

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW #036-20

A Bylaw to regulate the use of highways under the direction, control, and management of the City of Chestermere, and to regulate the parking of vehicles on such highways as well as on privately owned property within the corporate limits of the City of Chestermere.

WHEREAS pursuant to Section 7 of the *Municipal Government Act, R.S.A. 2000, c. M-26*, the council of a municipality may pass bylaws for municipal purposes respecting, among other things, (a) the safety, health, and welfare of people and the protection of people and property; (b) people, activities, and things in, on, or near a public place or place that is open to the public; (c) transport and transportation systems; and (d) the enforcement of such bylaws, including the creation of offences, the imposition of fines and imprisonment, the ability to conduct inspections and remedying contraventions of bylaws;

AND WHEREAS pursuant to Section 13 of the *Traffic Safety Act, R.S.A. 2000, c. T-6*, the council of a municipality may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the TSA, respecting the following matters:

- (a) governing the use of highways;
- (b) governing the parking of vehicles;
- (c) governing the establishment and use of parking places that are for the exclusive use of persons with disabilities who display on their vehicles a disabled placard or license plate that is issued or recognized by the Registrar;
- (d) governing access to highways from private land;
- (e) governing fees charged with respect to the parking of vehicles;
- (f) classifying motor vehicles and other vehicles and pedestrians for any purposes involving the use of streets, lanes and other public places;
- (g) with respect to noise produced in connection with a vehicle,
 - (i) defining what constitutes an objectionable noise, and
 - (ii) prohibiting the use or operation of a vehicle where the noise produced in connection with that vehicle is objectionable noise;
- (h) governing the turning of vehicles at intersections;
- (i) governing the encumbering of highways;
- (j) governing, subject to Sections 77 to 79, the impounding and removal of vehicles
 - (i) in respect of which parking fees are payable,
 - (ii) that are parked in an area where parking is prohibited, or
 - (iii) that are parked in contravention of this Act or a bylaw;

- (k) governing the impounding of off highway vehicles and similar devices;
- (l) governing Parades and Processions;
- (m) governing closing or restricting the use of a highway;
- (n) authorizing the municipality to issue a license or permit that is terminable on 30 days' notice in writing for the temporary occupation or use of a road allowance or highway or a portion of a road allowance or highway when it is not required for public use;
- (o) restricting the use of specific traffic lanes to vehicles carrying a prescribed number of passengers;
- (p) restricting the use of specific traffic lanes to specific vehicles or classes of vehicles;
- (q) governing the issuing of tags, tickets or other documents;
- (r) governing the placing of tags, tickets or other documents on vehicles;
- (s) governing the marking of tires on vehicles for the purpose of enforcing parking bylaws;
- (t) governing the employing of or engaging the services of persons to enforce bylaws made with respect to the parking of vehicles;
- (u) designating routes for vehicles or classes of vehicles;
- (v) restricting the weight of vehicles or of vehicles and the goods being carried by the vehicles; and
- (w) prescribing or otherwise providing for penalties with respect to the contravention of a bylaw made under this Division;

AND WHEREAS pursuant to Section 14 of the *Traffic Safety Act, R.S.A. 2000, c. T-6*, the council of a municipality may pass bylaws with respect to with respect to:

- (a) privately owned property that is located within the municipality to which vehicles driven by members of the public generally have access,
 - (i) governing parking on the property without the permission or authorization of the owner of the property or a person having possession or control of the property;
 - (ii) governing the parking of vehicles in manufactured home communities;
 - (iii) governing the establishment and use of parking places that are for the exclusive use of persons with disabilities who display on their vehicles a disabled placard or license plate that is issued or recognized by the Registrar;
 - (iv) prescribing speed limits in respect of lanes or other thoroughfares used by vehicles;
- (b) with respect to private property that is located within the municipality to which vehicles driven by members of the public generally do not have access but on which the owner of the property or a person having possession or control of the property may park or otherwise keep vehicles, prohibiting
 - (i) the parking of vehicles on that property without the permission or authorization of that person;

- (ii) the parking of vehicles so that the access to that property is denied or otherwise restricted;
- (c) with respect to a vehicle parked or driven in contravention of a bylaw made under this Section,
 - (i) governing the issuing of tags or tickets or other documents;
 - (ii) governing the placing of tags, tickets or other documents on vehicles;
 - (iii) governing, subject to Sections 77 to 79 of the *Traffic Safety Act*, the removal and impounding of vehicles;
 - (iv) providing for the laying of an information and complaint;

NOW THEREFORE the Council of the City of Chestermere, duly assembled, hereby enact as follows:

1. Title

- (1) This Bylaw may be cited as the "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) "Act" means the *Dangerous Goods Transportation and Handling Act*, R.S.A., 2000, c. D-4;
- (b) "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
- (c) "Boulevard" means that part of a highway in an urban area, that
 - (i) is not a roadway; and
 - (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily use by pedestrians;
- (d) "CAO" means the Chief Administrative Officer of Chestermere, Alberta appointed by Council, or their designate;
- (e) "City" means the municipal corporation of the City of Chestermere, in the Province of Alberta, or the area within the City of Chestermere's corporate limits, as the context requires;
- (f) "Class" means the classes of Dangerous Goods as listed in Schedule "B";
- (g) "Commercial" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle;

- (h) "*Council*" means the Municipal Council of the City of Chestermere;
- (i) "*Dangerous Goods*" means a product, substance, or organism included by its nature or by the regulations in any of the Classes listed in Schedule "B";
- (j) "*Director of Community Operations*" means the Director of Community Operations for the City of Chestermere, or their designate;
- (k) "*Handling*" means the loading, unloading, packing, or unpacking of Dangerous Goods in or on a means of containment for the purposes of, in the course of or following transportation in or by a means of transport, and includes their storage in the course of transportation;
- (l) "*Heavy Truck*" shall include, but is not limited to, any vehicle or combination of vehicles or trailers designed primarily for the transportation of property or equipment including a bed truck, truck, picker truck, truck tractor, winch truck or trailer that, with or without its load, exceeds any of the following:
 - (i) 2 axels;
 - (ii) 8 meters in length;
 - (iii) 2 meters in width;
 - (iv) A gross vehicle weight in excess of 4500 kilograms;
- (m) "*Highway*" means any thoroughfare, street, road, trail, avenue, parkway, driveway, lane, alley, square, bridge, causeway, trestle-way or other place or any part of any item of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes
 - (i) A sidewalk, including the boulevard adjacent to the sidewalk
 - (ii) A ditch if it lies adjacent to and parallel with the roadway, 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 fences, or the land between the fence and the edge of the roadway as the case may be.
- (n) "*Inspector*" means a person or a member of a class of persons designated as an inspector under Section 6(1) of the Act;
- (o) "*In Transport*" means that a person has possession of Dangerous Goods for the purpose of transportation or for the purpose of storing them in the course of transportation;
- (p) "*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;
- (q) "*Means of Containment*" means a container or packaging, or any part of a Means of Transport, that is or can be used to contain Dangerous Goods;