- 1.4 Any Peace Officer of the Village is hereby authorized to remove and impound, or cause to be removed and impounded, any trailer or recreation vehicle parked on any highway when in contravention of any provision of this Bylaw or when interfering with any public works being carried out by or for the Village.
- 1.5 Any trailer or recreation vehicle impounded under this section may be released to the owner or their agent upon proof that any traffic tag charges or costs imposed for towing and/or storage have been paid.
- 1.6 The owner of any trailer or recreation vehicle impounded under this section, upon release of said vehicle from the place of impound, shall be responsible for the transport of said vehicle from the point of release.
- 1.7 A Notice of form, commonly called a Traffic Tag, may be issued by a Peace Officer to any person who contravenes any provision of this bylaw, and served as per Section 7.5 of this Bylaw, and the Traffic Tag shall require the payment to the Village for the amount specified for that particular breach of this Bylaw.

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- 1.8 Traffic Tag shall be deemed to be sufficiently served:
- a. if served personally on the accused, or
 - b. if mailed to the address of the registered owner of the vehicle concerned, or the person concerned, or
 - c. if attached to or left upon the vehicle in respect of which the offense is alleged to have been committed.
- 1.9 In those cases where a Traffic Tag has been issued and the penalties specified on the Traffic Tag have not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the Provincial Offence Procedure Act R.S.A. 2000, c.P-34 as amended or repealed from time to time.
- 1.10 Notwithstanding Section 7.4 of this Bylaw a Peace Officer is hereby authorized and empowered to immediately issue a violation ticket to any person whom the officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

Section 8.05 PENALTIES

Any Person who commits a breach of any of the provisions of this Bylaw shall on conviction for such a breach be liable to a penalty as prescribed in the Schedule “II” as amended from time to time. Such penalty may be issued on a Municipal Tag or Violation Ticket.

1. Except as otherwise provided herein, every person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable on conviction to a fine of not less than Fifty dollars (\$50.00) or more than Five Hundred dollars(\$500.00).
2. Every person who contravenes any provision of this Bylaw, as enumerated in Schedule “A” attached hereto, is guilty of an offence and shall be liable on conviction to the penalty specified therein for such offence.
3. When a voluntary penalty ticket is issued by a Peace Officer for an offence which is not enumerated in Schedule “A” attached hereto, the monetary penalty shall be the minimum fine that may be imposed under Section 8.1 of this Bylaw.
4. Any person who contravenes any section of this bylaw for a second or third and subsequent time within a twelve (12) month period is guilty of a second or third and subsequent offence and liable to the fines as outlined in Schedule “A”.

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Section 8.06 ONUS OF PROOF

Where a Vehicle is driven, used, Parked, or left in contravention of any provision of this Bylaw, the Owner of the Vehicle is responsible for the contravention and liable to the penalty provided herein unless proven to the satisfaction of the Provincial Judge trying the case that at the Time of the contravention the Vehicle was not driven, used, Parked, or left by any Person.

Section 8.07 GENERAL

1. It is the intention of Council, that each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provision of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable
2. This Bylaw shall come into full force and effect on the date it is finally passed by Council.

Section 8.08 SEVERABILITY

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

That Bylaws No. 1962-1, No. 1962-3, No. 2013-5, and No. 22 are hereby rescinded.

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

READ a first time the 09th day of August 2022.

READ a second time the _____ day of _____, 2022.

READ a third time and finally passed the _____ day of _____, 2022.

Thomas Schmidt, Mayor

Tamara Sloboda, CAO

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SCHEDULE I: PENALTIES

Bylaw Section	Section Heading	Specified Penalty (Excl GST)
Section 2.01 – 2.08	Standard Vehicle Parking	\$100/Early Payment \$75
Section 3.01	Recreational Vehicles and Trailers	\$150/Early Payment \$100
Section 3.02- 3.06	Unattached Trailers /Angle Parking/ Heavy Vehicle Parking/ Tracked Vehicles/ Truck Route	\$ 300 (first offence) \$500 (second offence) \$800 (third offence) \$1100 (fourth and subsequent offences)
Section 3.07	Use of Retarder Brakes	\$200
Section 3.08	Off-Highway Vehicles	\$200
Section 4.01	Obstructing Highway	\$120
Section 5.01	Reckless Operating on Sidewalk	\$ 75
Section 7.01	Loading Across Sidewalk	\$ 75
Section 7.02	Emergency Scenes	\$ 500
Section 7.03- 7.06	Prohibited Conveyance / Mobility Aid Vehicle / Washing & Repairing a Vehicle / Shrub/Fences at Intersections	\$ 150