

**TOWN OF IRRICANA
BYLAW NO. 1:2010**

A Bylaw of the Town of Irricana to regulate traffic, parking and the use of any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned including boulevards and sidewalks within the boundaries of the municipality.

WHEREAS Section 7 of the *Municipal Government Act, RSA 2000, Chapter M-26* provides that a Council may pass bylaws with respect to the safety, health and welfare of people; and the protection of people and property; and people, activities and things, in, on or near a Public place or place that is open to the public; and

WHEREAS Section 13 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, and subject to the *Dangerous Goods Transportation and Handling Act*, the Council of a municipality may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with these *Acts* in respect to governing the use of highways; governing the parking of vehicles; governing access to highways from private land; classifying motor vehicles and other vehicles and pedestrians for any purposes involving the use of streets, lanes and other public places; governing the encumbering of highways; governing, subject to Sections 77 to 79 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, the impounding and removal of vehicles; in respect of which parking fees are payable, that are parked in an area where parking is prohibited, or that are parked in contravention of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6* or this bylaw; governing parades and processions; governing closing or restricting the use of a highway; governing the issuing of tags, tickets or other documents; governing the placing of tags, tickets or other documents on vehicles; governing the marking of tires on vehicles for the purpose of enforcing parking bylaws; governing the employing of or engaging the services of persons to enforce bylaws made with respect to the parking of vehicles; designating routes for vehicles or classes of vehicles; restricting the weight of vehicles or of vehicles and the goods being carried by the vehicles; prescribing or otherwise providing for penalties with respect to the contravention of a bylaw made under this Division; and

WHEREAS Section 14 of the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, and subject to the *Provincial Offences Procedure Act*, the Council of a municipality may make bylaws with respect to privately owned property that is located within the municipality to which vehicles driven by members of the public generally have access, 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; persons with disabilities who display on their vehicles a disabled placard or licence plate that is issued or recognized by the Registrar; prescribing speed limits in respect of lanes or other thoroughfares used by vehicles; 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 the parking of vehicles on that property without the permission or authorization of that person; the parking of vehicles so that the access to that property is denied or otherwise restricted; with respect to a vehicle parked or driven in contravention of a bylaw made under this section, governing the issuing of tags or tickets or other documents; governing the placing of tags, tickets or other documents on vehicles; governing, subject to sections 77 to 79, the removal and impounding of vehicles; providing for the laying of an information and complaint.

NOW THEREFORE, the Council of the Town of Irricana, duly assembled, hereby enacts as follows:

SECTION 1 - TITLE

1. This bylaw may be cited as the **“Traffic Bylaw”**

SECTION 2 - DEFINITIONS

2. For the purposes of interpretation, this bylaw accepts and encompasses all definitions as set forth in the *Traffic Safety Act, R.S.A. 2000, Chapter T-6* and amendments thereto in its entirety and shall be enforceable as empowered by such Act and this bylaw.
 - 2.1 In this bylaw, unless the context otherwise requires:
 - a) “Abandoned Vehicle” is any vehicle on public property that has remained for 72 consecutive hours.
 - b) “Alley/Lane” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
 - c) “Administration” means the general operations of the Municipality, including all personnel, financial and other related resources, as permitted by the *Municipal Government Act, RSA 2000, C. M-26*, as amended, and any successor legislation;
 - d) “Boulevard” means that part of a highway in an urban area that
 - i) is not a highway, and
 - ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrian;
 - e) “Bus” means a vehicle used for public transportation including school buses;
 - f) “Bicycle” means a non-motorized two wheeled muscle driven vehicle;
 - g) “Chief Administrative Officer” means the Chief Administrative Officer or his /her designate for the Municipality and whatever subsequent title may be conferred on that officer by Council resolution or statute;
 - h) “Council” means the Council of the Town of Irricana;
 - i) “Court” means the Provincial Court of Alberta;
 - j) “Commercial Vehicle” 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;
 - k) “Curb” means the actual curb if there is one and, if there is not an actual curb in existence, shall mean the division point of highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;
 - l) “Cycle” means a power bicycle, motor cycle or moped;
 - m) “Dangerous Goods” means any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the *Dangerous Good Transportation and Handling Act, R.S.A.. 2000, C.D-4*, as amended;
 - n) “Disabled Person Vehicle” means a vehicle identified as such by an official placard, clearly displayed in the vehicle bearing the international symbol of the disabled;
 - o) “Double Parked” means to stop or park a vehicle in the manner described in the Traffic Safety Act

- i) on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway;
- p) “Driver” means a person who is driving or in actual physical control of a vehicle;
- q) “Driving” or “Drive” includes having the care or control of a vehicle;
- r) “Duly Authorized Officer” means an individual appointed by Council or an individual executing duties delegated to them by the individual appointed by Council;
- s) “Emergency Vehicle” means
 - i) a vehicle operated by a police service as defined in the *Police Act*;
 - ii) a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
 - iii) an ambulance operated by a person or organization providing ambulance services;
 - iv) a vehicle operated as a gas disconnection unit of a public utility;
 - v) a vehicle designated by regulation as an emergency response unit;
- t) “Enforcement Officer” means a Bylaw Enforcement Officer, Special Constable or Peace Officer employed/contracted by the Town of Irricana and includes a member of the RCMP authorized to enforce bylaws in the Town of Irricana
- u) “Goods” means any thing or load that is or may be carried by means of a vehicle;
- v) “Highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of the, whether publicly or privately owned, that is ordinarily utilized for public passage or parking 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 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;
- w) “Mobile Unit” means:
 - i) Any vacation trailer, house trailer or relocatable trailer;
 - ii) Any structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one (1) point to another by being towed or carried and to provide living accommodation for or other used by one (1) or more persons;
- x) “*Municipal Government Act*” means the *Municipal Government Act*, RSA 2000, c.M-26, as amended or replaced from time to time;
- y) “Municipality” means the Town of Irricana;
- z) “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,
 - i) 4-wheel drive vehicles,
 - ii) low pressure tire vehicles,
 - iii) motor cycles and related 2-wheel vehicles,
 - iv) amphibious machines,
 - v) all terrain vehicles,
 - vi) miniature motor vehicles,
 - vii) snow vehicles,
 - viii) minibikes, and

- ix) any other means of transportation that is propelled by any power other than muscular power or wind,
but does not include
 - x) motor boats, or
 - xi) any other vehicle exempted from being an off-highway vehicle by regulation;
- z) “Operator” means the registered owner thereof or if not the registered owner, the person driving or in the position of control over the vehicle;
- aa) “Owner” of a property or Premises means:
- i) a Person who is registered under the *Land Titles Act* as the owner of the land;
 - ii) a Person who is recorded as the owner of the property on the tax assessment roll of the Town;
 - iii) a Person who has purchased or otherwise acquired the land, whether he has purchases or otherwise acquired the land directly from the owner or from another purchases, and has not yet become the registered owner thereof;
 - iv) a Person holding himself out as the person having the powers and authority of ownership of the property or Premises or who for the time being exercises the powers and authority of ownership;
 - v) a Person controlling the property or Premises under construction; or
 - vi) a Person who is the occupant of the property or Premises pursuant to a lease agreement, license or permit;
- bb) “Parade” or “Procession” means a group of vehicles, animals, pedestrians or combination thereof on a highway which is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on a highway excluding a funeral procession;
- cc) “Parade Marshall” means the person designated as “parade ” for the purpose of traffic control under a parade permit;
- dd) “Parallel Parking” means to stop or park a vehicle in the manner described in the *Traffic Safety Act*.
- i) the sides of the vehicle parallel to the curb or edge of the roadway, and
 - ii) the right wheels of the vehicle not more than 500 millimetres from the right curb or edge of the roadway;
- ee) “Park”, “Parked”, and “Parking” or any word or expression of similar connotation or import shall mean a vehicle remaining stationary in one place whether or not the vehicle is occupied, excluding vehicles stationary in one place:
- i) while actually engaged in loading or unloading passengers; or
 - ii) in compliance with the traffic control device or the direction of a peace officer;
- ff) “Peace Officer” means a peace officer as defined in the *Traffic Safety Act* and includes a Bylaw Enforcement Officer as appointed by Council from time to time;
- gg) “Person” means an individual or any business entity including a firm, partnership, association, corporation, company or society;
- hh) “Post” means to erect, place or mark traffic control devices;
- ii) “*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, RSA 2000, c. P-34 and the regulations thereof, as amended or replaced from time to time;
- jj) “Public Places” means properties that are owned by the Municipality;

- kk) “Street Furniture” means every curb, sidewalk, pole, traffic sign, waste receptacle, bench, enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the Municipality capable of being marked, defaced or damaged;
- ll) “Town” means:
- i) The Town of Irricana duly established pursuant to the laws of the Province of Alberta; or
 - iii) The area within the legal boundaries of the Town of Irricana
- mm) “Traffic Control Device” means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement;
- nn) “Track” means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop spill or fall from any vehicle, appurtenances, or tires onto any highway or land in the vicinity of any highway;
- oo) “Tractor” means a truck with driver’s cab and no body, designed for hauling one or more trailers.
- pp) “Truck-trailer” means a tractor and trailer or semi-trailer whether attached or not.
- qq) “Truck” means those commercial vehicles over and above a gross maximum weight of 7.000 kg; and includes Tractors and Truck-trailers as defined above.
- i) Notwithstanding the foregoing, a municipal service vehicle is excluded from this definition;
- rr) “Vehicle” has the same meaning as in the *Traffic Safety Act*;
- ss) “Violation Tag” means a tag or similar documents issued by the Municipality or Enforcement Officer pursuant to the *Municipal Government Act, R.S.A. 2000, c.M-26*, as amended;
- tt) “Violation Ticket” means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34*, as amended and the regulations there under;

SECTION 3 – OPERATION OF VEHICLES

3. Every person shall obey the instructions of traffic control devices unless otherwise directed by a Peace Officer or Parade Marshall during a Parade or Procession.
- 3.1 Notwithstanding any other provision in this bylaw, every driver and pedestrian shall obey the directions of a peace officer.
- 3.2 No Person shall stop a vehicle or permit a vehicle to be left upon any highway in such a manner to block, obstruct, impede or hinder traffic on the highway unless the person has been granted the authority in writing to do so by the Chief Administrative Officer or his delegate, the Council or by Statute, and then only in strict compliance with the authority granted.
- 3.3 Notwithstanding Section 3.2, where the obstruction caused by a vehicle is unavoidable due to mechanical failure, the person will not be in breach of Section 3.2, provided the person promptly takes measures to remove such vehicles from the highway.
- 3.4 No person shall drive on or over a hose, line or similar equipment of the Fire Department which has been placed on a roadway, except where the express consent of an official of the Fire Department has been obtained.

- 3.5 The use of engine retarder brakes is prohibited within the corporate limits of the town.

SECTION 4 - SPEED LIMITS

4. Unless otherwise posted by Approved Traffic Control Device no person;
- i) Shall drive a vehicle in any alley in the Town at a speed in excess of 20 km per hour.
 - ii) Shall drive a vehicle on any highway where no speed limit is posted at a speed in excess of 30 km per hour within the Town.

SECTION 5 – PARKING

5. The provisions of the *Traffic Safety Act* shall apply to 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:
- 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 the fences, or all the land between the fence and the edge of the roadway, as the case may be, in the Town of Irricana, except where otherwise indicated by approved traffic control devices.
 - iv) No person shall violate any provision of the *Traffic Safety Act* or regulations thereunder within the Town of Irricana
- 5.1 No person shall park or permit a vehicle to be parked on a highway contrary to a traffic control device or in a manner that impedes the flow of traffic.
- 5.2 Unless required or permitted by the *Traffic Safety Act*, this Bylaw or 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:
- i) at an intersection nearer than five (5) metres to the projection of the curb line immediately ahead or immediately to the rear;
 - ii) within five (5) metres on the approach to a stop sign or yield signs;
 - iii) within five (5) metres of any fire hydrant, or when the hydrant is not located at the curb, within five (5) metres of the point on the edge of the roadway nearest the hydrant;
 - iv) within five (5) metres of the approach to a crosswalk;
- 5.3 Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer or the delegate is hereby authorized to cause moveable signs to be posted on or near a highway to indicate “No Parking”, or “Street Maintenance” and when so posted, such signs shall take precedence over all other traffic control devices.
- 5.4 No person shall park or permit to be parked a vehicle on a highway from the time signs referred to in Section 5.3 have been posted, until such signs have been removed.
- 5.5 No person shall park or operate a vehicle in contravention of any sign or traffic control device posted in accordance with Section 5.3.
- 5.6 No person shall double park or permit to be double parked any vehicle.
- 5.7 Whenever a curb has been lowered to allow a vehicle to cross a sidewalk in order to reach private property, no person shall park a vehicle so as to obstruct the use of such crossing or driveway and any violations will be dealt with on a complaint basis only.
- 5.8 No person shall park or permit to be parked a vehicle within one and one half (1.5) meters of an access to a garage, private road or driveway and any violations will be dealt with on a complaint basis only.
- 5.9 No person shall park any vehicle upon any sidewalk or boulevard.

- 5.10 No person shall park or display on public lands, any vehicle marked "For Sale".
- 5.11 No person shall park any trailer, designed for hauling or occupancy on any highway unless such trailer is attached to a vehicle by which it may be propelled or drawn and when so attached; the trailer shall be a part of the vehicle and subject to all other regulations stated within this bylaw.
- 5.12 No person shall park or cause to be parked, a truck trailer or truck unit anywhere in an area zoned residential.
- 5.13 No person shall leave parked on any roadway any self-propelled type of vehicle incapable of being moved under its own power.
- 5.14 No person shall abandon or permit to be abandoned a vehicle on any highway or on public property.
- 5.15 No person shall park or permit to be parked, a vehicle or trailer in excess of eight (8) meters in length in a residential area unless such vehicle is entirely on private property and is set back at least two 0.5 meters from any property line adjoining a paved road or sidewalk.
- 5.16 Any vehicle parked contrary to this Bylaw may be towed away at the owner's sole expense.
- 5.17 Except when actually taking or discharging passengers, no person shall park a vehicle at the following locations:
- i) In a passenger loading or unloading space posted as such by a traffic control device;
 - ii) On any portion of highway posted as "No Parking";
- 5.18 No person shall park a vehicle on any alley unless a traffic control device otherwise permits, except for the following purposes:
- i) The loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes;
 - ii) The loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding ten (10) minutes.
 - iii) The loading or unloading of a handicap person.
- 5.19 Notwithstanding Subsections 5.18 i) and ii) above, no person, while loading or unloading passengers or goods, shall park in such a manner as may obstruct the passage of other vehicles along the alley.
- 5.20 Where a traffic control device restricts the parking of vehicles to a specific time limit, it shall be an offence to park a vehicle in excess of the time or dates posted, except for the following class of vehicle(s):
- i) vehicles being used by Government employees and identified as such (Municipal, Provincial or Federal), while the operators are actually engaged in the course of their employment;
 - ii) marked public utility vehicles, while the operators are actually engaged in the course of their employment
- 5.21 No person shall park a vehicle or permit a vehicle to be parked on private property without the permission or authorization of the owner of the private property or a person having lawful possession or control of the private property.
- 5.22 Where a parking area is provided on private land, used for commercial or industrial purposes, for the parking of the vehicles of persons who are customers or patrons of or who is clearly designed as being set aside for parking only of vehicles of customers or patrons of or persons doing business with the owner, tenant, occupant or other person in charge of the land, a person who is not immediately after being parked or leaving the vehicles either a customer or patron or person doing business with the owner, tenant, occupant or person in charge of the said land as indicated in the designation unless he has verbal or written permission from the said owner, tenant, occupant or other person in charge, shall not park or leave his vehicle on the parking area so designated.

- 5.23 No person shall park a vehicle or permit a vehicle to be parked on any land owned by the Municipality which the Municipality uses or permits to be used as a playground, recreation area, utility lot, or public park, except in such areas designated or posted for parking or at the discretion of the Chief Administrative Officer or his/her delegate for special events.
- 5.24 No person shall park a vehicle or permit a vehicle to be parked in any parking lot owned by the Municipality in contravention of a traffic control device posted in the said parking lot.
- 5.25 No person shall occupy or park or permit to occupy or park a mobile unit upon a Highway in excess of forty-eight (48) hours.
- 5.26 No person shall occupy or park or permit to occupy or park a mobile unit upon a municipal property unless such property has been designated for use as a mobile unit park.
- 5.27 Nothing in this part shall be construed as to allow parking contrary to any other provision of this Bylaw.
- 5.28 A person being in charge or control of a garage, service station, radio shop or other premises where repairs or installations are made to vehicles for compensation, shall not park or permit to be parked a vehicle which is left in his possession for the carrying out of repairs or installations or for any such related purpose, on a highway unless specifically required or permitted by:
- i) Another provision of this or another Bylaw;
 - ii) A traffic control device; or
 - iii) *The Traffic Safety Act*
- 5.29 No person shall park or permit to be parked, a vehicle on any highway or on private land, in space posted for disabled persons parking unless such vehicle is designated as a disabled persons vehicle.
- 5.30 Where a traffic control device upon a highway restricts parking thereon to residents, the residents which front the restricted parking area must obtain a residential parking permit (s) from the Chief Administrative Officer (maximum 4 per household) which must be visibly displayed in or on the vehicle and no person not a resident of the said area, shall park or permit to be parked a vehicle:
- i) At anytime; or
 - ii) In excess of the time so designated and posted on a traffic control device.
- 5.31 Notwithstanding Section 5.30, the owner or occupant of a residential dwelling which fronts onto the restricted parking area, may apply to the Chief Administrative Officer for a visitor parking permit. The visitor using such permit shall visibly display the permit in or on the vehicle.
- 5.32 The cost of the permits referred to in Section 5.30 and 5.31 and the length of the effectiveness of each may be set by resolution of Council and included in the Rates and Fees bylaw as amended from time to time.
- 5.33 No person shall park or permit to be parked, a vehicle in such a manner so as to obstruct an emergency exit or the entrance or exit of a fire hall or ambulance station.
- 5.34 A person shall not park or stop a vehicle or permit such vehicle to remain parked or stopped in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department or any other emergency vehicle.
- 5.35 Any vehicle parked contrary to Section 5.34 may be towed away at the owner's expense.

SECTION 6 – SPECIAL CLASSES OF VEHICLES

6. No person shall operate a truck on a highway which is not a truck route unless the vehicle being operated is:
- i) proceeding to or from premises of bona fide customers of the owner or operator of the truck in the course of delivering to or collecting from such premises goods or merchandise; or
 - ii) proceeding to or from premises, being designated as commercial, occupied by the owner of the truck; or
 - iii) proceeding to or from a dwelling house for the purpose of carrying household goods for furniture belonging to a person who is moving his residence to or from such dwelling house; or
 - iv) proceeding to or from premises where the repair or maintenance of trucks is lawfully carried on, for the purpose of being serviced or repaired on or adjacent to such premises; or
 - v) towing a disabled vehicle from a roadway; or
 - vi) owned by the Town or being used in work being done for or under contract to the Town, provided the vehicle is being operated in the course of the business of the Town.
- 6.1 No person shall drive, propel or move on any roadway, any vehicles having metal spikes, lugs, cleats or bands projecting from the surface of the wheel (or tire of such vehicle).
- 6.2 No person shall operate an off highway vehicle within the municipality, except to and from the person's place of residence to a recreation location outside of the Town's boundaries, taking the shortest route possible and only in accordance with the *Traffic Safety Act*.
- i) Only alleys or lanes shall be used for this purpose except when it is necessary to cross or proceed on a street for a short distance in order to connect with another alley.
 - ii) The operator shall bring the machine to a complete stop before crossing any sidewalk, street or avenue and shall yield the right-of-way at all times to pedestrians or moving traffic.
 - iii) All off highway vehicles shall operate within a maximum speed of 10 kilometres per hour while travelling to and from recreation areas and shall do so with the least possible noise.
 - iv) No off highway vehicles shall operate between the hours of 11:00 p.m. to 8:00 a.m. except in the case of an emergency and under authorization of Council or an authorized representative of Council.
- 6.3 No person shall ride or park a cycle on any sidewalk or boulevard.

SECTION 7 – TEMPORARY CLOSING OF ROADWAYS

7. When by reason of accident, emergency or other special circumstances, it appears to the Chief Administrative Officer, Peace Officer, Special Constable or member of the Fire Department, to be necessary in the public interest to do so, the Chief Administrative Officer or designate may:
- i) temporarily close off an area of roadway, in whole, or in part, to traffic; or
 - ii) temporarily suspend, in any area of the Town, parking privileges granted by this or any other bylaw, and the Chief Administrative Officer, Peace Officer, Special Constable or member of the Fire Department, may, for such period of time as deemed necessary to meet such emergency or special circumstances, take such measures for the temporary closing of the highway or the suspension of parking privileges and place barricades or post notice on or near the highway concerned, for the purpose of safeguarding or closing the roadway or portion thereof.
- 7.1 Any other temporary closing of highways within the Municipality must be approved by Council.

SECTION 8 – TRUCK ROUTES

8. The Council may establish Truck Routes to be followed by trucks as set out in Schedule “A” attached hereto and being part of this bylaw.
- 8.1 When a route has been established under this section for any particular classification of vehicle, no person shall drive or park a vehicle of that classification on any other street or streets within the municipality except:
 - i) when so directed by a peace officer;
 - ii) when following posted directional signs or directions of a flag person indicating that the truck route or portions thereof have been closed for purposes of maintenance, construction or repairs
 - iii) as stated in Section 6 of this bylaw

SECTION 9-EMERGENCY ROUTES/STREET CLEANING

9. A person shall not park a vehicle or permit a vehicle to remain parked on a roadway marked as an Emergency Route as identified in Schedule “B” attached and will be restricted as follows:
 - i) Those vehicles that are registered to the property owner, tenant or occupant of any land adjoining any highway who reside in properties with even civic house number on the Emergency Route shall not park on the even side of the highway from Sundays through Wednesdays of every week between the hours of 7:00 a.m. and 5:00 p.m.
 - ii) Those vehicles that are registered to the property owner, tenant or occupant of any land adjoining any highway who reside in properties with odd civic house numbers on the Emergency Route shall not park on the odd side of the highway from Wednesdays through Saturdays of every week between the hours of 7:00 a.m. and 5:00 p.m.
- 9.1 Emergency Route parking restrictions shall remain in force from November 1 to March 31.
- 9.2 All vehicles parked on marked Emergency Routes following the declaration as indicated in subsection 9.1 are subject to a fine and/or immediate removal and impound at the sole expense of the registered owner of the vehicle.
- 9.3 A person shall not park a vehicle or permit a vehicle to remain parked on a roadway so as to interfere with the removal or clearing of snow or during roadway cleaning operations.
- 9.4 Subsection 9.3 applies to designated areas as declared by the Public Works Supervisor and will be in effect for five (5) business days following the declaration and may be extended a further three (3) business days by declaration.
- 9.5 Subsection 9.4 applies when temporary parking restrictions for designated areas have been declared and temporary signs have been erected.
- 9.6 All vehicles parked on roadways within the designated areas are subject to a fine and/or immediate removal and impound at the sole expense of the registered owner of the vehicle.

SECTION 10 – PARADES AND PROCESSIONS

10. A person/organization shall obtain permission from the Town to hold a parade or procession on a roadway or highway.
- 10.1 Every member of a parade or procession and the organization and leaders thereto shall be guilty of an offence for each and every violation of this section.
- 10.2 Any person/organization desiring to hold a parade or procession within the Town of Irricana shall, at least two (2) weeks prior to the time they desire to hold the

same, make application in writing to the Town and in such application shall furnish information with respect to the following, namely:

- (a). The name and address of the person wishing to sponsor a parade or procession and, if the person is an organization, then the name and address of the contact person;
- (b). The day, date, and times during which the parade or procession will be held. The route of the parade or procession and written certification from the Town that such route is satisfactory to the Chief Administrative Officer;
- (c). The approximate number and type of participants participating in the parade or procession;
- (d). The nature and object of the parade or procession;
- (e). The approximate size, number and nature of flags, banners, placards, and such other similar items to be carried or displayed;
- (f). The wording and symbols to be exhibited on the items listed in Subsection e above; and
- (g). Proof of liability insurance indicating an amount that is satisfactory to the Town.

10.3 The Town may unconditionally approve, approve with conditions or refuse an application for Parade Permission.

10.4 Where Parade Permission is granted allowing floats, vehicles, or animals to be placed in or on the route of a parade or procession, the person or persons sponsoring the parade or procession 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 reasons of or in any way connected with the entry, placing, or operation of the vehicles, floats, or animals in the parade or procession, and whether arising out of, directly or indirectly caused by any act or omission, of the Municipality its authorities or agents.

10.5 Where Parade Permission has been granted:

- (a). The Chief Administrative Officer may temporarily close for all or some types of traffic all or portions of the highway along or near the route set out in the permit for the anticipated time of the parade or procession and for such additional time as necessary to clear the highway or highways of normal traffic; and
- (b). The Chief Administrative Officer may temporarily suspend parking and loading privileges on all or a portion of the highways on the proposed route of the parade or procession.

10.6 No parade or procession shall obstruct any highway for a longer period than is required.

10.7 Funeral processions shall not be subject to the provisions of this section provided that the procession is conducted in accordance with the *Traffic Safety Act*. Any vehicle in a funeral procession, except the lead vehicle, may, during the daylight hours, enter an intersection without stopping if:

- (a). The headlamps of the vehicle are alight,
- (b). The vehicle is traveling immediately behind the vehicle in front of it so as to form a continuous line of traffic, and
- (c). The passage into the intersection can be made in safety.

- 10.8 A peace officer or parade marshal may regulate and direct traffic in the vicinity of any parade or procession and all persons shall obey the orders and directions of the peace officer or parade marshal.
- 10.9 No pedestrian or person operating any vehicle (excluding emergency vehicles) or in care or control of an animal, shall break through the ranks of any authorized parade or procession.

SECTION 11 - TRAFFIC CONTROL DEVICES

11. Council must approve and may delegate the authority to The Chief Administrative Officer to:
- (a) prescribe where traffic control devices are to be posted, including, but not limited to traffic control devices restricting the speed of vehicles.
 - (b) designate any highway for through traffic purposes. Such highway shall be properly posted if stop signs or yield signs are erected at all intersections of such highways.
 - (c) designate crosswalks upon any highway and to cause the same to be posted.
 - (d) designate any highway intersection or other place on a highway as a place at which no left hand turn or no right hand turn or both shall be made and shall cause the same to be posted.
 - (e) designate any intersection or other place on a highway, including, but not limited to where a railway right-of-way crosses a highway, as a place where U-turns are prohibited and shall cause the same to be posted.
 - (f) designate a highway or any portion thereof, for one-way traffic only and cause the same to be posted.
 - (g) designate school zones and playground zones and cause the same to be posted.
 - (h) designate transit and school bus zones and cause the same to be posted.
 - (i) designate any highway upon which no parking is permitted and to cause the same to be posted.
 - (j) designate a portion of a highway or public place where parking is limited or prohibited to a period of time or wholly prohibited, or prohibited to a class or classes of vehicles, or both, and to cause the same to be posted.
 - (k) designate Municipality employee parking areas and to cause the same to be posted.
 - (l) designate angle or parallel parking on any highway and to cause the same to be posted.
 - (m) designate the non-standard distance a vehicle may be parked from an intersection and cause the same to be posted.
 - (n) designate truck routes or dangerous goods routes as approved and cause the same to be posted.
 - (o) impose limitations or restrictions on loads traveling on highways and cause the same to be posted.
 - (p) designate the maximum loading permitted on any highway or bridge and to cause the same to be posted.
 - (q) close or open any existing median or divider on any highway.

(r) designate temporarily closure of any street, road, lane or public highway or any part thereof at any time where a construction or maintenance project on or adjacent to the highway or public place may create a hazard and shall cause the same to be posted.

(s) designate public parking lots and cause the same to be posted.

(t) designate temporary road closures and shall cause the same to be posted.

(u) divide any highway into lanes and to designate those lanes for through traffic, or for left turning or right turning traffic only or for any combination of through, left turning or right turning traffic and shall cause the same to be posted.

SECTION 12 - PUBLIC PLACES

12. No person shall place or permit to be placed an electrical cord, above the surface of any sidewalk.
- 12.1 Notwithstanding Section 12 of this Part, an electrical cord may be suspended from private property to a highway if said cord is suspended not less than 2.4 metres above the surface of a sidewalk and supported by sturdy poles or stanchions firmly and suitably anchored in the owner's property. The said poles or stanchions may only be erected and remain in place from November 1 to March 31.
- 12.2 No person shall in any way damage or otherwise vandalize any street furniture on any highway, park reserve, or public place.
- 12.3 No person shall place, abandon, throw, deposit or allow to be placed, abandoned, thrown or deposited any litter, which shall include but not be limited to nails, tacks, glass, crockery, barbed or other wire, scrap metal, bottle, paper, paper carton or other paper or any other container, substance or thing on any highway or public place or from any bridge or overpass structure onto any highway, public place, river or stream.
- 12.4 In the event that any load or any portion thereof becomes loose or detached or blows, drops, spills or falls from any vehicle onto any highway, it shall be the duty of the driver of the vehicle forthwith to take all reasonable precautions to safeguard traffic and also to remove such material from such highway.
- 12.5 The Chief Administrative Officer may order the person who left, or allowed to be left or placed litter or load, to remove same within a period of twenty-four (24) hours and, in default, the Chief Administrative Officer shall cause the litter to be removed. In cases where an immediate public hazard is created, in the opinion of the Municipality or its duly authorized representative, notice as provided for above is not required.
- 12.6 No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track upon a highway.
- 12.7 Any person who tracks upon a highway shall be liable to clean up or remove the substance or material tracked upon the highway.
- 12.8 No person shall drive, operate or permit to be driven or operated any vehicle or equipment of any nature or kind which is involved in the transport of any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever where there is less than seventy-five (75) millimetres from the top edge of the side containment structure of the vehicle or equipment to the highest point of the surface of the transported material.
- 12.9 No person shall drive, operate or permit to be driven or operated any vehicle or equipment of any nature or kind which is involved in the transport of any dirt,

soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever excluding snow, unless the transported material is completely covered and secured by a tarpaulin or similar covering.

- 12.10 Except as authorized by the Chief Administrative Officer;
- (a). No person shall deface, paint, chalk, stencil or mark any traffic control device, highway or street furniture.
 - (b). No person shall place any advertising, legend or sign of any kind upon any traffic control device, highway or street furniture.
 - (c). No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printing or other type of notice whatsoever upon any traffic control device, highway or street furniture.
 - (d). No person shall remove any traffic control device or other street furniture.
 - (e). No person shall climb or interfere with any bridge, telephone, signal service, fire alarm, electric wire, lamp, post, tower or pole connected with the lighting, gas, telephone, transit, fire protection system or any other utility system or work of the Municipality.
 - (f). Notwithstanding 12.10 (a), non-offensive washable chalk graphics are permitted on sidewalks on the condition that it does not impede passage.
- 12.11 Except as authorized by Council, no person shall encroach, place or construct any permanent object so that it encroaches or obstructs any highway, or other public place.
- 12.12 Except as authorized by the Chief Administrative Officer, no person shall permit plantings on any public lands.
- 12.13 Any person placing or causing any obstruction to be placed in or upon any traffic control device, highway, curb or public place shall remove or cause the removal of such obstruction within twenty-four (24) hours of his being notified to do so by the Chief Administrative Officer. After the expiration of the said twenty-four (24) hours, the Chief Administrative Officer shall remove or cause the removal of such obstruction.
- 12.14 Except as authorized by the Town, no person shall break, tear or remove any planking, pavement, sidewalk, curbing, concrete, cement or other road surface nor make any excavations in or under any street, lane, park or public place in the Municipality.
- 12.15 The owner, assessed owner, tenant or occupant of any land adjoining any highway or public place in the Municipality shall cause all trees, shrubs and bushes which overhang the highway or public place to be properly trimmed, and cut back, so as to prevent the obstruction of pedestrians or vehicles and/or the interference with good visibility for safe traffic flow.
- 12.16 Where a person being the owner, occupant or tenant of any lands or premises fails or neglects to comply with direction given by the Municipality under this Part, in addition to any other remedy available for non-compliance with this Part, the Municipality may cause the identified repairs or removal to be completed. The cost thereof shall be paid to the Municipality upon demand. Failing payment such cost shall be added to the tax roll of the property.
- 12.17 No person shall remove dirt, snow, debris or any other material from any sidewalk by causing such material to be placed upon any other portion of the highway or other public place.

- 12.18 No person shall place, or permit to be placed, any snow, ice, dirt, debris or other material removed from private property onto the highways or other public places of the Municipality.
- 12.19 Every occupant, and in case there is no occupant, the owner of every house, shop, building, church or chapel, abutting on or erected within three (3) metres of any highway or public place shall, whenever snow or ice shall accumulate on the roof or eaves of such building, to an extent that a potential danger is created to persons passing, cause the hazard to be removed at once, and every person, while removing the same shall take due and proper care and precaution for the warning and safety of persons passing.
- 12.20 A person who has an awning extending from a portion of his premises over a highway or portion thereof shall keep the awning free from snow or ice to prevent water dripping to the sidewalk or roadway below.
- 12.21 If water drips from an awning upon a highway the owner or occupier of the premises shall clean the sidewalk or roadway portion thereof to prevent ice from forming thereon.
- 12.22 No person shall cast, project or throw any stones or other projectiles dangerous to the public or use bow and arrow, compressed air, catapult or other such contrivance on, onto or across any highway or other public place.
- 12.23 Every property owner shall mow and otherwise maintain the grassed boulevard area or laneway directly adjacent to their private property.
- 12.24 No person shall drive or operate a motor vehicle on or across any boulevard, park, utility lot, utility right-of-way, Municipal Reserve, or other publicly owned lands, not designated for vehicular use, without the permission of the Chief Administrative Officer.
- 12.25 No person responsible for the delivery of construction materials or who is responsible for a construction site shall permit materials delivered to the site to remain on a roadway or sidewalk beyond the end of the workday.
- 12.26 No person shall drain the radiator of a vehicle or do repairs and or maintenance of any kind to a vehicle that may cause fluids from said vehicle to fall upon the highway, boulevard, park or public sidewalk.
- 12.27 No person operating a business to which entry or exit for vehicles is made by a crossing located between the highway curb and the private property line shall permit water, mud, slush, ice or icy or frozen snow to remain on the sidewalk or highway portion of such crossing, but shall keep the same clear of all substances as may be or become a hazard to pedestrians.

SECTION 13 - OFFENCES AND POWERS OF PEACE OFFICERS

13. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a minimum and specified fine as set out in Schedule C attached hereto and forming part of this Bylaw. If there is no specific fine listed in Schedule C for a particular offence, the minimum specified fine shall be \$100.00.
- 13.1 A peace officer is hereby authorized to remove or cause to be removed, any vehicle or trailer:
- i) parked in contravention of a provision of this Bylaw; or
 - ii) where emergency conditions require that the vehicle or trailer be removed.
- 13.2 Any vehicle or trailer removed pursuant to Section 13.1 above may be moved to:
- i) a nearby highway; or
 - ii) a place designated by the Municipality where it will remain impounded until claimed by the owner.

- 13.3 No impounded vehicle or trailer shall be released to its owner or his agent until the removal and impounding charges have been paid.
- 13.4 All charges for removal and impounding shall be in addition to any fine or penalty imposed in respect of any such violation or to any payment made in lieu of prosecution as provided for in this Bylaw.
- 13.5 In order to determine the time which a vehicle has been parked in a location where parking is restricted to a specific time, a peace officer may place a chalk mark on the tread face of the tire of a parked or stopped vehicle without the peace officer or the Municipality incurring any liability relating thereto.
- 13.6 A peace officer is hereby authorized and empowered to issue a violation tag to any person, who the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 13.7 A peace officer is hereby authorized to deploy speed measurement devices, including but not limited to, radar, laser speed measurement device, photo radar and vehicle clocking methods, for the purpose of determining the speed of moving motor vehicles.
- 13.8 A violation tag may be issued to such person:
- i) personally;
 - ii) by mailing a copy to such person at his last known post office address;
 - iii) by leaving it for the defendant at his residence with a person on the premises who appears to be at least 18 years of age; and
 - iv) attached or left upon the vehicle in respect to which the offence is alleged to have been committed.
- 13.9 Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by a peace officer.
- 13.10 Where a violation tag is issued pursuant to this Bylaw, the person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified on the violation tag.
- 13.11 Nothing in this Bylaw shall prevent a peace officer from immediately issuing a violation ticket.
- 13.12 In those cases where a violation tag has been issued and if the minimum specified penalty on the violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized to issue a violation ticket pursuant to Part II or Part III of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of the Bylaw.
- 13.13 Notwithstanding any provision of this Bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 13.14 Any person to whom a violation ticket has been issued may make a voluntary payment in respect of the violation ticket by delivering the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw, to the Provincial Court office specified on the violation ticket.

SECTION 14 - MISCELLANEOUS

14. No person shall be upon the roadway on roller skates, in-line skates, skateboard, riding on a coaster, sled, skis, toy vehicle, tricycle, or a similar device or engaged in street hockey in such a manner as to obstruct the use of the roadway by vehicular traffic and shall at all times obey all Traffic Control devices and speed limits.

- 14.1 Section 14 does not apply to a person riding a bicycle.
- 14.2 A person riding a bicycle on any sidewalk, footpath or walkway where pedestrians are also allowed, shall ride the bicycle only in such a way that it will not interfere with a pedestrian lawfully on or using the said sidewalk, footpath or walkway and shall at all times obey all Traffic Control Devices.
- 14.3 No person traveling on a bicycle shall cling to or attach himself or his device to a vehicle on a roadway.
- 14.4 No person shall drive or operate a vehicle on a roadway having in tow any of the vehicles or devices referred to in Section 14.
- 14.5 No person shall park or permit to be parked any vehicle on any highway for the purposes of effecting repairs to the vehicle, excepting only to effect emergency repairs in the case of a breakdown not allowing a vehicle to be moved.
- 14.6 No person shall park or permit to be parked on any highway, any non-operative motor vehicle.
- 14.7 Section 14.6 does not apply to a vehicle which has been parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken immediate action to arrange for the removal of the vehicle forthwith.
- 14.8 No person(s) shall occupy any highway or sidewalk in such a manner as to obstruct vehicular or pedestrian traffic or as to annoy or disturb any other person lawfully upon the highway or sidewalk and forthwith upon request by a peace officer shall disperse and move away.

SECTION 15 - MINIMUM AND SPECIFIED PENALTIES

15. The minimum and specified penalties for a violation of any provision of this Bylaw are shown in Schedule C of this Bylaw.
- 15.1 Notwithstanding Section 15, the minimum and specified penalty of any provision of this Bylaw not shown in Schedule C is \$100.00.
- 15.2 Notwithstanding Section 15 and Section 15.1, if a person violates the same provision of this Bylaw twice within a one-year period, the minimum and specified penalty for the second such violation shall be double the amount set out in Section 15 and Section 15.1

SECTION 16 - SEVERABILITY

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

SECTION 17 - STRICT LIABILITY OFFENCE

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

SECTION 18 - SCHEDULES

18. The schedules attached to this bylaw may be amended from time to time by resolution of Council.

SECTION 19 - EFFECTIVE DATE

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

READINGS BY COUNCIL

READ A FIRST TIME this ____ day of _____, A.D. 2010.

READ A SECOND TIME this ____ day of _____, A.D. 2010.

UNANIMOUS CONSENT FOR A THIRD AND FINAL READING given this ____ day of _____, A.D. 2010.

READ A THIRD AND FINAL TIME this ____ day of _____, A.D. 2010.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE C

PENALTIES AND FINES

<u>OFFENSE</u>	<u>FINE (\$)</u>
Speed violations as per Traffic Safety Act schedule (4)	
Obstructing traffic without authority (3.2)	\$100.00
Parking a vehicle in a posted area indicating “No Parking” or “Street Maintenance” (5.3, Section 9)	\$100.00 + removal/impound costs
Parking a vehicle on any Alley, sidewalk or boulevard (5.9)	\$50.00
Parking a vehicle in excess of posted Time Limits (5.20)	\$50.00
Parking a vehicle on Private Property (5.21)	\$50.00
Parking a vehicle on Municipal Property (5.14, 5.23)	\$100.00
Parking vehicle contrary to prohibitions posted at a Municipal Parking Lot (5.24)	\$50.00
Parking an Unattached Trailer on Highway (5.11)	\$50.00
Occupancy of Mobile Unit on Highway or Municipal Property (5.11)	\$100.00
Parking in a posted “Fire Lane”, emergency exit, entrance or exit of a firehall (5.31)	\$500.00
Service stations parking vehicles on street (5.28)	\$100.00
Parking vehicle in stall posted for a Disabled Person(s) Vehicle (5.29)	\$500.00
Parking vehicle in a Restricted Residential area without a permit (5.30)	\$50.00 + removal/impound costs
Use of engine retarder brakes (3.5)	\$400.00
Violation of provisions of truck route (Section 6 and 8)	\$250.00
No valid parade permit.(9)	\$100.00
Breaking through ranks of a funeral procession.(9.9)	\$100.00
Placement of cable or electrical cord on Highway (includes a sidewalk).(11)	\$50.00
Improper suspension of electrical cable.(11.1)	\$50.00
Damage to any street furniture. (11.2)	\$200.00 + replacement cost

SCHEDULE C (cont.)

<u>OFFENSE</u>	<u>FINE (\$)</u>
Littering(11.3)	\$50.00 + clean up cost
Tracking onto Municipality streets or land. (11.6)	\$500.00 + clean up cost
Transport of material where there is less than 75 millimetres from the top edge of the Containment structure.(11.8)	\$150.00
Transport of unsecured load. (11.9)	\$150.00
Deface or remove traffic control device, highway or street furniture (11.10)	\$250 + repair/replacement cost
Placement of any advertising, legend or sign of any kind upon any traffic control device, highway or street furniture.(11.10)	\$100.00 + clean up cost
Place or construct encroachments or obstruction to highway or public place. (11.11)	\$500.00 + repair cost
Failure to clean snow from eaves/awnings extending over a sidewalk/highway. (11.19)	\$100.00
Failure to prevent ice from forming from water drips (11.20)	\$100.00
Repairing vehicles on highway (11.25)	\$250.00
Non operative motor vehicle parked on highway.(5.13)	100.00 + removal/impound costs
Failure to cut back trees/shrubs (12.14)	\$100.00 + clean-up costs