

**MUNICIPALITY OF CROWSNEST PASS**

**BYLAW NO. 828, 2011**

**A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS TO AMEND MUNICIPALITY OF CROWSNEST PASS BYLAW NO. 704, 2006 CROWSNEST PASS TRAFFIC BYLAW**

**WHEREAS** it is desirable to amend Bylaw No. 704, 2006 Crowsnest Pass Traffic Bylaw;

**AND WHEREAS** Council has held a public hearing as required by Section 692 of the *Municipal Government Act R.S.A. 2000 c.M-26, as amended*;

**NOW, THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF CROWSNEST PASS ENACTS AS FOLLOWS:**

**1. This Bylaw may be cited as the Bylaw No. 704, 2006 "Crowsnest Pass Traffic Bylaw", and is hereby amended as follows:**

- a. Under the Definitions Section add the definitions of "gross weight" and "heavy vehicle" and renumber subsequent definitions:
  - (p) **"gross weight"** means:
    - (i) in respect of a single axle of a vehicle, the total weight that a single axle transmits to a highway;
    - (ii) in respect of an axle group of a vehicle, the sum of the weights transmitted to a highway by all of the axles within the axle group;
    - (iii) in respect of a tire of a vehicle, the total weight that the tire transmits to a highway;
    - (iv) in respect of a vehicle, the total weight of a vehicle or combination of vehicles calculated as the sum of the weights transmitted to a highway through each of the axles;
  - (r) **"heavy vehicle"** is defined as a vehicle with or without a load exceeding either three axles or a designed gross vehicle weight of 5,500 kilograms. This also includes tractors, graders, road maintenance equipment, and construction equipment;
- b. Under the Definitions Section delete second occurrence of:
  - (xx) Words which have been defined in the Act have the same meaning when used in this Bylaw unless otherwise defined in Subsection (1) or the context expressly requires otherwise.
- c. Revise Sections as follows:

**14. PARKING OR STANDING ON STREETS**

- (2) Notwithstanding subsection (1) this section does not apply to areas where angle parking is permitted. Angle parking is permitted on the north side of 20 Avenue, from 100 meters west of 127 Street to 135 Street, and on the east side of 129 Street, between 20 Avenue and 21 Avenue.
18. (3) No owner or operator of a recreational vehicle shall park the recreational vehicle on any street within the Municipality between October 1<sup>st</sup> of any given year and April 30<sup>th</sup> of the year immediately following.
19. (1) No owner or operator shall, between the hours of eight o'clock in the evening and eight o'clock in the morning of the following day or at any time on a holiday, park or permit the parking of a vehicle other than:
  - (a) a private passenger type vehicle, or passenger vehicle designed to carry fewer than fifteen (15) passengers; or
  - (b) a truck having a maximum weight of five thousand kilograms or less;

on either side of a street in which any property abutting the street in the same block is used as a park, playground, school site, church or other place of public worship or for residential purposes.

**21. ABANDONMENT AND OBSTRUCTING**

- (1) No person shall abandon a vehicle on a street or highway within the Municipality for a period of more than seventy-two (72) hours.

**29. STREET CLEANING / SNOW REMOVAL**

- (1) No person shall park, or leave parked, a vehicle on a highway adjacent to any block of the Municipality for twenty four (24) hours from the time a sign or signs have

been placed indicating street cleaning or snow removal operations in such block, and until such sign or signs have been removed.

#### 'U' TURNS

35. (1) No person shall operate a motor vehicle on a street or highway within the Municipality in such a manner that the said vehicle crosses from one side of the street or highway to the other side thereon between intersecting streets for the purposes of entering or exiting a parking stall.
- (2) No person shall, at the following locations, turn the vehicle so as to travel in the opposite direction;
- (a) on a street, highway or roadway between intersections
  - (b) at a place where a sign prohibits the making of a U-turn or
  - (c) at an intersection controlled by a traffic control signal unless specifically permitted by a traffic control device.

#### SUNDRY RESTRICTIONS

36. Where an unprotected hose of a Municipal Fire Department has been laid down on a roadway or a driveway no person shall drive a vehicle over such hose unless an official of the Municipal Fire Department at the scene has specifically allowed him so to do.
37. (1) No owner or operator shall:
- (a) drive, and no person shall walk, on or over a newly painted line on any roadway when the same is indicated by signs, flags or other warning devices;
  - (b) drive on or along a street a motor truck or other motor vehicle with a box or body filled with sand, gravel, rocks, earth or other loose material, whether similar or dissimilar, unless the box ledges, side boards and vehicle chassis have been cleaned of loose material and the load is distributed in such a manner that no portion of the material can escape upon a Municipality street or upon land in the vicinity of a Municipality street.
- (2) A person who drives a motor vehicle, with or without a trailer, shall not allow refuse or any other goods or materials to escape or be scattered upon a Municipality street or upon land or in the vicinity thereof.
38. Notwithstanding any traffic control signal indication to proceed, no person shall drive any vehicle into any intersection or crosswalk unless there is sufficient space to allow the vehicle to clear the intersection or crosswalk before other vehicles or pedestrians lawfully upon the highway are obstructed.
39. No person shall apply or engage engine retarder brakes on any truck in any part of the Municipality.
40. No person shall make, continue, or allow to be made or continued any objectionable noise. Emergency vehicles and vehicles participating in authorized parades are exempt.

d. Revise Schedule "A" as follows:

#### **SCHEDULE "A"**

##### **SPECIFIED PENALTY**

SECTION	OFFENCE	PENALTY
4.	Unauthorized Traffic Control	\$500.00
5.	Post item on traffic control device without permission	\$50.00
6(1)(a)	Fail to yield before entering primary highway/street from road/service/road/alley/driveway.	\$100.00
6(1)(b)	Fail to yield before entering intersecting roadway	\$100.00
6(1)(c)(i)(ii)	Fail to stop before entering crosswalk	\$100.00
6(2)(a)	Fail to yield right of way to a pedestrian or vehicle when emerging from ally/driveway	\$100.00
7(1)	Fail to obey stop sign before entering intersection	\$100.00
7(2)(a)	Fail to stop for stop sign at crosswalk/stop line near intersection	\$100.00
7(2)(b)	Fail to yield right of way at uncontrolled intersection	\$100.00
8(a)	Fail to proceed safely after stopping at intersection	\$100.00
8(b)	Fail to yield to motor vehicle/pedestrian already on highway when entering highway	\$100.00
9	Fail to obey yield sign before entering highway/yield to motor vehicle and pedestrian already on highway	\$100.00
10	Enter a street or highway from a private driveway where prohibited by a traffic control device	\$100.00
11	Make a turn prohibited by traffic control device	\$100.00
12(1)	Fail to cease obstructing highway upon lawful request by Peace Office	\$200.00

12(2)	Person obstructing vehicular or pedestrian traffic	\$200.00
13(3)	Fail to stop or park between lines designating parking stall	\$25.00
13(4)	Oversized vehicle occupying more than 2 parking stalls	\$25.00
13(5)	Park vehicle over six (6) metres in angle parking space	\$25.00
13(6)	Park where prohibited by sign	\$50.00
13(7)	Park in location where curb painted yellow	\$25.00
14(1)(a)(b)	Park more than 500 milimetres from curb	\$25.00
15(1)	Park for period longer than permitted by sign	\$25.00
15(2)	Park/Stand/Permit to be parked/Leave vehicle standing on portion of public thoroughfare	\$25.00
16(1)	Repairing or servicing vehicle on street	\$50.00
16(2)	Vehicle parked on street incapable of moving or not equipped in accordance with the Act	\$50.00
17	Parked detached trailer or camper on street	\$50.00
18(1)	Parking away from residence	\$50.00
18(2)	Hazardous parking of recreational vehicle	\$100.00
18(3)	Park recreational vehicle on street when prohibited	\$50.00
19(1)	Parking of vehicle prohibited at certain locations	\$50.00
19(2)	Park truck on street	\$50.00
20(1)	Park too close to driveway in alley	\$25.00
20(2)	Partially obstruct traffic in an alley	\$50.00
20(3)	Obstruct alley	\$50.00
21(1)	Abandon motor vehicle on street or highway	\$100.00
21(2)	Abandon motor vehicle on public or private property without permission	\$50.00
21(3)	Obstruct traffic	\$100.00
22(1)	Parked or stopped in a marked fire lane	\$100.00
22(2)	Parked or stopped blocking marked fire emergency exit	\$100.00
23(1)	Unauthorized parking on private property	\$25.00
23(2)	Unauthorized parking on municipal property	\$25.00
23(3)	Camping or parking in Municipal Campground more than 3 days	\$25.00
23(4)	Illegal parking	\$25.00
23(5)	Unauthorized truck parking	\$50.00
23(6)	Unauthorized parking in space reserved for customer parking	\$50.00
25(1)	Unauthorized parking in disabled parking space	\$ 50.00
25(3)	Failure to display placard	\$50.00
26(1)	Prohibited or overtime parking in commercial loading zone	\$25.00
27(1)	Unoccupied vehicle parked or stopped in passenger loading zone	\$25.00
27(2)	Passenger loading zone overtime	\$25.00
27(3)	Unauthorized vehicle parked in handicap loading zone	\$50.00
27(5)	Unauthorized loading or unloading in handicap loading zone	\$50.00
28(1)	Operating on closed street	\$50.00
29(1)	Park vehicle where parking prohibited for street cleaning/snow removal	\$50.00
30(1)	Park on snow route during snow route parking ban	\$100.00
31	Parade or special roadway event without permit	\$100.00
33	Operate bicycle contrary to bylaw	\$25.00
34	Prohibited use of sidewalk	\$25.00
34(1)(a)	Drive or lead animals on street	\$25.00
34(1)(d)	Ride horse or other animal on street	\$ 25.00
35(1)	Execute U-turn between intersections	\$50.00
35(2)	Unsafe U-Turn	\$50.00
35(2)	Perform U-Turn where prohibited	\$ 50.00
36	Drive motor vehicle over unprotected fire hose	\$100.00
37(1)(a)	Drive on newly painted lines	\$50.00
37(1)(b)	Unsecured load	\$500.00
37(2)(b)	Failure to clean loose material	\$150.00
37(2)	Allow escape of material	\$500.00
38	Stopped blocking intersection	\$30.00
39	Applying retarder breaks	\$250.00
40	Objectionable noise.....	\$100.00
41(1)	Exceed posted speed limit as per table	

Kilometers over limit	PENALTY	Kilometers over limit	PENALTY
1	50.00	26	136.00
2	52.00	27	140.00
3	54.00	28	145.00
4	56.00	29	150.00
5	58.00	30	154.00
6	60.00	31	163.00
7	62.00	32	169.00
8	64.00	33	177.00
9	66.00	34	184.00
10	68.00	35	191.00
11	70.00	36	199.00
12	72.00	37	206.00
13	74.00	38	215.00
14	76.00	39	222.00
15	78.00	40	230.00
16	90.00	41	238.00
17	96.00	42	245.00
18	99.00	43	253.00
19	105.00	44	260.00
20	108.00	45	267.00
21	113.00	46	275.00
22	119.00	47	283.00
23	122.00	48	290.00
24	128.00	49	298.00
25	131.00	50	306.00

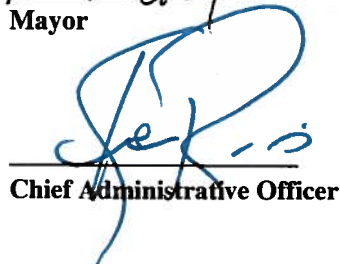
- 41(2) Speed greater than 20 km in alley \$100.00  
43(1) Any form of vegetation obstructing vision at an intersection \$50.00  
43(2) Fail to remove or trim hedge, tree, shrub as directed \$100.00  
43(3) Structure, fence, wall, sign, etc. obstructing sight triangle at an intersection \$100.00  
43(5) Fail to remove structure, fence, wall, sign, etc. as directed \$200.00

## 2. EFFECTIVE DATE

This Bylaw comes into force on the date it is passed.

Read a first time this 7th of June, 2011.

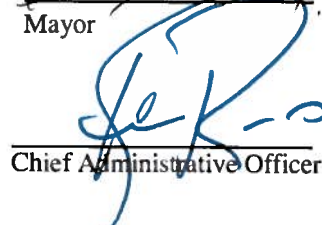
  
Mayor

  
Chief Administrative Officer

Read a second time this 21st of June, 2011.

Read a Third time and finally passed this 21 of June, 2011.

  
Mayor

  
Chief Administrative Officer

# MUNICIPALITY OF CROWSNEST PASS

## BYLAW NO. 704, 2006

### **A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS TO CONTROL AND REGULATE TRAFFIC ON STREETS WITHIN THE MUNICIPALITY**

**WHEREAS** the *Traffic Safety Act* R.S.A. 2000 c. T-6 authorizes a municipality to regulate and control vehicle, animal and pedestrian traffic and parking on the streets and on other property within the municipality;

**AND WHEREAS** the *Municipal Government Act* R.S.A. 2000 c.M-26 allows a municipality to pass bylaws and delegate authority with respect to streets under its direction, control and management and transport thereon;

### **NOW, THEREFORE, THE COUNCIL OF THE MUNICIPALITY OF CROWSNEST PASS ENACTS AS FOLLOWS:**

#### **1. This Bylaw may be cited as the "Crowsnest Pass Traffic Bylaw"**

#### **DEFINITIONS**

##### **2. (1) In this Bylaw:**

- (a) **"Act"** means the *Traffic Safety Act*, R.S.A. 2000, c. T-6 as amended or substituted from time to time;
- (b) **"alley", "lane" or "lane way"** means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land and is a street for the purposes of this bylaw;
- (c) **"bicycle"** means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:
  - (i) may be propelled by muscular or mechanical power;
  - (ii) is fitted with pedals that are continually operable to propel it;
  - (iii) weighs not more than 35 kilograms;
  - (iv) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters;
  - (v) has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and
  - (vi) does not have sufficient power to enable it to obtain a speed greater than 35 kilometers per hour on level ground within a distance of 2 kilometers from a standing start;
- (d) **"block"** means the portion of a street which lies between two other streets neither of which is an alley and which both intersect the first named street;
- (e) **"boulevard"** means that part of a highway in an urban area that:
  - (i) is not a roadway, and
  - (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;

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- (f) **"bus"** means a vehicle designed and used to carry more than seven passengers for hire and operated as a public utility by the Municipality and includes where the context permits:
- (i) any similar vehicle operated for public transport under the authorization of the Municipality or the Province of Alberta, and
  - (ii) any light rail transit vehicle operated for public transport by the Municipality ;
- (g) **"bus stop"** or **"bus zone"** means a portion of a street adjacent to the curb reserved for loading and unloading of buses lying either between two traffic control devices designating the bus stop or bus zone or, where there is only a single traffic control device designating the bus stop or bus zone, between the device and the nearest preceding intersection to the direction of traffic;
- (h) **"Chief Administrative Officer"** or **"C.A.O."** means the person designated to this position by Council, or his designate;
- (I) **"commercial loading zone"** means a portion of a street set aside adjacent to a curb designated for the exclusive use of commercial vehicles for the loading or unloading of materials and includes an area designated as such;
- (j) **"commercial vehicle"** means a motor vehicle registered as a commercial vehicle pursuant to the Motor Vehicle Administration Act;
- (k) **"Council"** means the Municipal Council of the Municipality of Crowsnest Pass, duly assembled and acting as such;
- (l) **"crosswalk"** means:
- (i) that part of a roadway at an intersection included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
  - (ii) that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or by other markings on the road surface;
- (m) **"curb"** means the actual curb which is constructed from concrete or asphalt edge of a roadway between the roadway and a boulevard or sidewalk or the division point of the highway between that portion thereof intended for the use of vehicles and that part intended for the use of pedestrians;
- (n) **"emergency vehicle"** means a motor vehicle used:
- (i) for law enforcement purposes by the Royal Canadian Mounted Police, the Bylaw Enforcement Officer or Special Constable;
  - (ii) by a Fire Service;
  - (iii) as an ambulance; or
  - (iv) for purposes relating to maintenance of a public utility
- (o) **"Fire lane"** means an access route for fire department vehicles required by the Alberta Building Code for fire fighting purposes and marked by signage as a fire lane;
- (p) **"Handicap Loading Zone"** means a portion of a street set aside adjacent to a curb designated for the exclusive use of vehicles for the loading or unloading of handicapped passengers and includes an area designated as such;
- (q) **"Holiday"** means a Holiday as defined in the *Interpretation Act* and includes a day or portion of a day proclaimed by the Mayor and Council of the Municipality as a Civic Holiday;
- (r) **"laned roadway"** means a roadway divided into two or more marked lanes for vehicles proceeding in the same direction;
- (s) **"loading zone"** includes a public loading zone, handicap loading zone, commercial loading zone and a passenger loading zone or any of them, as the context requires;

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- (t) **"maximum weight"** means:
- (i) the maximum weight of a vehicle as recorded on the Official Registration Certificate or Interim Registration Certificate for such vehicle issued by the Government of the Province of Alberta; or
  - (ii) if there is no such Official Registration Certificate or Interim Registration Certificate for the vehicle then combined weight of the vehicle and the heaviest load that may be carried in accordance with the *Motor Transport Board* of the Province of Alberta and Regulations thereunder;
- (u) **"Municipality"** means the municipal corporation of the Municipality of Crowsnest Pass and includes the area contained within the boundaries of the Municipality of Crowsnest Pass where the context so requires;
- (v) **"objectionable noise"** means any sound caused by or emanating from a motor vehicle that annoys, startles or disturbs humans or endangers the health and safety of humans and includes:
- (i) the squeal of a tire made by a motor vehicle which is accelerating or changing direction,
  - (ii) a roaring or explosive sound,
  - (iii) the sound from vehicle-mounted amplification equipment, a bullhorn or other device used to amplify voices, which is continuously made for more than two minutes at the same location,
  - (iv) the sound of a diesel engine which has been idling or otherwise running continuously for more than three minutes at the same location except where the diesel engine is located within a garage or location as permitted by the Land Use Bylaw and intended for its long term parking, and
  - (v) the sound of a motor vehicle security system which is made, more than three times in one 24 hour period, except for the motor vehicle security system's activation status signal.
- (w) **"operator"** includes a person who drives or operates a vehicle as the owner thereof or as an agent, employee or servant of the owner;
- (x) **"parade"** means a procession or march organized for the purpose of entertainment of spectators, display, inspection or promotion of a cause or purpose.
- (y) **"park"** means to allow a vehicle (whether occupied or not) to remain standing in one place except:
- (i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers; or
  - (ii) when standing in obedience to a Peace Officer or traffic control device;
- (z) **"park"** means a public space controlled by the Municipality and set aside as a park to be used for rest, recreation, exercise, pleasure, amusement, and enjoyment, and includes:
- (i) playgrounds;
  - (ii) cemeteries;
  - (iii) natural areas;
  - (iv) sports fields;
  - (v) pathways;
  - (vi) trails; and
  - (vii) park roadways; but does not include golf courses;
- (aa) **"park roadway"** means a road, including parking lots for vehicles, in a park which is set aside specifically for use by vehicles and bicycles;
- (bb) **"passenger loading zone"** means a portion of a street set aside adjacent to a curb designated for the exclusive use of vehicles for the loading or unloading of passengers and includes an area designated as such;

- (cc) **"Peace Officer"** means a member of the Royal Canadian Mounted Police, Bylaw Enforcement Officer, or a Special Constable appointed by the Solicitor General of Alberta with jurisdiction within the Municipality;
- (dd) **"private road" or "private driveway"** means a portion of private property used for vehicular traffic;
- (ee) **"public loading zone"** means a portion of a street set aside adjacent to a curb designated for the exclusive use of vehicles for loading or unloading;
- (ff) **"recreational vehicle"** means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place,
- (gg) **"refuse"** means any substance or material discarded or disposed of within the Municipality other than by lawful deposit at a disposal site and includes animal waste, dry waste, building waste, garbage, industrial waste, chemical waste, yard waste, litter, ashes, medical waste and dry refuse;
- (hh) **"right of way"** means the right to immediate use of the street in priority to another vehicle or a pedestrian using or wishing to use the same street;
- (ii) **"service vehicle"** means a vehicle used to transport construction or service personnel or equipment to a job site;
- (jj) **"sidewalk"** means that part of a highway especially adapted to use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line (or edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved;
- (kk) **"special roadway event"** means an event or competition taking place in whole or in part on a roadway involving walking, running, or the use of bicycles, motorcycles, cars or other vehicles.
- (ll) **"stop"** means:
  - (i) when required, a complete cessation of vehicular movement; and
  - (ii) when prohibited, any halting, even momentarily, of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or a traffic control device;
- (mm) **"street"** means any public thoroughfare for movement of vehicles and pedestrians and where the context so requires includes the whole of the place between the boundaries of the street as recorded in the Land Titles Office and includes an alley; the corresponding point where the surface becomes horizontal on the other side;
- (nn) **"taxi stand"** means a portion of a roadway adjacent to the curb designed for the use of taxicabs while waiting for their fares and includes the areas set aside exclusively for the use of taxis pursuant to Section 31;
- (oo) **"traffic"** means pedestrians, animals or vehicles while using the street for the purpose of travel;
- (pp) **"traffic control device"** means a parking meter, a sign, a signal, a traffic island, marking or a device marked or erected under the authority of the Act or of this Bylaw for the purpose of regulating, warning or guiding traffic;
- (qq) **"traffic control signal"** means a traffic control device whether manually, electrically or mechanically operated by which traffic is directed to stop and to proceed;
- (rr) **"traffic lane"** means a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles whether or not the division is indicated by lines on the road surface;



- (ss) **“Violation Tag”** means a Municipal violation notice or tag, allowing for a voluntary payment of a specified penalty to be paid out of court to the Town in lieu of appearing in answer to a summons.
- (tt) **“Violation Ticket”** means a ticket issued pursuant the Provincial Offenses Procedure Act.
- (uu) Words which have been defined in the Act have the same meaning when used in this Bylaw unless otherwise defined in Subsection (1) or the context expressly requires otherwise.
- (vv) Words which have been defined in the Act have the same meaning when used in this Bylaw unless otherwise defined in Subsection (1) or the context expressly requires otherwise.

### **3. TRAFFIC CONTROL DEVICES**

- (1) The Municipal Council or designated officer is hereby delegated the power to prescribe where traffic control devices are to be located on streets in the Municipality.
- (2) Without restricting the generality of the above section (1) the Municipal Council is authorized to:
- i) designate playground zones, school zones, safety zones, passenger and truck loading zones and cause same to be marked with signs or pavement marking or both.
  - ii) designate those intersections where right turns, left turns, U-turns or any turns may be prohibited and shall cause those intersections to be marked with signs.
  - iii) designate those areas where angle or parallel parking is permitted for a specified period of time or where parking is prohibited and shall cause those areas to be marked with signs, curb or pavement markings or both.
  - iv) designate any street as one which is closed temporarily in whole or in part and shall cause such street to be marked by signs or suitable warning devices.
  - v) fix a maximum speed limit in respect of any part of a street under construction or repair or in a state of disrepair applicable to all vehicles or any class of vehicles while traveling on that street and shall cause such street to be marked by signs and other suitable warning devices.
  - vi) impose temporary weight restrictions of streets as may be necessary to protect the surface of the streets.
  - vii) designate Residential Parking Zones and designate employees or agents
- (3) The Municipal Council is hereby delegated the authority to prescribe maximum or minimum speed limits by the posting of traffic control devices.
- (4) Unless otherwise posted pursuant to Subsection (2), the maximum speed limit is 50 kilometers per hour.
- (5) The Municipal Council has hereby the power to prescribe, the placement of traffic control devices, the location of Bus Zones, School Zones and Playground Zones.
- (6) The Chief Administrative Officer or designated officer shall keep a record of the location of all traffic control devices placed pursuant to this Section and the record shall be open to public inspection at the Municipal Office during normal business hours.
- (7) Traffic control devices located pursuant to this Section shall be deemed to have been made by this Bylaw.
- (8) Any person who operates a motor vehicle contrary to a traffic control device located pursuant to this bylaw is guilty of an offence and subject to penalty as set out in Schedule “A”

4. No person shall, in conjunction with a construction or maintenance operation, direct or regulate traffic, or place any barricades or anything resembling a traffic control device otherwise than in accordance with a permit, and any terms or conditions thereof, which may be issued by or on behalf of the Chief Administrative Officer.
5. No person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any traffic control device, unless approved in writing by the Chief Administrative Officer or designated officer .
6.
  - (1) A person driving a vehicle that is about to enter
    - (a) onto a primary highway or main thoroughfare from a road, service road, alley or driveway; or
    - (b) onto a intersecting roadway and at a point no further than 3 meters back from the intersecting roadway; or
    - (c) in the case where there is
      - (i) a marked crosswalk on the near side of the intersection, immediately before entering on the crosswalk; or
      - (ii) a marked stop line on the near side of the intersection, at the stop line;Shall yield the right away to any pedestrian or any vehicle crossway over a sidewalk.
  - (2) Notwithstanding subsection (1), a person driving a vehicle
    - (a) that is entering an alley or driveway shall yield the right of way to any pedestrian on a sidewalk or a vehicle crossway over a sidewalk.
7. A person driving a vehicle that is about to enter onto a highway from another highway that is marked by a “stop” sign shall bring the vehicle to a stop
  - (1) before entering on the intersecting roadway and at a point no further than 3 meters back from the intersecting roadway, or
  - (2) in the case where there is
    - (a) a marked crosswalk on the near side of the intersection, immediately before entering on the crosswalk, or
    - (b) a marked stop line on the near side of the intersection, at the stop line.
8. When a person driving a vehicle is required to stop the vehicle pursuant to this Bylaw, that person
  - (a) shall not cause the vehicle to proceed until the condition of the traffic on the highway being entered on is such that the vehicle can enter onto the highway in safety, and
  - (b) shall yield the right of way to all vehicles and pedestrians approaching that person’s vehicle and that are on the highway being entered.
9. A person driving a vehicle that is about to enter onto a highway that is marked by a “yield” sign need not stop the vehicle before entering onto the highway but that person shall yield the right of way to all vehicles and pedestrians that are on the highway being entered and approaching that person’s vehicle.
10. The operator of a vehicle shall not enter a street or highway from a private driveway nor drive from a street or highway on to a private driveway if a sign prohibits the driver from doing so.
11. Where any highway, street, roadway, alley or other place is marked by authorized signs indicating that no left or right turn or both shall be made, no operator of a vehicle shall make such prohibited turns.

## **12. OBSTRUCTING THE HIGHWAY**

- (1) No person or persons shall stand on any street or highway within the Municipality as to obstruct or prevent any other persons using such highway, and forthwith upon request made by any peace officer, shall disperse and move away.
- (2) No person shall stand, sit or lie upon any street, highway or sidewalk in such a manner as to obstruct vehicular or pedestrian traffic.
- (3) Nothing in Subsections (1) or (2) shall be construed as prohibiting the congregation or assembly of individuals to attend and listen to public speakers so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the street or highway to allow free movement of the traffic. Should any highway or street at or near such assembly become obstructed by the persons in attendance, the persons so obstructing or impeding traffic shall forthwith move away upon being requested to do so by a peace officer. Any person refusing or failing to forthwith move away upon request by a peace officer shall be guilty of an offence under this bylaw.
- (4) Nothing in Subsections (1) or (2) shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or special roadway event as duly authorized by the Municipal Council.
- (5) No person shall place, or shall cause to allow to be placed upon any street within the Municipality any snow, ice, dirt or other obstruction removed from any place in the Municipality other than from a sidewalk pursuant to the provisions of this By-Law.
- (6) All persons owning or occupying premises in areas of the Municipality designated Commercial under the Municipal Land Use By-Law, shall remove and clear away all snow, ice, dirt and other obstructions from the sidewalk situated on land adjoining the property owned or occupied by them within forty eight (48) hours of the time that such snow, ice, dirt or other obstruction was deposited thereon.
- (7) The Municipality may, after the expiration of the forty-eight (48) hours aforesaid, remove and clear away all snow, dirt, and other obstruction required to be removed by subsection 6 and charge the expenses thereof to the owner or occupant. In the event of non-payment of the expenses, such expenses shall be charged against the property as a special assessment to be recovered in like manner as with other taxes.
- (8) No person shall place or shall cause, suffer, permit or allow to be placed, whether before or after this By-Law at any location in the Municipality, a light or an object that reflects light in such manner so as to distract, or interfere with the vision of, persons operating vehicles on any highway in the Municipality.
- (9) 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 water, mud or slush flowing or being deposited upon the highway.

## **13. PARKING**

- (1) All parking spaces in effect immediately prior to the coming into force of this Bylaw shall continue in effect until removed pursuant to this Bylaw.
- (2) The Municipal Council may:
  - (a) authorize such other or additional parking spaces as he deems necessary on any street or other Municipal owned property for use as a parking space;
  - (b) cause the spaces so authorized to be marked for this purpose;

- (3) Except as otherwise provided in this Section and subject to the Act, another provision of this Bylaw or a traffic control device, where parking spaces have been marked, no owner or operator shall stop or park or permit the stopping or parking of any vehicle other than between the lines or markings indicating the limits of a single parking space.
- (4) Where a vehicle exceeds the dimensions of a single parking space, the owner or operator may park such vehicle so that it occupies two but not more than two parking, metered or traffic controlled spaces, as the case maybe.
- (5) No person shall park a vehicle over six (6) meters in length in any angle parking space, other than in an area designated by a sign for such purposes.
- (6) No person shall park a vehicle on any portion of a highway marked by a “*NO PARKING*” sign.
- (7) No person shall park at any location where the curb has been painted a solid yellow.

#### **14. PARKING OR STANDING ON STREETS**

- (1) When parallel parking on a roadway, a driver shall park his vehicle with the sides of it parallel to the curb or edge of the roadway, and
    - (a) with the right hand wheels of it not more than 500 millimeters from the right hand curb or edge of the roadway, or
    - (b) in the case of a one-way street or highway where parking on either side is permitted, with the wheels closest to the curb or edge of the roadway not more than 500 millimeters from that curb or edge and with the vehicle facing the direction of travel authorized for that street or highway
  - (2) Notwithstanding subsection (1) this section does not apply to areas where angle parking is permitted
- 15.** (1) Unless specifically permitted by the other provisions of this Bylaw, no operator or owner shall park or permit to be parked any vehicle on any roadway or public place for any period longer than is permitted by the applicable traffic control device.
- (2) Unless the vehicle is placed in a portion of the roadway where parking is allowed no operator or owner shall park or stand or permit to be parked or left standing the vehicle on any portion of a public thoroughfare.
- 16.** (1) Except in the case of a breakdown or other emergency not allowing the vehicle to be moved the owner or operator of any vehicle shall not stand or park it on the street for the purpose of servicing or repairing the vehicle.
- (2) No owner or operator of any self-propelled type of vehicle which:
  - (a) is not equipped in accordance with the Act; or
  - (b) is not in operable condition shall cause or permit such vehicle to be parked or left on any street.
- (3) Subsection (2) does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken action to arrange for the removal of the vehicle.
- 17.** (1) No operator or owner shall leave parked or permit to be left parked on any street a trailer, a semi-trailer, mobile equipment or any vehicle which has been detached from the vehicle which is used to draw it.
- 18.** (1) An owner or operator of a recreational vehicle for which the vehicle registration shows a Municipality of Crowsnest Pass address shall not park a recreational vehicle on a street in the Municipality except in the area of the street immediately adjoining the owner or operator's place of residence,

- (2) No owner or operator of a recreational vehicle shall park the recreational vehicle on any street in the Municipality in such a manner as to constitute a hazard to other persons using the street.
  - (3) No owner or operator of a recreational vehicle shall park the recreational vehicle on any street within the Municipality between October 1<sup>st</sup> of any given year and March 31<sup>st</sup> of the year immediately following
- 19.**
- (1) No owner or operator shall, between the hours of eight o'clock in the evening and eight o'clock in the morning of the following day or at any time on a holiday, park or permit the parking of a vehicle other than:
    - (a) a private passenger type vehicle; or
    - (b) a truck having a maximum weight of five thousand kilograms or less;
    - (c) on either side of a street in which any property abutting the street in the same block is used as a park, playground, school site, church or other place of public worship or for residential purposes.
  - (2) No owner or operator of any truck shall park such truck, or allow such truck to be parked on a street except during such time as that truck is being used in the making of a delivery, or is being used in the performance of some work or service.
  - (3) Notwithstanding subsection (1) but subject to any other Bylaw, a moving van used to load or unload furniture from a building may park for a period not exceeding 24 hours on the street in the vicinity of the building.

**20. PARKING ON ALLEY**

- (1) No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley.
- (2) No operator or owner of a vehicle shall cause or permit the vehicle to be parked in an alley in such a manner or in such circumstances so as to leave available less than three meters of the width of the roadway of the alley free and clear of all obstructions to allow the free movement of other vehicular traffic therein.
- (3) No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner, location or circumstances that it blocks an alley and impedes the use of the alley by another vehicle.

**21. ABANDONMENT AND OBSTRUCTING**

- (1) No person shall abandon a vehicle on a street or highway within the Municipality for a period of no more than seventy -two (72) hours.
- (2) No person shall abandon a vehicle on public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.
- (3) No person shall drive or park a vehicle upon any street or highway within the Municipality in such a manner as to block, obstruct, impede or hinder traffic. Where the obstruction is unavoidable due to mechanical failure, the driver or registered owner of the vehicle will not be held in breach of this section provided that he forthwith takes measures to move the vehicle so that it no longer blocks, obstructs, impedes or hinders traffic.

**22. FIRE LANES**

- (1) No operator or owner of a vehicle shall stop or park, or permit the stopping or parking, of the vehicle in any marked fire lane.

- (2) No operator or owner of a vehicle shall stop or park or permit the stopping or parking of the vehicle in a manner where the vehicle may interfere with the use of a doorway marked on the exterior as a fire or emergency exit from any building.

### **23. UNAUTHORIZED PARKING**

- (1) No owner or operator of a vehicle shall park or permit the parking of the vehicle on any private property, whether or not that property is posted as such, without the prior permission of the owner, tenant, occupant or person in control of the private property.
- (2) No person shall operate or park any vehicle upon any land owned or managed by the Municipality which the Municipality uses or permits to be used as a playground, boulevard, recreation or Public Park, except on such part thereof as the Municipal Council may designate.
- (3) Further to Section 26(2) within Municipal Campgrounds, no person shall allow a vehicle or tent or recreation vehicle, to occupy any camping space for more than fourteen (14) days per month unless a permit is obtained from the Chief Administrative Officer or designate.
- (4) Unless required or permitted by the bylaw or by a traffic control device, or in compliance with the directions of a peace officer, no person shall stop or park a vehicle:
  - (i) on a sidewalk, or the boulevard portion of a street or highway;
  - (ii) on a crosswalk or any part of a crosswalk or within five (5) meters of the nearest side of the crosswalk.
  - (iii) at an intersection other than immediately next to the curb in a “T” intersection or nearer than five (5) meters to the projection of the corner property line immediately ahead of, immediately to the rear, except when the vehicle is parked in a marked parking space or where parking is permitted by a traffic control device.
  - (iv) within five (5) meters of the approach to a stop or yield sign.
  - (v) within five (5) meters of any fire hydrant, or where the hydrant is not located on the curb, within five (5) meters of the point on the curb nearest the hydrant.
  - (vi) within one and one-half (1 ½) meters of an access to a garage, private road or driveway, or an alley access way over a sidewalk.
  - (vii) alongside any street excavation or roadway maintenance where stopping or parking would obstruct traffic.
  - (viii) at any place where a traffic control device prohibits stopping or parking during the times stopping and parking is so prohibited
  - (ix) on the roadway side of a vehicle which is already parked or stopped at the curb or edge of the roadway
- (5) No owner or operator of a truck type vehicle with a maximum weight exceeding five thousand kilograms shall park or permit the parking of the vehicle or its trailer on any private property, whether or not that property has been clearly marked as such by a sign or signs posted thereon without the prior permission of the owner, tenant, occupant or person in control of the private property.
- (6) Notwithstanding the provisions of Subsection (1), where, on private property used for a commercial or industrial purpose, or property owned by the Government of Canada or Alberta or The Municipality, parking space or spaces or a parking area is provided for the parking of the vehicles of persons who are customers or patrons of or who are otherwise doing business with the owner, tenant, occupant or person in charge of the property and the space is clearly designated as being:
  - (a) private or government property; and
  - (b) set aside for parking only of vehicles:
    - (i) of customers, patrons of or persons doing business with the owner, tenant, occupant or person in charge of the property; or

- (ii) for persons using a facility or service supplied by the owner, tenant, occupant, or person in charge of the property; an owner or operator of a vehicle who immediately after parking or leaving the vehicle is not a customer or patron or person doing business with or using a facility or service supplied by the owner, tenant, occupant or person in charge of the land as indicated in the designation unless he has verbal or written permission from the said owner, tenant, occupant or person in charge shall not park or leave his vehicle on the parking space, spaces or area so designated.
- (7) A person owning or occupying or in charge of private property who observes that any person is violating the provisions of Subsections (1), (2) or (3) may report the violation to the Municipality of Crowsnest Pass giving:
  - (a) the name and address of the person reporting the violation;
  - (b) the address of the land where the vehicle is parked; and
  - (c) the license number of the illegally parked vehicle.
- (8) A Peace Officer may cause any vehicle parked contrary to Subsection (1), (2) or (3) to be removed therefrom and to be impounded in a secure compound.
- (9) In addition to impounding the vehicle an information and complaint may be laid against the owner or person in charge of the illegally parked vehicle for the violation of the provisions of this Section.
- (10) In lieu of or in addition to the removal and impounding of the vehicle a Peace Officer may place a traffic tag upon the vehicle parked in contravention of this Section.

#### **24. EXEMPTION FROM PARKING PROVISIONS**

- (1) Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or parking of vehicles do not apply to:
  - (a) emergency vehicles;
  - (b) service vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems;
  - (c) municipal and other Government Public Works vehicles; or
  - (d) towing service vehicles;
  - (e) while any such vehicle is being used in work requiring that it be stopped or parked at that location.
- (2) Where the owner or operator of a vehicle stops, stands or parks pursuant to Subsection (1) contrary to other provisions of this Bylaw he shall take due precaution to indicate the presence of such vehicle on any street while so parked or stopped.
- (3) Notwithstanding anything to the contrary contained in this Bylaw the Chief Administrative Officer or designated officer may issue a permit exempting a vehicle for any period of time and from such provisions of this Bylaw pertaining to stopping or parking vehicles as may be specified therein, which permit shall not be valid unless attached to the inside of the vehicle in respect of which it issued so as to be clearly legible from the outside thereof.

#### **25. DISABLED / HANDICAPPED PARKING**

- (1) The Municipal Council is hereby authorized to establish such parking zones as deemed necessary for the exclusive use of disabled or handicapped persons who operate or travel by motor vehicles.

- (2) The owner, tenant, occupant or person in control of private property may designate any number of parking spaces for the exclusive use of disabled persons who operate or travel by motor vehicle by marking same with a sign or signs in a form similar to that approved by the Municipal Council
- (3) The owner or operator of a motor vehicle which is not identified by a handicap placard or license plate that is issued or recognized by the Solicitor General of Alberta for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated pursuant to Subsections (1) or (2).
- (4) Where pursuant to Subsection (3), the vehicle is identified by a handicap placard the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked.

## **26. LOADING ZONES**

- (1) The Municipal Council is hereby authorized to prescribe where traffic control devices establishing Loading Zones are to be located and is further authorized to relocate any Loading Zones so established or to remove them entirely.
- 27.**
- (1) No operator or owner shall park or stop or permit the parking or stopping of a vehicle in a Commercial Loading Zone unless:
    - (a) the commercial vehicle is actively engaged in loading or unloading of merchandise or other materials for a period of time not exceeding twenty (20) minutes.
  - (2) No owner or operator of a vehicle shall leave a vehicle in a Passenger Loading Zone unless actively engaged in loading or unloading a passenger for a period of time not exceeding ten (10) minutes.
  - (3) Notwithstanding Subsection (2),
    - (a) no operator or owner of a taxi shall remain in a Passenger Loading Zone except while actively engaged in loading or unloading passengers; and,
    - (b) no courier or owner or operator of a Commercial Vehicle shall stop or park a vehicle in a Passenger Loading Zone.
  - (4) No operator or owner of a vehicle shall park or stop or permit the parking or stopping of a vehicle in a Public Loading Zone unless actively engaged in loading or unloading for a period of time not exceeding twenty (20) minutes.
  - (5) The owner or operator of a vehicle which is not identified by a handicap placard or license plate that is issued or recognized by the Solicitor General of Alberta for persons with disabilities shall not stop or park or permit the stopping or parking of a vehicle in a Handicap Loading Zone.
  - (6) The owner or operator of a vehicle permitted to use a Handicap Loading Zone pursuant to Subsection (5) shall not stop or park in the Handicap Parking Zone unless actively engaged in loading or unloading a disabled person for a period of time not exceeding ten (10) minutes.

## **28. TEMPORARY CLOSURE**

- (1) The position of Superintendent of Public Works is hereby established as a designated officer and is appointed to carry out the prescribed powers, duties and functions of that position. The Superintendent of Public Works is authorized to restrict, for any period of time, through access in a street or alley where in his opinion, the amount, speed or nature of traffic thereon is inconsistent with the intended safety and local convenience of the street or alley provided that existing vehicle access to properties adjacent to the street or alley is not entirely terminated.



- (2) The Superintendent of Public Works is hereby authorized to temporarily close the whole or a part of a road, including any area designated for parking, at any time that a construction or maintenance project on or adjacent to the road may create a hazard and shall cause such street or highway to be so marked.
  - (a) The Superintendent of Public Works may cause moveable signs to be placed on or near a roadway. Such signs to read “*NO PARKING IN THE BLOCK 7:00A.M. TO 10:00 P.M.*” OR “*NO PARKING IN THIS BLOCK 10:00 PM TO 7:00 AM*”. These times given may vary dependant upon operational needs and as directed by the Chief Administrative Officer.
- (3) Except when authorized pursuant to Subsection (4) no person shall make use of any street or alley in a manner contrary to any restriction, prohibition or designation pursuant to Subsections (1) or (2).
- (4) Notwithstanding anything elsewhere contained in this Section the Superintendent of Public Works may issue a Permit, subject to such terms and conditions as may be specified in the Permit, authorizing a vehicle to be operated, stopped or parked on any street which is the subject of any restriction or prohibition made or imposed pursuant to Subsections (1) or (2).

## **29. STREET CLEANING / SNOW REMOVAL**

- (1) No person shall park, or leave parked, a vehicle on a highway adjacent to any block of the Municipality after the expiration of twelve (24) hours from the time a sign or signs referred to in Section 32 of this Bylaw have been placed in such block, and until such sign or signs have been removed.
- (2) Any vehicle found on a street or highway adjacent to such block so posted may be removed as per Section 55 of this Bylaw.

## **30. SNOW ROUTE**

- (1) No person shall park or leave parked, any vehicle on a street or highway marked as a ‘Snow Route’ during the period which a snow route parking ban has been declared in effect by the Municipal Council.
- (2) Any vehicle parked on a highway marked as a “Snow route” while a snow route parking ban is in effect may be removed pursuant to Section 55 of this Bylaw.
- (3) The snow route parking ban shall remain in effect for a period of forty-eight (48) hours from the commencement of the ban unless extended by further declaration by the Municipal Council for a further forty-eight (48) hours.

## **31. PARADES/SPECIAL ROADWAY EVENTS**

- (1) No person shall participate in any parade or special roadway event on a Municipal street until a permit for same has been issued by:
  - (a) the Mayor and Council, in the case of a parade or special roadway event, or,
  - (b) the Chief Administrative Officer or his designate, in the case of a special roadway event.
- (2) No person shall march or join in any parade or special roadway event of any kind on a Municipal street, until a permit for such a parade or special roadway event has been issued by the Municipal Council or Chief Administrative Officer or Designated Officer.
- (3) Any person or organization wishing to organize a parade or special roadway event shall make application to, and advise the Municipal Council of the place of origin, destination, and route to be followed by such a parade or special roadway event along with the time and date thereof.

- (4) The Municipal Council or the Chief Administrative Officer or Designated Officer may approve an application for a special roadway event, specifying the route to follow, the time the special roadway event may take place and the type of vehicles, floats, or other displays that will be allowed to take part.
- (5) The Mayor and Council or the Chief Administrative Officer or Designated Officer, in approving the holding of a parade or special roadway event under Subsections (4) and issuing a permit therefore, may approve the parade or special roadway event subject to certain conditions which he deems in his discretion to be appropriate and, without limiting the generality of the foregoing such conditions may include a condition that the applicant provide an indemnity and policy of insurance in a form and in an amount satisfactory to the Municipality. Where the applicant fails to comply with the conditions set by the Municipal Council the permit issued to the applicant may be revoked.
- (6) The applicant shall have the right of appeal to Council from any refusal of a permit or the imposition of any condition of approval by Mayor and Council or the Chief Administrative Officer or Designated Officer.
- (7) If an application for permission to hold a parade or special roadway event is referred to Council by the Chief Administrative Officer or Designated Officer, Council may grant or refuse the application.
- (8) When a permit has been granted for a parade or special roadway event:
  - (a) notwithstanding any provisions of this Bylaw, a person or persons may congregate on the Sidewalks or a portion of a Street designated for the purpose in order to view the parade or procession,
  - (b) the Chief Administrative Officer or Designated Officer may close all or portions of the Street along the route set out in the permit for the anticipated time of the parade or special roadway event and for such additional time as necessary to again clear the Street for normal traffic, and
  - (c) the Chief Administrative Officer or Designated Officer may temporarily suspend parking and loading privileges on all or a portion of a Street on the proposed route.
- (9) Where pursuant to this bylaw permission is obtained for a parade or special roadway event, the person or persons sponsoring the parade or special roadway event shall enter into an agreement to indemnify and save harmless the Municipality from and against any and all claims for injury to any person or persons and damage to any real or personal property arising by reason of or in any way connected with the entry, placing, or operation of the vehicle, animals, or float in the parade or special roadway event whether prior to, during, or after the parade or special roadway event and whether arising out of or directly or indirectly caused by any act, omission or negligence of the Municipality, its employees or agents, and shall furnish a policy of liability insurance in an amount required by the Municipality and naming the Municipality as one of the insured and the granting of the permission for allowing vehicles, animals or floats to take part in the parade or special roadway event shall be the consideration for such indemnity.
- (10) Notwithstanding the indemnity or the insurance required by Subsection (10), the owner, sponsor, driver or operator of a vehicle, animal, or float and all persons on such vehicle, animal or float taking part in the parade or special roadway event shall ensure that:
  - (a) no part of the vehicle, animal, or float will damage the Street, electric or telephone poles or wires, streetlights, transit posts, cables or supports, traffic signal lights or signs, fire hydrants, or any other property of the Municipality or a public utility in a Street, and
  - (b) the vehicle, animal, float, or anything thereon or attached thereto will not injure any person or cause damage to any real or personal property, and

- (c) that no portion of the vehicle, animal, or float or anything erected, placed on or attached to the vehicle, animal, or float will come in contact with any telephone wire or any wire charged with or carrying electric current.

- 32.** (1) No operator of a vehicle shall drive through any parade, special roadway event or funeral procession in any way as to obstruct, impede or interfere with same.
- (2) Pursuant to Subsection (1), where there are traffic control devices, no operator of a motor vehicle shall enter an intersection while a parade or special roadway event is within the intersection, unless it is safe to do so.

**33. BICYCLES**

- (1) Notwithstanding anything to the contrary contained in this or any Bylaw, a Peace Officer may operate a bicycle while on duty on any mall, sidewalk, footpath, walkway, boulevard, pathway or other public place where the use of bicycles by the general public is prohibited or restricted.
- (2) Unless the context otherwise requires, a person operating a bicycle on a highway has all the rights and is subject to all the duties that any vehicle operator has under this Bylaw.
- (3) Notwithstanding Subsection (1) of Section 38, a carrier of a newspaper may ride a bicycle on a sidewalk, or boulevard:
  - (a) if he is delivering copies of the newspaper at the time; and
  - (b) if the bicycle does not interfere with other persons proceeding by foot on the said sidewalk, footpath or boulevard.
- (4) Notwithstanding Subsection (2), the Municipal Council may designate those portions of sidewalks, or boulevards where bicycles may be ridden by other persons who are not carriers of newspapers delivering copies thereof.
- (5) Where this Bylaw permits a person to ride a bicycle or use in-line skates or skateboards on any sidewalk, where pedestrians are also allowed, the person shall ride the bicycle or use the in-line skates only in such a way that it will not interfere with a pedestrian lawfully on or using such sidewalk.
- (6) No person traveling on a bicycle, coaster, sled, toboggan, skis, roller skates, skateboards, tricycle or toy vehicle of any kind or a similar device shall cling to or attach himself or his conveyance to a vehicle upon a roadway.

**34. USE OF SIDEWALKS**

- (1) Except as otherwise provided in this Section, a person shall not:
  - (a) drive, lead or allow a hoofed animal to walk;
  - (b) drive, draw or push any motor vehicle except where permitted by law
  - (c) ride a bicycle;
  - (d) ride a horse; or
  - (e) draw, push, propel or ride a wheeled vehicle of any description other than a bicycle;on or along a sidewalk, or boulevard.
- (2) Notwithstanding the provisions of Subsection (1), a person may draw, push or propel:
  - (a) a two wheeled cart or other personal grocery carrier; or
  - (b) a baby carriage, a wheeled device for carrying a child or an invalid; or
  - (c) a child's tricycle; or
  - (d) a child's bicycle operated by an individual under the age of Fourteen (14) years;on or along a sidewalk in such a way as to not interfere with the other pedestrians using the sidewalk.

- (3) Subsection (1) does not apply to crossing a sidewalk in a place where there is a lane or prepared crossing or where permission has been granted for such purpose.

### **‘U’ TURNS**

35. No person shall operate a motor vehicle on a street or highway within the Municipality in such a manner that the said vehicle crosses from one side of the street or highway to the other side thereon between intersecting streets for the purposes of entering or exiting a parking stall.
36. No person shall, at the following locations, turn the vehicle so as to travel in the opposite direction;
- (a) on a street, highway or roadway between intersections
  - (b) at a place where a sign prohibits the making of a U-turn or
  - (c) at an intersection controlled by a traffic control signal unless specifically permitted by a traffic control device.

### **37. SUNDRY RESTRICTIONS**

Where an unprotected hose of a Municipal Fire Department has been laid down on a roadway or a driveway no person shall drive a vehicle over such hose unless an official of the Municipal Fire Department at the scene has specifically allowed him so to do.

38. (1) No owner or operator shall:
- (a) drive, and no person shall walk, on or over a newly painted line on any roadway when the same is indicated by signs, flags or other warning devices;
  - (b) drive on or along a street a motor truck or other motor vehicle with a box or body filled with sand, gravel, rocks, earth or other loose material, whether similar or dissimilar, unless the box ledges, side boards and vehicle chassis have been cleaned of loose material and the load is distributed in such a manner that no portion of the material can escape upon a Municipality street or upon land in the vicinity of a Municipality street.
- (2) A person who drives a motor vehicle, with or without a trailer, shall not allow refuse or any other goods or materials to escape or be scattered upon a Municipality street or upon land or in the vicinity thereof.
39. Notwithstanding any traffic control signal indication to proceed, no person shall drive any vehicle into any intersection or crosswalk unless there is sufficient space to allow the vehicle to clear the intersection or crosswalk before other vehicles or pedestrians lawfully upon the highway are obstructed.
40. No person shall apply or engage engine retarder brakes on any truck in any part of the Municipality.

### **41. SPEED LIMITS**

- (1) No person shall drive a vehicle on a highway at a speed that is greater than the posted maximum speed limit.
- (2) No person shall drive a vehicle in or along an alley in the Municipality at a speed greater than 20 kilometers per hour.
42. The prescribed hours during which a “school zone” is in effect in the Municipality pursuant to *The Traffic Safety Act* are increased to the period beginning at 8:00 o’clock a.m. and ending at 5:00 o’clock p.m. on any day on which school is held.

**43. OBSTRUCTIONS TO VISION**

- (1) A person shall not permit any form of vegetation, whenever planted, on property owned or occupied by him located within a triangle formed on a corner site by the two curb lines adjoining an intersection, including a lane intersection, and two points located 7.5 meters from the said corner where the curb lines meet, herein referred to as the "corner visibility triangle", to grow or remain at a height greater than 1 metre or to obstruct any signage.
- (2) If a person is directed by the Chief Administrative Officer or Designated Officer or a Peace Officer to reduce any hedge, tree or shrub located in a corner visibility triangle to a height not in excess of three (3) feet, and fails to carry out such direction within seven days of receipt of such direction, the Municipality may remove any form of vegetation or reduce it to the required height, and if the cost of such work is not paid on demand by the owner or occupant of the property in question, the Municipality may recover the expense of such work, with costs, by action in any Court of competent jurisdiction, or may charge the expense of the work as taxes against such property.
- (3) A person shall not build, place, erect or allow to continue in existence a fence, wall or structure, other than a building on private property, within a corner visibility triangle to a height greater than 750 millimeters.
- (4) The maximum height provided in Subsection (1), (2) and (3) shall be measured from the top of the curb where there is a sidewalk or from the level of the crown of the roadway where there is no sidewalk.
- (5) If contrary to the provisions of Subsection (3) any such fence wall or structure other than a building, is erected beyond the maximum height allowed by the said Subsection the Chief Administrative Officer or Designated Officer or a Peace Officer may order the person who built, placed, erected or who is responsible for the continuing existence of the fence, wall or other object to remove the same. The person responsible therefore shall forthwith at his own expense remove or reduce the height of the fence, wall or structure other than a building, to within the maximum height allowed by Subsection (3) and if the person responsible for the same neglects or refuses to reduce the height thereof or remove it the Municipality may proceed to reduce the height as required and may charge the cost thereof to the person on whose land the said fence, wall or structure other than a building, exists.

**44. TRAFFIC TAGS FOR CERTAIN OFFENCES**

- (1) Where a Peace Officer believes that a vehicle is parked in contravention of this Bylaw or the Act, he/she may:
  - (a) place a tag on the vehicle; or
  - (b) send a tag to the registered owner of the vehicle by ordinary mail.
- (2) A tag must set out a specified penalty for the contravention, and may provide for an early payment amount.
- (3) If a person who is responsible for a contravention of a provision of this Bylaw or the Act pays the early payment amount or the specified penalty amount within the times and in the manner set out on the tag, such payment will be accepted in lieu of prosecution.
- (4) If the payments referred to in subsection (3) are not made within the times and in the manner set out on the tag, a Violation Ticket may be issued to the registered owner of the vehicle in accordance with the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34.

(5) Nothing in this Section shall:

- (a) Prevent any person from exercising his right to defend any charge of committing a breach of any Section of this Bylaw; or
- (b) prevent any Peace Officer, in lieu of serving a tag, from issuing a Violation Ticket to a person or registered owner pursuant to the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34

45. The specified penalties and early payment amounts referred to in this Section are as set out in Schedule "A" to this Bylaw, which shall form part of the Bylaw.

46. A person other than the owner or operator of a vehicle shall not remove any tag or notice placed on or affixed to the vehicle by a Peace Officer in the course of his duties

47. No person other than a Peace Officer or another person authorized by the Chief Administrative Officer or Designated Officer or by this Bylaw shall place a tag on any vehicle.

**48. REMOVAL AND IMPOUNDMENT**

(1) A Peace Officer, Bylaw Enforcement Officer or Special Constable, is hereby authorized to remove or cause to be removed any vehicle, recreational vehicle, or trailer:

- (a) operated or parked in contravention of any provision of this bylaw, or
- (b) where emergency conditions may require such removal from a street or highway.

(2) Such vehicle may be removed to a place designated by the Chief Administrative Officer, where it will remain until claimed by the registered owner or person authorized by him in writing to claim such vehicle.

(3) No impounded vehicle shall be released to its owner or agent until the towing or removal charges, impound and storage fees, if any, are paid. Such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution. The Municipality is not responsible for any impounding, towing or removal charges.

49. (1) A Peace Officer may seize and impound for a period not exceeding 30 (thirty) days any bicycle, skateboard, or other similar device used or operated in contravention of this Bylaw.

(2) Where a bicycle, skateboard, or other similar device has been seized and impounded by a Peace Officer as provided for in this Bylaw, the owner or operator of such bicycle, skateboard, or other similar device shall, aside from any fine or penalty to which he/she may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle, skateboard, or other similar device.

**50. COSTS INCURRED BY THE MUNICIPALITY**

(1) If a person is in default in doing any matter or thing which this Bylaw directs that he/she should do, the matter or thing may be done by the Municipality at the expense of the person in default and if the person in default does not pay such expense promptly upon being invoiced, the Municipality may recover the expenses thereof with costs by action in any Court of competent jurisdiction.

**51. PENALTIES**

- (1) Subject to the provisions of subsection (2) a person contravening a provision of this Bylaw and any other person liable or responsible for such contravention shall upon Summary Conviction before a Court of competent jurisdiction be liable to a fine of not less than the amount set out as the specified penalty for the contravention as set out under this Bylaw and not exceeding Five Thousand Dollars (\$5,000.00) exclusive of costs or in the event of non-payment of the fine and costs to imprisonment for a period not exceeding Sixty (60) Days unless such fine and cost including the cost of committal are sooner paid.
- (2) Notwithstanding Subsection (1), no person convicted of an offence by reason of contravention of a provision of this Bylaw shall be liable to imprisonment for non-payment of a fine and costs imposed upon Summary Conviction therefore unless he/she was the person actually driving the motor vehicle at the time the contravention of the Bylaw occurred.

**52. OWNER LIABLE**

- (1) If a vehicle is involved in an offence referred to in this bylaw, the owner of that vehicle is guilty of an offence.
- (2) Subsection (1) does not apply if the owner of the vehicle satisfies the court that, at the time that the vehicle was involved in an offence referred to in this bylaw,
  - (a) in the case of a vehicle that was in motion,
    - (i) the owner of the vehicle was not driving the vehicle, and
    - (ii) no other person was driving the vehicle with the owner's expressed or implied consent,
  - and
  - (b) in the case of a vehicle that was parked,
    - (i) the owner did not park the vehicle, and
    - (ii) no other person parked the vehicle with the owner's expressed or implied consent.
- (3) An owner who is guilty of an offence under this section is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

- 53.** The Municipal Council may upon application waive any provision of this By-Law for any specific dates and times.

**54. SEVERANCE**

Should any provision of this By-law be invalid, then such invalid provision may be severed and the remaining By-law shall be maintained.

**55. REPEAL**

Bylaw Number 131, 1983 and all amendments thereto is hereby repealed.

**56. TRANSITION SECTION**

- (1) All traffic control devices which are in place on the effective date of this Bylaw shall be deemed to be valid traffic control devices for the purposes of this Bylaw.
- (2) All School Zones, Playground Zones, and Loading Zones in effect immediately prior to the coming into force of this Bylaw shall continue in effect until removed.

**57. EFFECTIVE DATE**

This Bylaw comes into force on the date it is passed.

Read a first time this 15<sup>th</sup> —of August, 2006.

CARRIED

JOHN IRWIN  
Mayor

**ORIGINAL SIGNED**

GORDON O. LUNDY  
Chief Administrative Officer

Read a second time this 21<sup>st</sup> —of November, 2006.

CARRIED UNANIMOUSLY

Read a Third time and finally passed this 21<sup>st</sup> —of November, 2006.

CARRIED

JOHN IRWIN  
Mayor

**ORIGINAL SIGNED**

GORDON O. LUNDY  
Chief Administrative Officer



**SCHEDULE “A”**

**SPECIFIED PENALTY**

SECTION	OFFENCE	PENALTY
4.	Unauthorized Traffic Control .....	\$500.00
5.	Post item on traffic control device without permission .....	\$50.00
6(1)(a)	Fail to yield before entering primary highway/street from road/service/ road/alley/driveway.....	\$100.00
6(1)(b)	Fail to yield before entering intersecting roadway .....	\$100.00
6(1)(c)(i)(ii)	Fail to stop before entering crosswalk .....	\$100.00
6(2)(a)	Fail to yield right of way to a pedestrian or vehicle when emerging from ally/driveway.....	\$100.00
7(1)	Fail to obey stop sign before entering intersection .....	\$100.00
7(2)(a)	Fail to stop for stop sign at crosswalk/stop line near intersection .....	\$100.00
7(2)(b)	Fail to yield right of way at uncontrolled intersection .....	\$100.00
8(a)	Fail to proceed safely after stopping at intersection .....	\$100.00
8(b)	Fail to yield to motor vehicle/pedestrian already on highway when entering highway.....	\$100.00
9	Fail to obey yield sign before entering highway/yield to motor vehicle and pedestrian already on highway.....	\$100.00
10	Enter a street or highway from a private driveway where prohibited by a traffic control device.....	\$100.00
11	Make a turn prohibited by traffic control device .....	\$100.00
12(1)	Fail to cease obstructing highway upon lawful request by Peace Office .....	\$200.00
12(2)	Person obstructing vehicular or pedestrian traffic .....	\$200.00
13(3)	Fail to stop or park between lines designating parking stall.....	\$25.00
13(4)	Oversized vehicle occupying more than 2 parking stalls.....	\$25.00
13(5)	Park vehicle over six (6) metres in angle parking space.....	\$25.00
13(6)	Park where prohibited by sign .....	\$50.00
13(7)	Park in location where curb painted yellow.....	\$25.00
14(1)(a)(b)	Park more than 500 milimetres from curb .....	\$25.00
15(1)	Park for period longer than permitted by sign .....	\$25.00
15(2)	Park/Stand/Permit to be parked/Leave vehicle standing on portion of public thoroughfare.....	\$25.00
16(1)	Repairing or servicing vehicle on street.....	\$50.00
16(2)	Vehicle parked on street incapable of moving or not equipped in accordance with the Act.....	\$50.00
17	Parked detached trailer or camper on street.....	\$50.00
18(1)	Parking away from residence .....	\$50.00
18(2)	Hazardous parking of recreational vehicle .....	\$100.00
18(3)	Park recreational vehicle on street when prohibited.....	\$50.00
19(1)	Parking of vehicle prohibited at certain locations.....	\$50.00
19(2)	Park truck on street .....	\$50.00
20(1)	Park too close to driveway in alley .....	\$25.00
20(2)	Partially obstruct traffic in an alley.....	\$50.00
20(3)	Obstruct alley .....	\$50.00
21(1)	Abandon motor vehicle on street or highway .....	\$100.00
21(2)	Abandon motor vehicle on public or private property without permission .....	\$50.00
21(3)	Obstruct traffic .....	\$100.00
22(1)	Parked or stopped in a marked fire lane.....	\$100.00
22(2)	Parked or stopped blocking marked fire emergency exit.....	\$100.00
23(1)	Unauthorized parking on private property .....	\$25.00
23(2)	Unauthorized parking on municipal property .....	\$25.00
23(3)	Camping or parking in Municipal Campground more than 3 days .....	\$25.00
23(4)	Illegal parking .....	\$25.00
23(5)	Unauthorized truck parking .....	\$50.00

23(6)	Unauthorized parking in space reserved for customer parking .....	\$50.00
25(1)	Unauthorized parking in disabled parking space .....	\$ 50.00
25(3)	Failure to display placard.....	\$50.00
26(1)	Prohibited or overtime parking in commercial loading zone.....	\$25.00
27(1)	Unoccupied vehicle parked or stopped in passenger loading zone.....	\$25.00
27(2)	Passenger loading zone overtime.....	\$25.00
27(3)	Unauthorized vehicle parked in handicap loading zone .....	\$50.00
27(5)	Unauthorized loading or unloading in handicap loading zone .....	\$50.00
28(1)	Operating on closed street.....	\$50.00
29(1)	Park vehicle where parking prohibited for street cleaning/snow removal.....	\$50.00
30(1)	Park on snow route during snow route parking ban .....	\$100.00
31	Parade or special roadway event without permit .....	\$100.00
33	Operate bicycle contrary to bylaw .....	\$25.00
34	Prohibited use of sidewalk .....	\$25.00
34(1)(a)	Drive or lead animals on street .....	\$25.00
34(1)(d)	Ride horse or other animal on street .....	\$ 25.00
35	Execute U-turn between intersections .....	\$50.00
36	Unsafe U-Turn .....	\$50.00
36	Perform U-Turn where prohibited .....	\$ 50.00
37	Drive motor vehicle over unprotected fire hose .....	\$100.00
38(1)(a)	Drive on newly painted lines .....	\$50.00
38(1)(b)	Unsecured load.....	\$500.00
38(2)(b)	Failure to clean loose material .....	\$150.00
38(2)	Allow escape of material .....	\$500.00
39	Stopped blocking intersection.....	\$30.00
40	Applying retarder breaks.....	\$250.00
41(1)	Exceed posted speed limit As per table	

Kilometers over limit	PENALTY	Kilometers over limit	PENALTY
1	50.00	26	136.00
2	52.00	27	140.00
3	54.00	28	145.00
4	56.00	29	150.00
5	58.00	30	154.00
6	60.00	31	163.00
7	62.00	32	169.00
8	64.00	33	177.00
9	66.00	34	184.00
10	68.00	35	191.00
11	70.00	36	199.00
12	72.00	37	206.00
13	74.00	38	215.00
14	76.00	39	222.00
15	78.00	40	230.00
16	90.00	41	238.00
17	96.00	42	245.00
18	99.00	43	253.00
19	105.00	44	260.00
20	108.00	45	267.00
21	113.00	46	275.00
22	119.00	47	283.00
23	122.00	48	290.00
24	128.00	49	298.00
25	131.00	50	306.00

41(2)	Speed greater than 20 km in alley.....	\$100.00
43(1)	Any form of vegetation obstructing vision at an intersection.....	\$50.00
43(2)	Fail to remove or trim hedge, tree, shrub as directed.....	\$100.00
43(3)	Structure, fence, wall, sign, etc. obstructing sight triangle at an intersection.....	\$100.00

43(5)                      Fail to remove structure, fence, wall, sign, etc. as directed .....\$200.00