



**VILLAGE OF RYCROFT
BYLAW NO. 242-23**

BEING A BYLAW OF THE VILLAGE OF RYCROFT TO CONTROL AND REGULATE TRAFFIC ON ROADS WITHIN THE VILLAGE.

WHEREAS the Council of the Village of Rycroft deems it necessary to regulate traffic within the Village;

AND WHEREAS, the *Traffic Safety Act* R.S.A. 2000 c. T-6 and the *act* R.S.A. 2000 c. M-26 provide authority for the Village to regulate such matters;

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF RYCROFT ENACTS AS FOLLOWS:

1. Title:

1.1 This Bylaw may be cited as the “**Village of Rycroft Traffic Control Bylaw**”.

2. Definitions:

2.1 The definitions contained in Section 1 of the “*Traffic Safety Act*” of Alberta, Section 1 of the “*Commercial Vehicle Dimensions and Weight Regulation*” of Alberta, and Section 1 of the “*Use of Highway and Rules of the Road Regulation*” of Alberta shall apply to this Bylaw unless specifically set out herein:

- a) “**Agricultural Society Grounds**” shall mean the lands legally described as Part of RL 39, or 5010-49 Avenue.
- b) “**Carrier**” shall mean an owner of a commercial vehicle that is used or intended to be used to transport goods or provide a service other than the transportation of passengers;
- c) “**CAO**” shall mean the Chief Administrative Officer or designate of the Village of Rycroft;
- d) “**Commercial Loading or Unloading Space**” shall mean a space in the vehicle portion of an alley marked with an authorized Village sign permitting free parking for commercial vehicles for a period not exceeding (one hour) for the purpose of loading or unloading of goods to and from business premises;
- e) “**Council**” shall mean the Council of the Village of Rycroft;
- f) “**Crosswalk**” shall mean a portion of the roadway between the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the roadway, or any part of the roadway indicated by signs or other markings on the road surface;
- g) “**Curb**” shall mean the actual curb, if there is one, and if there is no curb in existence, shall mean the point of the division between the roadway and that part of highway not intended for vehicular traffic;
- h) “**Curb Cut**” shall mean a driveway across a sidewalk or curb for vehicular traffic;

- i) **“Dangerous Goods”** shall mean dangerous goods for which placards are required by the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, Chapter D-4, and subsequent amendments;
- j) **“Dangerous Goods Route”** shall mean those highways located within the Village of Rycroft and identified as Truck Routes on “Schedule “A”;
- k) **“Discount”** shall mean an amount which may be deducted from the voluntary payment specified on the Municipal Tag in accordance with Schedule “B” when payment is received within ten days of the violation;
- l) **“Driver” or “Occupant”** shall mean a person who drives or is in actual physical control of a vehicle;
- m) **“Easement”** shall mean a right-of-way intended for services access, usually with a surface of grass and not hard topped or graveled and not intended for the passage of vehicles;
- n) **“Enforcement Officer, Peace Officer or Special Constable”** shall include any employee of the Village appointed as a Special Constable or Bylaw Enforcement Officer, any member of the Royal Canadian Mounted Police and any other person designated by Alberta Justice as a constable and/or Special Constable in the Province of Alberta;
- o) **“Heavy Vehicle”** shall mean any vehicle with or without load, exceeding any of the following:
 - i. 2 axles;
 - ii. 7 meters in length;
 - iii. A licensed gross vehicle weight of 7,500 kilograms (16,500 pounds);
- p) **“Highway”** shall mean any thoroughfare, street, road, avenue, alley, lane, bridge, trail, driveway, or other public place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles; and
 - i. Includes a sidewalk and boulevard portion of the sidewalk;
 - ii. Includes a ditch running parallel and adjacent to the roadway;
 - iii. If the highway right-of-way is contained between two fences or between a roadway on one side and fence on the other side, then all land between and including a roadway is a highway, unless the Lieutenant Governor in Council declares any part of it not to be a highway;
- q) **“Holiday Trailer or Recreation Vehicle”** shall mean:
 - i. A trailer that is designated, constructed, and equipped as a permanent or temporary dwelling or sleeping place; or
 - ii. Any structure that is designated, constructed and equipped as a permanent or temporary dwelling or sleeping place and intended or capable of being loaded on to or carried upon a motor vehicle or trailer;
- r) **“Intersection”** shall mean the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of two or more adjoining roadways, or two or more roadways which join one another at an angle whether or not one roadway crosses the other;
- s) **“Land Use Bylaw”** shall mean the Village of Rycroft Land Use Bylaw No. 215-19, as amended;
- t) **“Lane”** shall mean all that portion of a highway used to provide access to lands, in addition to the access provided by the Road or Avenue in front of such lands, including alleys;
- u) **“Motorcycle”** shall mean a motor vehicle, other than a moped, mounted on 2 or 3 wheels and includes those motor vehicles known in the automobile trade as a

motorcycle and scooters but does not include an off-highway vehicle as defined in the *Traffic Safety Act*;

- v) **“Municipal Tag”** shall mean a ticket for any violation of this bylaw in the form of a numbered “Notice of Violation” and contains provisions for either a “warning”, or a “voluntary payment” payable to the Village of Rycroft with or without discount provisions;
- w) **“Off-Highway Vehicles”** shall mean 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
 - i. 4-wheel drive vehicles
 - ii. Low pressure tire vehicles
 - iii. Motorcycles and related 2-wheel vehicles
 - iv. Amphibious machines
 - v. All-terrain vehicles
 - vi. Minister motor vehicles
 - vii. Snow vehicles
 - viii. Minibikes; and
 - ix. Other means of transportation that is propelled by any power other than muscular power or wind
- x) **“Owner”** shall mean any person who owns a vehicle or any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period exceeding 30 days;
- y) **“Parade or Procession”** shall mean any group of pedestrians (excepting a military or funeral procession) numbering more than 50, marching or walking on a highway or a procession of vehicles on a highway (excepting a military or funeral procession) numbering 10 or more;
- z) **“Park”** when prohibited, shall mean allowing a vehicle to remain stationary in one place, except
 - i. While actually engaged in the loading or unloading passengers;
 - ii. When complying with a direction given by a Peace Officer of a traffic control device;
- aa) **“Peace Officer”** shall mean a member of the Royal Canadian Mounted Police, a Peace Officer appointed pursuant to the *Alberta Peace Officer Act*, or a Bylaw Enforcement Officer appointed by the Village of Rycroft;
- bb) **“Pedestrian”** shall mean any person on a highway on foot either standing or walking, or a person in or on a mobility aid;
- cc) **“Road”** is a thoroughfare for the conveyance of traffic that mostly has an improved surface for use by vehicles (motorized and non-motorized) and pedestrians. Unlike streets, whose primary function is to serve as public spaces, the main function of roads is transportation. For the purpose of this bylaw, at times a road means a street.
- dd) **“Sign or Traffic Control Device”** shall mean any sign, signal, marking, or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic as defined in the *Traffic Safety Act* of Alberta or the *Commercial Vehicle Dimension and Weight Regulation* of Alberta;
- ee) **“Truck”** shall mean a vehicle designed primarily for the transportation of goods, property or equipment, or any motor vehicle or combination thereof more than seven meters (7m) in overall length or seven thousand five hundred kilograms (7,500kg) tare weight, but does not include any vehicle doing road or emergency work on behalf of the municipality, or a recreational vehicle;

- ff) **“Vehicle”** shall mean a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid;
- gg) **“Village”** shall mean the Village of Rycroft;
- hh) **“Violation Ticket”** shall mean a provincial ticket as described in the *Alberta Provincial Offences Procedures Act*, Chapter P-34, RSA 2000 and the *Procedures Regulation* and may be issued in the form either a part 2 Summons or a part 3 Offence Notice. Service and procedures of such violation tickets shall be as per *Alberta Provincial Offences Procedures Act* and pursuant to Section 160(1) of the *Traffic Safety Act* where applicable.

3. **Authority:**

- 3.1 The members of the **Royal Canadian Mounted Police** and or the **Peace Officer** and or the **Bylaw Enforcement Officer** are authorized to enforce this Bylaw.

4. **Speed:**

- 4.1 **General Speed Limit:** Unless otherwise provided in this Bylaw, the speed limit within the Village shall be 30 kilometers per hour.
- 4.2 **Speed Limit in Lanes:** No person shall drive a vehicle in any lane at a speed in excess of 10 kilometers per hour.
- 4.3 **Speed Limit in Agricultural Society Grounds:** No person shall drive a vehicle on the Agricultural Society Grounds at a speed in excess of 20 kilometers per hour or in excess of such other limit as may be posted by the Rycroft Agricultural Society.
- 4.4 **Speed Limit in Trailer Parks, Schools, Community Centers, and Village Owned Recreation Facilities:** No person shall drive a vehicle in excess of 30 kilometers per hour on any land which is part of trailer park, schools, community center, and Village owned recreation facilities.

5. **Sidewalks:**

- 5.1 No person shall operate or park a vehicle or trailer on any sidewalk, or any bicycle path or pedestrian path on any public lands owned by the Village. Where the signage prohibits the operation of a bicycle, it shall also include skateboards, scooters and rollerblades.
- 5.2 No person shall operate a bicycle, skateboard, scooter or roller blades on any sidewalk or area on which the operation of same is prohibited by signage.
- 5.3 A Peace Officer may seize and impound for a period of up to fourteen (14) days any bicycle, skateboard, scooter, or roller blades which are used or operated in contravention of any Village Bylaw.

6. **Parking:**

- 6.1 No person shall stop a vehicle where prohibited from doing so by a sign.
- 6.2 No person shall park a vehicle for any period of time at any time at any of the following locations:
 - a) *Construction Area:* upon a highway in front of any building under construction or repair, when such parking will impeded or obstruct traffic, unless a permit has been issued to allow such parking;
 - b) *Emergency Door:* in any place where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the highway;
 - c) *Entrance to Fire Hall:* in the entranceway to the fire hall;

- d) *Designated Vehicles Only*: at a place or area where a sign indicates that parking there is restricted to a designated class of vehicle only. Without limiting the generality of the foregoing, the following classes of vehicles are designated vehicles:
 - i. Police vehicles;
 - ii. Bylaw enforcement vehicles;
 - iii. Funeral cars and being operated by a funeral chapel in the course of performing a funeral;
 - iv. School buses during such time that such buses are being used to transport students to and from the school and unloading of such students.
- e) *No Parking Zone*: on any portion of a highway marked by a *No Parking* sign or yellow curb;
- f) *Fire Lane*: on any portion of a highway marked by a *Fire Lane No Parking* sign.

7. Loading and Unloading:

- 7.1 No person shall park in any *loading or unloading zone* for a period of time exceeding ten minutes except while actually engaged in loading or unloading, in which case the maximum period is one hour.
- 7.2 The CAO is hereby authorized to make provisions and regulations in times of emergencies, during snow removal or street cleaning operations, and in areas where construction or repairs are being carried out upon or near highways, related to the control and regulation of traffic, and without restricting the generality of the foregoing, may;
 - a) Designate any highway as one which is closed temporarily in whole or in part to traffic and shall cause such highways to be so marked;
 - b) Designate any area as one which parking privileges are temporarily suspended and shall cause such area to be so marked;
 - c) Cause moveable signs to be placed on or near a roadway designating parking restrictions; and
 - d) Temporarily suspend the existing speed limit and restrict the speed of vehicles to such speed as may be indicated on a sign placed in such areas.
- 7.3 No person shall park or drive a vehicle in contravention of any sign or signal placed in accordance with any such provision or regulation.
- 7.4 No person shall tear down, remove or interfere with any such signs, signals, barricades, flares or other things placed in accordance with such provisions and regulations subject to penalties & fines.
- 7.5 No person shall park, or leave parked, a vehicle on a posted block of the Village after the expiration of 12 hours from the time a sign or signs referred to in Section 7.2 hereof have been placed and until such sign or signs have been removed.

8. Lanes:

- 8.1 No person shall park a vehicle in a lane, unless a sign permits parking, but lanes may be used for:
 - a) The loading or unloading of goods from a commercial vehicle for a period not exceeding one hour at which time traffic may be blocked or disrupted, or
 - b) The loading or unloading of goods or passengers from vehicles other than a commercial vehicle for a period not exceeding 10 minutes provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the alley as to prevent other vehicles or persons from passing along the lane.

9. Limited Parking:

- 9.1 No person shall park a vehicle in excess of the time designated and marked on a sign posted for the purpose of restricting the time for parking a vehicle.

10. Second Offences:

10.1 After the issuance of an offence ticket concerning a vehicle for the first violation of Section 9 and the vehicle remains parked in excess of the time permitted on the sign for a further period, then a second offence shall be deemed to have occurred and a further offence ticket may be issued for such offence.

11. Unattached Holiday Trailer:

11.1 No person shall park a holiday trailer upon a highway unless it is attached to a motor vehicle by which it is carried, drawn or propelled.

11.2 When attached to a motor vehicle, a holiday trailer is deemed to be part of the motor vehicle.

12. Prohibited Parking/Stopping:

12.1 Except as required or permitted by this Bylaw, by a traffic control device, or in compliance with the directions of a Peace Officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:

- a) On a sidewalk or boulevard;
- b) On a crosswalk;
- c) Within an intersection other than immediately next to the curb in a “T” intersection;
- d) At an intersection nearer than 5 meters to the projection of the lateral curb line of the highway at right angles to the direction of travel of the vehicle;
- e) Within 5 meters of the approach to a stop sign or yield sign;
- f) Within 5 meters of any fire hydrant, or when the hydrant is not located at the curb, within 5 meters of the point on the curb nearest the hydrant;
- g) Within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
- h) Within 5 meters of the near side of a marked crosswalk;
- i) Alongside or opposite any Road excavation or obstruction when the stopping or parking would obstruct traffic;
- j) At any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited; and
- k) On the roadway side of a vehicle parked or stopped at the curb or edge of the roadway.

13. Parallel Parking:

13.1 When parking on a roadway, a driver shall park his vehicle facing the direction of travel authorized for that portion of the roadway on which the vehicle is parked, with its sides parallel to and its wheels not more than 500 millimeters from the curb or edge of the roadway.

14. Angle Parking:

14.1 Where angle parking is permitted or required, a driver shall park his vehicle with one front wheel not more than 500 millimeters from the curb or edge of the roadway and with its sides between and parallel to any two of the visible parking guidelines, or at an angle of between 30 and 60 degrees to the curb or edge of the roadway where no parking guidelines are visible.

15. Vehicle on Jacks:

15.1 No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.

16. Abandoning of Vehicles:

- 16.1 No person shall park a vehicle or holiday trailer on a highway for any continuous period in excess of 72 hours.
- 16.2 No person shall park a vehicle or holiday trailer on public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.
- 16.3 No vehicle operator shall drive or park a vehicle upon any highway in such a manner as to block, obstruct, impede or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway.

17. Emergency Vehicles:

- 17.1 Nothing in this Bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks, or any other emergency vehicle as well as vehicles engaged in highway repair, maintenance, or inspection from being parked on the roadway by their operators in the performance of their duties.

18. Special Needs Parking

- 18.1 The owner or operator of a motor vehicle which is not identified by a special needs placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping or parking of the vehicle in a parking space designated for special needs parking.
- 18.2 Where, pursuant to Section 18.1, the vehicle is identified by a special needs placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated by Special Needs Parking.

19. Parking on Private Property:

- 19.1 No person shall park a vehicle, or trailer on private land which has been clearly marked as such by a sign containing the words meaning *No Parking on Private Property, Unauthorized vehicles will be towed at owners expense*, or words to the like effect, erected by the owner, tenant, or their agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.
- 19.2 No person shall park a vehicle or trailer on a parking lot on private land to which the public has access contrary to the terms, conditions, or prohibitions contained in a clearly marked sign erected at the entrance to or within the boundaries of such private land by the owner, tenant, occupant or person in charge of such private land.
- 19.3 Should any owner, tenant, occupant, or person in charge of private land be satisfied that any person is violating the prohibition set forth in Section 18.1 or 18.2, he may report the license number and location of the illegally parked vehicle to any Peace Officer or bylaw enforcement officer. Any person so reporting shall give his name, address and telephone number on request.

20. Parking on Village Property:

- 20.1 No person shall operate or park any vehicle upon any land owned by the Village which includes but is not limited to playground, boulevard, recreation or public park, or any utility right-of-way, except on such part thereof as the CAO may designate by assign or signs for vehicular use or parking.
- 20.2 No person shall park a holiday trailer or recreational vehicle upon any land owned by the Village which includes but is not limited to playground, boulevard, recreation or public park, or any utility right-of-way, except on such part thereof as the CAO may designate by assign or signs for vehicular use or parking.

21. Angle Parking of Vehicle Exceeding 6 Meters:

21.1 No person shall angle park, or load or unload any public service vehicle, or commercial vehicle which exceeds 6 meters in overall length upon any highway, except at such locations as have been designated by the CAO either by a sign or in writing.

22. Parking Vehicle Exceeding 6 Meters Near Residence:

22.1 With the exception of a recreation vehicle, no person shall park a school bus, vehicle or vehicle with a trailer attached exceeding 6 meters in length, or a truck tractor unit with or without a semi-trailer or trailer attached, on a highway, in front of, across from or adjacent to residential property or driveway.

22.2 No person shall park an unattached trailer on a highway in front of, across from, or adjacent to residential property.

22.3 This section shall not apply to:

- a) A vehicle being parked on a highway while unloading or loading goods to or from a premises;
- b) A utility or other trailer being temporarily used for the purpose of construction, demolition, or landscaping, providing that such utility or other trailer does not obstruct other users of the highway and is clearly visible and attended at all times.

23. Occupying Recreation Vehicle or Trailer While Parked:

23.1 No person shall occupy any recreational vehicle or holiday trailer as a dwelling or sleeping place at any time while it is parked on a highway.

23.2 No person shall occupy any recreational vehicle or holiday trailer as a dwelling or sleeping place for a period exceeding 4 weeks on any property other than a proper camping RV park, except during special events e.g. fairs, weddings, and family reunions.

24. Over Dimension/Overweight Permits

24.1 No person shall operate or allow to be operated in the Village, a vehicle which exceeds any one of the dimensions or the weight limits cited in the regulations under the *Commercial Vehicle Dimension and Weight Regulation* without first obtaining a permit from the Ministry of Transportation and, if required a permit for single trips from the CAO.

24.2 The permit under Section 24.1, or copies of same, or the permit numbers must be in the possession of the operator of such vehicle and shall be produced to a Peace Officer or Bylaw Enforcement Officer on demand.

24.3 Any person applying for a permit under Section 24 shall provide such information as may be required and shall comply with all conditions of the permit.

24.4 Notwithstanding 24.1, a person may request a Road Use Agreement with the Village that would permit the person to operate or allow to be operated in the Village, a vehicle which exceeds weight limits as described in this bylaw, providing they accept responsibility to repair or pay for any damages caused as a result of their usage.

25. Violation of Permit Conditions:

25.1 Any person who fails to obtain a permit as required under this part; or contravenes the conditions of any permit issued under this part is guilty of an offence.

26. Weight Limits:

- 26.1 Notwithstanding that a permit has been issued, no person shall operate a vehicle on a bridge where such vehicle, with or without load, exceeds the weight designated by a sign at or near the bridge as the maximum load permitted on such bridge.
- 26.2 No vehicles shall be operated on Village roads in an overloaded condition and contrary to the axle loadings as cited in the Regulations under the *Commercial Vehicle Dimension and Weight Regulation*.

27. Refusing to stop for a Peace Officer

- 27.1 An operator of a public vehicle or combination of vehicles;
- a) Who fails or refuses to stop and permit the vehicle or combination of vehicles to be inspected by a Peace Officer; or
 - b) Who fails or refuses, when directed by a Peace Officer, to permit the weighing of a vehicle or combination of vehicles or to stop the vehicle or combination of vehicles, in a suitable place designated by a Peace Officer pending removal of excess weight;
- Is guilty of an offence.

28. Vehicle with Metal Lugs

- 28.1 Unless a permit to do so has been issued by the CAO, no person shall operate on a highway a vehicle or trailer having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire or track for such vehicle. This prohibition does not apply to the use of studded tires or tires with chains.

29. Truck Routes

- 29.1 Except as provided in Sections 30.3, 31, and 32, no person shall operate or park, or allow to be operated or parked, a heavy vehicle upon a highway in the Village Municipal boundaries.
- 29.2 Notwithstanding the foregoing, vehicles commonly known as *recreation vehicles* being a vehicle or combination of vehicles and trailer designed for vacation, camping, or similar recreation purpose shall not be deemed to be heavy vehicles.

30. Exemptions

- 30.1 Section 29 shall not apply when the heavy vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest truck route:
- a) when delivering or collecting goods or merchandise to or from the premises of bona fide customers;
 - b) when moving a building for which an over dimension permit has been issued by the Village;
 - c) when going to or from non-residential premises for the servicing of the heavy vehicle;
 - d) when pulling a disabled vehicle from a highway prohibited to heavy vehicles.
 - e) Carriers using services in the ~~Highway 2 and 43~~ Industrial/Commercial area.
- 30.2 Section 29 shall not apply to:
- a) persons driving a public passenger vehicle; or

b) persons driving a vehicle that is owned by or under contract to the Village, including emergency vehicles such as ambulances, fire trucks, police or enforcement vehicles as well as any public utilities vehicles including telephone, electrical, natural gas and cable vision system while such vehicle is actually engaged in work at locations not designated as a truck route. The onus for establishing that the vehicle is actually working for the purpose aforesaid is on the person operating or in charge of the vehicle and such proof must be provided upon the demand of a Peace Officer.

30.3 Persons that have more than one delivery, collection or service in the same area, may make all deliveries, collections or services within that area before proceeding by the most direct and practical route to the nearest truck route. In this section *area* is defined as one bounded on all sides by a truck route or separated from other areas of the Village by a truck route. Nothing in this section shall be deemed to exempt any person from the provisions of Sections 26 to 29 inclusive of this Bylaw.

31. Shipper and Carrier Liable

31.1 Where the operation of a public vehicle contravenes any provision of this Bylaw, the shipper and the carrier are jointly and severally liable for the contravention unless the shipper or the carrier, as the case may be, proves to the satisfaction of the court that the contravention occurred without his consent, express or implied.

32. Contravention Prior to Certificate

32.1 The granting of a certificate or permit for any operation of a public vehicle is not a defense with respect to any contravention in the operation of such vehicle which occurred prior to the granting of the certificate or permit.

33. Document as Evidence

33.1 Every document purporting to be signed by the CAO shall be admitted in evidence as prima facie proof of the facts stated therein without proof of the signature or official character of the person signing the certificate.

34. Certificate Under *Weights and Measures Act* (Canada)

34.1 In a prosecution under this Bylaw or any order made under this Bylaw, a certificate purporting to be issued and signed by an inspector under the *Weights and Measures Act* (Canada) and bearing a date not more than one year either before or after the date of the offence charged, shall be admitted in evidence as prima facie proof of the facts stated in the certificate without proof of the signature or official character of the person signing the certificate.

35. Certificate of Peace Officer

35.1 In a prosecution under this Bylaw, a certificate purportedly signed by a Peace Officer stating;

- a) that the weight was measured on a portable scale; and
- b) the gross weight of a public vehicle or a combination of public vehicles and the load being carried thereby; or
- c) the gross axle weight transferred to the road through any point or points of contact of the vehicle or combination of vehicles with the road; or
- d) that the operator of the vehicle or combination of vehicles accepted the weight determined as being accurate;

shall be admitted in evidence as prima facie proof of the facts stated therein without proof.

36. Bills of Lading as Evidence

36.1 In a prosecution under this Bylaw, the bills of lading produced to a Peace Officer by the operator of a public vehicle, or certified true copies thereof, shall be admitted in evidence as prima facie proof of the origin and destination of the trip and description of the load carried, without proof of the signature or official character of the person signing the bills of lading or certifying the copies.

37. Parades and Processions

37.1 No person or organization shall hold, organize, or take part in any parade or procession or organized foot race on a highway unless a permit has first been obtained for such parade, procession or foot race from the CAO.

37.2 Every member of a parade, procession, or organized foot race and the organization and leaders thereof shall be guilty of an offence for each and every violation of Section 37.1.

37.3 Any person desiring to hold a parade, procession, or organized foot race within the Village shall, not less than 4 weeks prior to the time they desire to hold the same, make application to the CAO in writing, and in such application shall furnish to the CAO information with respect to the following, namely:

- a) the name and address of the applicant and, if such applicant is an organization, the names, addresses and occupations of the executive thereof;
- b) the nature and object of such parade, procession or foot race;
- c) the day, date, and hours during which same will be held;
- d) objects thrown from parade floats or moving vehicles;
- e) the intended route thereof.

37.4 The written application shall bear the signatures and addresses of the persons who will be in control of such parade, procession, or organized foot race and who undertake to be responsible for the good order and conduct thereof.

37.5 Notwithstanding anything contained in this Bylaw, any vehicle in a funeral procession, except the lead vehicle, may, during daylight hours enter an intersection without stopping if:

- a) the headlamps of the vehicle are alight;
- b) the vehicle is traveling immediately behind the vehicle in front of it so as to form a continuous line of traffic; and
- c) the passage into the intersection can be made in safety

38. Miscellaneous

38.1 No person shall operate a heavy vehicle on or across any sidewalk except at a curb cut or approved crossing without first planking or berming the sidewalk to ensure that such sidewalk will not be damaged.

38.2 No person shall be entitled to obtain vehicular access to a lot or parcel of land from any highway at a point not approved by the CAO in his sole discretion and subject to such conditions as the CAO may impose.

38.3 The CAO may refuse permission to any person applying for access across a sidewalk or boulevard if, in his discretion, local conditions do not justify such access.

39. Placement of Obstructions on Roadway

39.1 No person shall place, or cause to be placed, upon any roadway any snow, ice, dirt, grass or other obstruction or material.

39.2 Any person who contravenes Section 39.1 shall remove any such snow, ice, dirt, grass or obstruction from the roadway immediately.

- 39.3 The Village may, if deemed necessary at any time, remove and clear away the snow, ice, dirt, grass, or obstruction required to be removed by Section 39.1.
- 39.4 The person who has placed caused or allowed to be placed the snow, ice, dirt, grass, or obstruction contrary to Section 39.1, shall pay to the Village on demand all costs of removal.
- 39.5 No employee of the Village shall be liable for contravention of Section 39.1 when acting in the performance of his duties.
- 39.6 Notwithstanding anything contained in this Bylaw, any person may place, or cause to be placed upon any roadway any snow or ice if:
- a) The property is located in the downtown core designated as 50 Street between 48 Avenue and 47 Avenue; and
 - b) There exists no space between the sidewalk and places of residence or business.

40. Removal of Snow and Other Obstructions From Sidewalks

- 40.1 All persons owning premises in the following areas of the Village shall remove and clear away all snow, ice, dirt, and other obstructions from the sidewalk in any highway adjoining such premises within 48 hours of the time that such snow, ice, dirt, or other obstruction was deposited thereon.
- 40.2 The Village may, after the termination of the 48 hours aforesaid, remove and clear away all snow, dirt, and other obstruction required to be removed by Section 40.1.
- 40.3 The owner controlling the premises shall make payment on demand to the Village of all costs of removal under Section 40.1.

41. Roadway/Highway Repairs

- 41.1 No person shall damage any roadway or highway or remove any earth, gravel, concrete, pavement, or other roadway or highway appurtenance or make any excavation within or under any roadway or highway within the Village without having first obtained a permit from the CAO.

42. Obstructions

- 42.1 No person shall place or shall cause, suffer, permit, or allow to be placed or maintained, at any location in the Village, a light, sign, or any object that emits or reflects light in such manner so as to distract, or interfere with the vision of, persons operating vehicles on any highway in the Village.
- 42.2 No person operating premises for the sale of new or used vehicles or for washing vehicles shall permit or allow water, mud, or any material washed from a vehicle to flow or be deposited upon a highway.
- 42.3 No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken.
- 42.4 No person shall place any goods, wares, merchandise or other articles of any kind upon a highway or shall expose any goods, wares, or merchandise, or other articles outside any shop, warehouse or building which shall project over any part of the highway unless a license for such use is first obtained from the Village, but the provisions of this section does not prohibit the moderate use of a portion of a sidewalk for a reasonable time during the taking in, or delivering of, goods, wares, or merchandise.
- 42.5 No person shall place an electrical cord across any village boulevard, sidewalk or highway.

- 42.6 No person shall build any fence, house, building, or structure of any kind, or part thereof, over the property line of any highway after the same has been duly established by law, registered survey plan, or resolution of Council, or shall obstruct in any way the highways within the Village except as specifically permitted for in this Bylaw or except in accordance with any contract that may be entered into between the Village and that person.
- 42.7 No person shall place, pile or store any material or equipment on Village property without first applying for and obtaining a permit for such purpose from the CAO.
- 42.8 No person shall drain the radiator or any other fluid of a vehicle so that the contents thereof fall upon or flow to any highway.
- 42.9 Any person placing or causing to be placed, any dirt, gravel, concrete or any such obstruction on Village property without a permit shall remove or cause the removal thereof as soon as reasonably possible and, in any event, no later than 24 hours after notification to do so by the CAO. After 24 hours or such lesser time as specified by the CAO, the Village may remove the obstruction, perform all necessary repairs and charge the costs thereof to the person causing the obstruction.

43. Encroachment/Trees

- 43.1 An owner of private property shall ensure that trees or shrubs growing on his property shall be properly trimmed and shall not have any branches projecting over a sidewalk area at an elevation of less than 225 cm (7.5 ft.) or over a roadway or alley at an elevation of less than 412 cm (13.5 ft.).
- 43.2 Except for trimming permitted or required under Section 43.1, no person shall remove, damage, destroy, or injure any tree that is planted or growing on a boulevard planting strip or adjacent to any Village road without prior written permission from the CAO. If a request for removal of a tree is granted, the adjacent private property owner shall be responsible for the cost of such removal. If the Village requires the removal of a tree in the boulevard planting strip, it shall be responsible for all costs associated with the tree removal.
- 43.3 The CAO shall not grant a request for the removal of such a tree unless, in the opinion of the CAO, there are exceptional circumstances which warrant such removal. If a request for removal for a tree is granted, the owner shall be responsible for the cost of such removal plus the value of the tree as approved by the CAO.

44. Recovery of Costs

- 44.1 The CAO may require any person concerned to comply with and remedy a breach of the provisions of Sections 42 to 43. If a person fails to comply with such notice, the CAO may direct employees or agents of the Village to carry out the work and to enter upon private property, if necessary, for such purpose.
- 44.2 All costs incurred by the Village to remedy such default shall be paid on demand to the Village by the property owner in default.

45. Off-Highway Vehicles

- 45.1 A Peace Officer, Village employee or agent of the Village may operate an off-highway vehicle on highways or lands owned by the Village where such operation is required in connection with the patrol or maintenance duties of such person or in case of emergency.
- 45.2 For the purpose of this section, off-highway vehicle shall have the meaning given to it in the *Off-Highway Vehicle Regulation*.
- 45.3 No person shall operate an off-highway vehicle on any village highway other than to use the extreme right hand side of the traveled portion, of any road, avenue or lane within the limits of the Village, but excluding 50 Street in its entirety for the express purpose of

allowing the operator to travel the said portion from his/her residence to the outer limits of the Village and return, by the shortest route possible at a speed no greater than 10 km/hr.

- 45.4 Operators of off-highway vehicles shall only be permitted to operate off-highway vehicles within the Village limits between the hours of 8:00 a.m. and 10:00 p.m. and in accordance with Section 45.3 if underage must be accompanied by an adult.

46. Dangerous Goods

- 46.1 Any Dangerous Goods shall be transported in accordance with the *Dangerous Goods Transportation and Handling Act* and regulations.

47. Authority of the CAO

- 47.1 The CAO is hereby authorized to designate:

- a) any highway for through traffic purposes;
- b) the location of crosswalks upon highways;
- c) any intersection, highway, or place on a highway, including a place where a railway right-of-way crosses a highway, as a place where U-turns are prohibited;
- d) any highway as one which is closed temporarily in whole or in part to traffic;
- e) any areas as one in which parking privileges are temporarily suspended;
- f) any highway as one to be divided into traffic lanes of such number as the CAO considers proper;
- g) the location of school zones and playground zones';
- h) any boulevard upon which parking is permitted;
- i) loading or unloading zones;
- j) the distance from any intersection within which no parking is permitted;
- k) portions of highways where parking is limited to a period of time;
- l) portions of highway where stopping is prohibited entirely, or for a specified period of time;
- m) areas for angle parking and parallel parking;
- n) the maximum load permitted on any bridge;
- o) parking spaces upon a highway for the use of any taxicab business holding a valid and subsisting taxicab license issued by the Village, as a taxi stand;
- p) the location of bus stops;
- q) parking spaces designated for Special Needs Parking.

- 47.2 The Council hereby delegates the power to direct where traffic control devices are to be installed or removed according to the resolution of Council.

- 47.3 The CAO shall provide a record of the locations of all erected signs to be kept, which shall be open to public inspection during the hours that Village office is open for business.

- 47.4 The CAO may:

- a) prohibit or restrict the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway when the CAO considers such prohibition or restriction is in the public interest and the better regulation of traffic;
- b) engage Peace Officers to issue and place on vehicles parked in contravention of the *Traffic Safety Act*, and amendments thereto or this Bylaw, the offence ticket in the form approved, from time to time, by the Bylaw Enforcement Officer of the Village;
- c) specify the types of vehicles which are prohibited from parking on any Village owned parking lot;
- d) approve the form and content of all signs and traffic control devices utilized by the Village and by the owners of private land regulated under the provisions of this Bylaw.

- 47.5 The CAO may issue permits for parades, processions, and foot races, and where issued, such permit shall specify the hour and the route of the parade, procession, or foot race,

and contain such directions to the applicant as the CAO considers necessary to prevent unnecessary and unreasonable obstruction of highway and tend to prevent a breach of the peace.

- 47.6 The CAO may direct the temporary closure of highways, parking lots, or any other Village property during parades, processions, foot races or any other public event where, in the sole discretion of the CAO, such temporary closure is desirable for the public safety.
- 47.7 Upon issuing a permit under Section 37, the CAO shall notify the Royal Canadian Mounted Police, Fire Department and Ambulance so that all necessary arrangements may be made by them for the proper policing of the highway during such parade, procession, or foot race.
- 47.8 If the CAO refuses to issue a Parade Permit, the applicants therefore may make further application to Council which may, by resolution, direct the issuance of such permit subject to the provisions of this Bylaw, and such other conditions as it deems necessary.

48. Penalties and Powers of Peace Officers

- 48.1 A Peace Officer is hereby authorized to remove or cause to be removed any 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 highway.
- 48.2 Such vehicle may be removed to a place designated by the CAO, where it will remain until claimed by the owner thereof or his agent.
- 48.3 No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been 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 as hereinafter provided. The Village is not responsible for impounding, towing or removal charges.

49. During Snow Removal or Street Cleaning

- 49.1 Notwithstanding anything herein contained, in conjunction with snow removal, street cleaning or road repair operations carried on by the Village employees or contractors, the Village may order to be towed vehicles from the street being cleaned, cleared or repaired and, by impounding them
- 49.2 Where a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw, the owner of the vehicle is liable for the contravention and shall make payment of the penalty prescribed herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.

50. Prosecution of Offences

- 50.1 Any person who contravenes any provisions or requirements of this Bylaw is guilty of an offence and is liable for and subject to the penalties herein provided.
- 50.2 The penalties hereinafter specified in Schedule A aforesaid are hereby established for contravention of the sections of this Bylaw listed in Schedule A.
- 50.3 Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw listed in Schedule A annexed hereto and made part of this Bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the Village which shall be accepted by the Village in lieu of prosecution for the offence.

- 50.4 Service of an offence ticket shall be sufficient if it is:
- a) personally served; or
 - b) attached to the vehicle in respect of which an offence is alleged to have been committed; or
 - c) if mailed to the address of the registered owner of the vehicle or to the person in possession of the said vehicle.

51. Severability

Despite that any section or sections of this bylaw, or any part or parts thereof, may be found by any court of law to be invalid or illegal that section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this bylaw, or parts thereof, are separate and independent there-from and enacted as such.

52. Repeal

Any bylaw of the same nature and notably Bylaw Number 196-18 are repealed.

Effective Date

This Bylaw comes into effect upon third and final reading hereof.

READ this FIRST time this 21st day of November 2023.

READ for a SECOND time this

READ for a THIRD time this

James Verquin, Mayor

Peter Thomas, CAO



SCHEDULE "A"

FINES & OFFENCES

<u>Section</u>	<u>Offence</u>	<u>Penalty</u>
	Sidewalks-Bicycle Paths	
5.1	Operate a vehicle upon sidewalk, trail, path	\$100
5.2	Bicycles on sidewalk, where prohibited	\$25
5.3	Skateboards on sidewalks where prohibited	\$25
	Parking	
6.1	Stopping where prohibited	\$30
6.2 a)	Park in a construction Zone	\$30
6.2 b)	Park to obstruct Fire Emergency Door	\$30
6.2 c)	Park in entrance of Fire Hall	\$30
6.2 d)	Park in an area for special class of vehicles	\$30
6.2 e)	Park in No Parking Zone	\$30
6.2 f)	Park in Fire Lane	\$50
7.1	Park in loading or unloading zone for period longer than 10 minutes	\$30
7.3	Drive a vehicle contrary to road sign	\$50
7.4	Interfere with road repair sign	\$200
7.5	No Parking – street cleaning, snow removal	\$50
8	Parking in a lane	\$50
9	Parking longer than designated time 1 st offence	\$50
9	Parking longer than designated time 2 nd offence	\$100
11	Parking unattached holiday trailer on highway	\$50
12	Stopping or Parking	\$30
13	Parallel Parking	\$30
14	Angle Parking	\$30
15	Vehicle on Jacks	\$50
16.1	Abandon vehicle on highway	\$500
16.2	Abandon vehicle on Private Property	\$500
16.3	Park so as to obstruct traffic	\$30
18	Parking in a special needs person space	\$350 1 st \$700 2 nd Plus towing charges
	Parking on Private Property	
19	Park on Private Property	\$30
	Village Parking	
20	Park or operate vehicle on Village owned land	\$50
	Special Classes of Vehicles	
21	Park vehicle exceeding 6 meters	\$50
22.1	Park vehicle over 6 meters – residential district	\$100

22.2	Park unattached trailer	\$30
23	Residing in holiday trailer or recreation vehicle	\$100
24	Over-dimension over-weight permit	\$200
25.1a)	Failure to obtain permit	\$250
25.1b)	Violation of Permit Conditions	\$250
26.1	Weigh limits on bridge	\$250
26.2	Weight limits on roads	\$250
27.1 a)	Refusing to stop for Peace Officer	\$250
27.1 b)	Refusal to permit weighing of vehicle	\$250
28	Vehicle with metal lugs without permit	\$100
29	Heavy vehicle operation off truck routes	\$100
	Rules for Parades and Processions	
37	Unauthorized parade, procession, or foot race on highway	\$50
	Miscellaneous	
38.1	Heavy vehicle operation across sidewalks	\$100
38.2	Vehicular access on sidewalk or boulevard	\$50
39	Placing obstructions and snow on roadway	\$30
40	Failure to clean sidewalks	\$50
41	Damaging roadway	Cost of repairs or replacement
42.1	Distraction by light or object	\$50
42.2	Washing vehicles – drainage to highway	\$50
42.3	Unloading across sidewalk	\$30
42.4	Placing goods on highway	\$30
42.6	Encroachment or obstruction on highway	\$50
42.7	Storing material on Village property without permit	\$100
42.8	Draining radiator on roadway	\$500
42.9	Placement of obstruction	\$100
43.1	Failing to trim overhanging shrubs	\$50
43.2	Unauthorized damage to boulevard trees	\$50
45	Unauthorized operation of off-highway vehicles	\$200
46	Dumping dangerous goods on highway	\$500
Discount	May be deducted from the voluntary payment specified on the Municipal Tag when payment is received within ten days of the violation	25%
Section not Specified	Any other section to which a fine had not been specified	\$50 1 st \$75 2 nd