

TOWN OF BEAVERLODGE
BYLAW #1010

A BYLAW OF THE TOWN OF BEAVERLODGE IN THE PROVINCE OF ALBERTA TO CONTROL AND PROVIDE REGULATIONS AND PENALTIES PERTAINING TO HIGHWAYS WITHIN THE TOWN

WHEREAS by virtue of the authority vested in the Council of the Town of Beaverlodge and under the authority of the Municipal Government Act, Chapter M-26, R.S.A. 2000 and amendments thereto, and the Traffic Safety Act, Chapter T-6, R.S.A: 2000 and amendments thereto, the Council may provide for the control, regulations, and penalties for Traffic, Pedestrians, and Vehicle Parking on Highways within the Town.

THEREFORE, be it enacted as follows:

1. TITLE

This bylaw may be cited as "The Town of Beaverlodge Traffic Bylaw".

2. INTERPRETATION

All terms and definitions shall be those which are described in the Traffic Safety Act (Alberta), regulations and subsequent amendments, the Municipal Government Act (Alberta), regulations and subsequent amendments, the Dangerous Goods Transportation and Handling Act (Alberta), regulations and subsequent amendments, and those in this Bylaw.

For the purpose of this Bylaw:

"**ACT**" means the Traffic Safety Act, Chapter T-6, R.S.A. 2000 and amendments thereto.

"**BICYCLE**" includes any cycle propelled by human power on which a Person may ride regardless of the number of wheels it may have.

"**BYLAW ENFORCEMENT OFFICER**" means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Community Peace Officer of the Town.

"**CAO**" means the Person appointed by Council to be the Chief Administrative Officer of the Town, or designate.

"**COUNCIL**" means the Council of the Town of Beaverlodge duly assembled and acting as such.

"**CURB**" means the actual curb, if there is one, and if there is no curb in existence, shall mean the division of a Highway between the Roadway and the Sidewalk or Boulevard as the case may be.

"**DRIVER**" or "**OPERATOR**" means a Person who is driving or is in actual physical control of a Vehicle.

"**DUMPSTER**" means a large trash receptacle designed to be hoisted and emptied into a truck.

"**HIGHWAY**" means any roadway within the Town of Beaverlodge.

"LANE" means any alley, easement or other narrow road within the Town of Beaverlodge.

"MAXIMUM GROSS WEIGHT" means the maximum weight specified in the Certificate Of Registration for the motor vehicle issued under the Traffic Safety Act, RSA 2000 and subsequent amendments.

"MUNICIPAL TAG" means a tag whereby the person alleged to have committed a breach of a provision of this bylaw is given the opportunity to pay a voluntary penalty to the Town in lieu of prosecution for an offence.

"OBSTRUCT" means anything which interferes with, or prevents the vision, passage, maintenance or use of any public property by vehicles or pedestrians.

"OFF HIGHWAY VEHICLE" means a small open motor vehicle with one or more seats and two or more wheels fitted with large tires, designed for use on rough ground.

"OWNER" means in the case of land, any person who is registered under the Land Titles Act, RSA 2000, and subsequent amendments, as the owner of the land.

"PERSON" includes an individual, corporation, society, partnership, heirs, executors, administrators, and assigns.

"ROADWAY" means that part of a highway intended for use by vehicular traffic.

"SERVICE ROAD" means a subsidiary road running parallel to a main road or highway and giving access to houses and businesses.

"TOWN" means the Town of Beaverlodge.

"TRAILER" means an unpowered vehicle towed by another, in particular.

"TRAFFIC CONTROL DEVICE" means any sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic.

"TRAVEL TRAILER" means a trailer intended to provide accommodation for vacation use and which is licensed and equipped to travel on a Highway.

"UTILITY RIGHT OF WAY" means a registered easement on private land that allows The Town and various utility companies the right to access the utilities or services that are commonly buried within the right of way.

"VIOLATION TICKET" means a notice or form commonly called a Violation Ticket as set out in the Provincial Offence Procedures Act and Regulation which may be issued by a Peace Officer to any person alleged to have contravened any provision of this Bylaw.

3. PEDESTRIANS

- A. A Person shall not cross a Highway where a Traffic Control Device prohibits such crossing.
- B. A Person shall not conduct himself, or otherwise position himself on a Highway in such a manner as to obstruct vehicles or pedestrians.
- C. Notwithstanding Subsection B above, any number of persons may assemble along a highway for the purpose of watching a parade or procession duly authorized by the Town.
- D. A Person shall not stand in a group of three (3) or more, who are so near to each other on any Highway, in such a manner as to obstruct vehicles or pedestrians, and shall immediately disperse when requested by a Peace Officer.

4. CYCLISTS

- A. A Person shall not ride any bicycle on any sidewalk in such a manner to obstruct or prevent the safe passage of pedestrians.

5. OFF-HIGHWAY VEHICLES

- A. A Person shall not operate an off-highway vehicle within the Town except on land Owned by that person, or on land owned by some other person with the consent of that other person.
- B. A Bylaw Enforcement Officer, employee or agent of the Town may operate an off- highway vehicle on public property in connection with his duties.

6. PARKING

- A. A Person may Park a Vehicle:
 - I. on a Highway only with the sides of the vehicle parallel to the curb or edge of the roadway and with the right wheels of the vehicle not more than 500 millimeters (mm) from the right curb or edge of the roadway;
 - II. in front of any buildings in the course of construction or repairs in such a manner as not to obstruct pedestrians or vehicles;
 - III. at an angle to the curb only where a Traffic Control Device has been placed permitting Angle Parking;
 - IV. At any place where a Traffic Control Device permits Parking during specified times.
- B. No Person shall permit any portion of a Vehicle, Trailer, Travel trailer, or any combination to obstruct a portion of Sidewalk and impede, interfere with, or create a hazard to Pedestrians.
- C. Any Vehicle that is on a Highway when a temporary Traffic Control Device prohibiting Parking is placed, shall be removed within 24 hours by its Owner or Operator.

- D. A person shall not stop or park a vehicle at any of the following locations:
 - a. Within five (5.0) meters of an intersection;
 - b. Within five (5.0) meters of the near side of a marked crosswalk; or,
 - c. Within one and a half (1.5) meters of a vehicle access to a garage, private road, driveway or vehicle crossway over a sidewalk.
- E. An operator shall not stop a vehicle or permit a vehicle to be left upon any highway in such a manner to block, obstruct, impede or hinder traffic.
- F. Notwithstanding Subsection E, where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided measures are taken to remove the vehicle from the highway as soon as practicable.

7. UNATTACHED TRAILER OR TRAVEL TRAILER

No Person shall Park any Trailer or Travel Trailer on any Highway unless the Trailer or Travel Trailer is attached to a vehicle that is registered and insured.

8. PARKING OF VEHICLES FOR DISABLED PERSONS

- A. The Owner or Operator of a Vehicle which is not identified by a valid disabled persons placard or license plate shall not Stop or Park the Vehicle in a Parking space designated for disabled Parking.
- B. The Owner or Operator of a Vehicle that is identified by a valid disabled persons placard shall display the placard on the rear-view mirror while the Vehicle is Stopped or Parked in a Parking space designated for disabled Parking.

9. PARKING IN LANES

- A. No Person shall Park a Vehicle, Trailer or Travel Trailer in any Lane
- B. Notwithstanding Subsection A above, and providing that the Vehicle does not obstruct the Lane and prevent the safe passage of other Vehicles or Pedestrians, a Lane may be used for loading and unloading goods from a Commercial Vehicle for a maximum of thirty (30) minutes.

10. DUMPSTER

- A. No Person shall place a dumpster on any Lane, Highway, Roadway, Service Road, Utility Right of Way or any Town owned property without first obtaining a permit from the CAO. Failure to remove will result in the Town moving it at property owner's expense.

11. TOWN PROPERTY

A. No Person shall place or allow to be placed a Vehicle, Trailer or Travel Trailer on Town owned property without first obtaining a permit from the CAO. Failure to remove from Town property will result in Vehicle, Trailer, or Travel Trailer being towed at owner's expense.

B. Notwithstanding Subsection A above, and providing that the Vehicle does not obstruct the Lane and prevent the safe passage of other Vehicles or Pedestrians, a Lane may be used for loading and unloading goods from a Commercial Vehicle for a maximum of thirty (30) minutes.

12. SPECIAL CLASSES OF VEHICLES

B. No Person shall Park a Vehicle or combination of Vehicle and Trailer used for the conveyance of Dangerous Goods unless the Highway is designated as a Dangerous Goods Route. This Section shall not apply where a Vehicle or combination of Vehicle and Trailer is parked while making deliveries in the course of its ordinary business.

C. No Person shall operate a Commercial Vehicle on any Highway within the Town where a Traffic Control Device indicates Commercial Vehicles are prohibited.

D. The following shall be exempt from Subsection B above:

- I. school busses;
- II. vehicles loading and unloading at destinations in Town where a Traffic Control Device indicates Commercial Vehicles are Prohibited, using the shortest distance from and to a Truck route;
- III. a Person who has been issued a Development Permit pursuant to the Land Use Bylaw;
- IV. Emergency Vehicles including firefighting equipment, ambulances, police vehicles, road repairs and construction equipment and,
- V. garbage and recycling trucks

E. No Person, except with a permit approved and issued by the CAO, shall operate any Vehicle having metal cleats, metal tracks, or other metal devices attached to its wheels or made a part thereof, which may damage the Highway.

F. No Person shall operate a vehicle, or permit a vehicle to be operated within the Town, with a load in excess of the weight or size limits established in the Traffic Safety Act, the Regulations there under, or any Board order issued pursuant thereto, without first obtaining a permit from the CAO.

G. The permit, a facsimile of the permit, or a record of the permit number, as required in Subsection F, must be in possession of the operator of the vehicle and be produced to a Peace Officer upon demand.

- H. Notwithstanding whether a Violation Ticket or a permit has been issued, the CAO may cause to have repaired any damages to a Highway resulting from any operation under this Section and recover its expenses in doing so from the Vehicle owner or operator in an action in debt.
- I. A Person who fails to comply with the conditions of any permit issued by the CAO shall be in contravention of this Bylaw.

13. AUTHORITY OF THE CAO

- A. The Council hereby delegates to the CAO the power to prescribe where Traffic Control Devices and traffic control signals may be located, and that a record be maintained which shall be open to public inspection during normal business hours.
- B. Without restricting the generality of Subsection, A above, the CAO is hereby authorized to further delegate, and to authorize further delegation of any matter delegated to the CAO by council under the Bylaw, to any employee of the Town.
- C. When the Council has approved any part of a Highway be designated for one-way traffic, the CAO shall cause the one-way part of the Highway to be marked with appropriate Traffic Control Devices.

14. IMPOUND OF VEHICLES AND EQUIPMENT

- A. A Bylaw Enforcement Officer is hereby authorized to remove or cause to be removed any Vehicle, Equipment, Trailer, Travel Trailer, or Off-highway Vehicle operated, parked, or placed in contravention of this Bylaw or where emergency conditions may require the removal from any public property.
- B. Any Vehicle, Equipment, Trailer, Travel Trailer, or Off-highway Vehicle may be removed to a place designated by a Bylaw Enforcement Officer.
- C. Any Vehicle, Equipment, Trailer, Travel Trailer, or Off-highway Vehicle that has been impounded shall be released to its owner or his agent only after the impound and removal charges have been paid, and the owner can provide proof of insurance & registration.
- D. The impound and removal charges identified in Subsection C above shall be in addition to any fine or penalty imposed in respect of a violation, or to any payment made in lieu of prosecution.
- E. The Town is not responsible for impounding, towing, or removal charges.

15. PROTECTION OF EMERGENCY SCENES AND PERSONNEL

No Person shall pass beyond a point designated by a Bylaw Enforcement Officer or a member of a Fire Department near the location of an emergency.

16. CLEARING OF SIDEWALKS AND DRIVEWAYS

- A. No Person shall wash a Vehicle on a Highway or near a Highway resulting in depositing mud or creating a slush or ice on a Sidewalk or Highway.
- B. No Person, operating a business to which entry or exit for Vehicles is made by a crossing located between the Highway Curb and the private property line, shall allow water, mud, ice, or snow to remain on the Sidewalk or Roadway portion of the crossing, and shall keep the crossing clean and clear so as not to become a hazard to Pedestrians.
- C. Each Person owning or occupying property within the Town, which is adjacent to a Sidewalk, shall ensure removal of water, mud, ice, or snow within 72 hours of deposit on the Sidewalk, and where the slope of the land is such that the Sidewalk will not properly drain the owner or occupant shall ensure that sand is deposited on icy surfaces after all snow is removed.
- D. No Person shall deposit snow or ice on any municipal road way without permission of the Town's CAO or designate.
- E. Notwithstanding whether or not a Violation Ticket has been issued under this Section, the Town may cause any water, mud, ice, or snow to be removed and all associated costs of removal shall be the responsibility of the Owner.

17. PENALTIES

- A. Except as otherwise provided herein, every person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable on Summary Conviction to a fine of not less than \$50.00.
- B. The offences under this Bylaw in respect of which a voluntary penalty may be made are set out in the attached Appendix "A".
- C. A Municipal Tag or Violation Ticket may be issued by a Bylaw Enforcement Officer to any person alleged to have contravened any provision of this Bylaw, and the Tag or Ticket shall require payment to the Provincial Court House in the amount specified.
- D. A Municipal Tag is deemed sufficiently served if it is:
 - I. personally served;
 - II. attached to the vehicle in respect of which an offence is alleged to have been committed;
 - III. mailed to the address of the registered owner of the Vehicle; or

IV. left for the defendant at his residence with a person appearing to be 18 years or older.

18. SEVERABILITY

Should any provisions of this bylaw become invalid, void, illegal or otherwise not enforceable, it shall be considered separate and severable from the bylaw and the remainder shall remain in force and be binding as though such provisions had not been included.

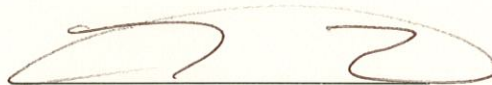
19. REPEAL BYLAWS

Bylaw 976 is hereby repealed.

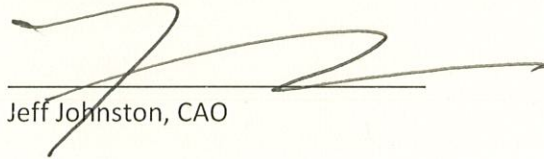
READ A FIRST TIME on this 25th day of October, 2021.

READ A SECOND TIME on this 25th day of October, 2021.

READ A THIRD TIME AND PASSED on this 25th day of October, 2021.



Gary Rycroft, Mayor



Jeff Johnston, CAO

**SCHEDULE “A”
SCHEDULE OF FINES**

The description used for each offence listed in this schedule exists solely for the purposes of identifying and referencing the particular offence listed in the Bylaw, and shall not be construed as limiting or altering any provision or offence identified in the text of the Bylaw itself.

Section	Offence	Fine
3.D	Fail to move away when requested	\$ 300.00
6.A.I	Park Vehicle more than 500mm from curb	\$ 250.00
6.A.IV	Park when prohibited	\$ 250.00
6.B	Vehicle/Trailer obstruct Sidewalk	\$ 250.00
6.C	Failure to remove vehicle within 24 hours	\$ 250.00
6.D	Vehicle parked closer than 5.0m to stop or yield sign, or crosswalk, or closer than 1.5m of vehicle access to a Fire Hydrant	\$ 250.00
6.E	Vehicle left on highway obstructing traffic	\$ 250.00
7	Park unattached Trailer on Highway	\$ 250.00
8.A	Stop/Park in a handicap parking space without valid disabled persons placard or license plate	\$ 250.00
8.B	Fail to display disabled persons placard	\$ 250.00
9.A	Park a Vehicle in a Lane	\$ 250.00
12.E	Operate a Vehicle using metal cleats, metal tracks, or other metal devices	\$ 1000.00
12.F	Operate or move any overweight or over-dimensional Vehicle, load, object or thing without a permit	\$ 1000.00
12.G	Failure to produce permit or permit number	\$ 1000.00
12.I	Fail to comply with conditions of permit	\$ 1000.00
15	Fail to remain at a distance from an emergency	\$ 1000.00
16.A	Wash a Vehicle on a Highway so as to deposit mud or create ice or slush on the Highway	\$ 125.00

Failure to keep vehicle crossing clean and clear from water, mud, ice or snow within 72 hours of deposit:

- I. First Offence: \$125.00
- II. Second Offence: \$200.00
- III. Third Offence: \$300.00

ANY OTHER SECTION FOR WHICH A FINE HAS NOT BEEN SPECIFIED \$50.00