BYLAW No. 1520

OF

KNEEHILL COUNTY

BEING A BYLAW OF KNEEHILL COUNTY TO CONTROL AND REGULATE THE USE OF HIGHWAYS AND PUBLIC PLACES WITHIN THE SERVICE AREAS OF KNEEHILL COUNTY, THE TRAFFIC AND PEDESTRIANS MOVING THEREON AND THE PARKING OF VEHICLES ON THE HIGHWAYS.

WHEREAS Sec. 7 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended, provides that a Council may pass bylaws with respect to the safety, health and welfare of people and the protection of people and property; and people; activities and things, in, on or near a Public Place or place that is open to the public;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended authorizes a Council to make bylaws to regulate and control Vehicle, animal and pedestrian traffic;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, provides that a municipality may regulate the operation of Off-Highway Vehicles along Highways within the municipality's care and control;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, provides that the Minister may, by order in writing, authorize the council of a county, or the Minister of Municipal Affairs in the case of a special area, improvement district, Municipality, town or village, to increase, limit or restrict the maximum gross weight that may be borne by a tire, an axle or an axle group, or any of them, or the maximum gross weight that may be borne by a Vehicle or combination of Vehicles on a secondary road, rural road or street, for a period or periods that the council determines;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, authorizes the Council of Kneehill County to limit and restrict such gross weights on a secondary road, rural road or street;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, authorizes the Council of a County to limit and restrict such gross weights on a secondary road, rural road or street;

AND WHEREAS Sec. 13 and 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, provides that a local authority may make bylaws with respect to Highways under its direction, control and management, designating the route and time of travel of Vehicles transporting dangerous goods, prohibiting the carriage of dangerous goods, and specifying restrictions or conditions to ensure the safe transportation in or by a means of transport, safe storage and controls necessary for public safety;

AND WHEREAS the Minister of Transportation and Utilities (now referred to as the "Minister of Transportation"), pursuant to the *Chapter T-6 Section 3 of the Public Highways Development Act R.S.A. 2000 chapter P-38*, may by order, designate any existing Highway as a primary Highway, and has the direction, control and management of all primary Highways;

NOW THEREFORE, the Council of Kneehill County, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as the Kneehill County "Highways and Transportation Bylaw."

APPLICATION

2. This Bylaw shall not apply to:

   (a). Primary Highways;

(b). Public roads within Indian Reserves pursuant to clause 9(c) of the Transportation Transitional Funding Agreement executed between Alberta Transportation (formerly Alberta Transportation and Utilities) and the Municipality;

DEFINITIONS

3. In this Bylaw all words shall have the same meaning as the *Traffic Safety Act, R.S.A. 2000, Chapter T-6,* as amended, except as otherwise defined;

(a). "Act" means the *Traffic Safety Act, R.S.A. 2000, Chapter T-6,* as amended;

(b). "Administration" means the general operations of the Municipality, including all personnel, financial and other related resources, as permitted by the *Municipal Government Act, RSA 2000, C. M-26,* as amended, and any successor legislation.

(c). "Chief Administrative Officer" means the Chief Administrative Officer or designate for the Municipality and whatever subsequent title may be conferred on that officer by Council resolution or statute. (otherwise knows as CAO)

(d). "Council" shall mean the Council of Kneehill County;

(e). "Crossing" means that areas used or constructed to provide access to private property from any highway and shall be all that area from the edge of roadway to the private property line;

(f). "Curb" means the actual curb if there is one and, if there is not an actual curb in existence, shall mean the division point of Highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;

(g). "Dangerous Goods" means any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the *Dangerous Good Transportation and Handling Act*, R.S.A. 2000, c. D-4, as amended;

(h). "Delegate" means an employee of Kneehill County appointed as a Special Constable or a Bylaw Enforcement Officer or other identified by CAO.

(i). "Disabled Person Vehicle" means a vehicle identified as such by either an Alberta license plate starting with the letter "A" or an official placard, clearly displayed in the vehicle bearing the international symbol of the disabled;

(j). "Heavy Vehicle" means a vehicle, with or without a load, exceeding any one of the following:
- (i). Two axles;
- (ii). Eleven (11) metres in length;
- (iii). A maximum allowable weight of 4,500 kilograms;
- (iv). Notwithstanding the foregoing, a municipal service vehicle is excluded from this definition;

(k). "Mobile Unit" means:
- (i). Any vacation trailer, house trailer or relocatable trailer;
- (ii). Any structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one (1) point to another by being towed or carried and to provide living accommodation for or other use by one (1) or more persons;

(l). "Hazard" means a risk or danger or to expose to a risk, danger or peril;

(m). "Highway" means the term *Highway* as defined in the Act and includes winter roads and ice bridges within the Municipality;

(n). "Holiday" means:
- (i). New Year's Day;

(ii). Family Day (3rd Monday in February);
(iii). Good Friday;
(iv). Victoria Day (the First Monday immediately preceding the 25th day of May in each year);
(v). Canada Day;
(vi). Heritage Day (the first Monday of August);
(vii). Labour Day (first Monday in September);
(viii). Thanksgiving Day (second Monday in October) when proclaimed as a holiday by the Government of Canada or the Government of the Province of Alberta;
(ix). Remembrance Day;
(x). Christmas Day;
(xi). Boxing Day; and
(xii). Any civic holiday proclaimed by the Council or by the Reeve;

(o). "Municipality" means Kneehill County;

(p) "Operator" means the registered owner thereof or if not the registered owner, the person "Park", "Parked", and "Parking" or any word or expression of similar connotation or import shall mean a vehicle remaining stationary in one place whether or not the vehicle is occupied, excluding vehicles stationary in one place:

(q) "Passenger Loading or Unloading Space" shall mean a space on the vehicle portion of a highway posted with a traffic control device permitting parking therein for a period necessary to load or unload passengers, provided such period is fifteen (15) minutes or less, except in front of a hotel when only ten (10) minutes parking may be allowed and the traffic control device shall indicate the time or times when the space is restricted to these purposes;

(r) "Peace Officer" means a peace officer as defined in the Traffic Safety Act and includes a Bylaw Enforcement Officer as appointed by Council from time to time;

(s) "Person" means any individual, corporation, society, association, partnership or firm;

(t) "Post" means to erect, place or mark traffic control devices;

(u) "Primary Highway" as defined in the *Public Highways Development Act, RSA 2000, Chapter P-38*;

(v) "Public Places" means properties that are owned by the Municipality;

(w) "Secondary Road (Highway)" as defined in the *Public Highways Development Act, RSA 2000, Chapter P-38*;

(x) "Street Furniture" means every curb, sidewalk, pole, traffic sign, waste receptacle, bus bench, bus enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the Municipality capable of being marked, defaced or damaged;

(y) "Taxi Zone" means a portion of a roadway adjacent to the curb authorized and posted for the exclusive use of taxicabs or taxicab companies;

(z) "Track" means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill or fall from any vehicle, appurtenances, or tires onto any highway or land in the vicinity of any highway;

(aa) "Traffic Control Device" means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement;

(bb) "Transit Vehicle" means a vehicle used for public transportation including school buses;

(cc) "Transit Zone" means the area parallel to the curbside of the roadway and within fifteen (15) meters of either side of a transit zone sign;

(dd) "Violation Tag" means a tag or similar documents issued by the Municipality pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended;

(ee) "Violation Tag" means a tag or similar documents issued by the Municipality pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended;

(ff) "Violation Ticket" means a ticket issued pursuant to Part II or Part III of the *Provincial Offences Procedure* Act, R.S.A. 2000, c.P-34, as amended and the regulations thereunder;

(gg) "Work Zone" means an area designated by traffic control devices as a work zone for the purpose of maintenance, construction, or repairs on or near a Highway.

OPERATION OF VEHICLES

4. Every person shall obey the instructions of traffic control devices unless otherwise directed by a Peace Officer or Parade Marshall during a Parade or Procession.

4.1 No person shall stop a vehicle or permit a vehicle to be left upon any highway in such a manner to block, obstruct, impede or hinder traffic on the highway unless the person has been granted the authority in writing to do so by the Chief Administrative Officer or delegate, the Council or by Statute, and then only in strict compliance with the authority granted.

4.2 Notwithstanding Section 4.1, where the obstruction caused by a vehicle is unavoidable due to mechanical failure, the person will not be in breach of Section 4.1, provided the person promptly takes measures to remove such vehicles from the highway.

4.3 Notwithstanding any other provision of this Bylaw, where a transit vehicle is stopped at or has approached within ten (10) meters of an intersection and has indicated by signal that the driver intends to turn right at such intersection then the driver of a vehicle traveling in the same direction shall not overtake or pass to the right of such transit vehicles.

4.4 No person shall pass or attempt to pass another vehicle traveling in the same direction while on a bridge.

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

4.6 No person shall drive or walk on or over newly installed thermal inlay, painted line, epoxy, or other material, on any roadway where a work zone is posted.

SPEED

5. No person shall operate a vehicle greater than eighty (80) kilometers per hour on any County roadway unless otherwise posted.

5.1 On any day in which school is held, no person shall operate a vehicle within a school zone or at any rate of speed greater than thirty (30) kilometers per hour between the hours of 08:00 and 16:00.

5.2 No person shall operate a vehicle within a playground zone at any rate of speed greater than thirty (30) kilometers per hour between the hours of 08:30 to one hour after sunset.

5.3 No person shall operate a vehicle in excess of the posted maximum speed within the Municipality.

PARKING

6. No person shall park or permit a vehicle to be parked on a highway contrary to a traffic control device or in a manner that impedes the flow of traffic.

6.1 Any vehicle parked contrary to this Bylaw may be towed away at the owner's sole expense.

6.2 No person shall park a vehicle on any alley unless a traffic control device otherwise permits, except for the following purposes:

(a). The loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes;

(b). The loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes.

(c). The loading or unloading of a handicap person.

6.3 Notwithstanding Subsections 6.2 (a) and (b) above, no person, while loading or unloading passengers or goods, shall park in such a manner as may obstruct the passage of other vehicles along the alley.

6.4 No person shall park a vehicle or permit a vehicle to be parked on private property without the permission or authorization of the owner of the private property or a person having lawful possession or control of the private property.

6.5 No person shall park a vehicle or permit a vehicle to be parked on any land owned by the Municipality which the Municipality uses or permits to be used as a playground, recreation area, utility lot, or public park, except in such areas designated or posted for parking.

6.6 No person shall park a vehicle or permit a vehicle to be parked in any parking lot owned by the Municipality in contravention of a traffic control device posted in the said parking lot.

6.7 No person shall park or permit to be parked, any trailer upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached, the trailer shall be deemed part of the vehicle and subject to the provisions pertaining to vehicles.

6.8 No person shall occupy or permit any other person to occupy a mobile unit upon a Highway or upon municipal property unless such property has been designated for use as a mobile unit park.

6.9 No person shall park or permit to be parked a vehicle on any highway for more than seventy-two (72) consecutive hours unless otherwise permitted by the Chief Administrative Officer or delegate in writing.

6.10 Except for emergency vehicles, no person shall park or stop or permit to be parked or stopped, a vehicle on any highway, public place or private property in space posted as a fire lane.

6.11 Nothing in this part shall be construed as to allow parking contrary to any other provision of this Bylaw.

6.12 No person shall park or permit to be parked, a vehicle on any highway or on private land, in space posted for disabled persons parking unless such vehicle is designated as a disabled persons vehicle.

6.13 No person shall park or permit to be parked, a vehicle in such a manner so as to obstruct an emergency exit.

6.14 A person shall not park or stand a vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department or any other emergency vehicle.

6.15 Any vehicle parked contrary to Section 6.14 may be towed away at the owner's expense.

SPECIAL CLASSES OF VEHICLES

7. No person shall:

(a). Park, or permit to be parked, a vehicle on a highway, where that vehicle contains dangerous goods;

(b). Park or permit to be parked, a vehicle within 15 meters of any building, where that vehicle contains dangerous goods.

7.1 Section 7 above does not apply where the vehicle is parked while loading or unloading the dangerous goods in the ordinary course of business.

7.2 No person shall operate a vehicle or trailer or combination thereof on a highway under the direction, control and management of the Municipality other than in accordance with the weight and load limitations as specified in the *Traffic Safety Act* and the Regulations there under, as amended.

7.3 Notwithstanding Section 7.2 above, Chief Administrative Officer or delegate may:

(a). Issue a single trip or an open permit to an applicant for any number of trips and for such a period of time as he deems advisable, with permit conditions applied describing routing, time of day or other restrictions as deemed necessary for the safe movement of the load or loads;

(b). Issue a permit to an applicant who telephones, or provides by telegram or facsimile transmission, the information required for a permit.

7.4 No person shall operate a vehicle in respect of which an overload or over-dimensional permit is issued pursuant to the *Traffic Safety Act* on a highway under the direction, control and management of the Municipality unless:

(a). the Chief Administrative Officer or delegate has given approval;

(b). the owner, operator, driver or mover of the vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and

(c). if requested by the Chief Administrative Officer or delegate, the owner, operator, driver, or mover of the vehicle posts a bond sufficient to cover the cost of repairing possible damages to the highway, landscaping and street furniture in an amount satisfactory to the Municipality.

7.5 In case of any dispute arising as to the weight of any vehicle, the same shall be weighed upon a certified scale (or portable scale by agreement) and the weighing of the vehicle shall be deemed to be conclusive.

7.6 Unless a permit to do so has been issued by the Chief Administrative Officer or delegate, no person shall operate on a highway:

(a). A vehicle or trailer having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire on such vehicle;

(b). Any vehicle or trailer having skids or tracks.

7.7 No person shall engage a vehicle's engine retarder brakes where posted in the Municipality.

TRUCK ROUTES

8. A person who holds a permit shall be responsible for all costs and expenses incurred by the Municipality for the repair of any curb stops, valves, hydrants, sidewalks, curbs, pavement, landscaping and any other such appurtenances to highways resulting from hauls made pursuant to any permits issued under this Bylaw.

8.1 The Chief Administrative Officer or delegate may, at their discretion, cancel or suspend a permit without notice, and may consider factors including, but not limited to weather, environmental hazards, and vehicular traffic.

8.2 The Chief Administrative Officer or delegate has authority to:

(a). Prohibit the use on a highway by a heavy vehicle, or by a class or classes thereof, for a period or periods that the Chief Administrative Officer or delegate determines;

(b) Limit or restrict the speed of a heavy vehicle, or of a class or classes thereof, using a highway for a period or periods that the Chief Administrative Officer or delegate determines; and

(c) Increase, limit or restrict the maximum gross weight that may be borne by a heavy vehicle or combination of vehicles on a highway for a period or periods that the Chief Administrative Officer or delegate determines.

AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

9. The Chief Administrative Officer or delegate is hereby delegated the authority to prescribe where traffic control devices are to be posted, including, but not limited to traffic control devices restricting the speed of vehicles.

9.1 The Chief Administrative Officer or delegate is hereby authorized to designate any highway for through traffic purposes. Such highway shall be properly posted if stop signs or yield signs are erected at all intersections of such highways.

9.2 The posting of traffic control devices by the Chief Administrative Officer or delegate is hereby deemed to be made pursuant to this Bylaw.

9.3 The Chief Administrative Officer or delegate is hereby authorized to designate crosswalks upon any highway and to cause the same to be posted.

9.4 The Chief Administrative Officer or delegate is hereby authorized to designate any highway intersection or other place on a highway as a place at which no left hand turn or no right hand turn or both shall be made and shall cause the same to be posted.

9.5 The Chief Administrative Officer or delegate is hereby authorized to designate any intersection or other place on a highway, including, but not limited to where a railway right-of-way crosses a highway, as a place where U-turns are prohibited and shall cause the same to be posted.

9.6 The Council may designate a highway or any portion thereof, for one-way traffic only and instruct the Chief Administrative Officer or delegate to cause the same to be posted.

9.7 The Chief Administrative Officer or delegate is hereby authorized to designate school zones and playground zones and shall cause the same to be posted.

9.8 The Chief Administrative Officer or delegate is hereby authorized to designate transit zones and shall cause the same to be posted.

9.9 The Chief Administrative Officer or delegate is hereby authorized to designate any highway upon which no parking is permitted and to cause the same to be posted.

9.10 The Chief Administrative Officer or delegate is hereby authorized to designate a portion of a highway or public place where parking is limited or prohibited to a period of time or wholly prohibited, or prohibited to a class or classes of vehicles, or both, and to cause the same to be posted.

9.11 The Chief Administrative Officer or delegate is hereby authorized to designate the non-standard distance a vehicle may be parked from an intersection and cause the same to be posted.

9.12 The Chief Administrative Officer or delegate is hereby authorized to designate truck routes or dangerous goods routes as approved by the Council and cause the same to be posted.

9.13 The Chief Administrative Officer or delegate is hereby authorized to impose limitations or restrictions on loads traveling on highways and cause the same to be posted.

9.14 The Chief Administrative Officer or delegate is hereby authorized to designate the maximum loading permitted on any highway or bridge and to cause the same to be posted.

(a). The Chief Administrative Officer or delegate shall post, as the Chief Administrative Officer or delegate considers necessary to notify persons using the highway(s) of the prohibition, increase or restriction of load limitations.

9.15 The Chief Administrative Officer or delegate is hereby authorized to issue or revoke permits on behalf of the Municipality where such permits are required under provisions of this Bylaw.

9.16 The Chief Administrative Officer or delegate is hereby authorized to designate temporarily closure of any street, road, lane or public highway or any part thereof at any time where a construction or maintenance project on or adjacent to the highway or public place may create a hazard and shall cause the same to be posted.

9.17 The Chief Administrative Officer or delegate is hereby authorized to designate mobile unit parks and shall cause the same to be posted.

9.18 The Chief Administrative Officer or delegate is hereby authorized to designate public parking lots and shall cause the same to be posted.

PUBLIC PLACES

10. No person shall in any way damage or otherwise vandalize any street furniture on any highway, park reserve, or public place.

10.1 No person shall place, abandon, throw, deposit or allow to be placed, abandoned, thrown or deposited any litter, which shall include but not be limited to nails, tacks, glass, crockery, barbed or other wire, scrap metal, bottle, paper, paper carton or other paper or any other container, substance or thing on any highway or public place or from any bridge or overpass structure onto any highway, public place, river or stream.

10.2 In the event that any load or any portion thereof becomes loose or detached or blows, drops, spills or falls from any vehicle onto any highway, it shall be the duty of the driver of the vehicle forthwith to take all reasonable precautions to safeguard traffic and also to remove such material from such highway.

10.3 No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track upon a highway.

10.4 Any person who tracks upon a highway shall be liable to clean up or remove the substance or material tracked upon the highway.

10.5 Except as authorized by the Chief Administrative Officer or delegate,

(a). No person shall deface, paint, chalk, stencil or mark any highway or street furniture.

(b). No person shall place any advertising, legend or sign of any kind upon any highway or street furniture.

(c). No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printing or other type of notice whatsoever upon any highway or street furniture.

(d). No person shall remove any traffic control device or other street furniture.

10.6 Except as authorized by Council, no person shall encroach, place or construct any permanent object so that it encroaches or obstructs any highway, or other public place.

(a). The Chief Administrative Officer or designate may approve temporary encroachments for up to thirty (30) days, which impose only minor controlled impact on traffic or parking, with conditions including suspension of existing or imposing temporary parking restrictions.

10.7 Any person placing or causing any obstruction to be placed in or upon any highway, curb or public place shall remove or cause the removal of such obstruction within twenty-four (24) hours of being notified to do so by the Chief Administrative Officer or delegate. After the expiration of the said twenty-four (24) hours, the Chief Administrative Officer or delegate shall remove or cause the removal of such obstruction.

10.8 Except as authorized by the Chief Administrative Officer or delegate, no person shall break, tear or remove any planking, pavement, sidewalk, curbing, concrete, cement or other road surface nor make any excavations in or under any street, lane, park or public place in the Municipality without first obtaining a Utility Installation/Street Occupancy Permit issued by the Chief Administrative Officer or delegate.

10.9 Every person who obtains a Utility Installation/Street Occupancy Permit shall comply with all terms and conditions of the Utility Installation/Street Occupancy Permit.

10.10 The Chief Administrative Officer or delegate may establish and levy service charges for any work done by the Municipality or its agents as a requirement under the Utility Installation/Street Occupancy Permit, except to recover costs for permit administration and inspection.

10.11 The owner, assessed owner, tenant or occupant of any land adjoining any highway or public place in the Municipality shall cause all trees, shrubs and bushes which overhang the highway or public place to be properly trimmed, and cut back, so as to prevent the obstruction of pedestrians or vehicles and/or the interference with good visibility for safe traffic flow.

10.12 Any person who fails to comply with Section 10.11 shall be given notice in writing by the Chief Administrative Officer or delegate. If the trees or shrubs are not removed as directed within twenty-four (72) hours after being served notice, the Municipality may have out said work carried out.

10.13 No person being the owner, occupant or tenant of any lands or premises shall fail to remove snow or ice from a Municipality sidewalk abutting on the front or flank of their property within forty-eight (48) hours of snow or ice accumulation.

10.14 Where a person being the owner, occupant or tenant of any lands or premises fails or neglects to comply with direction given by the Municipality under this Part, in addition to any other remedy available for non-compliance with this Part, the Municipality may cause the identified repairs or removal to be completed. The cost thereof shall be paid to the Municipality upon demand. Failing payment such cost shall be added to the tax roll of the property.

10.15 No person shall remove dirt, debris or any other material from any sidewalk by causing such material to be placed upon any other portion of the highway or other public place.

10.16 No person shall place, or permit to be placed, any snow, ice, dirt, debris or other material removed from private property onto the highways or other public places of the Municipality except as authorized in writing by the Chief Administrative Officer or delegate.

10.17 No person shall play on any street or lane within the Municipality.

10.18 No person shall drive or operate a motor vehicle on or across any boulevard, park, utility lot, utility right-of-way, or other publicly owned lands, not designated for vehicular use, without the permission of the Chief Administrative Officer or delegate.

10.19 No person responsible for the delivery of construction materials or who is responsible for a construction site shall permit materials delivered to the site to remain on a roadway or sidewalk beyond the end of the workday.

OFFENCES AND POWERS OF PEACE OFFICERS

11. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a minimum and specified fine as set out in Schedule A attached hereto and forming part of this Bylaw. If there is no specific fine listed in Schedule A for a particular offence, the minimum specified fine shall be $100.00.

11.1 A peace officer is hereby authorized to remove or cause to be removed, any vehicle or trailer:

(a). parked in contravention of a provision of this Bylaw; or

(b). where emergency conditions require that the vehicle or trailer be removed.

11.2 Any vehicle or trailer removed pursuant to Section 11.1 above may be moved to:

(a). a nearby highway; or

(b). a place designated by the Municipality where it will remain impounded until claimed by the owner.

11.3 No impounded vehicle or trailer shall be released to its owner or their agent until the removal and impounding charges have been paid.

11.4 All charges for removal and impounding 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 provided for in this Bylaw.

11.5 In order to determine the time which a vehicle has been parked in a location where parking is restricted to a specific time, a peace officer may place a chalk mark on the tread face of the tire of a parked or stopped vehicle without the peace officer or the Municipality incurring any liability relating thereto.

11.6 A peace officer is hereby authorized and empowered to issue a violation tag to any person, who the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

11.7 A peace officer is hereby authorized to deploy speed measurement devices, including Doppler radar, laser speed measurement device and vehicle clocking methods, for the purpose of determining the speed of moving motor vehicles.

11.8 A violation tag may be issued to such person:

(a). personally;

(b). by mailing a copy to such person at their last known post office address;

(c). by leaving it for the defendant at their residence with a person on the premises who appears to be at least 18 years of age; and

(d). attached or left upon the vehicle in respect to which the offence is alleged to have been committed.

11.9 Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by a peace officer.

11.10 Nothing in this Bylaw shall prevent a peace officer from immediately issuing a violation ticket.

11.11 In those cases where a violation tag has been issued and if the minimum specified penalty on the violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized to issue a violation ticket pursuant to Part II or Part III of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of the Bylaw.

11.12 Notwithstanding any provision of this Bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of this Bylaw.

11.13 Any person to whom a violation ticket has been issued may make a voluntary payment in respect of the violation ticket by delivering the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw, to the Provincial Court office specified on the violation ticket.

11.14 The violation tag shall be in form approved by the Chief Administrative Officer.

MISCELLANEOUS

12. No person shall be upon the roadway on roller skates, in-line skates, skateboard, riding on a coaster, sled, skis, toy vehicle, tricycle, or a similar device except while crossing such roadway at a crosswalk or intersection.

12.1 Section 15. does not apply to a person riding a bicycle.

12.2 A person riding a bicycle on any sidewalk, footpath or walkway where pedestrians are also allowed, shall ride the bicycle only in such a way that it will not interfere with a pedestrian lawfully on or using the said sidewalk, footpath or walkway and shall at all times obey all Traffic Control Devices.

12.3 No person traveling on a bicycle shall cling to or attach to a vehicle on a roadway.

12.4 No person shall drive or operate a vehicle on a roadway having in tow any of the vehicles or devices referred to in Sections 12.

12.5 No person shall park or permit to be parked any vehicle on any highway for the purposes of effecting repairs to the vehicle, excepting only to effect emergency repairs in the case of a breakdown not allowing a vehicle to be moved.

12.6 No person shall park or permit to be parked on any highway, any non-operative motor vehicle.

12.7 Section 12.5 does not apply to a vehicle which has been parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken immediate action to arrange for the removal of the vehicle forthwith.

MINIMUM AND SPECIFIED PENALTIES

13. The minimum and specified penalties for a violation of any provision of this Bylaw are shown in Schedule A of this Bylaw.

SEVERABILITY

14. Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

STRICT LIABILITY OFFENCE

15. It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability.

EFFECTIVE DATE

16. This Bylaw comes into effect upon the date of its third and final reading.

READING BY COUNCIL

COUNCILLOR HOPPINS moved first reading of Bylaw #1520 on September 13, 2005

CARRIED

_____
Reeve

_____
Chief Administrative Officer

COUNCILLOR HOLSWORTH moved second reading of Bylaw #1520 on September 13, 2005

CARRIED

_____
Reeve

_____
Chief Administrative Officer

COUNCILLOR HOLSWORTH moved third reading of Bylaw #1520 on September 27, 2005

CARRIED

_____
Reeve

_____
Chief Administrative Officer

SCHEDULE A
PENALTIES AND FINES

SECTION NO.	PAGE #	OFFENSE	FINE ($)
4.1	4	Obstructing traffic without authority	$100.00
4.3	4	Passing transit buses on right contrary to buses turn signal	$100.00
4.4	4	Passing vehicles going the same direction on bridge	$100.00
4.5	4	Drive on or over equipment of municipal fire department	$100.00
4.6	4	Driving or walking over thermal inlay or painted line in posted "Work Zone"	$150.00
5.	4	speed violations as per Traffic Safety Act schedule less 15% surcharge	
6.	5	park on a highway contrary to a traffic control device or in a manner that impedes the flow of traffic.	$100.00
6.2	5	Parking a vehicle on any Alley	$50.00
6.4	5	Parking a vehicle on Private Property	$50.00
6.5	5	Parking a vehicle on Municipal Property	$50.00
6.6	5	Parking vehicle contrary to prohibitions posted at a Municipal Parking Lot	$50.00
6.7	5	Parking an Unattached Trailer on Highway	$50.00
6.8	5	Occupancy of Mobile Unit on Highway or Municipal Property	$100.00
6.10	5	Parking in a posted "Fire Lane"	$100.00
6.12	5	Parking vehicle in stall posted for a Disabled Person(s) Vehicle	$500.00
6.13	5	Parking vehicle in an "Emergency Exit"	$100.00
6.14	6	Parking in the entrance to Fire Hall and/or Ambulance.	$100.00
7.2	6	Overweight vehicles.	$500.00/1000kg
7.7	6	Use of engine retarder brakes near residential property.	$150.00
8.	7	Violation of provisions of route permit.	$150.00
10.	8	Damage to any street furniture. Replacement cost	$200.00 +
10.1	8	Littering clean up cost	Min. $500.00 +
10.3	8	Tracking onto Municipality streets or land. clean up cost	Min. $500.00 +
10.5(a)	9	Defacing highway or street furniture Repair cost	Min. $500.00 +
10.5 (b),(c)	9	Advertise or post upon street furniture	$150.00
10.5(d)	9	Remove any traffic control device or other street furniture	$500.00
10.6	9	Place or construct encroachments or obstruction to highway or public place.	Min. $500.00 + Repair cost
10.8	9	Operating without excavation permit. Rehab. cost	Min. $500.00 +
10.11	9	Plants Overhanging Highway	$100.00
10.13	9	Failure to clean sidewalk.	$100.00
12.5	11	Repairing vehicles on roadway.	$100.00
12.6	11	Non operative motor vehicle parked on highway.	$100.00