

**Town of Chestermere
Province of Alberta
Bylaw Number 004-11**

A Bylaw to control traffic within the corporate limits of the Town of Chestermere.

Whereas the *Traffic Safety Act* and amendments thereto, provides that the Council may authorize the policing, erecting or marking of the traffic control devices at any location considered necessary for controlling highways subject to its direction, control and management.

And Whereas the *Traffic Safety Act* and amendments thereto provides that a Council may make bylaws restricting the weight of vehicles or of vehicles with their loads using the highways or any particular highway in the municipality.

Now Therefore Be It Resolved that the Municipal Council of the Corporation of the Town of Chestermere, in the Province of Alberta, duly assembled, enacts as follows:

Whereas, the *Traffic Safety Act*, as amended, provides that a municipality may regulate activities on highways under its direction, control and management, make bylaws not inconsistent with the *Traffic Safety Act*.

Now Therefore, the Council of the Town of Chestermere, duly assembled, hereby enact as follows:

1. Title

This Bylaw may be cited as the “The Chestermere Traffic Control Bylaw”.

2. Definitions

In this Bylaw:

All words shall have the same meaning as the *Traffic Safety Act*, except as otherwise defined;

- a) “Council” means the Municipal Council of the municipality;
- b) “Highway” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public

are ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

- i) a sidewalk, including a boulevard adjacent to the sidewalk,
 - ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - iii) if a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be, but does not include any place declared not to be a Highway.
- c) “Holder” means a handicapped person who is lawfully in possession of a handicapped parking identification tag, being an identification symbol recognized by the Canadian Paraplegic Association, and displayed on the vehicle;
- d) “Holiday” means any day declared to be a holiday by any municipal, provincial or federal government, and includes Sundays;
- e) “Lane” means that portion of a highway used to provide secondary access to land, in addition to the primary access provided by the street in front of the lands;
- f) “Municipality” means the Town of Chestermere;
- g) “Parade and Procession” means a group of pedestrians and/or vehicles on a highway that is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on the highway, excluding a funeral procession;
- h) “Park, parked, and parking” means to allow a vehicle (whether occupied or not) to remain standing in one place except:
- i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers; or
 - ii) when standing in obedience to a Peace Officer or traffic control device;

(i) "Parkland" means every recreational area owned or controlled by the municipality that lies within the limits of the municipality, whether such land is improved in whole or in part, or remains in its natural state;

(j) "Peace Officer" shall mean a regular member of the Royal Canadian Mounted Police, or a Community Peace Officer;

(k) "Provincial Offences Procedure Act (POPA)" means the Provincial Offences Procedure Act, R.S.A. 2000, Chapter P-34, and the regulations thereof, as amended or replaced from time to time;

(l) "Privately Owned Property" means all land located within the municipality other than highways within the management and control of the municipality;

(m) "Recreational vehicle" means a vehicle that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place, but does not include a vehicle so equipped if that vehicle, without such equipment, is or was also manufactured as a passenger car;

(n) "Residential Area" means all land within a residential district as defined in the municipality's Land-Use Bylaw #99-600 and any amendments thereto, including all highways abutting residential areas, whether or not those highways abut the other districts;

(o) "Roadway" means that part of a highway intended for use by vehicular traffic;

(p) "Stop" means:

- i) when required, a complete cessation of vehicular movement;
and
- ii) when prohibited, any halting, even momentarily, of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or a traffic control device;

(q) "Store" means the parking of a vehicle for more than 72 hours consecutively at one location on a highway;

(r) "The Administrative Head of the Municipality" means the Chief Administrative Officer of the municipality;

(s) "Traffic Control Device" means any sign, signal, marking or device placed, arched or erected under the authority of federal, provincial or municipal legislation for the purpose of regulating, warning or guiding traffic;

(t) "Traffic Safety Act" means the Traffic Safety Act, R.S.A. 2000, c. T-6 as amended or substituted from time to time;

(u) "Trailer" means the vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transfer property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways;

(v) "Truck" shall mean and include any vehicle designed primarily for the transportation of property or equipment including a chassis-cab, crawler-mounted vehicle, tractor unit or trailer, which vehicle, with or without load, exceeds any of the following:

i) two axles;

ii) twelve and a half (12.5) meters in length; or

iii) a maximum allowable weight of five thousand five hundred (5500) kilograms;

(w) "Vehicle" means 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 excludes baby carriages, baby strollers or cars of electric or steam railway's running only upon rails;

(x) "Violation Tag" means a tag or similar document issued by the municipality pursuant of the *Municipal Government Act*,

3. Application

(1) Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

(2) Any heading, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.

(3) Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.

- (4) All the schedules attached to this Bylaw shall form a part of this Bylaw.
- (5) This bylaw is gender-neutral and, accordingly, any reference to one gender includes the other.

4. Speed Limits – General

- (1) No driver of a vehicle shall drive a vehicle within the Town of Chestermere at a speed in excess of 40 kilometres per hour unless otherwise posted.

5. Speed Limits – School and Playground Zones

- (1) Pursuant to Section 107(3) of the Traffic Safety Act, the prescribed hours during which a “school zone” is in effect in the Town are increased to the period beginning at 7:00 a.m. and ending at 5:00 p.m. on any day on which school is held.
- (2) No drivers shall drive within a playground zone at any rate of speed greater than 30 kilometres per hour between the hours of 8:30 a.m. and one hour after sunset.

6. Traffic Control Device

- (1) The Chief Administrative Officer is hereby authorized to prescribe where the traffic control devices are to be located, including traffic control devices restricting the speed of vehicles.
- (2) No driver of a vehicle shall operate or park a vehicle in contravention of any traffic control device within the municipality.

7. Storage

- (1) No driver of a vehicle shall store a vehicle or permit a vehicle to be stored upon a highway.

8. Obstruction of highways

- (1) No driver of a vehicle 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.

- (2) Notwithstanding Section 8(1), where the obstruction caused by a vehicle is unavoidable due to mechanical failure, that person will not be in breach of Section 8(1) provided the person:
 - a) promptly takes measures to remove such vehicle from the highway;
and
 - b) does not leave the vehicle unattended if the vehicle has been placed on a jack or jacks.
- (3) Subject to Section 8(2) no person shall make or place an obstruction of any kind or permit any obstruction to be made or placed in, upon or above any highway unless authority has been granted by the Chief Administrative Officer.
- (4) Every person who fails to obtain or to comply with the provisions of Section 8(3) above shall be guilty of an offence and shall, in addition to any other penalty, cause the removal of the obstruction within twenty-four hours of being notified to do so by the municipality. After the expiration of the twenty-four hour period, the municipality may cause the removal of the obstruction and such removal shall be at the expense of the person causing, placing or permitting the obstruction on the highway.
- (5) Notwithstanding Section 8, where an obstruction of any kind exists in, upon or about any highway, and in the opinion of the Chief Administrative Officer, creates an unsafe condition, the municipality shall be entitled to take such measures as are required for the protection of life or property.
- (6) The municipality assumes no responsibility for damage either to the property that is causing obstruction, or the property that is abutting the highway when work is being done pursuant to Sections 8(4) or 8(5).

9. Temporary Repairs and Street Maintenance

- (1) The Chief Administrative Officer may cause movable signs to be placed on or near a highway to indicate “No Parking”, “Emergency Repairs, no parking”, or “Snow Removal, no parking” and when so marked, such signs shall take precedence over all other traffic control devices.
- (2) No driver of a vehicle shall park a vehicle or permit a vehicle to be parked on a highway from the time a sign or signs referred to in Section 9(1) have been placed, and until such sign or signs have been removed.

- (3) Where the vehicle was parked prior to the placement of the signs referred to in Section 9(1), no driver of a vehicle shall leave that vehicle parked or permit that vehicle to remain parked on the highway after the expiration of 24 hours from the time the sign or signs were placed, and until such sign or signs have been removed.

10. Tracked Vehicles

- (1) Unless permission to do so has been granted by the Chief Administrative Officer, no person shall operate or permit to be operated on a highway:
 - a) a vehicle having metal spikes, logs or cleats or bands projecting from the surface or the wheel or tire of such vehicle, or
 - b) a vehicle having skids or not using triple ground or flat surface tracks.

11. Rights and Duties of Pedestrians

- (1) No pedestrian shall cross any highway at any point other than an intersection or crosswalk.
- (2) For the purpose of Section 11(1) above, highway shall not include a lane.
- (3) No person shall cross the highway at an intersection if a sign or red light prohibits such crossing.
- (4) No person shall stand in a group of three, (3) or more persons so near to each other or on any highway as to obstruct the entrance to buildings or to obstruct or prevent other persons from using such highway and forthwith after the request has been made by a Peace Officer to do so, shall disburse and move away.
- (5) No person shall so conduct himself or otherwise position himself on a highway in such manner as to obstruct vehicular or pedestrian traffic or as to inconvenience any other person upon the highway.
- (6) Nothing in Section 11(4) and 11(5) above shall be construed as prohibiting the assembly of persons for the purpose of watching a parade or procession duly authorized by the Chief Administrative Officer..

12. Cyclists and Horse-Drawn Vehicles

- (1) The driver or other person in charge of any horse drawn vehicle on a highway shall remain up on such vehicle while it is in motion, or shall walk beside the horse drawing such vehicle.
- (2) No person shall ride a bicycle, roller skate, in-line skate, skateboard, or ride a scooter upon a sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian traffic that is or might reasonably be expected to be on the sidewalk.
- (3) Every person roller-skating, in-line skating, skateboarding, or riding a scooter upon a sidewalk shall:
 - a) yield the right of way to the pedestrians,
 - b) when passing a pedestrian, or other person on the sidewalk, use care and control required to ensure the safety of a pedestrian or other person,
 - (c) stay at a reasonable distance from other persons using a sidewalk,
 - (d) give an audible signal, and
 - (e) before overtaking a pedestrian, which signal will be produced a reasonable time prior to overtaking, by voice, bell or other warning device, which is audible to the pedestrian.
- (4) No person shall ride a skateboard on any property if prohibited from doing so by a Traffic Control Device.
- (5) No person shall ride a skateboard on private property without the expressed prior written consent of the property owner.
- (6) Notwithstanding any penalties specified, any person who operates a bicycle or skateboard within the corporate limits of the Town, in contravention of any of the provisions of this Bylaw or any other Bylaw of the Town, or any Act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days.
- (7) Every person, under the age of 18, who while riding a bicycle, roller-skating, in-line skating, skateboarding, or riding a scooter shall wear a CSA approved helmet.

13. Parking in Lanes

- (1) No driver of a vehicle shall park a vehicle or permit a vehicle to be parked in a lane unless a traffic control device otherwise permits such parking for the following purposes:
 - a) the loading or unloading of goods from a truck; or
 - b) the loading or unloading of goods or passengers from a vehicle other than a truck.
- (2) Notwithstanding Section 13(1) above, no driver of a vehicle while loading or unloading passengers or goods shall park a vehicle or permit a vehicle to be parked in such a manner as may obstruct the passage of other vehicles in the lane.

14. Parking/Stopping

- (1) No driver of a vehicle shall stop and/or park a vehicle contrary to a traffic control device.
- (2) No driver of a vehicle shall stop and/or park a vehicle in any bus stop properly marked by a sign.
- (3) No driver of a vehicle shall stop and/or shall park a vehicle in the entrance to any fire hall, police station, or in the ambulance entranceway to its garage or to any hospital.
- (4) No driver of a vehicle shall park a vehicle in any alley, except in the following circumstances:
 - a) the loading or unloading of goods from a commercial vehicle for a period not exceeding 45 minutes; or
 - b) the loading or unloading of goods or passengers from the vehicle other than a commercial vehicle for a period not exceeding five minutes unless the vehicle, commercial or non-commercial, is parked in a manner which obstructs or prevents other vehicles from passing along the alleys, in which case the owner of the vehicle so parked shall be guilty of an offence.
- (5) No driver of a vehicle shall park a truck in a residential area at any time.
- (6) No driver of a vehicle shall park a truck on any highway within the municipality unless such parking is authorized by a traffic control device.

- (7) No driver of a vehicle shall stop and/or park a vehicle which is not a taxicab in either a marked taxicab stand allocated to a taxicab company or in any areas designated as taxicab parking only by a traffic control device.
- (8) No driver of a vehicle shall park a vehicle on a highway that is leaking engine or transmission fluids or fluids of any type.
- (9) Unless permitted by a traffic control device, a driver of a vehicle shall not park a vehicle in the following areas:
 - (a) on a sidewalk, or walking path;
 - (b) on a boulevard;
 - (c) on a crosswalk or any part of a crosswalk;
 - (d) within an intersection or at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately behind;
 - (e) within 5 meters of the approach to any stop sign, yield sign or crosswalk;
 - (f) within 5 meters of any fire hydrant, or when the fire hydrant is not located at the curb, within 5 meters of the point on the curb nearest the fire hydrant;
 - (g) within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossways over a sidewalk;
 - (h) within 5 meters of any speed control sign.
 - (i) when parallel parking on a highway, a driver of a vehicle shall not park that vehicle with the sides of it parallel to the curb or edge of the roadway and:
 - (i) With the right hand wheels of the vehicle more than five hundred (500) millimetres from the right hand curb or edge of the roadway;
 - (ii) With the vehicle facing against the direction of travel authorized for that highway.
- (10) No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or a similar device and:

- i) one or more wheels have been removed from the vehicle; or
 - ii) part of the vehicle is raised;
- (11) Section 14(9)(b) does not apply to the boulevard directly adjacent to odd numbered addresses on East Chestermere Drive, and even numbered addresses on West Chestermere Drive.

15. Trailers

- (1) No driver shall park any trailer, or permit any trailer to be parked upon any highway within the municipality unless the trailer is attached to a vehicle by which it may be propelled or drawn; when the trailer is attached it shall be deemed to be part of the vehicle to which it is attached, and shall be subject to the regulations pertaining to vehicles unless otherwise authorized by the Chief Administrative Officer.
- (2) No person shall occupy or permit any other person to occupy a trailer upon a highway or upon property owned or controlled by the municipality unless property has been designated by the municipality for use as a trailer court, or the Chief Administrative Officer has given approval for such occupation.
- (3) No driver shall park or permit any trailer to be parked in a manner which obstructs any sidewalk, highway or pathway unless otherwise authorized by the Chief Administrative Officer.

16. Special Classes of Vehicles

- (1) No driver of a vehicle shall park a vehicle on any highway within the municipality where the vehicle is over 8 meters in length other than in areas designated by a traffic control device for such purposes.
- (2) No driver of a vehicle shall park a vehicle on any highway within the municipality where the vehicle is over 2 meters in width, other than in areas designated by a traffic control device for such purposes.
- (3) No driver of a vehicle shall apply or engage engine retarder brakes on any truck in any part of the Town.
- (4) The provisions of Sections 16(1) and 16(2) do not apply to vehicles parked for the purpose of loading or unloading goods or passengers to and from

the premises abutting the highway, for only such time as it is reasonably necessary to load and unload the vehicle.

- (5) The provisions of sections 16(1) and 16(2) do not apply to recreational vehicles parked within the municipality between the first day of the month of May, and the last day of the month of October.

17. Handicapped Parking

- (1) The owner or operator of a motor vehicle which is not identified by a visible handicap 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 as handicapped parking.

18. Parking Permits

- (1) Where a traffic control device upon a highway restricts parking thereon to residents, or a provision of this bylaw restricts such action no driver of a vehicle shall park a vehicle contrary to a traffic control device unless such vehicle displays upon the front windshield of such vehicle a permit authorized by the Chief Administrative Officer or his designate.
- (2) No driver of a vehicle shall display upon a vehicle a permit purporting to exempt such vehicle from the provisions of Section 18(1) above, unless such permit was authorized by the Chief Administrative Officer or his designate.

19. Removal or Impoundment of Vehicles

- (1) Any Peace Officer is 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 exist making removal of the vehicle or trailer desirable.
- (2) Any vehicle or trailer removed pursuant to Section 19(1) may be removed to an impound lot where it will remain impounded until claimed by the owner.

- (3) Unless the Chief Administrative Officer agrees, no impounded vehicle or trailer shall be released to its owner until all removal and impounding charges have been paid to the municipality and/or the towing/impound company.
- (4) All charges for removal and/or impounding shall be in addition to any fine or penalty in respect of any violations pursuant to this Bylaw.

20. Parades and Processions

- (1) No person shall march, join or participate in a parade or procession unless the Chief Administrative Officer has issued a permit for such procession or parade.
- (2) Any person wishing to organize or arrange a parade shall advise the Chief Administrative Officer of the proposed route and submit in writing, at least 48 hours prior to the time of the parade, an application for a Parade Permit established by the municipality from time to time.
The application for a Parade or Procession shall include:
 - a) name and address of applicant and if the applicant is an organization, the names and addresses of the executives of the organization;
 - b) nature and object of the Parade and Procession;
 - c) day, date, and hours of the Parade;
 - d) intended route;
 - e) approximate number of people who will take part; and
 - f) approximate size, number and nature of flags, banners, placards, floats, Vehicles, animals, etc. participating in the Parade or Procession.
- (3) The Chief Administrative Officer may unconditionally approve, approve with conditions or refuse an application for Parade Permit.
- (4) Where an application has been approved with conditions, or refused, an applicant may appeal to Council who may uphold or repeat the Chief Administrative Officer's decision.

- (5) No parade or procession shall obstruct the movement, use or operation of any fire apparatus or police vehicle, or emergency equipment or vehicles.
- (6) No person driving any vehicle or riding or driving a horse shall drive or ride through, nor shall any pedestrian walk through, the ranks of any military or funeral procession, nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.
- (7) Where a permit has been granted for a parade or procession:
 - a) Notwithstanding the provisions elsewhere contained herein, persons may congregate on the sidewalks or a portion of a street designated for the purpose of viewing the parade or procession;
 - b) the municipality may temporarily close, for all or some types of traffic all or portions of the streets along or near the route set out in the permit for the anticipated time of the parade and for such additional time as necessary to again clear the street or streets for normal traffic; and
 - c) the municipality may temporarily suspend parking and loading privileges on all or a portion of the streets on the route of the parade.
- (8) Where permission is obtained allowing floats, vehicles or animals to be placed in or on the route of a parade, the person or persons sponsoring the parade shall indemnify and save harmless the municipality from and against any and all claims for injury to any person or persons and damage to any real or personal property arising by reason of or in any way connected with the entry, placing or operation of the vehicle or float in the parade or procession whether prior to, during or after the parade or procession, and whether arising out of, or directly or indirectly caused by, any act, omission or negligence of the municipality, its employees or agents.
- (9) Notwithstanding Section 20(8) of this Bylaw, the driver or operator of the vehicle or float and all persons on such vehicle or float taking part in the parade or procession shall ensure that:
 - a) no part of the vehicle or float will damage the streets, electric or telephone poles or wires, street lights, cables or supports, traffic signal lights or signs, fire hydrants, or any other property of the municipality or a public utility in, upon, over or beside a street;

- b) the vehicle, the float or anything thereon or attached thereto will not injure any person or cause damage to any real or personal property; and
- c) no portion of the vehicle, or float, and nothing erected, placed on or attached to the vehicle or the float will come in contact with any telephone wire or any wire charged with or carrying out electric current.

21. Designated Truck Routes

- (1) No driver of a truck shall operate a truck outside of the designated truck routes within Town limits.
- (2) Section 21(1) shall not apply to trucks required to exit the designated truck routes for the purposes of loading or unloading goods/supplies.

The Truck Routes in the Town of Chestermere shall be as follows:

- a) Highway #1A within the Town of Chestermere.
- b) Route #1 :(Annex 1)
 - i) From Highway#1 south on Range Road 281 to Range Road 241A.
 - ii) west on Range Road 241A continued south along East Lakeview Drive, west on Sandpiper Lane and south on East Chestermere Drive.
 - iii) From Highway#1, west on Merganser Drive East, limited to East Chestermere Drive.
- c) Route #2 :(Annex 2)
 - i) From intersection 1A north on Windermere Blvd.
 - ii) Chestermere Station Way.
 - iii) Marina Drive.
 - iv) Windermere Drive
 - v) From intersection 1A north on Invermere Drive, limited to Springmere Drive
 - vi) Springmere Drive, south of Invermere Drive

- d) Route #3 :(Annex 3)
 - i) From Highway #1A south on Rainbow Road South
 - ii) Rainbow Road South, east on Merganser Drive West limited to West Creek Blvd. West Creek Blvd.
 - iii) south on Rainbow Falls Drive limited to Westchester Blvd
 - iv) east on Westchester Blvd .
 - v) from Rainbow Falls Drive east on West Creek Blvd limited to WID canal.

22. OWNER LIABLE

- (1) If a vehicle or trailer is involved in an offence referred to in this Bylaw, the owner of that vehicle or trailer is guilty of an offence.
- (2) Subsection (1) does not apply if the owner of the vehicle or trailer satisfies the Court that the owner did not park the vehicle or trailer, and that the person who parked the vehicle or trailer did so without the owner's express or implied consent.

23. Penalties

- (1) Any Person who contravenes any provision of this Bylaw by:
 - (a) doing any act or thing which the Person is prohibited from doing; or
 - (b) failing to do any act or thing the Person is required to do;is guilty of an offence.
- (2) Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.
- (3) Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00.
- (4) Under no circumstances shall any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

- (5) Nothing in this Bylaw shall be construed as curtailing or bridging the right of the municipality to obtain compensation or to maintain any action for loss of or damage to property from or against the person or persons responsible.

24. Violation Tags and Violation Tickets

- (1) Where a Peace Officer believes that a vehicle or trailer is parked in contravention of this Bylaw, he may:
 - (a) place a violation tag on the vehicle or trailer; or
 - (b) send a violation tag to the registered owner of the vehicle or trailer by ordinary mail.
- (2) A violation tag shall be in a form approved by the municipality and shall state:
 - a) the licence plate of the vehicle or trailer;
 - b) the offence;
 - c) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - d) that the penalty shall be paid within twenty two (22) days of issuance of the violation tag.
- (3) If a person who is responsible for a contravention of a provision of this Bylaw pays the specified penalty amount within the times and in the manner set out on the tag, such payment will be accepted in lieu of prosecution.
- (4) If payments referred to in subsection (3) are not made within the times and in the manner set out on the tag, a Violation Ticket may be issued to the registered owner of the vehicle or trailer in accordance with the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34.
- (5) Nothing in this Section shall:
 - (a) prevent any person from exercising his right to defend any charge of committing a breach of any Section of this Bylaw; or

- (b) prevent any Peace Officer, in lieu of serving a tag, from issuing a Violation Ticket to a person or owner pursuant to the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34.
- (c) from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, or from laying an information instead of issuing a violation ticket.
- (6) A person other than the owner or operator of a vehicle shall not remove any tag or notice placed on or affixed to a vehicle by a Peace Officer in the course of his duties.
- (7) No person other than a Peace Officer shall place a tag on any vehicle.
- (8) Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by a Peace Officer provided that no more than one violation tag is issued for each day that the contravention continues.
- (9) In order to determine the time which a vehicle or trailer has been parked a Peace Officer may place an erasable chalk mark on the tire of the parked or stopped vehicle or trailer without such Peace Officer or other person or the Town incurring any liability for so doing.
- (10) No person shall remove an erasable chalk mark placed under Subsection (9) while the vehicle or trailer remains parked in the location where it was marked.
- (11) In order to determine the time which a vehicle or trailer has been parked a Peace Officer may place a sticker on the parked or stopped vehicle or trailer without such Peace Officer or other person or the Town incurring any liability for so doing.
- (12) No person shall remove a sticker placed under Subsection (11) while the vehicle or trailer remains parked in the location where it was marked.

25. General

- (1) The provisions of this Bylaw do not apply to the following vehicles:
 - a) emergency vehicles;
 - b) vehicles owned or within the lawful possession of the municipality;

- c) vehicles engaged in maintenance or repair of a public utility, as defined in the *Municipal Government Act*;
- d) a vehicle operated by a federal, provincial or municipal government, or with the approval of the federal, provincial or municipal government, for the purpose of constructing or maintaining a highway;
- e) school buses, when authorized or buses for the handicapped, while transporting, loading or unloading passengers during the ordinary course of business;

26. Severability

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

Bylaw 026-07 is hereby repealed in its entirety.

Read the first time this

Read the second time this

Read the third time this

Resolution No.

Mayor

Chief Administrative Officer

SCHEDULE "A"
Penalties for violations

Section	Offence	Specified Penalty
6(2)	Contravene traffic control device	\$50.00
7(1)	Store vehicle on highway	\$50.00
8(1)	Stopped vehicle obstruct/hinder traffic	\$50.00
8(3)	Place obstruction on highway	\$50.00
9(2)	Park in contravention of snow removal signs	\$50.00
9(3)	Vehicle parked on highway 24 hours after snow removal signs erected	\$50.00
10(1)(a)	Vehicle have spikes/cleats/bands protrude from wheel/tire	\$50.00
10(1)(b)	Vehicle with skids not using flat surfaced or triple ground tracks	\$50.00
11(1)	Pedestrian cross outside intersection/crosswalk	\$50.00
11(3)	Pedestrian cross highway against traffic control device	\$50.00
11(4)	Stand in group or 3 or more and obstruct traffic	\$50.00
11(5)	Obstruct/inconvenience person on highway	\$50.00
12(1)	Fail to remain horse drawn vehicle while in motion	\$50.00
12(2)	Ride bike/roller skates/inline skates/skateboard/scooter on sidewalk at unreasonable speed	\$50.00
12(3)(a)	Ride bike/roller skates/inline skates/skateboard/scooter and fail to yield to pedestrian	\$50.00
12(3)(b)	Ride bike/roller skates/inline skates/skateboard/scooter and pass pedestrian in unsafe manner	\$50.00
12(3)(c)	Ride bike/roller skates/inline skates/skateboard/scooter and fail to maintain safe distance from pedestrian	\$50.00
12(3)(d)	Ride bike/roller skates/inline skates/skateboard/scooter and fail to audibly warn pedestrian prior to passing	\$50.00
12(3)(e)	Ride bike/roller skates/inline skates/skateboard/scooter and fail to give reasonable time when audibly warning a pedestrian of pass	\$50.00
12(4)	Skateboard when prohibited by signage	\$50.00
12(5)	Skateboard on private property without permission	\$50.00
12(7)	Person under 18 fail to wear helmet while riding bike/roller skates/inline skates/skateboard/scooter	\$50.00
13(1)	Park in lane	\$50.00
13(2)	Obstruct vehicles in lane when stopped	\$50.00
14(1)	Park contrary to traffic control device	\$50.00
14(2)	Park in bus stop	\$50.00
14(3)	Park in entrance to fire hall/ambulance entry/hospital/police station	\$50.00
14(4)	Park in alley	\$50.00
14(5)	Park truck in residential zone	\$50.00
14(6)	Park truck on highway within municipality	\$50.00
14(7)	Park in taxi zone	\$50.00
14(8)	Park vehicle leaking fluids on highway	\$50.00
14(9)(a)	Park vehicle on sidewalk/pathway	\$200.00
14(9)(b)	Park vehicle on boulevard	\$200.00
14(9)(c)	Park vehicle in crosswalk	\$50.00
14(9)(d)	Park vehicle within 5 metres of intersection	\$50.00
14(9)(e)	Park vehicle within 5 metres of stop sign, yield sign, or crosswalk	\$50.00

14(9)(f)	Park vehicle within 5 metres of fire hydrant	\$50.00
14(9)(g)	Park within 1.5 metres of entrance to garage/driveway/private road	\$50.00
14(9)(h)	Park within 5 metres of speed sign	\$50.00
14(9)(i)(i)	Parallel park more than 500mm from curb	\$50.00
14(9)(i)(ii)	Parallel park facing against traffic flow	\$50.00
14(10)	Unattended vehicle on jack	
15(1)	Trailer unattached on highway	\$50.00
15(2)	Live in trailer on highway	\$50.00
15(3)	Trailer obstruct highway/sidewalk/path	\$50.00
16(1)	Vehicle over 8 meters long parked on highway	\$50.00
16(2)	Vehicle over 2 meters wide parked on highway	\$50.00
16(3)	Apply retarder brakes	\$250.00
17(1)	Park/stop vehicle in handicap parking space without displaying placard	\$500.00
18(2)	Display false parking permit	\$500.00
20(1)	Conduct parade without permit	\$50.00
20(5)	Parade obstruct emergency vehicles/equipment	\$50.00
20(6)	Break ranks/obstruct/impede military/funeral procession or parade	\$50.00
20(9)(a)	Vehicle/float in parade damage property of municipality	\$50.00
20(9)(b)	Vehicle/float in parade damage private property or injure person	\$50.00
20(9)(c)	Vehicle/float in parade contact electrical/phone wire	\$50.00
21(1)	Operate truck outside designated truck route	\$250.00
24(6)	Person other than driver/owner remove parking tag	\$50.00
24(10)	Remove chalk line from tire without moving vehicle	\$50.00
24(12)	Remove sticker from vehicle without moving vehicle	\$50.00