

TOWN OF PENHOLD

Traffic Bylaw BYLAW NO. 754/2018

This Bylaw No. 754/2018 of the Town of Penhold, in the province of Alberta for the purpose of in the province of Alberta, for the purpose of regulating street, sidewalk, motor vehicle and pedestrian traffic in the Town of Penhold.

Whereas the *Municipal Government Act*, R.S.A. 2000, C M-26 and amendments thereto allows a municipality to pass bylaws and delegate authority with respect to streets, parks, green spaces, alleys or Town owned land under its direction, control and management and transportation thereon; and

Whereas under the authority of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6 and amendments thereto, Town Council deems it necessary to regulate and control motor vehicles and pedestrian traffic within the Town Corporate Limits;

Whereas Council of the Town of Penhold deems it expedient and in the public's interest to a pass a bylaw to regulate and enforce traffic within the Town of Penhold;

Now therefore the Municipal Council of the Town of Penhold duly assembled enacts as follows:

PART 1 SHORT TITLE

1.1 This Bylaw shall be cited as the "Traffic Bylaw"

PART 2 DEFINITIONS

2.1 Definitions in the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6 and the *Provincial Offences Procedures Act* are hereby incorporated as part of this Bylaw.

Alley – means a narrow highway intended chiefly to provide access to the rear of buildings and parcels of land.

Bicycle - means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:

- a) may be propelled by muscular or mechanical power;
- b) is fitted with pedals that are continually operable to propel it;
- c) weighs not more than 35 kilograms;

- d) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters;
- e) has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and
- f) does not have sufficient power to enable it to obtain a speed greater than 35 kilometers per hour on level ground within a distance of 2 kilometers from a standing start.

Block - means that portion of a highway, which lies between two other highways, neither of which is an alley nor which both intersect the first named highway.

Boulevard - means that portion of a highway that:

- a) is not a roadway, and
- b) is that part of the sidewalk that is not especially or ordinarily used by pedestrians.

Bylaw Enforcement Officer – means the Bylaw Enforcement Department of the Town shall include any employee of the term appointed as a Peace Officer, Bylaw Enforcement Officer and any member of the Canadian Corps of Commissionaires or the Royal Canadian Mounted Police (RCMP) appointed or assigned to enforce the provisions of the Traffic Bylaw.

Carrier - means any person, firm or corporation conveying dangerous goods in, into, through or out of the Town by any vehicle.

Chief Administrative Officer or Designate - means the Chief Administrative Officer for the Town of Penhold appointed by Council, hereinafter referred to as the Municipal Manager, or his designate.

Commercial Premises - means that part of the Town which is designated commercial by the Land Use Bylaw.

Council - means the Council of the Town of Penhold.

Crosswalk - means:

- a) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or
- b) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface.

Cul-de-Sacs – means a dead end, close, no through road or court meaning dead-end street with only one inlet/outlet.

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 that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians.

Curb Cut - means a driveway across a sidewalk or curb for vehicular traffic.

Curb, painted – refers to a curb which has been painted to provide a visual cue to motorists that there is specialized parking within these locations; for example yellow curb represents no parking, blue curb represents handicapped parking and red curb represents a fire lane.

Dangerous Goods - means a product, substance or organism included by its nature or by the regulations in any of the classes listed in the *Dangerous Goods Transportation and Handling Act* Revised Statutes of Alberta 2000 Chapter D-4 Current as of March 25, 2010 Schedule.

Disabled Parking - means a space or portion of a highway or parking lot set apart and designated exclusively for the parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services, and marked with a sign or other marking authorized by the Chief Administrative Officer or designate.

Driveway - means the paved portion of off street parking or if not paved has a gravel base on top of clay or some other hard surface product like stone or other accepted material.

Emergency vehicle - means a motor vehicle used:

- a) by a fire department;
- b) as an ambulance; or,
- c) by a Peace Officer; or Police Officer

Fire Lane - means an access route for fire department vehicles required by the Alberta Building Code for firefighting purposes and marked by signage as a "**fire lane**"

Gross Weight (includes both) means:

- a) the total weight transmitted to the highway by a single axle group on a vehicle placed on public highways in accordance with the *Traffic Safety Act*; and
- b) the total maximum weight transmitted to the highway by all the axles of a vehicle used on the public highways in accordance with the *Traffic Safety Act*.

Heavy Vehicle - means a vehicle with or without load, exceeding any of the following:

- a) 2 axels;
- b) exceeds 10 meters in length (33 ft);
- c) any vehicle that's gross weight (G.V.W) exceeds 7,500 kilograms.
- d) motor homes or recreational vehicles; which is a vehicle or combination of vehicle and trailer designed for vacation, camping, or similar recreation purposes shall be excluded from heavy vehicles.

Highway – means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any 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:

- a) a sidewalk, including a boulevard adjacent to the sidewalk,
- b) if a ditch lies adjacent to and parallel with the roadway, the ditch and
- c) if a highway right of way is contained between fences or between a fence on one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway;

Industrial Premises - means that part of the Town which is designated industrial area by the Land Use Bylaw.

Intersection – means:

- a) the area embraced within the prolongation or connection of the lateral curb lines, or
- b) if there are not any lateral curb lines, the exterior edges of the roadways, 2 or more highways which join one another at an angle whether or not one highway crosses the other.

Loading Zone - means a portion of a street set aside adjacent to a curb designated for the exclusive use of vehicles for the loading or unloading of passengers or of materials.

Mobility Aid - means a device designed to improve the mobility of people with mobility impairment.

Maximum Weight – means:

- a) the maximum weight of a vehicle as recorded on the Official Registration Certificate or interim Registration Certificate for such vehicle issued by the Government of the Province of Alberta; or
- b) if there is no such Official Registration Certificate or Interim Registration Certificate for the vehicle, then the combined weight of the vehicle and the heaviest load shall be in accordance with the Alberta Motor Transport Board Regulations.

Municipal Ticket - means a form prescribed by the Chief Administrative Officer of the Town or his designate, allowing payment to the Town Office of the penalty specified by this Bylaw for an offence, which shall be accepted by the Town in lieu of prosecution of the offence.

Objectionable Noise – means a noise which in the opinion of a Community Peace Officer is:

- a) a loud noise or,
- b) an unnecessary noise which annoys, disturbs or endangers the comfort, repose, health, peace or safety of others.
- c) the use of engine retarder brake (Jake Brake) or similar devices except in emergency braking situations is prohibited within town limits.

Obstruction - means an encroachment, excavation, structure or other obstacle which interferes with, or prevents the vision, passage, maintenance or use of any public property by vehicles or pedestrians.

Off-Highway Vehicle - means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

- a) 4-wheel drive vehicles,
- b) low pressure tire vehicles,
- c) motor cycles and related 2-wheel vehicles,
- d) amphibious machines,
- e) all-terrain vehicles,
- f) miniature motor vehicles,
- g) snow vehicles,
- h) minibikes, and
- i) any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats, or any other vehicle exempted from being an off-highway vehicle by regulation.

Operator - includes, but is not limited to, a person who drives or operates a vehicle as the owner or as an agent, employee or servant of the owner.

Parade and Procession – means any group of persons or trail of persons or vehicles, except military and funeral processions, using the highway within the Town for show or display.

Park - means to allow a vehicle (whether occupied or not) to remain standing in one place except:

- a) when standing temporarily for the purpose of and while actually engaged in loading or unloading passenger; or
- b) when standing in obedience to a Peace Officer or traffic control device

Peace Officer - means:

- a) a member of the Royal Canadian Mounted Police;
- b) a Community Peace Officer as appointed by the Solicitor General of Alberta;
or
- c) a Bylaw Officer as appointed by the Municipality to enforce bylaws of the Municipality.

Person - means any individual, business, partnership, firm, corporation, occupant of a residence, or owner of a vehicle.

Recreational Vehicle - means a travel trailer, fifth wheel and a motor vehicle designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place.

Residential - means that part of the Town which is designated residential by the Land Use Bylaw.

Restricted Parking - means parking zones within the Town which are signed with a restriction (i.e. angle parking, two (2) hour parking, fifteen (15) minute parking).

Sidewalk - means a paved path for pedestrians at the side of a road.

Skateboard - means a wheeled device controlled or propelled by gravity or by the muscular energy of the rider, including roller skates, in-line skates, scooters or other similar recreational devices; but does not include any bicycle, unicycle, tricycle, wheelchair, mobility aid, baby or invalid carriage.

Special Event - means a parade, procession, race or display that requires use of Town property or a highway within the Town, and for that purpose.

Speed Limit - means any speed limit posted, prescribed by or pursuant to this Bylaw.

Stop – means:

- a) when required, a complete cessation from vehicular movement, and
- b) 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 a direction given by a peace officer or traffic control device.

Town - means the Town of Penhold, a Municipal Corporation of the Province of Alberta and includes the area contained within the corporate boundaries of the Town of Penhold where the context so requires.

Traffic - means pedestrians, animals, or vehicles while using the highway for the purpose of travel.

Traffic Control Device - means any sign, signal, marking/painting, or device placed, marked or erected under the authority of this bylaw for the purpose of regulating, warning or guiding as defined in the *Traffic Safety Act* of Alberta and regulations.

Trailer - means a vehicle so designed that it may be attached to or driven by a motor vehicle and intended to transport property or person but does not include machinery or equipment used in the construction or maintenance of a highway.

Truck Route - means those highways located within the Town and identified as Truck Routes in "Schedule B" of this Bylaw.

Truck Tractor - means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of the vehicle drawn and includes a vehicle that is designed to accommodate a 5th wheel coupling, but does not include a crane equipment breakdown vehicle.

Vehicle - means a device in upon or by which a person or thing may be transported or driven upon a highway.

Violation Ticket - means a violation ticket as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34. (A violation ticket under Part 2 or Part 3)

Volunteer Firefighter - means a person who voluntarily acts as a firefighter in the fire protection services of the Municipality for a nominal consideration or honorarium.

PART 3 EMERGENCY VEHICLES

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

PART 4 PARKING WITHIN THE TOWN

- 4.1 No person shall stop a vehicle where prohibited from doing so by a traffic control device; sign
- 4.2 No person shall stop or park a vehicle at any of the following locations:

- a) **Construction Area** – with the exception of authorized construction personnel, upon any portion of a highway marked by a sign as a construction area;
- b) **Bus Area** – any portion of a highway marked by a sign as a bus stop or bus zone;
- c) **Emergency Door** - in any place where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the highway;
- d) **Designated Vehicles Only** – with the exception of designated vehicles, upon any portion of a highway marked by a sign as an area for designated vehicles. Without limiting the generality of the foregoing, the following classes of vehicles are designated vehicles:
 - (i) police vehicles;
 - (ii) bylaw enforcement vehicles;
 - (iii) funeral cars owned and being operated by a funeral chapel in the course of performing a funeral; and
 - (iv) school buses during such time that such buses are being used to transport students to and from the school and loading and unloading of such students.

PARKING ON PRIVATE PROPERTY

- 4.3 No person shall park or leave any vehicles parked on private land that has been clearly marked as such by a sign or signs erected by the owner or his agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of the said land or property.

UNAUTHORIZED PARKING

- 4.4 Notwithstanding the provisions of Subsection 4.3, where, on private property used for commercial or industrial purpose or property owned by the Town with land designated for parking space or spaces or a parking area that is provided for the parking of the vehicles of persons who are customers or patrons of or who are otherwise doing business with the owner, tenant, or occupant or person in charge of the property and the space is clearly designated by permanent posted signage, as being,
- a) private property; and
 - b) set aside for the parking only of vehicles:
 - c) for customers, patrons, or persons doing immediate business with the owner, tenant, occupant, or person in charge of the property; or
 - d) for persons immediately using a facility or service supplied by the owner, tenant, occupant, or person in charge of the property;

- e) an owner or operator of a vehicle who is not subject to (a) or (b). Shall not park or leave his or her vehicle on the parking space, spaces or area so designated.

- 4.5 A person owning or occupying or in charge of private property who observes any person or persons violating the provisions of Subsection 4.3 or 4.4 has the right to remove the vehicle from the property as long as proper signage is in place warning owner or operator of the vehicle can be towed at his or her expense and that the name and contact number of the tow company is clearly visible on the signage. Upon removal of such said vehicle, the local RCMP detachment must be advised of the vehicles removal.
- 4.6 A Peace Officer may cause any vehicle parked contrary to Subsection 4.3 or 4.4 to be removed from there and to be impounded in a pound as chosen by the Peace Officer for this purpose.
- 4.7 In addition to impounding the vehicle, a complaint may be laid against the owner or person in charge of the illegally parked vehicle for the violation of the provisions of this Section.
- 4.8 In lieu of or in addition to the removal and impounding of the vehicle a Peace Officer may place a violation ticket upon the vehicle parked in contravention of this Section.

PARKING ON TOWN LAND

- 4.9 No person shall park or drive any vehicle on any land owned by the Town of Penhold including, but not limited to, parks, boulevards or green spaces at any time without getting written permission prior to doing so.
- 4.10 Notwithstanding Section 4.9, parking is permitted on Town lands that the Chief Administrative Officer (CAO) may designate for vehicle parking.

AUTHORITY OF CHIEF ADMINISTRATIVE OFFICER OR DESIGNATE

- 4.11 1) Subject to conditions in this Bylaw, Council hereby authorizes the Chief Administrative Officer or designate, Community Peace Officer and Public Works Manager to make provisions and regulations in times of emergencies, during snow removal or street cleaning operations, and in areas where construction or repairs are being carried out upon or near highways, related to the control and regulation of traffic, and without restricting the generality of the foregoing, may:
 - a) designate any highway as one which is closed temporarily in whole or in part to traffic and shall cause such highways to be so marked;

- b) designate any area as one which parking privileges are temporarily suspended and shall cause such area to be so marked;
 - c)
 - d) cause moveable signs to be placed on or near a roadway designating parking restrictions; and
 - e) temporarily suspend the existing speed limit and restrict the speed of vehicles to such speed as may be indicated in a sign placed in such areas.
- 2) No person shall park or drive a vehicle in contravention of any sign or signal placed in accordance with any such provision or regulation.
 - 3) No person shall tear down, remove or interfere with any such signs, signals, barricades, flares or other objects placed in accordance with such provisions and regulations.
 - 4) No person shall park, or leave parked, a vehicle on a posted block of the Town after the expiration of 12 hours from the time a sign or signs referred to in Section 4.11 (2) have been placed and until such sign or signs have been removed.

PROHIBITED PARKING/STOPPING

- 4.12 Except as required or permitted by this bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:
- a) on a sidewalk or boulevard;
 - b) on a crosswalk;
 - c) within an intersection other than immediately next to the curb in a "T" intersection;
 - d) at an intersection nearer than 5 metres to the projection of the lateral curb line of the highway at right angles to the direction of travel of the vehicle;
 - e) within 5 metres of the approach to a stop sign or yield sign unless otherwise marked;
 - f) within 5 metres of any fire hydrant, or when the hydrant is not located at the curb, within 5 metres of the point on the curb nearest the hydrant;
 - g) within 1.5 metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
 - h) within 5 metres of the near side of a marked crosswalk;
 - i) along side or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - j) at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
 - k) on the roadway side of a vehicle parked or stopped at the curb or edge of the roadway; or parked in a manner that occupies two parking stalls.

PARKING IN ALLEYS

- 4.13 No owner or operator of a motor vehicle shall park said vehicle in any alley within the Town.
- 4.14 No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley.
- 4.15 No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner, location or circumstances that it blocks an alley and impedes the use of the alley by another vehicle.
- 4.16 No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner that the vehicle is in front of or within one meter of the side of any refuse container or storage area located adjacent to any alley.
- 4.17 No operator or owner of a vehicle shall stop or permit the stopping or parking of the vehicle in a manner where the vehicle may interfere with the use of a doorway marked on the exterior as a fire or emergency exit from any building.
- 4.18 No owner or operator shall park or permit any vehicle to be parked on an alley such that any part of the vehicle is within three meters of an electrical transformer.
- 4.19 Notwithstanding Section 4.13, alleys may be used for:
 - 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 of fifteen (15) minutes; provided the vehicle concerned does not so obstruct the alley as to prevent other vehicles or persons from passing along said alley.

LOADING AND UNLOADING

- 4.20 No owner or operator shall stop or park in a "Loading Zone" unless:
 - a) the vehicle bears a commercial license plate or is identified as a commercial vehicle through signage; and
 - b) the owner or operator is actively engaged in loading or unloading of the merchandise or other materials; and
 - c) the vehicle is not stopped or parked for a period of time exceeding 15 minutes.



- 4.21 No person shall park a motor vehicle in such a manner as to obstruct passage on any sidewalk or walkway or on a ramp or access designed to accommodate persons with mobility challenges.

IMPROPER PARALLEL PARKING

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

PARKING ON A CUL-DE-SAC

- 4.23 Parking is permitted on all highways within the Town that are classified as cul-de-sacs and angle parking is permitted where the curvature of the road begins and ends.
- 4.24 Angle parking is permitted or required:
- a) the driver shall park his vehicle with one front wheel not more than 500 millimetres from the curb or edge of the roadway.

RESTRICTED TIME PARKING AND DROP-OFF ZONES

- 4.25 All restricted time parking and drop-off zones shall be indicated by signs posted by the Town.
- 4.26 A person shall not park a vehicle in excess of the time designated on a traffic control device. For the purpose of this Bylaw, a vehicle shall be deemed to be continuously parked in the same location unless it has been moved at least one block away from that location.

NO PARKING ZONE

- 4.27 No person shall park a vehicle in a "No Parking Zone."
- 4.28 All "No Parking Zones" shall be indicated by signs and/or yellow curb posted by the Town.
- 4.29 Parking in a prohibited parking zone shall be permitted when standing in obedience to a Peace Officer.

PARKING VEHICLE EXCEEDING 6 METRES NEAR RESIDENCE

- 4.30 1) With the exception of a recreation vehicle, no person shall park a vehicle or a vehicle with a trailer attached exceeding 6 metres in length (20 feet), or a

- truck tractor unit with or without a semi-trailer or trailer attached, on a highway, in front of, across from or adjacent to residential property.
- 2) This section shall not apply to:
- a) a vehicle being parked on a highway while unloading or loading goods to or from a premises;
 - b) a utility or other trailer being temporarily used for the purpose of construction, demolition, or landscaping, providing that such utility or other trailer does not obstruct other users of the highway and is clearly visible and attended at all times.

PART 5 SECOND OFFENCE

- 5.1 After the issuance of an offence ticket concerning a vehicle for the first violation of Part 4 and the vehicle remains parked in excess of the time permitted on the sign or violation ticket for a further period, a second offence shall be deemed to have occurred. A further offence ticket may be issued for such offence and the vehicle may be towed.

PART 6 SPEED LIMITS

SPEED LIMIT GENERAL

- 6.1 The maximum speed limit within the Town is forty (40) kilometres per hour or when otherwise posted as a school zone or playground zone, which is thirty (30) kilometers, except Highway 2A (Edmonton Trail) which is fifty (50) kilometers per hour; Highway 592 which is sixty (60) kilometers per hour and Highway 42 which is sixty (60) kilometers per hour unless the maximum speed limit is posted differently.

SPEED LIMIT WITHIN PENHOLD ESTATES

- 6.2 The maximum speed limit on all roadways within the boundaries of Penhold Estates in the Town is twenty (25) kilometres per hour.

SPEED LIMIT IN LANES

- 6.3 The maximum speed limit on all lanes and alleys within the Town is twenty (20) kilometres per hour.

SPECIFIED PENALTIES

- 6.4 The specified penalties for speeding within the Town shall be as stated in the *Traffic Safety Act*.

PART 7 TRAILERS AND RECREATIONAL VEHICLES

- 7.1 No person shall park an unattached trailer or recreational vehicles on any highway in front of, across from, or adjacent to residential property in the Town at any given time.
- 7.2 recreational vehicles and/or trailers shall not be parked on Town property, unless given permission by the town and/or there is a specific area designated for parking.
- 7.3 Notwithstanding Section 7.1, recreational vehicles and trailers may be parked on Town highways from April 1 through October 15. Recreational vehicles shall not be parked for more than seventy-two (72) consecutive hours and shall be removed to a different location for at least forty-eight (48) consecutive hours before it may be parked again on a highway.
- 7.4 At no time shall any recreational vehicle be parked with slide outs obstructing safe movement of vehicle traffic or pedestrian traffic and not blocking any part of roadway or sidewalk.

PART 8 OCCUPYING RECREATION VEHICLE OR TRAILER WHILE PARKED

- 8.1 No person shall occupy any recreational vehicle or trailer as a dwelling or sleeping place at any time while it is parked on a highway.
- 8.2 When attached to a motor vehicle, a holiday trailer is deemed to be part of the motor vehicle. No person shall park 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 regulations pertaining to vehicles.
- 8.3 Recreation vehicles and trailers may be parked on an approved parking pad in the front yard of a residential parcel or the front or a flanking side yard of a corner residential parcel from April 1 through October 15 inclusive.
- 8.4 Between October 16th and March 31st of each year, a recreational vehicle may be parked in a yard abutting a street in a residential district and in a rear yard on a corner parcel where it may be parked closer to the street than the principal

building for a period of not more than 72 hours for the purpose of loading/unloading the recreational vehicle if the recreational vehicle will not overhang the sidewalk, street, or lane or otherwise create a traffic hazard.

- 8.5 Except as provided for in the Town Land Use Bylaw, an owner or occupant of a site shall not permit a vehicle, holiday trailer or recreation vehicle to be used for living or sleeping accommodation.

Part 9

ABANDONING OF VEHICLE

- 9.1 No person shall park a vehicle, holiday trailer or recreation vehicle on a highway at the same location in excess of 72 continuous hours.
- 9.2 Where public parking is permitted on public or private property, no person shall park a vehicle, holiday trailer or recreation vehicle in excess of 48 continuous hours without the express or implied consent of the owner or person in lawful possession or control of the property.
- 9.3 In a residential district no person shall park a recreation vehicle or holiday trailer on a highway immediately adjacent to or directly in front of a residence without the consent of the owner or occupant of that residence.
- 9.4 For the purpose of Section 9.1, 9.2, and 9.3 a vehicle shall be deemed to be continuously parked in a location unless it has been moved at least one (1) block from that location.
- 9.5 In order to determine the time which a vehicle has been parked in a location where parking has been restricted to a specific time, a Peace Officer or other person charged with the enforcement of parking prohibitions and restrictions may place an erasable chalk mark on the tread face of the tire of the parked or stopped vehicle without such Peace Officer or other person of the Town incurring any liability for doing so.
- 9.6 No person shall remove an erasable chalk mark placed under section 9.5
- 9.7 No person shall drive or park a vehicle on any highway so as to block, obstruct, impede or hinder traffic thereon. This prohibition does not apply where the obstruction is unavoidable due to mechanical failure of the vehicle provided that the person promptly takes measures to remove the vehicle from the highway within 48 hours.

PART 10 DISABLED PARKING

- 10.1 All parking for the handicap/disabled shall be indicated by signs and/or blue curb paint posted by the Town.
- 10.2 A person shall not park or stop a vehicle in a parking space, or any part thereof, on private property or on public property that is marked or designated with a traffic control device for the use of persons with disabilities, unless:
- a) the vehicle displays a valid handicap placard or license plate that is issued or recognized by the Solicitor General; and
 - b) the vehicle is operated by, or is being used to transport a disabled person.
- 10.3 Where, pursuant to Section 10.1, the vehicle is identified by a disabled persons placard, the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked in a parking space designated for Disabled Parking.

PART 11 TRAFFIC CONTROL DEVICES

SIGN PLACEMENT

- 11.1 a) The Chief Administrative Officer or designate shall have appropriate traffic control devices placed and maintained wherever necessary on the highways of the Town to indicate Dangerous Goods Routes and Truck Routes.
- b) The Chief Administrative Officer or designate shall, given consideration of recommendations from the Community Peace Officers to have appropriate traffic control devices placed and maintained where necessary on the highways of the Town to indicate; School Zones, Playgrounds, Speed Limits and/or devices deemed necessary to provide proper control of traffic.
- c) The Public Works Manager shall keep a record of the location of all traffic control devices placed pursuant to this Section.
- d) The location, type and placement of all traffic control devices shall be determined in accordance with this Bylaw and the standards set by the Roads and Transportation Association of Canada. The maps and schedules pertaining to the location, type and placement of traffic control devices shall be updated accordingly.
- e) No person shall contravene any traffic control device posted under the authority of this Bylaw.
- f) No person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any traffic control device, unless approved in writing by the Chief Administrative Officer or designate.

SIGN REMOVAL

- 11.2 No person shall remove or interfere with any traffic control device or barricade or notice of closing or suspension erected or posted under authority of this Section.

TRAFFIC CONTROL

- 11.3 A Peace Officer may authorize such persons as deemed necessary to direct or regulate traffic.

PART 12

OFF-HIGHWAY VEHICLES AND MAINTENANCE EQUIPMENT

- 12.1 A Peace Officer, Town employee or agent of the Town may operate an off-highway vehicle on highways or lands owned by the Town where such operation is required in connection with the patrol or maintenance duties of such person or in case of emergency.
- 12.2 For the purpose of this section, "Off-Highway Vehicle" shall have the meaning given to it in the *Off-Highway Vehicle Act*.

PART 13

HEAVY VEHICLES

HEAVY VEHICLE TRUCK ROUTE

- 13.1 No person shall operate a heavy vehicle on any highway in the Town except on the Truck Routes established in "Schedule B" of this Bylaw.
- 13.2. No person shall park any heavy vehicle in any residential area within the Town.
- 13.3 Section 13.1 or 13.2 of this Bylaw, shall not apply to heavy vehicles in the course of their normal business when providing services in residential areas, which are situated off of the authorized truck routes.
- 13.4 No person shall operate engine retarder brakes on diesel powered vehicles within the Town limits.

HAZARDOUS GOODS ROUTES

- 13.5 No person shall drive a heavy vehicle or vehicle loaded or unloaded through the Town off the Truck Route Schedule "B".



- 13.6 Section 13.5 of this Bylaw, shall not apply to heavy vehicles or vehicles loaded with Hazardous goods, in the course of their normal business when providing services in residential areas, which are situated off of the authorized truck routes but must then return back to designated truck route.

DANGEROUS GOODS

- 13.7 No person shall dump or spill, or suffer, allow or permit the dumping or spilling of any Dangerous Goods for which placards are required by the *Transportation of Dangerous Goods Control Act* and regulations made thereon or any similar legislation on any Town lands or highway.
- 13.8 No person shall park Dangerous Goods within the municipal boundaries of the Town in areas designated in the Land Use Bylaw as residential or public zoning.
- 13.9 No person shall operate a vehicle transporting dangerous goods on any highway in the Town, except on a highway designated as a "Truck Route" as specified in Schedule "B"

FLAMMABLE GOODS PARKING

- 13.10 No driver or person in charge of any vehicle, truck or trailer used for conveyance of flammable liquids or other hazardous material shall park such a vehicle or trailer within the Town limits except to load or unload materials in the normal course of their business.

PART 14 HEAVY VEHICLE PARKING

- 14.1 a) Public heavy vehicle parking is only permitted on Fleming Ave on the west side and Windsor Avenue between Emma Street to the north and Lucina Street to the south
- b) No person shall park a heavy vehicle upon a highway within the Town other than upon a highway specified as a truck route in Schedule "B" of this Bylaw.
- c) Private heavy vehicle parking is allowed on commercial and industrial premises that are located on a truck route within the Town.
- d) Any other heavy truck parking constitutes an offence under this bylaw.
- e) No person shall operate a heavy vehicle on or across any sidewalk except at a curb cut or approved crossing without first planking the sidewalk to ensure that such sidewalk will not be damaged.

IDLING OF HEAVY VEHICLE

- 14.2 Heavy vehicles idling must not exceed thirty (30) minutes.

TRAFFIC RESTRICTIONS

- 14.3 The Chief Administrative Officer or designate may, when an emergency exists with regards to load restrictions on certain or any portion of a highway, ban the said highway to the passage of "Heavy Vehicles" and erect signs, governing load limits regardless of exemptions under Section 13.9.

PART 15 SIDEWALKS

- 15.1 No person shall operate or park a vehicle on any sidewalk, pedestrian overpass, bicycle path, or pedestrian path.
- 15.2 Notwithstanding Section 15.1, any wheelchair, motorized wheelchair or power chair designed for the purpose of increased mobility for the handicapped/disabled, can legally operate on sidewalks or trail systems within the Town.

PART 16 BICYCLES, ROLLER BLADES, SCOOTERS, AND SKATEBOARDS

BICYCLE SAFETY HELMET

- 16.1 a) No person who is less than 18 years old shall operate or ride as a passenger on a bicycle unless that person is properly wearing an approved safety helmet.
- b) A parent or guardian of a person who is less than 18 years old shall not authorize or knowingly permit the person to operate or ride as a passenger on a bicycle unless that person is properly wearing a safety helmet.

EQUIPMENT VIOLATION

- 16.2 This bylaw requires bicycles to use a head lamp, red rear reflector and one front and rear wheel reflector when riding during night operations

TRAFFIC REGULATIONS

- 16.3 No person shall operate a bicycle, skateboard, scooter or roller blades on any sidewalk, street furniture, railing, staircase or area on which the operation of the same is prohibited by signage.
- 16.4 Notwithstanding Section 16.3, any child 10 years old and under riding bicycles or tricycles are exempt from this provision and can legally operate on the sidewalks within the Town.

- 16.5 Notwithstanding Section 16.3, this section shall not apply to newspaper carriers riding bicycles on sidewalks while delivering newspapers door to door, as long as they do not interfere with the free use of the sidewalks by other persons.
- 16.6 Notwithstanding anything to the contrary contained in this bylaw, a Peace Officer may operate a bicycle within the lawful execution of his duty on any sidewalk, footpath, walkway, boulevard or other public place where the use of bicycles by the general public is prohibited or restricted.

FAILURE TO OBEY POSTED SIGNS

- 16.7 Where the signage prohibits the operation of a bicycle, it shall also include skateboards, scooters, and roller blades.
- 16.8 No person shall leave any bicycle, skateboard, scooter, or roller blades in any manner unattended so as to create a hazard upon any highway or public sidewalk in the Town.
- 16.9 A Peace Officer may seize and impound for a period of up to fourteen (14) days any bicycle, skateboard, scooter, or roller blades that are used or operated in contravention to this Bylaw.
- 16.10 Any bicycle, skateboard, scooter, or roller blades not redeemed by the owner within fourteen (14) days will be deemed as property of the Town and disposed of.
- 16.11 Where a bicycle, scooter, and or skateboard, has been seized and impounded by a Peace Officer as provided for in Subsection 16.1, 16.3 and 16.8 the owner or operator of such bicycle, scooter, skateboard shall, aside from any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle, scooter or skateboard.

PART 17 RIGHTS AND DUTIES OF PEDESTRIANS

PEDESTRIAN CROSSING

- 17.1 a) No person shall cross any highway at a point where a sign prohibits such crossing.
- b) Two or more persons shall not stand so near to each other on any highway as to obstruct the entrance to buildings or to obstruct or prevent any other persons using such highway, and immediately upon request being made by any peace officer or other person duly authorized to do so, shall disperse and move away.

PEDESTRIAN OBSTRUCTING

- 17.2 No person shall stand or be upon any highway or land in such a way as to obstruct vehicular traffic or parade/procession traffic on any highway.

PART 18 SNOW REMOVAL

- 18.1 All persons owning or occupying property in the Town, shall remove and clear away all snow, ice, dirt and other obstructions from the sidewalk situated on land adjoining the property owned or occupied by them within Seventy-two (72) hours of the time that such snow, ice, dirt or other obstruction was deposited thereon.
- 18.2 The Town may, after the expiration of Seventy-two (72) hours, remove and clean away all snow, dirt and other obstructions required to be removed by Section 18.1 and charge the expenses to the owner or occupant. If the cost of such work against the owner(s) or person in default, is not paid within sixty (60) days, such expenses shall be charged against the property as a special assessment to be recovered in another manner such as other taxes.
- 18.3 An occupant, or owner(s), of a building within three (3.0) meters of a highway, whenever snow or ice accumulates on the roof or eaves, or from downspouts of the building so as to create a potential danger to vehicles or pedestrians, shall remove, or cause to be removed, the snow or ice hazard, and while removing the snow or ice hazard, shall take due care and attention for the safety of vehicles or pedestrians passing.
- 18.4 No person shall place, or cause to be placed, upon any highway any snow, ice, dirt or other obstruction.
- 18.5 Any person who contravenes Section 18.4 may be issued a fine and must remove obstruction from the roadway within twenty-four (24) hours of the time that such snow, ice, dirt, or obstruction was placed thereon.

SNOW, ICE AND DIRT OBSTRUCTION

- 18.6 No person shall place, pile or store any snow, ice, gravel, dirt, equipment or other obstruction, on any highway or Town property without first applying for and obtaining a permit for such purpose from the Chief Administrative Officer or designate.
- 18.7 Any person placing or causing to be placed any snow, ice, gravel, dirt, equipment or other obstruction on Town property without a permit shall remove or cause the removal thereof as soon as reasonably possible and, in any event, no later than twenty-four (24) hours after notification to do so by the Peace Officer.

After twenty-four (24) hours, or such lesser time as specified by the Peace Officer, the Town may remove the obstruction, perform all necessary repairs and charge the costs to the person causing the obstruction.

DURING SNOW REMOVAL OR STREET CLEANING

- 18.8 Notwithstanding anything herein contained, in conjunction with snow removal, street cleaning or road repair operations carried on by the Town employees or contractors, the Town may tow or remove vehicles from the street being cleaned, cleared or repaired.
- 18.9 Where a vehicle is driven, used, parked or left in contravention of any provision of this bylaw, the owner of the vehicle is liable for the contravention and shall make payment of the penalty prescribed.

PLACEMENT OF SALT ON SIDEWALKS

- 18.10 No person shall sprinkle, spread, or place "rock" salt or any manner of ice removal salt containing "Calcium Chloride" on a sidewalk or on a roadway. De-icing salt containing "Magnesium Chloride" will be the only acceptable de-icing salt for use on all sidewalks and roadways owned by the Town of Penhold.

SECOND OFFENCE

- 18.11 After the issuance of an offence ticket concerning a property for the first violation of Part 18 and if the property remains in contravention in excess of 7 days a second offence shall be deemed to have occurred. A further offence ticket may be issued for such offence at \$500.00.

PART 19 PARADES AND PROCESSIONS

PARADE PERMIT

- 19.1 Any person desiring to hold a parade or procession within the Town shall, at least thirty (30) days prior to the time they desire to hold the same, make application in writing to the Chief Administrative Officer or designate, and such application shall furnish information with respect to the following:
- a) the name and address of the applicant, and if such applicant is an organization, the names, addresses and occupations of the executive;
 - b) the nature and object of such parade or procession;
 - c) the day, date and hours during which same will be held;
 - d) the intended route;
 - e) the approximate number of persons who will take part; and

- f) the approximate size, number and nature of flags, banners, placards or such similar things to be carried and particulars of signs, inscriptions, and workings to be exhibited and such written application shall bear the signatures and addresses of the persons who will be in control of the parade or procession, and who undertake to be responsible for the good order and conduct of the parade or procession.
- 19.2
- a) Notwithstanding anything in this Bylaw, a procession of vehicles within the Town that is part of a military or funeral procession does not require a permit, but must comply with the provisions of the *Traffic Safety Act* and regulations there under.
 - b) Vehicles in a funeral procession may enter an intersection without stopping provided they comply with the provisions of the *Traffic Safety Act* and regulations there under.
 - c) The Town of Penhold is exempt from the requirement of a permit.

PERMIT REFUSAL

- 19.3 The Chief Administrative Officer or designate may for any reason which appears to him/her improper, refuse to issue a permit, but in the event of such refusal, the applicants concerned may apply to the Council, and therefore, the Council may, by resolution, direct the issue of such permit subject to the provisions of the Bylaw.

PARADE RESTRICTIONS

- 19.4 The Chief Administrative Officer or designate shall fix the hour and route of the parade or procession and give such directions to the applicants in regard to such parade or procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the street or sidewalk and tend to prevent a breach of the peace and shall make the necessary arrangements for the proper policing of the streets in connection with such parade or procession.

ILLEGAL PARADE

- 19.5 It shall be an offense for any person or persons to hold or take part in any parade or procession without first having obtained a permit in accordance with the provisions of this Bylaw. Every member of a parade or procession and the organizers or leaders shall be guilty of an offense for each and every violation of the foregoing provisions of this part.

EMERGENCY VEHICLES AND PARADES

- 19.6 No parade or procession shall obstruct the movement, use or operation of any emergency vehicle.

PART 20

FLASHING GREEN LIGHT ~ VOLUNTEER FIRE RESPONSE

- 20.1 A full time or volunteer firefighter may carry on or in a vehicle, other than an emergency vehicle, a lamp that produces intermittent flashes of green light and may operate the lamp if the vehicle is proceeding to a fire or other emergency.
- 20.2 No person other than a full time or volunteer firefighter shall operate a lamp that produces intermittent flashes of green light within the corporate limits of the Town.
- 20.3 Nothing in this Section shall be construed so as to permit a full time or volunteer firefighter to operate a vehicle in contravention of the *Traffic Safety Act* and amendments thereto, the regulation, or any Municipal Bylaw.

PART 21

USES OF PUBLIC STREETS, STREET MAINTENANCE, SIDEWALKS & PLACEMENT

- 21.1 Notwithstanding any other provisions in this Bylaw, the Chief Administrative Officer or designate is hereby authorized to make provisions and regulations in times of emergencies such as snow removal or street cleaning operations and in areas where construction or repairs are being carried out upon or near highways, related to the control and regulation of traffic and without restricting the generality of the forgoing may:
- a) designate any highway as one which is closed temporarily in whole or in part to traffic and shall cause such area to be posted.
 - b) designate any area as one where parking privileges are temporarily suspended and shall cause such area to be posted.
 - c) cause movable signs to be posted on or near a roadway. Such signs may read "**STREET MAINTENANCE — NO PARKING IN THIS BLOCK**" (symbolized or written) or signs having similar wording as to restrict parking.
 - d) all entrances to a street are to be posted with "NO PARKING" signs twelve (12) hours prior to commencing operations on roads. Signs are to be placed approximately twenty (20) meters from an entrance and one and a half (1.5) meters to a curb.
 - e) tag and tow, at the owner's expense, any vehicle left on any roadway within the Town after that street has been posted for twelve (12) hours and up to twenty four (24) hours.

ADVERTISEMENT

- 21.2 No person shall sell by auction upon any highways or sidewalks within the Town, any article or thing whatsoever without first obtaining in writing permission of the Chief Administrative Officer or designate.
- 21.3 a) No person shall advertise any sale of any article or thing by the blowing of any horn, ringing of any bell, crying, hollering, or creating any other disturbance or noise upon any of the highways or sidewalks of the Town unless written permission is first obtained from the Chief Administrative Officer or designate.
- b) No person shall broadcast from a sound track or amplifying device outdoors without first obtaining a permit to do so.

ACCESS

- 21.4 No person shall be entitled to use or cross any highway, sidewalk or boulevard in a residential area for the purpose of obtaining access to a lot, building or other property unless and until the conditions hereinafter set out have been complied with:
- a) written application for access must be made to the Chief Administrative Officer or designate and if such application is granted the owner or owners must maintain adequate visibility on either side of the driveway, and for greater certainty but not so as to restrict the generality of the foregoing, no hedge, or fence or other obstruction in excess of one (1) metre in height above sidewalk level or above the level of the driveway shall be permitted for the distances as specified in the Land Use By-law of the Town.
- b) in the event that such obstruction is not removed upon written notice of ten (10) days, the Town may be entitled and empowered to remove such obstruction, and all expenses in connection therewith shall be chargeable against and recoverable from the offending property owners and if not paid within sixty (60) days the costs may be recovered as taxes owing.
- c) any loss or damage to Town property that results either directly or indirectly from the existence or use of any such access or driveway shall be borne by the property owner(s) concerned.
- d) council reserves the right to refuse permission to any person applying for access across a public street if, in its discretion, local conditions do not justify access.
- 21.5 No owner or occupant of any premises shall allow any gate or door to such premises to swing over any sidewalk within the Town.
- 21.6 No person shall:



- a) permit or cause any object to be placed, constructed or installed or remain in on, under or over any sidewalk in any manner unless a Permit has been issued by the Municipality.
- b) occupy or obstruct or close any sidewalk or municipal designated parking space on a temporary basis unless a Permit has been obtained from the Municipality.
- c) move or place any snow or ice or other bulk material on any sidewalk in a fashion that impedes pedestrians traffic thereon or interferes with maintenance efforts of the Municipality.

PART 22

GENERAL PROVISIONS

- 22.1 Unless a permit to do so has been issued by the Chief Administrative Officer or designate, no person shall operate on a highway a vehicle or trailer having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire or track for such vehicle. This prohibition does not apply to the use of studded tires.
- 22.2 No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.
- 22.3 Notwithstanding Section 22.1, except on a sidewalk crossing provided for that purpose.
- 22.4 No person shall wash a vehicle upon a highway or near a highway, thereby depositing mud or creating such or ice upon a public sidewalk or roadway.
- 22.5 No person shall undertake vehicle repairs that cause any oil, liquid or other material to be deposited upon any road or highway with the Town or enter into the drainage system within the Town limits.
- 22.6 No person shall stand upon or walk along a highway for the purpose of soliciting a ride from the driver of any vehicle.
- 22.7 No person shall board or alight from any vehicle that is in motion.
- 22.8 No person shall cast or throw any stones, ball or balls of snow or ice or other objects dangerous to the public at any vehicle or onto any highway within the Town
- 22.9 No person shall dig up or remove any earth, sand or gravel from any highway within the Town without first obtaining permission in writing from the Chief Administrative Officer or designate



22.10 No person shall drive or haul on or over any highway within the Town, any vehicle or other type of equipment or thing which does cause or is likely to cause damage to the highway.

22.11 No person shall drain the radiator or any other fluid of a vehicle so that the contents thereof fall upon or flow to any highway.

PART 23

PENALTIES AND POWERS OF PEACE OFFICER

REMOVAL AND IMPOUNDMENT OF VEHICLES

- 23.1 A Peace Officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- a) operated or parked in contravention of any provision of this bylaw; or
 - b) where emergency conditions may require such removal from a highway.
 - c) such vehicle may be removed to a place designated by the Chief of Administrative or designate, where it will remain until claimed by the owner thereof or his agent.
 - d) no impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The Town is not responsible for impounding, towing or removal charges.

REFUSING TO STOP FOR PEACE OFFICER

- 23.2 An operator of a public vehicle or combination of vehicles:
- a) who fails or refuses to stop and permit the vehicle or combination of vehicles to be inspected by a Peace Officer; or
 - b) who fails or refuses, when directed by a Peace Officer, to permit the weighing of a vehicle or combination of vehicles or to stop the vehicle or combination of vehicles, in a suitable place designated by a peace officer pending removal of excess weight; is guilty of an offence; or
 - c) who fails or refuses when directed by a Peace Officer to comply with request of the Peace Officer (i.e.: direction of traffic directed by Peace Officer or refusal to give documents, etc.).
 - d) Shall be guilty of an offence as outlined within Schedule A.

BREACH

- 23.3 Any person who contravenes any of the provisions or requirements of this Bylaw is guilty of an offense and is liable for and subject to the penalties herein provided.

MUNICIPAL VIOLATION TICKET

- 23.4 Any person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and liable to the specified penalty set out in "Schedule A", or in the case for which there is no specified penalty set out in "Schedule A", to a fine of not less than \$125.00 and not more than \$1,000.00.
- 23.5 An owner of a vehicle includes any person registered as an owner at the Registrar of Motor Vehicles Services.
- 23.6 Where a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw, the owner of the vehicle is liable for the contravention and shall make payment of the penalty prescribed herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.
- 23.7 Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he may serve upon the person:
- a) a municipal ticket, allowing a voluntary payment of the specified penalty set out in "Schedule A" for the offence to the Town, which shall be accepted by the Town in lieu of prosecution for the offence if payment is received by the Town with 35 days of service of the municipal ticket; or
 - b) a violation ticket, allowing a voluntary payment of the specified penalty set out in "Schedule A" for the offence, or, requiring a person to appear in court without the alternative of making a voluntary payment, and the recording of the payment of a penalty made to the Town or the Provincial Court of Alberta shall constitute an acceptance of a guilty plea and conviction for the offence.
- 23.8 Service of a municipal ticket shall be sufficient if it is:
- a) personally served; or
 - b) attached to the vehicle in respect of which an offence is alleged to have been committed; or
 - c) mailed to the address of the registered owner of the vehicle or to the person in possession of the said vehicle; or
 - d) mailed to the address of the registered owner of the property or to the person in possession of the property.

PROVINCIAL OFFENCES PROCEDURE ACT

- 23.9 Should a person not pay the penalty provided for contravention of any Section of this Bylaw and a prosecution has been entered against him, he shall be liable on summary conviction to pay the minimum fine equal to the penalty stated in the said offense ticket, and in default of payment of the penalty

imposed by the Court and subject to Section 160(1) & (2) of the *Traffic Safety Act*.

23.10 Nothing in this part shall:

- a) Prevent any person from exercising his right to defend any charge laid for contravention of any Section of this Bylaw, or;
- b) prevent any Peace Officer in lieu of serving an offense ticket, or any other person, from laying an information or complaint against any person for contravention of any Section of this Bylaw, or;
- c) Prevent any person from laying any information against any other person, whether such person had made payment under the provision of this Bylaw or not, for contravention of any of the Sections of this Bylaw.

GENERAL PENALTY

23.11 Any person who contravenes any provisions of this Bylaw for which no penalty has herein been specified, shall be liable by the *Provincial Offenses Procedures Act* of a fine not exceeding \$1000.00 exclusive of costs, and in case of nonpayment of the penalty and costs imposed by the Court, and subject to Section 160(1) & (2) of the *Traffic Safety Act*.

23.12 Any Peace Officer or R.C.M.P. Officer is hereby authorized by the Town to enforce the provisions of this Bylaw and to issue offense tickets to any person to whom they reasonably believe has contravened the provisions of this Bylaw.

PART 24 RESCIND

24.1 That Bylaw 746/17 and any other traffic bylaw are hereby rescinded.

PART 25 COMMENCEMENT OF ENFORCEMENT

25.1 If any provision of this Bylaw is declared or held to be invalid, that provision shall be deemed to be severed, and the remainder of the Bylaw shall remain in force and effect.

25.2 This Bylaw shall come into force and effect on third and final reading.

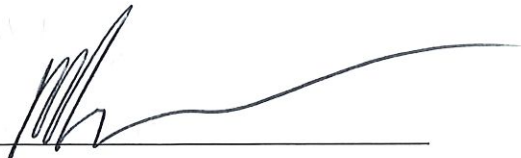
25.3 Schedules A and B attached hereto shall form part of this Bylaw and may be revised by a motion from Council.



Read a first time this 11th day of June, 2018.

Read a second time this 11th day of June, 2018.

Read a third time and final time; and passed this 25th day of June, 2018.



Mayor



Chief Administrative Officer

TOWN OF PENHOLD
TRAFFIC BYLAW
SCHEDULE "A" PENALTIES

SECTION	PARTICULARS	PENALTY
	<u>PARKING WITHIN THE TOWN</u>	
4.2(a)	Park in construction area	\$ 125.00
4.2(b)	Park in a bus stop	\$ 125.00
4.2(c)	Park to obstruct fire-emergency door	\$ 125.00
4.2(d)	Park in area for special class of vehicle	\$ 125.00
4.3	Park on private land	\$ 125.00
4.9	Park on Town land	\$ 125.00
4.12(a)	Park on sidewalk/boulevard	\$ 125.00
4.12(b)	Park on crosswalk	\$ 125.00
4.12(c)	Park within an intersection other than immediately next to the curb in a "T" intersection	\$ 125.00
4.12(d)	Park within 5 meters of an intersection	\$ 125.00
4.12(e)	Park within 5 meters of a stop/yield sign	\$ 125.00
4.12(f)	Park within 5 meters of a fire hydrant	\$ 250.00
4.12(g)	Park within 1.5 meters of a driveway/garage/private road	\$ 125.00
4.12(h)	Park within 5 meters of a marked crosswalk	\$ 125.00
4.12(i)	Park to obstruct traffic at excavation	\$ 125.00
4.12(j)	Park where prohibited by traffic control device	\$ 125.00
4.12(k)	Double park	\$ 125.00
4.13-4.19	Park in alley	\$ 125.00
4.20	Park in loading zone	\$ 125.00
4.21	Park as to obstruct sidewalk, walkway, ramp or mobility aid	\$ 125.00
4.22	Improper parallel park	\$ 125.00
4.24	Park more than 500 mm from curb – angle parking	\$ 125.00
4.25-4.26	Park in restricted time parking or drop-off zone	\$ 125.00
4.27-4.28	Park in no parking zone	\$ 125.00
4.30(1)	Parking vehicle exceeding six (6) meters	\$ 125.00
5.1	Second offence	\$ 200.00
	<u>SPEEDING</u>	
6.1	Driving beyond posted speed limit within the Town	<i>Traffic Safety Act</i>
6.2	Driving beyond posted speed limit within Penhold Estates	
6.3	Driving beyond posted speed limit on all lanes and alleys within the Town	
	<u>TRAILERS AND RECREATIONAL VEHICLES</u>	
7.1	Park unattached trailer on highway	\$ 125.00

7.2-7.3	Park trailer/recreational trailer on highway in excess of 72 hours/48 hours	\$ 125.00
7.4	Recreational/trailer with slides out	\$ 125.00
8.1-8.5	Permitting a vehicle, holiday trailer, or recreation vehicle to be used for sleeping accommodation	\$ 250.00
<u>ABANDONING OF VEHICLE</u>		
9.1	Park in excess of 72 hours	\$ 125.00
9.2	Park in excess of 48 hours	\$ 125.00
9.3	Park holiday trailer where not permitted (in front of another house without owner's permission)	\$ 150.00
9.6	Remove erasable chalk	\$ 125.00
9.7	Park so as to obstruct traffic	\$ 250.00
<u>HANDICAP/DISABLED PARKING</u>		
10.2	Park in marked handicapped stall	\$ 200.00
10.3	Fail to visibly display placard	\$ 125.00
<u>TRAFFIC CONTROL DEVICES</u>		
11.1(f)	Post/Posted or exhibit/exhibited upon a traffic control device	\$ 125.00
11.2	Removal of Town signs	\$ 250.00
<u>OFF-HIGHWAY VEHICLES AND MAINTENANCE EQUIPMENT</u>		
12.1-12.3	Driving Off-Highway Vehicle within the Town	<i>Off-Highway Vehicle Act</i>
<u>HEAVY VEHICLE</u>		
13.1	Heavy Vehicle traveling off Truck Route	\$ 300.00
13.2	Park Heavy Vehicle in residential area of Town	\$ 300.00
13.4	Use of Engine Retarder Brakes	\$ 300.00
<u>DANGEROUS/HAZARDOUS GOODS</u>		
13.6	Dumping dangerous goods on highway	\$ 1,000.00
13.7	Park/stop/leave a vehicle containing Dangerous Goods within residential or public zoning	\$ 1,000.00
13.8	Operate vehicle transporting Dangerous Goods off truck route	\$ 1,000.00
13.9	Unauthorized parking of Flammable Goods in the Town	\$ 1,000.00

	<u>HEAVY VEHICLE PARKING</u>	
14.1(a)	Park Heavy Vehicle not approve area	\$ 200.00
14.1(b)	Park Heavy Vehicle upon highway within the Town	\$ 200.00
14.1(c)	Park private Heavy Vehicle not on a commercial property/truck route within the Town	\$ 200.00
14.1(d)	Unauthorized Heavy Truck parking	\$ 200.00
14.1(e)	Heavy Vehicle operation across sidewalks	\$ 200.00
14.4	Idling Heavy vehicle longer than 1/2 hour (30 minutes)	\$ 200.00
	<u>SIDEWALKS</u>	
15.1	Park on sidewalk	\$ 250.00
	<u>BICYCLES, ROLLER BLADES, SCOOTERS, AND SKATEBOARDS</u>	
16.1(a)	Person less than 18 years old operate a bicycle without proper approved safety helmet	\$ 125.00
16.1(b)	Parent/Guardian authorized/knowingly letting less than 18 person operate a bicycle without proper approved safety helmet	\$ 125.00
16.3	Operate a bicycle, skateboard, scooter or roller blades/signage on any sidewalk, street furniture, railing, staircase or area within the Town	\$ 250.00
16.8	Placing obstructions on highway/sidewalk to create a hazard	\$ 125.00
	<u>RIGHTS AND DUTIES OF PEDESTRIANS</u>	
17.1 (a)	Cross street where sign prohibits	\$ 125.00
17.1 (b)	Obstructing a highway	\$ 125.00
17.2	Pedestrians not involved in special event	\$ 125.00
	<u>SNOW REMOVAL</u>	
18.1	Failure to remove snow, ice, dirt or other obstructions from front of business or residence.	\$ 250.00
18.4-18.6	Placing obstructions and snow on highway	\$ 125.00
18.7	Illegal placement of snow, ice, dirt or other obstructions on a Town street	\$ 125.00
18.10	Placing salt on sidewalk	\$ 125.00
18.11	Second and subsequent offence section 18.1	\$ 500.00

	<u>PARADES AND PROCESSIONS</u>	
19.5	Holding an illegal parade	\$ 125.00
19.6	Parade obstructing emergency vehicles	\$ 200.00
	<u>FLASHING GREEN LIGHT</u>	
20.2	Unauthorized flashing green light	\$ 300.00
	<u>PUBLIC STREETS, SIDEWALKS AND PLACEMENT</u>	
21.2	Sell article(s), auction(s) or things upon highway	\$ 125.00
21.3(a)/(b)	Disturbance of noise upon any highway/sidewalk	\$ 125.00
	<u>ACCESS</u>	
21.4(a)	Failure to trim shrubs or trees that restrict traffic vision	\$ 125.00
21.5	Allow gate or door to swing over sidewalk	\$ 125.00
	<u>OBSTRUCTIONS</u>	
21.6(a)/(b)/(c)	Obstruct sidewalk	\$ 125.00
	<u>GENERAL PROVISIONS</u>	
22.1	Vehicle with metal lugs without permit	\$ 150.00
22.2	Vehicle unattended on a jack or similar device	\$ 150.00
22.4	Washing vehicles – drainage to highway	\$ 150.00
22.5	Undertake vehicle repairs that cause oil, liquid or other material to be deposited upon any road or highway within the Town	\$ 500.00
22.6	Hitchhiking	\$ 125.00
22.8	Cast or throw any object at any vehicle or onto any highway	\$ 125.00
22.9	Dig up or remove without permission	\$ 200.00
22.10	Damaging – evacuation on or under a roadway/street/sidewalk or other	\$ 300.00
22.11	Draining radiator on roadway	\$ 500.00
	<u>PENALTIES AND POWERS OF A PEACE OFFICER</u>	
23.2(a)/(b)/(c) /(d)	Refusing to stop for a Peace Officer	\$ 350.00

TOWN OF PENHOLD TRAFFIC BYLAW SCHEDULE " B " TRUCK ROUTE

