

Town of Sundre Bylaw No. 789

BEING A BYLAW OF THE TOWN OF SUNDRE TO CONTROL AND REGULATE THE USE OF HIGHWAYS AND PUBLIC PLACES WITHIN THE TOWN OF SUNDRE, THE TRAFFIC AND PEDESTRIANS MOVING THEREON AND THE PARKING OF VEHICLES ON THE HIGHWAYS.

WHEREAS Sec. 7 of the Municipal Government Act, R.S.A. 2000, as amended, 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 Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, as amended authorizes a Council to make bylaws to regulate and control Vehicle, Animal and Pedestrian traffic;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, as amended, provides that a Municipality may regulate the operation of Off-Highway Vehicles along Highways within the Municipality's care and control;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, as amended, provides that the Minister may, by order in writing, authorize the Council of a Municipal District, or the Minister of Municipal Affairs in the case of a Special Area, Improvement District, Municipality, Town or Village, to increase, limit or restrict the maximum gross weight that may be borne by a tire, an axle or an axle group, or any of them, or the maximum gross weight that may be borne by a Vehicle or combination of Vehicles on a secondary road, rural road or street, for a period or periods that the Council determines;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, as amended, authorizes the Council of the Town of Sundre to limit and restrict such gross weights on a secondary road, rural road or street;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, as amended, provides that a local authority may make bylaws with respect to Highways under its direction, control and management, designating the route and time of travel of Vehicles transporting dangerous goods, prohibiting the carriage of dangerous goods, and specifying restrictions or conditions to ensure the safe transportation in or by a means of transport, safe storage and controls necessary for public safety;

AND WHEREAS the Minister of Transportation and Utilities (now referred to as the "Minister of Transportation"), pursuant to the Chapter T -6 Section 3 of the Public Highways Development Act R.S.A. 2000, may by order, designate any existing Highway as a primary Highway, and has the direction, control and management of all primary Highways;

NOW THEREFORE, the Council of the Town of Sundre in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1 TITLE

This Bylaw may be cited as the "Town of Sundre Traffic and Pedestrian Bylaw."

SECTION 2 DEFINITIONS

In this Bylaw all words shall have the same meaning as the Traffic Safety Act, R.S.A. 2000, except as otherwise defined;

- (a) "Act" means the Traffic Safety Act, R.S.A. 2000.
- (b) "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, as amended, and any successor legislation.

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- (c) "Boulevard" means, in a urban area, that part of a highway that;
 - (i) is not a roadway and
 - (ii) is that part of a sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- (d) "Chief Administrative Officer" (CAO) means the Chief Administrative Officer or designate for the Municipality and whatever subsequent title may be conferred on that officer by Council resolution or statute.
- (e) "Council" shall mean the Council of the Town of Sundre
- (f) "Crossing" means that areas used or constructed to provide access to private property from any highway and shall be all that area from the edge of roadway to the private property line;
- (g) "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;
- (h) "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;
- (i) "Delegate" means an employee of the Town of Sundre appointed as a Special Constable or a Bylaw Enforcement Officer.
- (j) "Disabled Person Vehicle" means a vehicle identified as such by either an Alberta license plate starting with the letter " A" or an official placard, clearly displayed in the vehicle bearing the international symbol of the disabled;
- (k) "Heavy Vehicle" means a vehicle, with or without a load, exceeding anyone of the following:
 - (i) Two axles;
 - (ii) Eleven (11) metres in length;
 - (iii) A maximum allowable weight of 4,500 kilograms;
 - (iv) Notwithstanding the foregoing, a municipal service vehicle is excluded from this definition;
- (l) "Hazard" means a risk or danger or to expose to a risk, danger or peril;
- (m) "Highway" means the term Highway as defined in the Act and includes all winter roads and bridges within the Municipality;
- (n) "Holiday" means
 - (i) New Year's Day;
 - (ii) Family Day (3rd Monday in February);
 - (iii) Good Friday;
 - (iv) Victoria Day (the First Monday immediately preceding the 25th day of May in each year);
 - (v) Canada Day;
 - (vi) Heritage Day (the first Monday of August);
 - (vii) Labour Day (first Monday in September);
 - (viii) Thanksgiving Day (second Monday in October) when proclaimed as a holiday by the Government of Canada or the Government of the Province of Alberta;
 - (ix) Remembrance Day;
 - (x) Christmas Day;
 - (xi) Boxing Day; and
 - (xii) Any civic holiday proclaimed by Council.

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- (o) "Loading Zone" means a portion of the street adjacent to the curb designated for the exclusive use of vehicles loading or unloading passengers or materials.
- (p) "Loitering" means to loiter. To remain in a public place for no apparent reason and in doing so, engage in activities of fighting, screaming, shouting, swearing, singing or using insulting or obscene language, or by being drunk, or by impeding, or by molesting, or otherwise obstructs in any way a person in a public place.
- (q) "Mobile Unit" means:
 - (i) Any vacation trailer, house trailer or re-locatable trailer;
 - (ii) Any structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more persons;
- (r) "Municipality" means the Town of Sundre
- (s) "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; or
 - (ii) low pressure tire vehicles; or
 - (iii) motorcycles and related 2-wheel vehicles; or
 - (iv) amphibious machines; or
 - (v) all terrain vehicles; or
 - (vi) miniature motor vehicles; or
 - (vii) snow machines; or
 - (viii) minibikes; or
 - (ix) any other means of transportation that is propelled by any power other than muscular power or wind;
 - (a) but does not include
 - (ii) motor boats, or;
 - (iii) any other vehicle exempted from being an off-highway vehicle by regulation.
- (t) "Operator" means the registered owner thereof or if not the registered owner, the person driving or in the position of control over the vehicle;
- (u) "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;
- (v) "Parade Marshall" means the person designated as "Parade Marshall" for the purpose of traffic control under a parade permit;
- (w) "Park" means a tract of land reserved for public use, as for recreation, an enclosed playing field, or stadium. A place where vehicles may be stored or left. All municipally owned property by the Town of Sundre which the public has access to;
- (x) "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;

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- (y) "Passenger Loading or Unloading Space" shall mean a space on the vehicle portion of a highway posted with a traffic control device permitting parking therein for a period necessary to load or unload passengers, provided such period is 15 minutes or less, except in front of a hotel when only 10 minutes parking may be allowed and the traffic control device shall indicate the time or times when the space is restricted to these purposes;
- (z) "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;
- (aa) "Person" means any individual, corporation, society, association, partnership or firm;
- (bb) "Post" means to erect, place or mark traffic control devices;
- (cc) "Primary Highway" as defined in the Public Highways Development Act, RSA 2000;
- (dd) "Private Road or Driveway" means a private way or place for vehicular traffic not open to the use of the general public;
- (ee) "Public Places" means properties that are owned by the Municipality;
- (ff) "Secondary Road (Highway)" as defined in the Public Highways Development Act, RSA 2000;
- (gg) "Street Furniture" means every curb, sidewalk, pole, traffic sign, waste receptacle, bus bench, bus enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the Municipality capable of being marked, defaced or damaged;
- (hh) "Taxi Zone" means a portion of a roadway adjacent to the curb authorized and posted for the exclusive use of taxicabs or taxicab companies;
- (ii) "Town Foreman" means the Town Foreman for the Town of Sundre;
- (jj) "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;
- (kk) "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;
- (ll) "Transit Vehicle" means a vehicle used for public transportation including school buses;
- (mm) "Transit Zone" means the area parallel to the curbside of the roadway and within 15 meters of either side of a transit zone sign;
- (nn) "Truck Route" means the streets or avenues within the Town that have been posted with signs indicating truck ingress or egress;
- (oo) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn and includes a combination of vehicles but does not include a mobility aid;
- (pp) "Violation Tag" means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act, R.S.A. 2000;
- (qq) "Violation Ticket" means a ticket issued pursuant to Part II or Part III of the Provincial Offences Procedure Act, R.S.A. 2000, and the regulations there under;
- (rr) "Work Zone" means an area designated by traffic control devices as a work zone for the purpose of maintenance, construction, or repairs on or near a Highway.

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SECTION 3 APPLICATION

3.0 This Bylaw shall not apply to:

- (a) Primary Highways; which have a posted speed in excess of 70 Kilometers per hour or more
- (b) Public roads within Indian Reserves pursuant to clause 9(c) of the Transportation Transitional Funding Agreement executed between Alberta Transportation (formerly Alberta Transportation and Utilities) and the Municipality;

SECTION 4 OPERATION OF VEHICLES

- 4.0 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.
- 4.1 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 Delegate and then only in strict compliance with the authority granted.
- 4.2 Notwithstanding Section 4.1, where the obstruction caused by a Vehicle is unavoidable due to mechanical failure, the person will not be in breach of Section 4.1, provided the person promptly takes measures to remove such vehicles from the Highway.
- 4.3 Notwithstanding any other provision of this Bylaw, where a Transit Vehicle is stopped at or has approached within 10 meters of an intersection and has indicated by signal that the driver intends to turn right at such intersection then the driver of a Vehicle traveling in the same direction shall not overtake or pass to the right of such Transit Vehicles.
- 4.4 Every Transit Vehicle shall carry a notice on the rear near the turning signal reading "DO NOT PASS ON RIGHT WHEN SIGNAL ON" or similar words to that effect.
- 4.5 No person shall pass or attempt to pass another vehicle traveling in the same direction while on a bridge.
- 4.6 No person shall drive on or over a hose, line or similar equipment of the Municipal Fire Department, which has been placed on a Highway, except where the express consent of an official of the Municipal Fire Department has been obtained.
- 4.7 No person shall drive or walk on or over newly installed thermal inlay, painted line, epoxy, or other material, on any Highway where a work zone is posted.

SECTION 5 SPEED

- 5.0 No person shall operate a Vehicle greater than 40 Kilometers Per Hour on any Highway unless otherwise authorized in this Bylaw.
- 5.1 On any day in which school is held, no person shall operate a Vehicle within a school zone or at any rate of speed greater than 30 Kilometers Per Hour between the hours of 08:00 and 16:00.
- 5.2 No person shall operate a Vehicle within a Playground Zone at any rate of speed greater than 30 Kilometers Per Hour between the hours of 08:30 to 1 hour after sunset.
- 5.3 No person shall operate a Vehicle in excess of the posted maximum speed within the Municipality.

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- 5.4 No person shall drive a motor Vehicle in any alley or highway intended chiefly to give access to the rear of buildings and parcel of land at a greater speed than 15 Kilometers Per Hour.
- 5.5 A person driving a Vehicle shall obey the instructions set out by any applicable Traffic Control Device.
- 5.6 A person driving a Vehicle that is about to enter onto a Highway from another Highway that is marked by a Stop Sign shall bring the vehicle to a stop:
- (a) before entering on the intersecting Highway and at a point no further than 3 metres back from the intersecting Highway, or;
 - (b) in the case where there is,
 - (i) a marked Crosswalk on the near side of the intersection, immediately before entering on the Crosswalk, or;
 - (ii) a marked Stop Line on the near side of the intersection, at the Stop Line.

SECTION 6 PEDESTRIANS

- 6.0 No Pedestrian shall cross:
- (a) a Highway on a bridge; or
 - (b) a Highway within 100 metres in any direction on the approach to a bridge; other than at an Intersection or a posted Crosswalk.
- 6.1 No person shall stand in a group of 3 or more persons or so near to each other on any Highway as to obstruct the entrance to buildings or to obstruct or prevent other persons using such Highways and forthwith after request has been made by a Peace Officer shall disperse and move away.
- 6.2 Nothing in this Bylaw shall be construed as prohibiting the assembling of persons for the purpose of watching a duly authorized Parade or Procession.

SECTION 7 PARKING

- 7.0 The Council is hereby authorized and empowered to designate and properly mark portions of Highways where parking is restricted to any particular class or classes of Vehicles. No person shall park a Vehicle other than a Vehicle of such class or classes on portions of Highway so marked.
- 7.1 The Council may designate and cause to be properly marked portions of Highways prohibiting parking at any time.
- 7.2 The Council may designate portions of a Highway limited as to time for parking of Vehicles and cause the same to be properly marked by signs.
- 7.3 The Council is hereby authorized and empowered to designate the location of Traffic Control Signals, Devices and Signs.
- 7.4 The Chief Administrative Officer shall cause a record to be kept of the location of all Traffic Control Devices, Traffic Control Signals, Parking Regulation and Truck Routes, and said record shall be open for public inspection during normal business hours.
- 7.5 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.
- 7.6 Unless permitted by a Traffic Control Device, a person shall not park or permit a Vehicle to be parked on any winter road or portion thereof.

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- 7.7 Unless required or permitted by the 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 a vehicle:
- (a) at an intersection nearer than 5 metres to the projection of the curb line immediately ahead or immediately to the rear; or
 - (b) within 5 metres on the approach to a stop sign or yield signs; or
 - (c) 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 edge of the Highway nearest the hydrant; or
 - (d) within 5 metres of the approach to a crosswalk; or
 - (e) at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when his Vehicle is parked in a space where a parking meter or other Traffic Control Device indicates parking is permitted.
- 7.8 Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer or 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.
- 7.9 No person shall park or permit to be parked a Vehicle on a Highway from the time signs referred to in Section 7.3 have been posted, until such signs have been removed.
- 7.10 No person shall park or permit to be parked, a Vehicle on the posted portion of such Highway during the 96 hour period following the time the Traffic Control Devices were posted where the Vehicle was parked prior to the posting of the Traffic Control Devices as described in Section 7.3.
- 7.11 No person shall park or operate a Vehicle in contravention of any sign or Traffic Control Device posted in accordance with Sections 7.1, 7.2 and 7.3.
- 7.12 No person shall park or permit to be parked, a Vehicle on the roadway side of a vehicle already parked at the curb or edge of a Highway.
- 7.13 Any Vehicle parked contrary to this Bylaw may be towed away at the owner's sole expense.
- 7.14 Except when actually taking or discharging passengers, no person shall park a Vehicle at the following locations:
- (a) in a passenger loading or unloading space posted as such by a Traffic Control Device; or
 - (b) on any portion of Highway posted as "No Parking".
- 7.15 No person shall park a Vehicle on any alley unless a Traffic Control Device otherwise permits, except for the following purposes:
- (a) the loading or unloading of goods from a Commercial Vehicle for a period not exceeding 30 minutes; or
 - (b) the loading or unloading of goods or passengers from a Vehicle other than a Commercial Vehicle for a period not exceeding 5 minutes; or
 - (c) the loading or unloading of a handicapped person.
- 7.16 Notwithstanding Subsections 7.14 (a) and (b) 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.
- 7.17 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):
- (a) Vehicles being used by Government employees and identified as such (Municipal, Provincial or Federal); or
 - (b) marked Public Utility Vehicles, while the operators are actually engaged in the course of their employment (Utility companies are Town of Sundre, Aquilla, Monarch Cable and Telus or representatives of utility companies); or
 - (c) Vehicles used by Elected Government Officials and identified as such; or

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- (d) the Chief Administration Officer is hereby authorized to add or delete Government Employee's Vehicles, Public Utility Vehicles or representative of utility companies and Vehicles used by elected officials as required without consent or approval of Council.
- 7.18 Section 7.17 above shall only apply between the hours of 09:00 and 18:00, and shall not apply on a Saturday, Sunday or Holidays unless otherwise indicated by a Traffic Control Device.
- 7.19 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.
- 7.20 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 a Vehicle on the parking area so designated.
- 7.21 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.
- 7.22 No person shall park a Vehicle or permit a Vehicle to be parked in any parking space upon land owned or controlled by the Municipality where such space has been reserved, as indicated by a Traffic Control Device, for a Vehicle operated by a Municipal Employee, Officer, or Council Member.
- 7.23 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.
- 7.24 No person shall park or permit to be parked, 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 provisions pertaining to Vehicles.
- 7.25 No person shall occupy or permit any other person to occupy a Mobile Unit upon a Highway or upon Municipal Property unless such property has been designated for use as a Mobile Unit Park.
- 7.26 No person shall park or permit to be parked a Vehicle on any Highway for more than 72 consecutive hours unless otherwise permitted by the Chief Administrative Officer or delegate in writing.
- 7.27 Except for Emergency Vehicles, no person shall park or stop or permit to be parked or stopped, a Vehicle on any Highway, Public Place or Private Property in space posted as a Fire Lane.
- 7.28 Nothing in this part shall be construed as to allow parking contrary to any other provision of this Bylaw.
- 7.29 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 their possession for the carrying out of repairs or installations or for any such related purpose, on a Highway unless specifically required or permitted by:
- (a) another provision of this or another Bylaw; or
 - (b) a Traffic Control Device; or
 - (c) the Traffic Safety Act.
- 7.30 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.

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- 7.31 Where a Traffic Control Device upon a Highway restricts parking thereon to residents, no person not a resident of the said area, shall park or permit to be parked a Vehicle:
- (a) at anytime; or
 - (b) in excess of the time so designated and posted on a Traffic Control Device, unless such Vehicle displays a Permit issued by the Chief Administrative Officer or Delegate.
- 7.32 No person shall park or permit to be parked, a Vehicle in such a manner so as to obstruct an Emergency Exit.
- 7.33 No person shall park or permit to be parked, a Vehicle in such a manner so as to obstruct the entrance or exit of a Fire Hall or Ambulance Station.
- 7.34 A person shall not park or stand a Vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any Vehicle used by the Fire Department or any other emergency vehicle.
- 7.35 Any Vehicle parked contrary to Section 7.34 may be towed away at the owner's expense.
- 7.36 No person shall park a Vehicle in a Lane, provided that lanes may be used for such period of time as may be reasonably necessary for the loading or unloading of passengers or goods from a Vehicle, providing that the Vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the Lane as to prevent other vehicles or persons from passing along such lanes while the loading or unloading of passengers or goods is taking place.
- 7.37 The Council may designate portions of the Highway as a passenger or truck loading or unloading zone and may cause such space to be marked with a sign designating the area as "Loading Zone."
- 7.38 No person shall park or stand a Vehicle in a Pedestrian or Truck Loading or Unloading Zone for a period of time longer than 15 minutes.
- 7.39 No person shall park any Commercial Vehicle, Truck, Engine or Trailer or Truck of the design capacity of more than one ton or length of more than 6.1 meters, upon any Highway where such parking is expressly prohibited except for the purpose of loading or unloading such vehicle.
- 7.40 No person shall angle park any Vehicle over 2730 kilograms (6018.6 pounds) or that exceeds 6.5 meters (21.3 feet) in overall length on any Highway in the Town of Sundre.
- 7.41 Where a sign or signs prohibits such parking, no person shall park any Vehicle in front of or adjacent to any building in the course of erection or repair.
- 7.42 Where a sign or signs prohibits such parking, no person shall park any Vehicle near any area designated as a Funeral No Parking Area.
- 7.43 No person shall stand or park any Vehicle on any Highway for the purpose of greasing or repairing such Vehicle.
- 7.44 No person shall stand or park upon any Highway
- (a) any Vehicle displayed for sale, or
 - (b) a Vehicle displaying advertising directing persons to any Commercial Premises.
- 7.45 No person shall stand or park any Vehicle with motor running, in such a manner and such a location as to cause a disturbance.
- 7.46 No person shall park or stand any vehicle on any Land owned by the Town of Sundre, which the Town uses or permits to be used as a Playground, Recreation Area or Public Park except on such part thereof as may be designated by the Council with a sign or signs for Vehicle Parking.
- 7.47 No person shall allow a Vehicle of more than 2,730 kg. (6,018.6 lbs.) (GVW) or a length of 6.5 m (21.3 ft.) to be parked or stored in a Residential District, except for a Holiday Trailer, Motor Home, Camper or Large Boat.

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7.48 No person shall move any Vehicle over or across any Curb, Sidewalk or Boulevard unless such curb has been lowered or otherwise constructed to form a suitable crossing a driveway.

7.49 No person shall park a Vehicle:

- (a) on a Sidewalk or Boulevard, or,
- (b) on a Crosswalk or on any part of a Crosswalk, or,
- (c) within an Intersection other than immediately next to the curb in a "T" Intersection, or,
- (d) in such manner as to obstruct the access to or exit from any building being used for public gathering, and shall include all Fire Exits, Hospital Entrances and Emergency Patient Care Parking Areas; or
- (e) at any place where signs or marks prohibit parking; or
- (f) in front of any School Exit or Entrance; or
- (g) parallel with the Curb on any Highway, and headed in the direction of vehicular traffic movement, with the right hand curb-side wheels of such vehicle within 500 millimeters of the curb; or
- (h) upon any Highway which has been signed and marked for angle parking, parallel to and between the marks on such street with one front wheel not more than 500 millimeters from the curb; or
- (i) upon any Highway where angle parking is indicated by signs only, at an angle of between 30 and 60 degrees to the curb, with one front wheel not more than 500 millimeters from the curb; or
- (j) where Parking Stalls have been marked on any Highway, between the lines or markings indicating the limits of a Single Parking Stall; provided that where any vehicle exceeds the length of a Single Parking Stall; such Vehicle may occupy 2, but not more than 2 Parking Stalls.

SECTION 8 SPECIAL CLASSES OF VEHICLES

8.0 No person shall:

- (a) park, or permit to be parked, a Vehicle on a Highway, where that Vehicle contains Dangerous Goods;
- (b) park or permit to be parked, a Vehicle within 15 metres of any Building, where that Vehicle contains Dangerous Goods.

8.1 Section 8 above does not apply where the Vehicle is parked while loading or unloading the dangerous goods in the ordinary course of business.

8.2 No person shall operate a Vehicle or Trailer or combination thereof on a Highway under the direction, control and management of the Municipality other than in accordance with the weight and load limitations as specified in the Traffic Safety Act R.S.A. 2000 and the Regulations there under, as amended.

8.3 Notwithstanding Section 8.2 above, Chief Administrative Officer or Delegate may:

- (a) issue a Single Trip or an Open Permit to an applicant for any number of trips and for such a period of time as he deems advisable, with permit conditions applied describing routing, time of day or other restrictions as deemed necessary for the safe movement of the Load or Loads; or
- (b) issue a Permit to an applicant who telephones, or provides by telegram or facsimile transmission, the information required for a Permit.

8.4 No person shall operate a Vehicle in respect of which an Overload or Over-Dimensional Permit is issued pursuant to the Traffic Safety Act on a Highway under the direction, control and management of the Municipality unless:

- (a) the Chief Administrative Officer or Delegate has given approval; and
- (b) the Owner, Operator, Driver or Mover of the Vehicle shall agree to be responsible for all damages which may be caused to the Highway by reason of driving, operating or moving of any such Vehicle upon the Highway; and;

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- (c) if requested by the Chief Administrative Officer or Delegate, the Owner, Operator, Driver, or Mover of the Vehicle posts a bond sufficient to cover the cost of repairing possible damages to the Highway, landscaping and street furniture in an amount satisfactory to the Municipality.
- 8.5 In case of any dispute arising as to the Weight of any Vehicle, the same shall be weighed upon a Certified Scale and the weighing of the Vehicle shall be deemed to be conclusive.
- 8.6 Unless a permit to do so has been issued by the Chief Administrative Officer or delegate, no person shall operate on a Highway:
 - (a) a Vehicle or Trailer having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire on such Vehicle; or
 - (b) any Vehicle or Trailer having skids or tracks.
- 8.7 No person shall engage a Vehicle's Engine-Retarder Brakes where posted in the Municipality.

SECTION 9 TRUCK ROUTES

- 9.0 A person who holds a Permit shall be responsible for all costs and expenses incurred by the Municipality for the repair of any curb stops, valves, hydrants, sidewalks, curbs, pavement, landscaping and any other such appurtenances to Highways resulting from hauls made pursuant to any permits issued under this Bylaw.
- 9.1 The Chief Administrative Officer or Delegate may, at their discretion, cancel or suspend a permit without notice, and may consider factors including, but not limited to weather, environmental hazards, and vehicular traffic.
- 9.2 The Chief Administrative Officer or Delegate has authority to:
 - (a) prohibit the use on a Highway by a heavy Vehicle, or by a class or classes thereof, for a period or periods that the Chief Administrative Officer or Delegate determines; and
 - (b) limit or restrict the speed of a heavy Vehicle, or of a class or classes thereof, using a Highway for a period or periods that the Chief Administrative Officer or Delegate determines; and
 - (c) increase, limit or restrict the maximum gross weight that may be borne by a heavy vehicle or combination of vehicles on a Highway for a period or periods that the Chief Administrative Officer or Delegate determines.

SECTION 10 PARADES AND PROCESSIONS

- 10.0 No person shall hold, join, march or participate in any Parade or Procession unless a Permit has been obtained from the Chief Administration Officer or Council.
- 10.1 The Chief Administration Officer or Council may issue a Parade Permit to a person under this part where the person has complied with the requirements of Section 10.2 below.
- 10.2 Any person desiring to hold a parade or procession within the Municipality shall, at least, 3 weeks prior to the time he desires to hold the parade or procession, make an application in writing to the Chief Administration Officer or Council containing the following information:
 - (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; and
 - (b) the Day, Date, and Times during which the Parade or Procession will be held; and
 - (c) the Route of the Parade or Procession and written certification from the Protective Services Department that such route is satisfactory to the said department; and
 - (d) the approximate Number of Persons and Vehicles participating in the Parade or Procession;
 - (e) the Nature and Object of the Parade or Procession; and
 - (f) the approximate Size, Number and Nature of Flags, Banners, Placards, and such other similar items to be carried or displayed; and

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- (g) Funeral Processions require only suitable notice to the Chief Administration Officer or Council, suitable notice is defined as written notice received 24 hours prior to the scheduled funeral proceeding; and
 - (h) the wording and symbols to be exhibited on the items listed in Subsection 10.2(f) above; and;
 - (i) proof of Liability Insurance.
- 10.3 The Council may unconditionally approve, approve with conditions or refuse an application for a Parade Permit.
- 10.4 Where a Parade Permit 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 a Parade Permit has been granted;
- (a) the Chief Administrative Officer or delegate 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 or delegate 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 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; and
 - (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 Marshall 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 Marshall.
- 10.9 No Pedestrian or Person operating any Vehicle (excluding emergency vehicles) or riding a Horse shall break through the ranks of any authorized Parade or Procession.
- 10.10 No Person shall hold or take part in any Parade or Procession unless a permit has been issued in accordance with the provisions of this Bylaw.
- 10.11 No Person shall take part in the organization or conduct of a Parade or Procession, which forms up, attempts to form up, or is carried on, without a permit having been obtained pursuant to this Bylaw.
- 10.12 If any Funeral Procession is in the process of formation or proceeding along any Highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot, on horse or in a vehicle shall obey the order and the direction of the Peace Officer so regulating the traffic.
- 10.13 Before a Funeral Procession enters upon, crosses or turns onto a Highway designated and marked as a through traffic street by a stop sign, the first vehicle in the Funeral Procession shall come to a complete stop in the manner required by this Bylaw and shall not drive the Vehicle into the intersection until it is safe to do so. A vehicle that follows in the funeral procession may then enter into the intersection without stopping provided the headlamps are alight. The provisions of this subsection shall not apply at intersection where traffic is controlled by a Peace Officer or by a Traffic Control Signal.

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- 10.14 No person driving any Vehicle or riding a Horse shall drive or ride through, nor shall any pedestrian walk through, the ranks of any Military or Funeral Procession (the Vehicles of which have their lights on), or through the ranks of any other authorized Parade or Procession, or in any way obstruct, impede or interfere with the same.

SECTION 11 PEDESTRIANS

- 11.0 No person shall cross or loiter on any Highway, Crosswalk or Sidewalk in such a manner as to obstruct Vehicular or Pedestrian Traffic.
- 11.1 No Pedestrian shall cross any Street or Avenue except within a crosswalk.
- 11.2 Where crosswalks are marked in the School Zone, no person shall cross any Street or Avenue within a block of such school zone between the hours of 8:00 a.m. and 4:00 p.m. on a school day, except within the limits of a marked Crosswalk.
- 11.3 No group of 3 or more persons shall stand so near to each other on any Highway, Crosswalk or Sidewalk as to obstruct the Entrance to any Building or to obstruct or prevent other persons using such Highway, Crosswalk or Sidewalk. Every person being a member of such group shall forthwith after request being made by a Peace Officer disburse and move away.
- 11.4 No person shall stand upon or along a Roadway for the purpose of soliciting a ride.
- 11.5 No person shall ride on any part of a Vehicle not designed or intended for the use of passengers.
- 11.6 At intersections where traffic is controlled by Traffic Lights or Peace Officers, Pedestrians shall remain on the Sidewalk until the proper signal for them to proceed is displayed or given.
- 11.7 Wherever practical, pedestrians shall move upon the right half of Crosswalks and Sidewalks where meeting other users approaching from the opposite direction.
- 11.8 No person shall board or alight from any Vehicle while such Vehicle is in motion.

SECTION 12: AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

- 12.0 The Chief Administrative Officer or Delegate is hereby delegated the authority to prescribe where Traffic Control Devices are to be posted, including, but not limited to Traffic Control Devices restricting the speed of Vehicles and includes;
- (a) to divide the surface of a Roadway into Traffic Lanes marked by solid or broken Lines; and
 - (b) to prohibit "U" Turns at any Intersection; and
 - (c) to designate any Intersection or other place on a Highway as an Intersection or place at which no Left Hand Turn or Right Hand Turn shall be made; and
 - (d) to designate as a one-way traffic Street, any Roadway or portion thereof; and
 - (e) to designate "School Zones" and "Playground Zones"; and
 - (f) to designate "Truck Routes"; and
 - (g) to set apart as a Through Street any Highway or part of a Highway and to control entry to any Highway by means of a "Stop Sign or Yield Sign"; and
 - (h) to designate a Crosswalk upon any Highway; and
 - (i) to designate Parking Stands or Stalls for use of any particular class of vehicle; and
 - (j) to close or restrict the use of any Highway, Subway, Bridge or Overpass or any part of any Highway, Subway, Bridge or Overpass as to the full width thereof or as to part of the width thereof with respect to any class or classes of Vehicles or with respect to any class or classes of Pedestrians; and
 - (k) to prohibit, restrict or regulate the parking of Vehicles of any particular class of vehicles on any Highway or other public place or any portion thereof during such hours as he may determine; and

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- (l) to designate and mark Guide Lines for angle or parallel parking on any Highway or other public place or any portion thereof; and
 - (m) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic; and
 - (n) on any Bridge or in any Subway or on the approaches thereto; and
 - (o) at any other place where a Traffic Control Device prohibits stopping or parking, during such times as stopping or parking is so prohibited.
- 12.1 The Chief Administrative Officer or Delegate is hereby authorized to 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.
- 12.2 The posting of Traffic Control Devices by the Chief Administrative Officer or Delegate is hereby deemed to be made pursuant to this Bylaw.
- 12.3 The Chief Administrative Officer or Delegate shall maintain a record of all the locations of Traffic Control Devices, which shall be open to public inspection during normal business hours.
- 12.4 The Chief Administrative Officer or Delegate is hereby authorized to designate Crosswalks upon any Highway and to cause the same to be posted.
- 12.5 The Chief Administrative Officer or Delegate is hereby authorized to 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.
- 12.6 The Chief Administrative Officer or Delegate is hereby authorized to 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.
- 12.7 The Council may designate a Highway or any portion thereof, for one-way traffic only and instruct the Chief Administrative Officer or Delegate to cause the same to be posted.
- 12.8 The Chief Administrative Officer or Delegate is hereby authorized to designate School Zones and Playground Zones and shall cause the same to be posted.
- 12.9 The Chief Administrative Officer or Delegate is hereby authorized to designate Transit Zones and shall cause the same to be posted.
- 12.10 The Chief Administrative Officer or Delegate is hereby authorized to designate any Highway upon which no parking is permitted and to cause the same to be posted.
- 12.11 The Chief Administrative Officer or Delegate is hereby authorized to 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.
- 12.12 The Chief Administrative Officer or Delegate is hereby authorized to designate Municipality employee parking areas and to cause the same to be posted.
- 12.13 The Chief Administrative Officer or Delegate is hereby authorized to designate angle or parallel parking on any Highway and to cause the same to be posted.
- 12.14 The Chief Administrative Officer or Delegate is hereby authorized to designate the non-standard distance a Vehicle maybe parked from an Intersection and cause the same to be posted.
- 12.15 The Chief Administrative Officer or Delegate is hereby authorized to designate Truck Routes or Dangerous Goods Routes as approved by the Council and cause the same to be posted.

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- 12.16 The Chief Administrative Officer or Delegate is hereby authorized to impose limitations or restrictions on loads traveling on Highways and cause the same to be posted.
- 12.17 The Chief Administrative Officer or Delegate is hereby authorized to designate the maximum loading permitted on any Highway or Bridge and to cause the same to be posted.
- 12.18 The Chief Administrative Officer or Delegate shall post, as the Chief Administrative Officer or Delegate considers necessary to notify persons using the highway(s) of the prohibition, increase or restriction of load limitations.
- 12.19 The Chief Administrative Officer or Delegate is hereby authorized to close or open any existing median or divider on any highway.
- 12.20 The Chief Administrative Officer or Delegate is hereby authorized to issue or revoke permits on behalf of the Municipality where such permits are required under provisions of this Bylaw.
- 12.21 The Chief Administrative Officer or Delegate is hereby authorized to 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.
- 12.22 The Chief Administrative Officer or Delegate is hereby authorized to designate public Parking Lots and shall cause the same to be posted.
- 12.23 The Chief Administrative Officer or Delegate is hereby authorized to designate Temporary Road Closures and shall cause the same to be posted.
- 12.24 The Chief Administrative Officer or Delegate is hereby authorized to 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 13 PUBLIC PLACES

- 13.0 No person shall place or permit to be placed an Electrical Cord, above the surface of any Sidewalk.
- 13.1 Notwithstanding Section 13.0 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 30 of any year.
- 13.2 No person shall in any way damage or otherwise vandalize any Street Furniture on any Highway, Park Reserve, or Public Place.
- 13.3 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.
- 13.4 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.
- 13.5 The Chief Administrative Officer or delegate may order the Person who left, or allowed to be left or placed Litter or Load, to remove same within a period of 24 hours and, in default, the Chief Administrative Officer or delegate 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.

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- 13.6 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.
- 13.7 Any person who tracks upon a Highway shall be liable to cleanup or remove the substance or material tracked upon the Highway.
- 13.8 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 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.
- 13.9 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.
- 13.10 Except as authorized by the Chief Administrative Officer or Delegate;
- (a) no Person shall deface, paint, chalk, stencil or mark any Highway or Street Furniture;
 - (b) no Person shall place any Advertising, Legend or Sign of any kind upon any 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 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.
- 13.11 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.
- (a) The Chief Administrative Officer or Delegate may approve temporary encroachments for up to 30 days, which impose only minor controlled impact on Traffic or Parking, with conditions including suspension of existing or imposing temporary parking restrictions.
- 13.12 Any person placing or causing any obstruction to be placed in or upon any Highway, Curb or Public Place shall remove or cause the removal of such obstruction within 24 hours of being notified to do so by the Chief Administrative Officer or Delegate. After the expiration of the said 24 hours, the Chief Administrative Officer or Delegate shall remove or cause the removal of such obstruction.
- 13.13 Except as authorized by the Chief Administrative Officer or Delegate, 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 without first obtaining a Development Permit issued by the Chief Administrative Officer or Delegate.
- 13.14 Every person who obtains a Development Permit shall comply with all terms and conditions of the Development Permit
- 13.15 The Chief Administrative Officer or Delegate may establish and levy service charges for any work done by the Municipality or its agents as a requirement under the Development Permit, except to recover costs for permit administration and inspection.
- 13.16 No Owner, Tenant or Occupier of any Property shall erect, obstruct, use, or permit to remain upon or along the boundary of their Lane or Premises near any Highway in the Urban Service Area in the Municipality, any Fence wholly constructed of Barbed Wire.

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- 13.17 Where a fence, in the Urban Service Area, is partly constructed of barbed wire, the barbed wire part shall be no closer to the ground than 2.0 metres.
- 13.18 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.
- 13.19 Any person who fails to comply with Section 13.16 shall be given notice in writing by the Chief Administrative Officer or Delegate. If the Barbed Wire is not removed as directed within 24 hours after being served notice, the Municipality may have out said work carried out.
- 13.20 All Owners, Occupants or Tenants of land or premises with a commercial designation under the Land Use Bylaw, shall remove or cause to be removed and cleared away Snow, Ice, Dirt, Debris or other obstruction from any Sidewalk adjoining their commercial property owned or occupied by them, such removal to be completed within 48 hours of the time when the Snow, Ice, Dirt, or other obstruction was formed or deposited thereon.
- 13.21 No Person being the Owner, Occupant or Tenant of any Lands or Premises with any land use designation other than commercial under the Land Use Bylaw, shall fail to remove Snow or Ice from a Municipality Sidewalk abutting on the front or flank of their property within 48 hours of being notified, in writing, to do so by the Chief Administrative Officer or Delegate.
- 13.22 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.
- 13.23 No Person shall remove Dirt, 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.
- 13.24 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 except as authorized in writing by the Chief Administrative Officer or Delegate.
- 13.25 Every Occupant, and in case there is no occupant, the Owner of every House, Shop, Building, Church or Chapel, abutting on or erected within 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.
- 13.26 A Person who has an Awning extending from a portion of the 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.
- 13.27 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.
- 13.28 No person shall play on any Street or Lane within the Municipality in any fashion as to create an Obstacle for the Vehicle users of the Highway and the purpose that the Highway was intended.
- 13.29 No person shall cast, project or throw any Stones or other Projectiles dangerous to the public or use Bow and Arrow, Catapult or other such contrivance on, onto or across any Highway or other public place.
- 13.30 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 or Delegate.

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- 13.31 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.
- 13.32 No person shall operate a Vehicle defined as an Off-Highway Vehicle upon a Highway as defined in this Bylaw in the Town of Sundre.
- 13.33 No person shall operate a Vehicle defined as an Off-Highway Vehicle in any Park as defined in this Bylaw in the Town of Sundre.

SECTION 14 OFFENCES AND POWERS OF PEACE OFFICERS

- 14.0 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 A, attached hereto and forming part of this Bylaw. If there is no specific fine listed in Schedule A for a particular offence, the minimum specified fine shall be \$100.00.
- 14.1 A Peace Officer is hereby authorized to remove or cause to be removed, any Vehicle or Trailer:
- (a) parked in contravention of a provision of this Bylaw; or;
 - (b) where emergency conditions require that the Vehicle or Trailer be removed.
- 14.2 Any Vehicle or Trailer removed pursuant to Section 14.1 above may be moved to:
- (a) a nearby Highway; or;
 - (b) a place designated by the Municipality where it will remain impounded until claimed by the Owner.
- 14.3 No impounded Vehicle or Trailer shall be released to its Owner or their agent until the removal and impounding charges have been paid.
- 14.4 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.
- 14.5 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.
- 14.6 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.
- 14.7 A Peace Officer is hereby authorized to deploy speed measurement devices, including Doppler Radar, Laser Speed Measurement Device, Photo Radar and Vehicle clocking methods, for the purpose of determining the speed of moving Motor Vehicles.
- 14.8 Peace Officers are hereby authorized to direct traffic in conformity with the provisions of this Bylaw.
- 14.9 In case of fire or other emergency, or in order to expedite Traffic or safeguard Pedestrians, Peace Officers are hereby authorized to direct traffic in such a manner as they deem necessary, whether or not in conformity with the provisions of this Bylaw.
- 14.10 In case of fire or other emergency, if no Peace Officer is present, members of the Fire Department are hereby authorized to direct traffic in such manner, as they deem necessary, whether or not in conformity with the provision of this Bylaw.
- 14.11 Every person shall comply with any Traffic Signal or Direction of a Peace Officer, or of any member of the Fire Department in the case of a fire or other emergency.

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- 14.12 Every Peace Officer is, and is deemed to be, duly authorized and entitled to place an erasable chalk mark on the tread face of the tire of a parked or stopped Vehicle without that Peace Officer or the Municipality incurring the parking provisions of this Bylaw.
- 14.13 Every Peace Officer is, and is deemed to be, duly authorized and required to enforce the provisions of the Traffic Safety Act R.S.A. 2000, and of this Bylaw.
- 14.14 Any Peace Officer is, and is deemed to be, duly authorized to impound and remove from the Highway, Street, Avenue, Alley, Lane or Parking Lot or other Public Place, a Vehicle in respect of which charges have not been paid or of a Vehicle in violation of a provision of this Bylaw and all costs incurred may be recovered by the Town by action in any court of competent jurisdiction.
- 14.15 Any Peace Officer is, and is deemed to be, duly authorized to impound and remove Vehicles from Fire Exits, Hospital Entrances, and Emergency Patient Care parking areas, immediately and all costs incurred shall be borne by the registered Owner.
- 14.16 A Violation Tag may be issued to such person
- (a) personally; or
 - (b) by mailing a copy to such person at their last known Post Office address; or
 - (c) by leaving it for the defendant at their residence with a person on the premises who appears to be at least 18 years of age; or
 - (d) attached or left upon the vehicle in respect to which the offence is alleged to have been committed.
- 14.17 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by a Peace Officer.
- 14.18 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.
- 14.19 Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.
- 14.20 In those cases where a Violation Tag has been issued and if the 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 The Provincial Offences Procedure Act, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of the bylaw.
- 14.21 Notwithstanding any provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the Provincial Offences Procedure Act, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 14.22 After the issuance of a Violation Ticket concerning a Vehicle for a first violation of this Bylaw, should the Vehicle remain parked in excess of the time permitted on the Traffic Control Device for a further period, then a second Violation Ticket may be issued.
- 14.23 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.
- 14.24 The Violation Tag shall be in form approved by the Chief Administrative Officer.

SECTION 15 MISCELLANEOUS

- 15.0 No Person shall be upon the Highway on Roller Skates, In-Line Skates, Skateboard, riding on a Coaster, Sled, Skis, Toy Vehicle, Tricycle, or a similar device except while crossing such Highway at a Crosswalk or Intersection.

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- 15.1 Section 15.0 does not apply to a person riding a Bicycle.
- 15.2 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.
- 15.3 No person traveling on a Bicycle shall cling to or attach their self to a Vehicle on a Highway. No person shall drive or operate a Vehicle on a Highway having in tow any of the Vehicles or devices referred to in Sections 15.
- 15.4 No person shall carry any other person upon any Bicycle or Motorcycle on any Street or Avenue except when such Bicycle or Motorcycle is equipped to carry passengers in a seat or sidecar forming part of such Bicycle or Motorcycle.
- 15.5 No person shall ride a Bicycle or a Horse on a Sidewalk, Slip Path or Boulevard.
- 15.6 Unless he has first obtained the written permission of the Town of Sundre or unless otherwise permitted by a Bylaw of the Town of Sundre, no person shall:
 - (a) erect any doorstep, porch, railing, or other projection in, into, over or upon any Street, Avenue Sidewalk or Boulevard; or
 - (b) place any Electrical Cord over a Sidewalk unless it is erected at least 2.4 meters over the Sidewalk and in no event shall an electrical cord be laid on a Sidewalk; or
 - (c) place or cause to be placed on any Street, Avenue, Sidewalk or Boulevard anything, which obstructs the free use of such Street, Avenue, Sidewalk or Boulevard.
- 15.7 No person shall, without authorization from the Town of Sundre, deposit any Earth, Rocks, Trees, Sand, Gravel, Snow, Ice, Garbage, Rubbish, or other substances or objects on any Street, Avenue, Sidewalk or Boulevard within the Town of Sundre, and if such deposits have been made without authorization and the Town removes the same, the expense therefore shall be chargeable to the person responsible, either the owner, occupier, agent, assign, successor or lessee of the abutting and adjacent land which shall be in addition to any fine or penalty imposed by this Bylaw.
- 15.8 No occupier of any premises shall permit the unrestricted flow of any water from such premises over any Street, Avenue, Sidewalk or Boulevard.
- 15.9 No person shall leave parked on any Street or Avenue, any Trailer, Semi-Trailer, Mobile Drilling Equipment or any other Vehicle which has been detached from any Vehicle which is used to draw such Trailer, Semi-Trailer, Mobile Drilling Equipment or other Vehicle.
- 15.10 If the Council is satisfied that any tree, hedge, fence or shrub planted or erected on Private Property, interferes with or obstructs the view of the driver of any Vehicle, they may require the Owner of that Property, by giving 30 days registered notice, to eliminate or rectify the obstruction, and if such Owner does not eliminate the obstruction within 30 days, the Council may direct the work done and the full cost thereof charged to the Owner.
- 15.11 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.
- 15.12 No person shall park or permit to be parked on any Highway, any non-operative Motor Vehicle.
- 15.13 Sections 15.11 and 15.12 do 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.
- 15.14 No person shall wash a vehicle upon any Highway or drain the radiator of any Vehicle upon any Highway so as to result in water, slush or ice forming upon a Highway or Public Sidewalk.

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- 15.15 No person shall coast on any Highway on a Sled, Toboggan, Skis, Roller-Skates or Skateboards.
- 15.16 No person traveling upon any Bicycle, Motorcycle, Coaster, Sled, Skis, Roller-Skates, or any Toy Vehicle shall cling to, or attach themselves or their conveyance to any Vehicle upon any street.
- 15.17 No person shall Loiter upon any Highway, Park or Public Place as defined in this Bylaw.

SECTION 16: BICYCLES AND MOTOR SCOOTERS

- 16.1 Any infringement of the Bylaw with relations to Bicycles may result in the impoundment of said Bicycle by and at the discretion of a Peace Officer for a period not exceeding 60 days.
- 16.2 Any infringement of this Bylaw by any Youth as defined in the Criminal Code of Canada, may result in the impoundment of the said Bicycle or Motor Scooter at the discretion of the Peace Officer for a period of:
 - (a) first offence 7 days
 - (b) second offence 14 days
 - (c) third and subsequent offences 28 days

SECTION 17: MUNICIPAL PROPERTY

- 17.1 The operator of a motor vehicle shall not operate in the following areas within the Town of Sundre:
 - (a) all Public Reserves within the Town of Sundre;
 - (b) on any part of the face of "Snake Hill" or on top of any part of the "Snake Hill" area located in the N.E. ¼ of Section 4 Township 33, Range 5, West of the 5th Meridian.

SECTION 18: MAXIMUM WEIGHTS, OVER DIMENSION AND HEAVY VEHICLES

- 18.1 For the purpose of this section "Maximum Weight" means;
 - (a) the maximum weight permitted for a Vehicle and load pursuant to the official Registration Certificate or interim registration certificate issued by the Province of Alberta for such vehicles or;
 - (b) if there is no such official Registration Certificate or interim Registration Certificate for a Vehicle then the combined weight of the Vehicle and Heaviest Load may be carried in accordance with provisions of the Public Service Vehicles Act and regulations there under.
- 18.2 Unless a person has first obtained a permit as provided in section 18.7 of this Bylaw, a person shall not drive or have on a Highway a Vehicle or combination of attached Vehicles with a weight including or excluding any load thereon, in excess of maximum weight.
- 18.3 Wherever in their opinion, there is a contravention of section 18.2 of this Bylaw, a Peace Officer may order the driver or other person in charge or control of a Vehicle or combination of attached Vehicles suspected of being on a Highway in contravention of such subsection, to take such Vehicle or combination of attached Vehicles to the nearest adequate Weigh Scale to determine the weight of such Vehicle or combination of attached vehicles and load carried thereon. The weight slip or slips shall be given to the Peace Officer and may be retained by them and if the weight of any loaded Vehicle or combination of attached loaded vehicles is in excess of Maximum Weight, the Peace Officer, in addition to any prosecution for contravention of section 18.2 hereof, may require that any load or portion thereof in excess of Maximum Weight shall be removed before the Vehicle or combination of attached vehicles is again taken upon the Highway.

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- 18.4 A weight slip given to a Peace Officer under section 18.3 of this Bylaw and submitted by them in evidence in court shall be prima facia proof of the authenticity of the weigh slip and of the particulars thereon submitted in evidence, and of the accuracy of the weigh scale used.
- 18.5 A person driving or in charge or control of a Vehicle or combination of attached vehicles suspected by a Peace Officer of being on a Highway in contravention or section 18.2 of this Bylaw shall, when requested by the Peace Officer, produce for such officer's inspection any official Registration Certificate or interim Registration Certificate for such Vehicle or vehicles that may have been issued by the Government of the Province of Alberta showing the maximum of such vehicle or combination of attached vehicles.
- 18.6 Particulars obtained by a Peace Officer from a Registration Certificate produced to them under section 18.5 of this Bylaw and submitted by them as evidence in court shall be prima facia proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.
- 18.7 Notwithstanding the other of this section, a person may apply to the Chief Administration Officer for a Permit to allow on a Highway a Vehicle or combination of attached Vehicles with a weight in excess of Maximum Weight. The Town Foreman may also grant such a Permit for such purposes and for such periods as he may set out therein or may refuse to grant a permit, and from any such refusal there shall be an appeal to the Council of the Town.
- 18.8 No person shall move any Vehicle upon the Highways of the Town if such vehicle exceeds any of the Maximum Dimensions set out below, unless a special permit to do so is first obtained from the Provincial Authorities or Chief Administrative Officer;
- (a) width = 2.4 meters; or
 - (b) height (from road surface to top of load), = 4.1 meters; or
 - (c) wheel base length of single unit = 10.7 meters; or
 - (d) maximum over all wheel base length of any vehicle or combination of Vehicle or combination of Vehicles including Trailers and Semi-Trailers = 19.8 meters.
- 18.9 The Council may designate and cause to be properly marked, any Highway or portions thereof as "Truck Routes".
- 18.10 Subject to the provisions of sections 8.11 and 8.12 of this Bylaw, no person shall drive or operate a Vehicle in excess of 11 tonnes Gross Vehicle Weight on any Highways of the Town, except solely upon those portions of Highways expressly designated as Truck Routes.
- 18.11 No persons shall be convicted of an offence under this section if they prove to the satisfaction of the Judge trying the case that;
- (a) persons were at the time engaged in the delivery or collection of Goods, Wares or Merchandise to or from bona fide Customers of the Owner of such Over Weight or Over Dimension Vehicle, the premises of which said customers abut a Highway prohibited to such Vehicles; or
 - (b) persons were going to or from the Business Premises of the Owner of the Over Weight, Over Dimension Vehicle concerned where the business premises of said owner abut on a Highway prohibited to such Vehicles; or
 - (c) persons were going to or from the Business premises abutting a Highway prohibited to Over Weight, Over Dimension Vehicles for the purpose of servicing or repair to such Vehicles; and that such Over Weight, Over Dimension Vehicles was being operated upon a Highway prohibited to Over Weight, Over Dimension Vehicles which constitutes the most direct and practical route between the premises referred to in Subsections 18.11(a), (b), and (c) and the portion of the highway designated as a Truck Route; or
 - (d) persons were pulling a Motor Vehicle disabled by accident or otherwise from a Highway prohibited to Over Weight, Over Dimension Vehicles; or
 - (e) persons were driving a Public Passenger Vehicle in respect of which the owner holds a Subsisting Certificate from the Highway Traffic Board of the Province of Alberta.

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- 18.12 This section shall not apply to a Vehicle owned or in the services of the Town and being actually used in the service of the Town.
- 18.13 No person driving or in charge or control of a Vehicle equipped with Engine Retarder Brakes shall cause the said Engine Retarder Brakes to be operated within the Corporate Limits of the Town of Sundre.

SECTION 19: VEHICLES WITH LUGS

- 19.0 No person shall drive, propel or move on any Highway any Vehicle having metal Spikes, Lugs, Cleats, or Hands projecting from the surface of the wheel or tire of such Vehicle, or any Vehicle having a stub Tractor Tread and excluding Studded Tires.

SECTION 20: TAXI CABS

- 20.0 The Council is hereby authorized and empowered to designate and properly mark by signs certain Stalls or Parking Spaces to be known as "Taxicab Stands", for the exclusive use of Vehicles For Hire
- 20.1 Any person carrying on the business of letting Vehicles For Hire, hereinafter called a "Taxicab operator", may apply to the Council for the location of one Taxicab Stand in front of each Place of Business of the Taxicab operator, but the Taxicab operator will only be allotted space for the parking of 1 taxicab free of charge.
- 20.2 The Council may prescribe from time to time the fees to be charged a Taxicab Operator for each additional parking space or stall, and may charge the cost of installing and maintaining signs to the taxicab Operator.
- 20.3 No person shall park any Vehicle in a Taxicab Stand except the taxicab Operator for whom the Taxicab Stand is reserved, or a person authorized by the taxicab Operator, and the Vehicle must be a Taxicab then on duty and available for public hire.
- 20.4 No person shall park a Vehicle For Hire on a Highway other than in the space reserved as a Taxicab Stand during the hours of 9 a.m. and 5 p.m., Monday to Saturday inclusive, of any week other than on a Public Holiday.
- 20.5 Notwithstanding the other provisions of this section, a Peace Officer may permit Taxicabs, while waiting for hire, to stand at a designated place to provide accommodation for the public attending any Special Function or Event.

SECTION 21: HORSE DRAWN VEHICLES

- 21.0 Every person having the charge or control of any Horse Drawn Vehicle on a Highway shall remain upon such vehicle while it is in motion, or shall walk beside the horse or horses drawing such vehicle.
- 21.1 No person shall tie a Horse to any Post, Hook or Ring or in any way across a Pavement, Boulevard, Sidewalk or Crossing so as to impede or obstruct traffic or cause danger to pedestrians.
- 21.2 Every person driving a Horse Drawn Vehicle on a Highway between 1 hour before sunset and 1 hour before sunrise shall carry on the left side of such vehicle, a Lighted Lamp or lamps plainly visible at a distance of not less than 15.2 meters from the front and 15.2 meters from the rear of such vehicle.
- 21.3 A person riding an Animal or driving an Animal Driven Vehicle on a Highway;
 - (a) has all the rights, and;
 - (b) is subject to all the duties of a Driver listed in the Traffic Safety Act. RSA 2000

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SECTION 22: EMERGENCIES

- 22.0 In any case where by reason of any Emergency or of any special circumstance which in the opinion of any Peace Officer makes its desirable and in the public interest to:
- (a) temporarily close in any area of the Town, any Highway in whole or in part to traffic or;
 - (b) temporarily suspend in any area of the Town, Parking Privileges granted by provisions of this or any Bylaw;
- 22.1 A Peace Officer may, for such period of time as they deem necessary to meet such emergency or special circumstances, take such measures for the temporary closing of such Highway or the suspension of parking privileges and place Barricades or post appropriate Notices on or near the Highway concerned as they may consider it to be necessary in the circumstances.
- 22.2 In any case of fire within the Town, any Peace Officer or member of the Fire Brigade of the Town may designate in any manner a Line or Lines near the location of the fire beyond which no member of the public shall pass, and no un-authorized person, whether on foot, or on horse or in a vehicle shall cross such line or lines.
- 22.3 The Senior Officer present of the Fire Department of the Town of Sundre or any person acting under their instruction shall have the right to move or cause to be moved any Vehicle which may deem necessary to be moved or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department of the Town of Sundre.
- 22.4 The provisions of this Bylaw regulating the operation, movement, stopping and parking of vehicles shall not apply to any Emergency Vehicle while it is responding to an Emergency call and sounding its Siren and flashing its Warning Lights, or while attending at any emergency call, this exemption shall not excuse the driver of any such vehicle from exercising due care for the safety of other traffic.
- 22.5 The provisions of this Bylaw prohibiting stopping or parking or weight limits shall not apply to:
- (a) Municipal or Provincial Utility Vehicles; or
 - (b) Vehicles of a Public Utility Corporation; or
 - (c) Wrecking Vehicles;

While such Vehicles are actually engaged in work requiring them to be operated in contravention of any of such provisions provided they have a flashing Amber Light in operation thereon on said Vehicle. This exemption shall not relieve the driver of any such Vehicle from taking due precaution to indicate the presence of such Vehicle on any Highway while still parked or stopped.

- 22.6 Use of Flashing Green Lights;
- a) Full-time or Volunteer Firefighters 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; and
 - b) No person other than a Full-Time or Volunteer Firefighter shall operate a Lamp that produces intermittent flashes of green light; and
 - c) 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 R.S.A 2000,

SECTION 23: MINIMUM AND SPECIFIED PENALTIES

- 23.0 The minimum and specified penalties for a violation of any provision of this Bylaw are shown in Schedule A of this Bylaw.

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SECTION 24: SEVERABILITY

24.0 Each provision of this Bylaw is independent of all other provisions. If a Court of Competent Jurisdiction declares any such provision invalid, all other provisions of this Bylaw will remain valid and enforceable.

SECTION 25: STRICT LIABILITY OFFENCE

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

SECTION 26: REPEALED

26.0 Upon third and final reading of this Bylaw and acceptance of its entirety, Bylaw No. 765 is hereby repealed.

SECTION 27: EFFECTIVE DATE

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

READ a first time in Council this September 8th, 2003.

Mayor

Nita A Bartholm
Chief/Administrative Officer

READ a second time in Council this September 29th, 2003.

READ a third time and finally passed in Council this November 10th, 2003.

Mayor

Nita A Bartholm
Chief Administrative Officer