

**TOWN OF IRRICANA  
BYLAW NO. 11:2007**

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**A BYLAW OF THE TOWN OF IRRICANA TO REGULATE  
TRANSPORTATION OF DANGEROUS GOODS**

**WHEREAS** section 7 of the *Municipal Government Act, RSA 2000, c.M.26* permits the Council to pass bylaws respecting the safety, health, and welfare of people; and the protection of people and property; and

**WHEREAS** the Town of Irricana is empowered by the *Dangerous Goods Transportation and Handling Act, RSA 2000, Chapter D-4*, and amendments thereto, to regulate the transportation of dangerous goods within the corporate limits;

**WHEREAS** Council deems it necessary to provide for the fair and efficient regulation and control of The Transportation of Dangerous Goods within the Town of Irricana; and

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF IRRICANA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:**

**TITLE**

1. This Bylaw may be cited as the "Transportation of Dangerous Goods Route Bylaw".

**DEFINITIONS**

2. Definitions contained in the *Dangerous Goods Transportation and Handling Act* as applicable and the definitions of the *Traffic Safety Act, RSA 2000, Chapter T-6* are adopted for the purposes of the interpretation and the application of this Bylaw.
3. In this Bylaw:
  - (a) "Business District" means that portion of Town contained within the boundaries described under Business District in Schedule "A" attached to and forming part of this Bylaw;
  - (b) "Carrier" means any person transporting dangerous goods in, into, through or out of Town by any vehicle;
  - (c) "Council" means the Council of the Town of Irricana;
  - (d) "Court" means the Provincial Court of Alberta;
  - (e) "Dangerous Goods" means dangerous goods for which placards are required by the *Dangerous Goods Transportation and Handling Act*;
  - (f) "Dangerous Goods Route Signs" means those signs identified in Schedule "B" attached to and forming part of this bylaw which may be posted with Dangerous Goods Route signs;
  - (g) "Dangerous Goods Route" means any highway so designated in Schedule "C" attached to and forming part of this bylaw which may be posted with Dangerous Goods Route signs;
  - (h) "Enforcement Officer" means a Bylaw Enforcement Officer", Peace Officer or Special Constable employed/contracted by the Town or other duly appointed officer, and includes a member of the R.C.M.P. who is authorized to enforce Bylaws of the Town;
  - (i) "Municipal Government Act means the Municipal Government Act, RSA 2000 c.M.26, as amended or replaced from time to time;

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- (j) "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;
- (k) "Service Station or Repair Depot" means any premises licensed for the purpose of dispensing fuel or carrying out mechanical repairs;
- (l) "Town" means:
  - (i) The Town of Irricana, a Town duly established pursuant to the laws of the Province of Alberta; or
  - (ii) the area within the legal boundaries of The Town of Irricana, as the context of this Bylaw requires;
- (m) "Traffic Safety Act" means the *Traffic Safety Act, RSA 2000, Chapter T-6*, as amended or replaced from time to time;
- (n) "Tractor" means a truck with driver's cab and no body, designed for hauling one or more trailers.
- (o) "Truck-trailer" means a tractor and trailer or semi-trailer whether attached or not.
- (p) "Truck Route" means a truck route as defined by the Town of Irricana;
- (q) "Vehicle Storage Locations" means any area which is a least one hundred and fifty (150) metres away from the nearest residential, institutional or assembly occupancy and has been accepted by the Town of Irricana or designated official.

**GENERAL PROHIBITION**

- 4. Subject to this bylaw, all trucks transporting dangerous goods are also subject to the Truck Routes established in the Traffic Bylaw as amended from time to time
- 5. Subject to Section 7, no carrier shall transport dangerous goods other than on a Dangerous Goods Route except:
  - (a) To obtain or delivery dangerous goods from or to a location off a Dangerous Goods Route or to gain access to a vehicle storage location, in which event the carrier shall:
    - (i) Proceed on a Dangerous Goods Route to the truck route which forms the most direct route to the collection or delivery point or the vehicle storage location;
    - (ii) Proceed on the truck route specified in (i) directly to the collection or delivery point, the vehicle storage location or to the street which forms the most direct route thereto;
    - (iii) If applicable, proceed on the street specified in (ii) directly to the collection or delivery point of the vehicle storage location, and
    - (iv) Return to the Dangerous Goods Route on the same street and truck route; or
  - (b) to obtain emergency repairs or service at the nearest service station or repair depot located on a truck route as described in the Truck Route descriptions.
- 6. No Carrier shall stop within the Town except:
  - (a) In compliance with an enforcement officer, an inspector or a traffic control device;
  - (b) To load or unload; To repair or refuel the vehicle; or
  - (c) At a vehicle storage location.

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7. 1. Notwithstanding Section 5 (a) and (b), no carrier shall transport dangerous goods in the Business District except to obtain or deliver dangerous goods from or to a location in the Business District.
2. No Carrier shall transport dangerous goods in the Business District in any combination of vehicles that includes a trailer except a single trailer attached to a truck trailer.
3. No Carrier shall transport dangerous goods in the Business District between the hours of 18:00 and 06:00, Sunday to Saturday, both inclusively.
8. 1. A carrier shall, when requested to do so by a peace officer, produce for such officer's inspection, the shipping document showing the description, origin and destination of all consignments of dangerous goods being transported.
2. Particulars obtained by a peace officer from a shipping document produced under Subsection 8.1 and submitted by him/her in evidence in Court shall be prima facie proof of the particulars therein without proof of signature or official capacity of the person signing the shipping document.

**GENERAL PENALTY PROVISION**

9. Any carrier violating any of the provision of Section 5, 6 or 7, or any other person responsible for such violation is guilty of an offense and liable to a penalty not exceeding Five Thousand Dollars (\$5,000.00) exclusive of costs, or in the case of non-payment of fine and costs imposed, to imprisonment for a period not exceeding thirty (30) days unless such fine and costs are sooner paid.

**MINIMUM AND SPECIFIED PENALTIES**

10. 1. Upon the issuance of a violation for a breach of Sections 5, 6, or 7 of this bylaw, the penalty of two hundred (\$200.00) shall apply.
2. Notwithstanding Subsection 10.1 of this Bylaw, if a Person violates the same provision of the 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 Subsection 10.1.

**ENFORCEMENT**

11. 1. Where a peace officer or Bylaw Enforcement Officer of the Town of Irricana, in the Province of Alberta, believes that a person has contravened a provision of this bylaw, he/she may commence Court Proceedings against such a person by:
  - a) Issuing the Person a Violation Ticket pursuant to the provisions of the Provincial Offences Procedure Act; or
  - b) Swearing out an information and Complaint against the Person.
2. Notwithstanding the other provisions of this section, a person to whom a violation ticket is issued pursuant to Subsection 11.1 may exercise the right to defend any charge of a contravention of any of the provisions of this bylaw indicated on the violation ticket.
- 3.

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Where an Enforcement Officer issues a person a Violation Ticket in accordance with Subsection 11.1 of this bylaw, the Officer may either:

- i. Allow the person to pay the specified penalty as provided for the offence in Subsection 10.2 of this bylaw by including such specified penalty in the Violation Ticket; or
- ii. Require a Court appearance of the Person where the Enforcement Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act.

**SEVERABILITY**

12. 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 the Bylaw will remain valid and enforceable.

**EFFECTIVE DATE**

- 13.1. This bylaw shall come into force and effect upon receiving Third and Final reading thereof.
2. This bylaw does not come into force until it is approved by the Minister responsible for Alberta Infrastructure and Transportation, or delegated representative.

**READINGS BY COUNCIL**

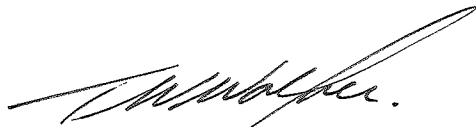
**READ A FIRST TIME this 17<sup>th</sup> day of September A.D. 2007.**

**READ A SECOND TIME this 5<sup>th</sup> day of November, A.D. 2007.**

**READ A THIRD AND FINAL TIME this 10<sup>th</sup> day of December, A.D. 2007.**

Approved by the Minister responsible for Alberta Infrastructure and Transportation, or delegated representative.

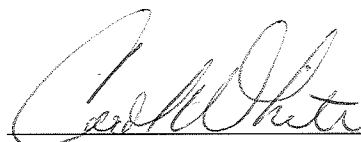
THIS 20 DAY OF NOVEMBER, 2007.



Alberta Infrastructure and Transportation



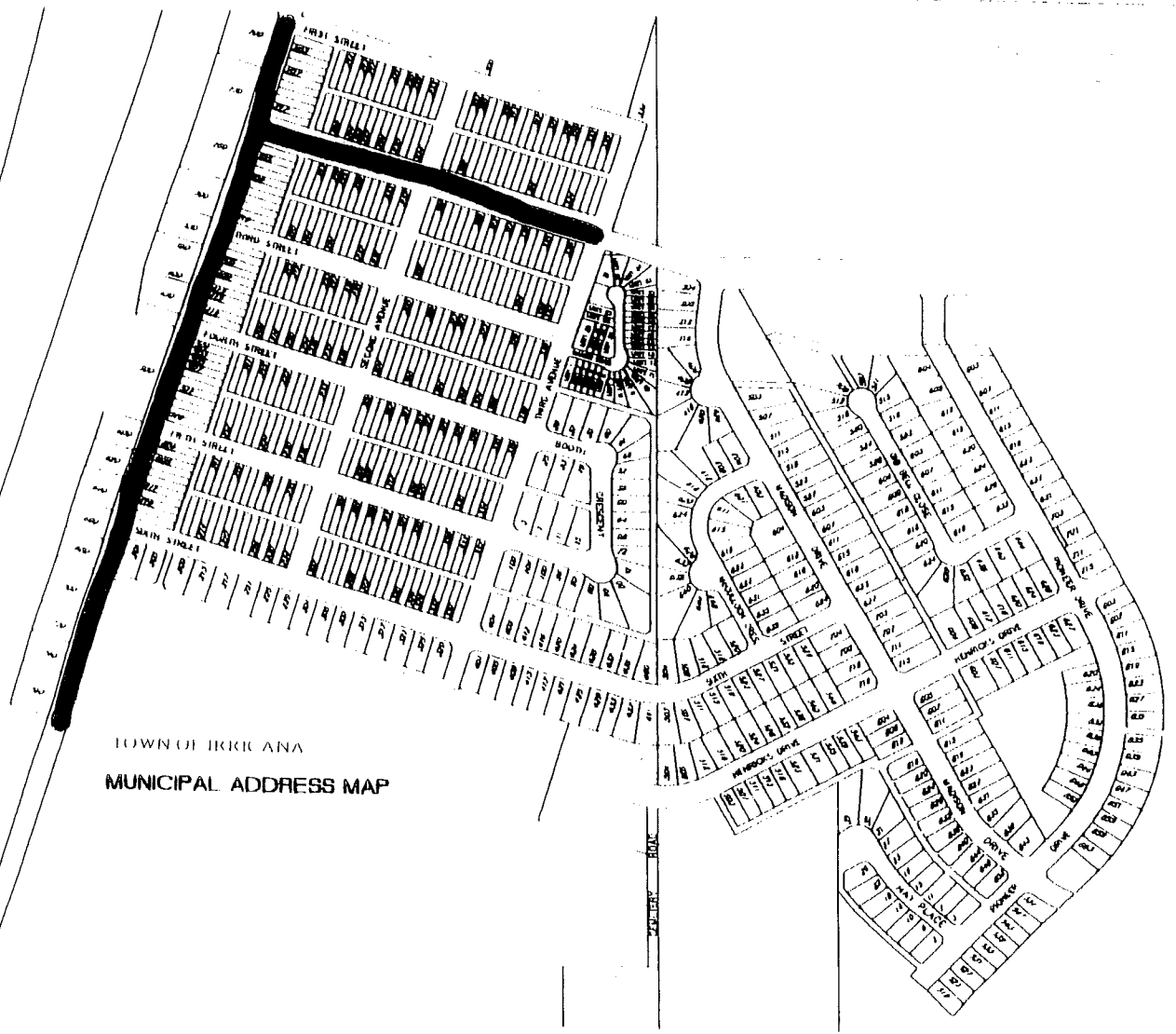
MAYOR



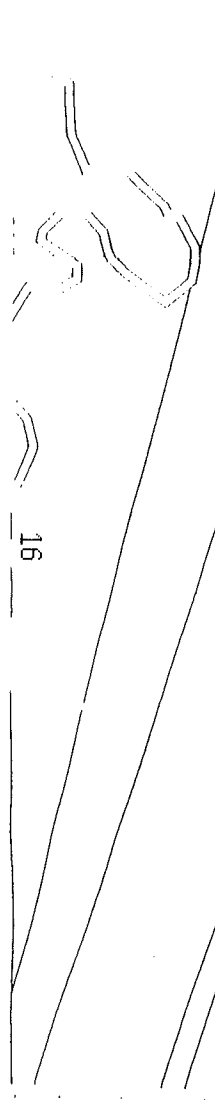
CHIEF ADMINISTRATIVE OFFICER

SCHEDULE A

BUSINESS DISTRICT



TOWN OF HERRICK, ILL.  
MUNICIPAL ADDRESS MAP



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SCHEDULE B

## Dangerous Goods Route Signs

Dangerous Goods Route Signs will be used to indicate regulations related solely to the movement on streets and highways of vehicles classified as dangerous goods carriers.

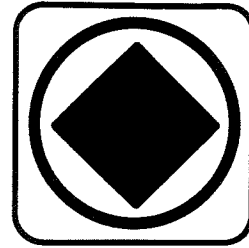
### Dangerous Goods Route Sign (RB-69)

The Dangerous Goods Route Sign will show that dangerous goods carriers, as defined by legislation, are allowed to travel along a street or highway.

Proper advance and directional arrows (1 B-5 to 1 B-9) will be added to the sign to indicate a turn or a change in the direction of a designated route. Advance turn arrows will be placed between 50m and 150m before an intersection where the route changes direction.

The tab sign (RB-69T) may be used for an educational period.

The signs will be made to reflect, or lit to show, the same colour and shape both day and night.



**RB - 69**  
60 x 60 cm



**RB - 69T**  
60 x 30 cm

### OPTIONAL

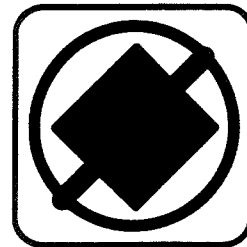
### Dangerous Goods Prohibition Sign (RB-70)

The Dangerous Goods Prohibition Sign will show that carriers of dangerous goods, as defined by legislation, may not travel on a particular street or highway.

The sign will be placed along the street or highway from which dangerous goods are barred. The sign will be placed where the street or highway intersects a dangerous goods route, to prevent illegal entry of vehicles carrying dangerous goods.

The tab sign (RB-70T) may be used for an educational period.

The signs will be made to reflect, or be lit to show, the same colour and shape both day and night.



**RB - 70**  
60 x 60 cm

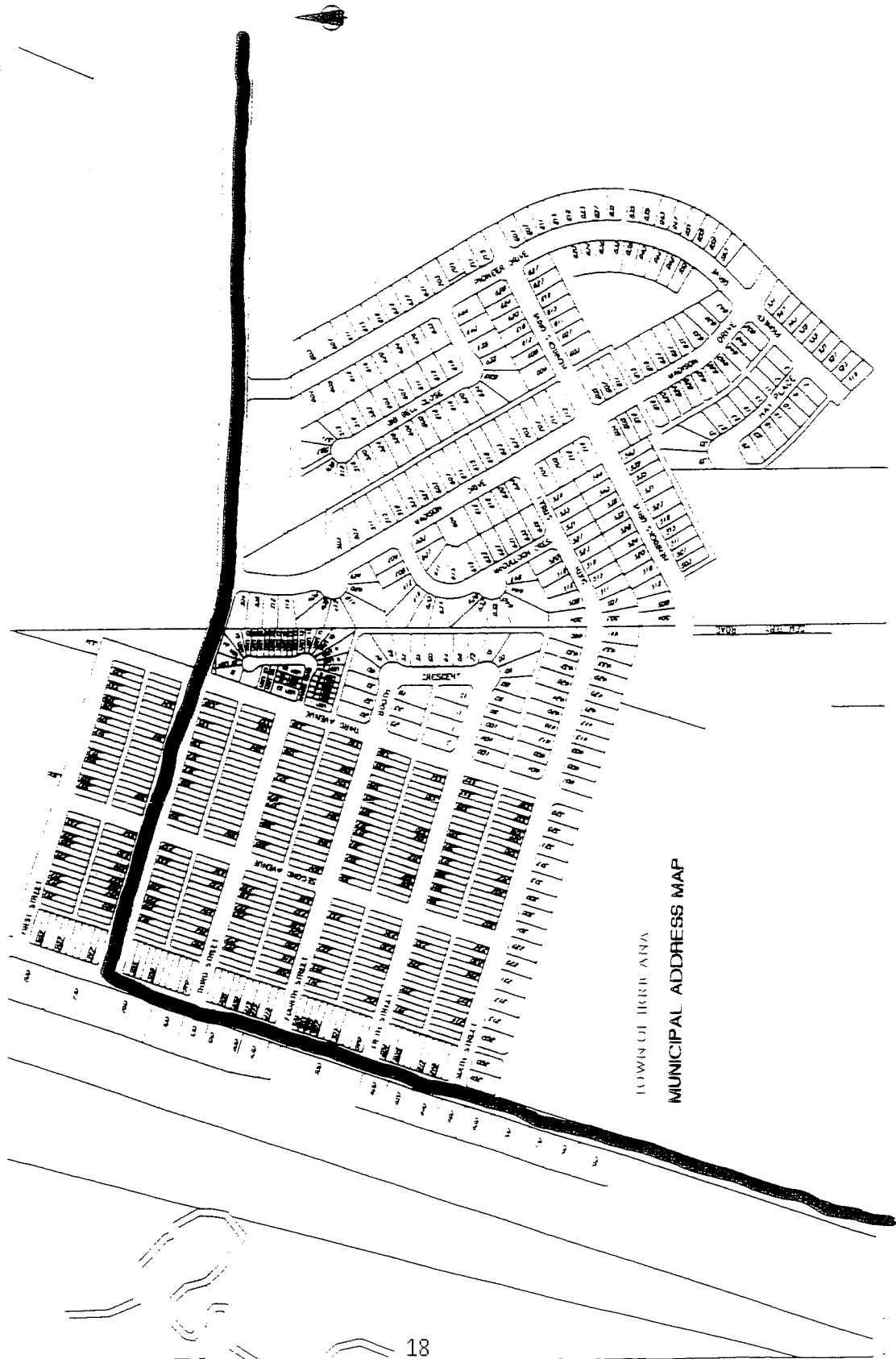


**RB - 70T**  
30 x 30 cm

For more information on road sign specifications, contact the Technical Standards Branch of Alberta Transportation at (780) 415-1050 (for a toll free call in Alberta dial 310-0000).

SCHEDULE C

DANGEROUS GOODS ROUTE



LOWER MERRIAM  
MUNICIPAL ADDRESS MAP

Transportation Safety Services Division  
Dangerous Goods and Rail Safety Branch

Twin Atria Building  
4999 - 98 Avenue  
EDMONTON AB T6B 2X3

Telephone: 780-427-4455

November 20, 2007

RECEIVED NOV 22 2007

Ms. Carol White  
Chief Administrative Officer  
Town of Irricana  
Box 100  
IRRICANA AB T0M 1B0

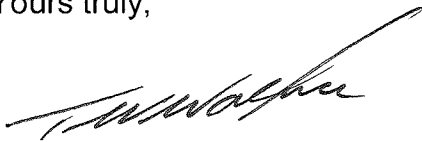
Dear Ms. White:

**Re: Dangerous Goods Route By-law 11:2007.**

As delegated by the Minister, Alberta Infrastructure and Transportation, charged by the Lieutenant Governor in Council with the administration of the Dangerous Goods Transportation and Handling Act, pursuant to Section 17(2) of the said Act, I do hereby approve that portion of the Town of Irricana By-law 11:2007 which regulates Dangerous Goods Routes.

The original By-law has been signed and is attached to this letter. Please return a certified true copy to Dangerous Goods and Rail Safety Branch, Attention: John Harpin, after the by-law has received third reading.

Yours truly,



 Shaun Hammond  
Assistant Deputy Minister

Attachment.



Transportation Safety Services Division  
Dangerous Goods and Rail Safety Branch

Twin Atria Building  
4999 - 98 Avenue  
EDMONTON AB T6B 2X3

Telephone: 1-800-272-9600

January 14, 2008

Ms. Carol White  
Chief Administrative Officer  
Town of Irricana  
Box 100  
IRRICANA AB T0M 1B0

JAN 21 2008

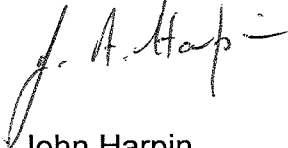
Dear Ms. White:

**Re: Dangerous Goods Route By-law 11:2007.**

On November 20, 2007, the original of your By-law 11:2007 was signed by Alberta Infrastructure and Transportation and returned to your office. We requested a certified true copy be returned to us after third reading. To date we have had no response.

Please return a certified true copy to Dangerous Goods and Rail Safety Branch,  
Attention: John Harpin.

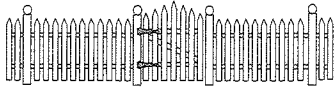
Yours truly,



John Harpin  
Manager, CIC

*Open the Gateway to the Country*

TOWN OF  
**IRRICANA**



January 22, 2008

Office of the Chief Administrative Officer  
Box 100, IRRICANA, ALBERTA T0M 1B0

Alberta Infrastructure and  
Transportation  
Transportation Safety  
Services Division  
Dangerous Goods and  
Rail Safety Branch  
Twin Atria Building  
4999 – 98 Avenue  
Edmonton, Alberta  
T6B 2X3

Attention: John Harpin – Manager, CIC

Dear Sir:

Re: Dangerous Goods Route By-law #11:2007

In reply to Shaun Hammond's letter of November 20<sup>th</sup>, 2007 and your letter of January 14<sup>th</sup>, 2008, please accept my apologies for the delay.

As requested, enclosed is a certified true copy of By-law #11:2007 that received third and final reading in our regular council meeting of December 10<sup>th</sup>, 2007.

I trust this will be found in order, however if you require any further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carol White'. The signature is written in black ink and is positioned above the printed name.

Carol White  
Chief Administrative Officer