

**BYLAW 7-2014
OF THE
TOWN OF VERMILION
(hereinafter referred to as the "Municipality")
IN THE PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE TOWN OF VERMILION TO
REGULATE TRAFFIC SAFETY WITHIN THE CORPORATE
LIMITS OF THE TOWN OF VERMILION**

WHEREAS, the Traffic Safety Act reads that “the Council of a Municipality may, with respect to a highway under its direction, control, and management, make Bylaws that are not consistent with this Act,”

WHEREAS, the Municipal Government Act gives the Municipality the power to enact Bylaws and impose fines and penalties for infractions of those Bylaws;

NOW THEREFORE, the Municipal Council of the Town of Vermilion, Alberta, duly assembled,

PART 1: DEFINITIONS

Section 101

This Bylaw may be cited as the “Traffic Safety Bylaw,” in this Bylaw; except where otherwise defined or specified:

- 1.1 **“ACT”** means the Traffic Safety Act RSA 2000c Chapter T-6 and the Off- Highway Vehicle Regulations 319/2002 Amendments Alberta Regulations 148/2003 as amended or repealed and replaced from time to time.
- 1.2 **“ALLEY”** means a narrow highway providing access to rear of a building(s) and parcel(s) of land.
- 1.3 **“BICYCLE”** means any cycle propelled by human power upon which a person may ride, regardless of size or the number of wheels it has.
- 1.4 **“BOULEVARD”** means, in an urban area, that part of a highway that:
 - 1.4.1 Is not a highway; and
 - 1.4.2 Is part of the sidewalk that is not especially adapted for the use of or ordinarily used by pedestrians.
- 1.5 **“CAO”** means the Chief Administrative Officer appointed by the Council of the Town of Vermilion, Alberta, or the Director(s) or Department(s) designated by the Chief Administrative Officer.
- 1.6 **“COMMERCIAL VEHICLE”** means a commercial vehicle as defined by the Traffic Safety Act, and includes any vehicle from which sales are made of goods, wares, merchandise, or commodities, or a Vehicle by which delivery is made of goods, wares, services, merchandise, or commodities to a purchaser or consignee thereof.
- 1.7 **“COUNCIL”** means the Municipal Council of Vermilion, Alberta.
- 1.8 **“CROSSWALK”** means:
 - 1.8.1 That part of the highway at an intersection included within the connection of the lateral line of the sidewalks on either sides of the highway measured from the curbs, or

- 1.8.2 Any part of the highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by markings on the road surface.
- 1.9 **“CURB”** means the actual curb if there is one, and if there is no curb in existence, it shall mean the division of a highway between the highway and the sidewalk or boulevard, as the case may be.
- 1.10 **“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 Goods Transportation and Handling Act, R.S.A. 2000, c.D-4, as amended or repealed and replaced from time to time.
- 1.11 **“DISABLED PERSON VEHICLE”** means a vehicle identified as such, by either an Alberta disabled person’s license plate or an Identification Placard, clearly displayed in the vehicle, bearing the international symbol of the disabled.
- 1.12 **“EMERGENCY LANE”** means all that portion of a highway used to provide access to buildings by emergency vehicles, and so marked by signs stating “Fire Lane” or “Emergency Lane”.
- 1.13 **“EMERGENCY VEHICLE”** means:
- 1.13.1 A vehicle operated by a police service;
 - 1.13.2 A fire fighting or other type of vehicle operated by a fire protection service;
 - 1.13.3 An ambulance by a person or organization providing ambulance services;
 - 1.13.4 A vehicle operated as a gas/electrical disconnection unit of the public utilities;
 - 1.13.5 A vehicle designated as an emergency response unit, pursuant to the regulations under the Traffic Safety Act;
- 1.14 **“FIREARM”** means a firearm as defined in the Criminal Code of Canada R.S.A. 1985, c.C-46.
- 1.15 **“FIRE CHIEF”** means a person appointed as the head of the Fire Department by Council of the Town of Vermilion.
- 1.16 **“FIRE POINT LINE”** means a temporary line established by the Fire Chief, Peace Officer, or the on-scene Commander of an emergency response, beyond which, no person shall pass.
- 1.17 **“HANDICAP PARKING STALL”** means:
- 1.17.1 The CAO is hereby authorized to establish, sign or otherwise designate such parking stalls or zones within the Municipality as he/she deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Province of Alberta.
 - 1.17.2 In accordance with the provisions of the Municipality’s Land Use Bylaw, the owner, tenant, occupant, or person in control of private property within the Municipality to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Province of Alberta. The signage or markings used to so designate such parking spaces shall be in a form similar to that approved and used by the CAO (Schedule 1).

- 1.18 **“HEAVY VEHICLE”** means a Vehicle, with or without load, exceeding anyone of the following:
- 1.18.1 eight (8) metres in length; and
 - 1.18.2 a maximum allowable weight of 4025 kilograms, but does not include recreational vehicles.
- 1.19 **“HELMET”** means a protective device intended to be worn on the head that must meet the Canadian Standards Association, and/or American Standards Institute and/or SNELL guidelines for head protection for activities including but not limited to operating a Motorcycle or Bicycle. Helmet must include labelling of certifying agency.
- 1.20 **“HIGHWAY”** means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether public alley or privately owned, and part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- 1.20.1 A sidewalk, including boulevard portion;
 - 1.20.2 If a ditch lies adjacent to and parallel with, the highway, the ditch, and;
 - 1.20.3 If a highway right of way is contained between fences or between a fence and one side of the highway, is contained between the fences, or all the land between the fence and the edge of the highway as the case may be, but does not include a place declared by regulation not to be a highway;
 - 1.20.4 Any other definition as prescribed in the Traffic Safety Act.
- 1.21 **“HOLIDAY”** means any Statutory Holiday as recognized by the Municipality, including but not limited to the following: New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Annual Civic Holiday (1st Monday in August), Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.
- 1.22 **“IDENTIFICATION PLACARD”** means a placard issued by the Province of Alberta for the purpose of identifying a vehicle as operated or use by a disabled person.
- 1.23 **“INTERSECTION”** means the area embraced within the correction or prolongation of:
- 1.23.1 The lateral curb lines; or if none
 - 1.23.2 The exterior edges of the highways, of two or more highways which join one another at an angle whether or not one highway crosses the other.
- 1.24 **“LAND USE BYLAW”** means the Town of Vermilion Land Use Bylaw, as amended or repealed and replaced from time to time.
- 1.25 **“MINIATURE MOTOR VEHICLE”** means a motor vehicle other than a motorcycle, having specifications prescribed by the regulations in the Alberta Traffic Safety Act.
- 1.26 **“MINI-BIKE”** means a motorcycle having specification prescribed by the regulation in the Alberta Traffic Safety Act.
- 1.27 **“MOBILITY AID”** means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability. A mobility aid user is by definition considered a pedestrian. All rules that apply to pedestrians also apply to individuals operating a mobility aid. Mobility aids may include, but not limited to items such as wheel chairs, electric driven wheel chairs, or scooters.

- 1.28 **“MOPED”** means a vehicle that is propelled by an electric motor or an engine that has a displacement of not more than 50 cubic centimetres, and 1.29.1 is a limited-speed motorcycle under the Motor Vehicle Safety Regulations (Canada) (C.R.C., c. 1038): Interpretation 2.(1).
- 1.29 **“MOTOR CYCLE”** means a motor vehicle, other than a Moped, that is mounted on two or three wheels and includes those motor vehicles known in the automotive trade as motorcycles and scooters, as defined in the Traffic Safety Act.
- 1.30 **“MGA”** means the Municipal Government Act RSA 2000, c. M-26, as amended or repealed and replaced from time to time.
- 1.31 **“OBSTRUCTION”** means an encroachment, excavation, structure, or other obstacle including but not limited to: trees, shrubs, signage (permanent or non-permanent) that:
- 1.31.1 Interferes with or prevents the vision, passage, maintenance or use of public space by a vehicle or pedestrian or;
 - 1.31.2 Interferes with or prevents the proper work operations of Municipal employees, Municipal contractors, or Alberta Transportation staff.
- 1.32 **“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:
- 1.32.1 Four wheel drive vehicle;
 - 1.32.2 Low pressure tire vehicles;
 - 1.32.3 Motor cycles and related 2-wheel vehicles;
 - 1.32.4 Amphibious machines;
 - 1.32.5 All terrain vehicles;
 - 1.32.6 Utility terrain vehicles;
 - 1.32.7 Miniature motor vehicles;
 - 1.32.8 Snow vehicles;
 - 1.32.9 Mini-bikes, and
 - 1.32.10 Any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats.
- 1.33 **“OPERATOR”** means the registered Owner thereof or if not the registered Owner, the Person driving or in the position of control over the Vehicle;
- 1.34 **“OWNER”** means, in the case of a vehicle, the person named on the certificate of registration or any person who is renting or leasing the vehicle. In the case of land, an Owner means any person who is registered under the Land Titles Act R.S.A. 2000, Chapter L-4, and subsequent amendments, as the owner of the land.
- 1.35 **“PARADE OR PROCESSION”**, with the exception of a military parade or funeral procession, means any group of:
- 1.35.1 More than 50 pedestrians;
 - 1.35.2 More than 10 vehicles; or
 - 1.35.3 Any combination of pedestrians, animals, or vehicle which together exceed 50 in number on a highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or vehicle traffic on the highway.

- 1.36 **“PARK”**, when prohibited, means to allow a vehicle occupied or not, to remain standing in one place, accepting the following:
- 1.36.1 When standing temporarily for the purpose of and while actually engaged in loading and unloading passengers; or
 - 1.36.2 When standing in obedience to a peace officer or a traffic control device.
- 1.37 **“PASSENGER LOADING ZONE”** shall mean a space on a 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 fifteen (15) minutes or less. The traffic control device shall indicate the time or times when the space is restricted to these purposes.
- 1.38 **“PEACE OFFICER”** means a member of the royal Canadian Mounted Police, or a Community Peace Officer appointed by the Municipality (pursuant to the provisions of the Police Act R.S.A. 2000 c.P-17, as amended, repealed, and replaced from time to time, and/or appointed by the Municipality, pursuant to the Municipal Government Act.
- 1.39 **“PEDESTRIAN”** means a person on foot, or a person in or on a Mobility Aid.
- 1.40 **“PERMIT”** means an authorization issued by the CAO and/or designate pursuant to this or any other Bylaw of the Municipality.
- 1.41 **“PERSON”** means any individual, corporation, society, association, partnership, or firm.
- 1.42 **“PLAYGROUND ZONE”** means that portion of a Highway within the Town falling between two Traffic Control Devices, or that portion of a Highway falling within fifteen (15) metres of either side of a single Traffic Control Device, marking the portion of Highway as a Playground Zone.
- 1.43 **“POSTED”** to erect, place, or mark with Traffic Control Devices.
- 1.44 **“PRIVATE PROPERTY”** means any property within the Town not owned by or occupied by the Government of Canada, the Government of Alberta or by the Municipality, except as otherwise indicated by express provision of this By-Law;
- 1.45 **“PROVINCIAL OFFENCES PROCEDURE ACT”** means the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended or appealed and replaced from time to time.
- 1.46 **“PUBLIC PLACE”** means any highway, park land, recreation area, footway, court, passageway, whether a thoroughfare or not, and includes but is not limited to, any open space to which the public has or may have access to, owned by or under the direction, control and management of the Municipality.
- 1.47 **“RECREATIONAL VEHICLE”** means a vehicle or trailer that provides temporary accommodation for recreation or travel purposes and includes any motor home, travel trailer, fifth wheel trailer, a camper when it is not mounted on a truck, but placed on the ground, a stand or otherwise stored, or any similar vehicles, but does not include small utility trailers, camper van conversions, tent trailers, campers mounted on trucks, off-road vehicles, or watercraft and trailers to transport them, unless they are being used as a dwelling unit, in which case they will be considered Recreational Vehicles for the purposes of this Bylaw.

- 1.48 **“SCHOOL BUS”** means a bus that transports students from home to school, school to home, or school-sponsored events and includes buses or vans that are equipped to facilitate students with disabilities.
- 1.49 **“SCHOOL ZONE”** means a school area designated and identified through signs where the speed limit is 30 km/hour from 7:30 am to 4:30 pm on school days from September 1 to June 30 or as otherwise posted.
- 1.50 **“SIDEWALK”** means that part of the highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line thereof (on the edge of the highway where there is no curb line), and the adjacent property line, whether or not paved or improved.
- 1.51 **“SIGN HEIGHT”** means the vertical distance measured at right angles from the highest point of the sign or sign structure to the grade below or when required to the grade level of the highway.
- 1.52 **“STOP”** means:
- 1.52.1 When required, a complete cessation from vehicular movement; and
- 1.52.2 When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control device.
- 1.53 **“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.
- 1.54 **“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, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.
- 1.55 **“TRANSIT VEHICLE”** means a Vehicle used for public transportation including school buses.
- 1.56 **“TRUCK LOADING AND UNLOADING ZONE”** means a space on a portion of a highway designated by the Municipality, and marked by a sign, for the purpose of loading and unloading for a period as indicated by the said sign. For the purposes of this definition, truck means any vehicle licensed under the Traffic Safety Act as a public service, commercial, or heavy vehicle.
- 1.57 **“TRUCK ROUTE”** means those highways within the Municipality designated as a truck route by the Municipality, on Schedule I of this Bylaw.
- 1.58 **“VEHICLE”** means a device under 4,025kg in, on, or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.
- 1.59 **“VIOLATION TAG”** means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act.
- 1.60 **“VIOLATION TICKET”** means a ticket issued pursuant to Part II or III as applicable, of the Provincial Offences Procedure Act, and the regulations there under.
- 1.61 **“WHEELED APPARATUS”** means any type of equipment that utilizes wheels for movement.

- 1.62 **“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.

PART II: STANDARD VEHICLE PARKING

Section 201 Marked Parking Space

Where a vehicle parking space upon the highway is designated, an operator using the same space shall park the vehicle wholly within the limits of the space. The CAO is hereby authorized to designate portions of any highway where parking is limited to a period of time and shall cause signs to be erected indication such parking limitations.

Section 202 Prohibited Parking/Construction

No person shall park a vehicle for any period of time whatsoever at the following locations:

- 1.1 upon any portion of a highway adjacent to any structure in the course of erection or repair when such parking will impede or obstruct traffic;
- 1.2 in any truck loading or unloading space marked by a sign indicating the restrictions which apply hereto except a commercial vehicle lawfully engaged in loading or unloading materials. Notwithstanding the foregoing, such space may be used on a Sunday or any holiday or at times other than those restricted by the sign.
- 1.3 in the entranceway to any fire hall, police station, or ambulance station or any fire lane marked as such;
- 1.4 where the vehicle may in any way interfere with the use of a doorway intended as a fire emergency exit/access from any building abutting the highway;
- 1.5 at a place or area where the sign indicated that parking there is restricted to a certain class of vehicle. For the purpose of this subsection, the following classes of vehicles are established:
 - 1.5.1 small cars: cars having a wheelbase of 270 centimeters or less;
 - 1.5.2 police, fire, ambulance, and other emergency vehicles;
 - 1.5.3 tour buses;
 - 1.5.4 funeral cars;
 - 1.5.5 school buses;
 - 1.5.6 taxi cabs;
 - 1.5.7 vehicles displaying a handicapped placard or license plate.

Section 203 No Parking Snow Removal/Street Cleaning

Notwithstanding any other provision in this Bylaw, the CAO may cause moveable signs to be placed on or near a highway within the Municipality prohibiting parking of any vehicle for the purpose of snow removal, street cleaning, flushing, or road repair. Signs shall be placed at the entrance/exit of a cul-de-sac or highway so that signs are clearly visible. Such signs shall be posted a minimum of 24 hours prior to the commencement of such work being done, and shall at a minimum have wording indicating “NO PARKING”. The Municipality may remove or cause to be removed any unauthorized structure or other object and the charges for removal and storage of any such structure or object shall be paid by the owner or other responsible person and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this section.

Section 204 Parked Vehicles

Except where actually taking or discharging passengers, no person shall park a vehicle:

- 1.1 in a passenger loading space marked with a sign;
- 1.2 on a portion of a highway marked by a sign as “No Parking”;
- 1.3 upon a highway in front of, adjacent to or abutting any building, structure, place or premises, in the course of construction or repair, when such parking will impede or obstruct traffic;
- 1.4 in a bus zone except buses.

Section 205 Alley Parking

No person shall park a vehicle in an alley unless a traffic control device permits, excepting the following:

- 1.1 the loading or unloading of goods from a commercial and/or private vehicle for a period not exceeding 30 minutes;
- 1.2 the loading and unloading of passengers from a vehicle for a period not exceeding 5 minutes.

Notwithstanding provisions in Section 205 Subsection 1.1 and 1.2, no person shall park a vehicle in such a manner to obstruct passage of other vehicles in the alley.

Section 206 Private Property/Private Parking Lots

- 1.1 No person shall park or leave a vehicle on private land which has been clearly marked by a sign erected by the landowner, tenant, occupant, or person in charge of the private land.
- 1.2 No person shall park or leave a vehicle that is parked on private property without the consent of the owner of the property or on a highway in a manner that obstructs a private driveway as per the *Traffic Safety Act* RSA 2000c Chapter T-6.

1.3 Section 207 Municipal Property

No person shall park a vehicle upon any land owned by the Municipality unless designated by a traffic control device.

Section 208 MUNICIPAL PARKING LOTS

No person shall park their vehicle on a municipally owned parking lot in contravention of the prohibitions stated on a traffic control device placed in the said lot.

PART III: SPECIAL CLASSES OF VEHICLES (PARKING AND OTHER REGULATIONS)**Section 301 Unattached Trailers**

- 1.1 No person shall park any trailer upon any highway, unless the said trailer is attached to a vehicle by which it may be propelled or drawn, and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles unless otherwise authorized by the CAO.

- 1.2 No person shall occupy or suffer or permit any person to occupy a recreational vehicle upon a highway or upon public property unless such property has been designated for use as a mobile home or trailer park.
- 1.3 No person shall place or cause to be placed, any unauthorized structure or object on or which projects into or obstructs the use of any highway, sidewalk or boulevard.
- 1.4 The Municipality may remove or cause to be removed any unauthorized structure or other object in Section 301 Subsection 1.1 and the charges for removal and storage of any such structure or object shall be paid by the owner or other responsible person and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this section.
- 1.5 Notwithstanding Section 301 Subsection 1.1 an Owner or Operator of a Vehicle and Trailer or Recreational Vehicle shall not Park the Vehicle and Trailer or Recreational Vehicle on a Highway or Roadway for more than forty-eight (48) consecutive hours.
- 1.6 Notwithstanding Section 301 Subsection 1.1, an Owner or Operator of a Trailer for which the Trailer registration shows a Town of Vermilion address, shall not park the Trailer on a Highway in the Town except in the area of the roadway immediately adjoining the owner or operator's place of residence and for no more than twenty-four (24) consecutive hours following which the owner or operator shall move the trailer to an off-highway location for a period of not less than six (6) consecutive days before the Trailer may be parked again in the area of the roadway immediately adjoining the owner or operator's place of residence.
- 1.7 An Owner or Operator of a Vehicle and Trailer or Recreational Vehicle shall not be entitled to rely upon the provisions of Sections 301 Subsections 1.5 and 1.6 more than twice in any seven (7) day period commencing from the date that the Vehicle and Trailer or Recreational Vehicle is first observed to be Parked in accordance with Section 301 Subsection 1.1.
- 1.8 Notwithstanding Section 301 Subsections 1.5 and 1.6, an Owner or Operator of a Vehicle and Trailer or Trailer or Recreational Vehicle shall not Park the Vehicle and Trailer or Trailer or Recreational Vehicle or any part thereof on a Roadway, Highway or Highway right-of-way if, in the opinion of a Peace Officer, the Vehicle and Trailer or Trailer or Recreational Vehicle constitutes an obstruction, presents a safety concern or otherwise impedes the progress of other uses of the Roadway, Highway or Highway right-of-way.

Section 302 Angle Parking

No person shall angle park a vehicle upon any highway unless such parking is permitted by a traffic control device. No person shall park any vehicle or vehicle and trailer combination exceeding six (6) meters in overall length within any angle parking stall on a highway.

Section 303 Heavy Vehicle Parking

No person shall park a vehicle or a vehicle with any type of trailer attached thereto upon any highway if the vehicle or vehicle and trailer can be defined as a heavy vehicle except when:

- 1.1 loading or unloading goods to or from premises abutting such highway provided that during a period of restricted visibility the vehicle or vehicle and trailer shall have front and rear parking lights illuminated;

- 1.2 parked on a truck route for a period not exceeding 72 hours or as otherwise posted by a Traffic Control Device.

Section 304 Tracked Vehicles

Unless written consent is given by the CAO, no person shall operate on a highway:

- 1.1 a vehicle or trailer having metal spikes, logs or cleats, or bands projecting from the surface of its wheels or tires; or
- 1.2 any vehicle or trailer having skids or not using a triple grouser or flat surface tracks.

Section 305 Truck Route

- 1.1 No person shall operate or park a commercial or heavy vehicle on a highway other than a highway specified in Schedule I hereof, except when:
- 1.1.1 delivering or picking up goods from a location; or
- 1.1.2 mechanical problems dictate.

If deliveries are made off a truck route the operator must use the most direct route.

Section 306 Use of Retarder Brakes

The use of retarder brakes is prohibited within the limits of the Municipality.

Section 307 Off-Highway Vehicles

- 1.1 Provisions and Infractions
- 1.1.1 Operating Restrictions
- i. No person shall operate an off highway vehicle within the limits of the Municipality.
- ii. An operator of an off highway vehicle shall immediately, on being signaled; or requested to stop by a Peace Officer, bring his or her vehicle to a stop, and furnish any information respecting the driver or the vehicle that the Peace Officer requires and shall not start his or her vehicle until he or she is permitted to do so by the Peace Officer.
- iii. An owner who permits another person to operate the owner's off highway vehicle or an off highway vehicle of which the owner has exclusive use, in contravention of this Bylaw is guilty of an offence.
- 1.1.2 An owner of a property from which an off highway vehicle has been used in contravention of this Act or any other Provincial Act is in contravention of this Bylaw is guilty of an offence.
- 1.2 Exemptions and Allowances
- 1.2.1 Permissions granted by the CAO
- i. No person shall be in contravention of a specific provision of this Bylaw if written permission has been granted for the contravention by the CAO in advance.
- ii. Permits can also be provided for those private individuals who, for the purpose of snow removal, travel from sidewalk to sidewalk in the spirit of community service.
- iii. Permits and special permissions may be granted by the CAO for the use of off highway vehicles for special events, emergencies, parades run by organizations.

1.2.2 Employees, Servants, and Agents

- i. The employees, servants, and agents of the Municipality, while acting in the course of their employment and duties, are exempt from the provisions of this Bylaw.
- ii. During an emergency, disaster or search and rescue operation with the Municipality, the provisions of this Bylaw may be waived, suspended or varied by the Director of Emergency Management or their designate.

Section 308: Operation of School Buses

- 1.1 No person shall operate or park a School Bus, as defined by the Traffic Safety Act, R.S.A. 2000, c.T-6, School Bus Operation Regulation 437/86 as amended, in excess of 6.7 meters in overall length, off the Town of Vermilion scheduled Truck Route except while transporting pupils to or from a school or school event.
- 1.2 Alternately flashing warning lamps shall be used when a school bus is stopped to load or unload passengers on a highway within the Municipality.
- 1.3 No person shall activate the alternately flashing warning lamps of a school bus in a school bus loading zone located on or adjacent to school grounds.

PART IV: RIGHTS AND DUTIES OF PEDESTRIANS

Section 401 No Crowding or Jostling

No pedestrian shall crowd or jostle other pedestrians in such a manner as to create or cause discomfort, disturbance, or confusion.

Section 402 Obstruction Highway

- 1.1 No person shall stand in a group of 3 or more persons or so near each other on a highway as to obstruct or prevent other persons using such highway. Once a Peace Officer or another person duly authorized has made a request to disperse, then all shall disperse and move away.
- 1.2 No person shall place or caused to be placed an obstruction of any kind along a highway as defined within the Bylaw or within its right-a-way except where written permission has been given by the CAO or where specific guidelines/exemptions have been met.
- 1.3 The Municipality maintains the right to remove any obstruction that is viewed as a hazard or impedes the use of a highway for vehicle or pedestrian use that affects:
 - 1.3.1 sight lines,
 - 1.3.2 is in a condition of disrepair, or
 - 1.3.3 where approval requirements have not been met.
- 1.4 In addition to any other enforcement actions required, a person upon notification must take actions to remove or rectify the condition immediately within any timeline assigned by the authorized agents of the municipality and failure to do so, all costs needed to render the condition safe or repaired by the Municipality will then be applied as a debt owing to the Municipality by the person placing or causing the obstruction.

Section 403 HITCHHIKING

No person shall stand upon or walk along a highway for the purposes of soliciting ride from the driver of any vehicle.

PART V: SIDEWALKS/TRAILS

Section 501 Riding on Sidewalk/Trails

- 1.1 No Person shall operate a wheeled apparatus in reckless manner on a sidewalk which in the opinion of a Peace Officer would be seen as causing a risk to other Pedestrians. (Bicycles, Skateboards, Scooters, etc.)
- 1.2 All persons under the age of 18 must wear an approved helmet when operating a bicycle.

PART VI: DELEGATED AUTHORITY TO THE CAO

Section 601 General

The CAO is hereby authorized to delegate the authority to prescribe where traffic control devices are to be located.

The provisions of this Bylaw do not apply to the following vehicles:

- 1.1 emergency vehicles;
- 1.2 school buses, when authorized or buses for the handicapped, while transporting, loading, or unloading passengers during the ordinary course of business;
- 1.3 is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading;
- 1.4 is a recreational vehicle.

Section 602 Highway Closing

Subject to provisions and processes outlined in the current *Municipal Government Act* of Alberta, Council may designate any Municipal highway as one which is closed. In such cases, the CAO shall cause said highway to be marked as closed.

Section 603 Temporary Highway Closing

Subject to the *MGA* and any other *Act*, the CAO is hereby authorized to designate any highway as one that is closed temporarily in whole or in part, and shall cause the highway to be marked as such with Traffic Control Devices. All road closures must be vetted through the CAO to ensure protective services are advised of the closure.

Highway 41 is Provincial jurisdiction and does require approval by Alberta Transportation in conjunction with the Municipality if an organization or group requests to close the road.

Section 604 Traffic Lanes

The CAO is hereby authorized to designate any Municipal highway as one to be divided into traffic lanes of such number as they consider proper.

Section 605 School and Playground Zones

The CAO is hereby authorized to designate, "SCHOOL ZONES" and "PLAYGROUND ZONES".

Section 606 Speed Limits

The CAO is authorized to designate vehicle speed limits on Municipal highways or a portion of a highway, and the CAO shall cause such speed limits to be marked.

Section 607 Boulevard Parking

The CAO is hereby authorized to designate any boulevard upon which parking is permitted and shall cause signs permitting such parking to be erected there on.

Section 608 Passenger and Truck Loading

The CAO is hereby authorized to designate passenger and truck loading and unloading spaces and shall cause the same to be marked.

Section 609 Bus Stops

The CAO is hereby authorized to designate transit zones and shall cause the same to be marked.

Section 610 Truck Routes

When the CAO has approved any highway or part of a highway being designated for "TRUCK ROUTES" and such highway description is recorded in Schedule I of this Bylaw the CAO shall cause the same to be marked with signs reading "TRUCK ROUTE".

Section 611 Load Limits

The CAO is hereby authorized in case of unfavourable road conditions, to limit load limits upon Municipal highways.

Section 612 Private Driveways

The CAO is hereby authorized to prohibit or restrict by signs the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

Section 613 Medians

The CAO is hereby authorized to close any existing median or divider on any municipal highway.

Section 614 Bicycles

The CAO is hereby authorized to designate locations:

- 1.1 On public highways where the use of bicycles is prohibited and shall cause same to be marked by signs. Where the use of bicycles is prohibited by the Municipality, a reasonable alternative route shall be provided.
- 1.2 On sidewalks, walkways, and special bicycle paths where the use of bicycles is permitted unless otherwise signed by traffic control device.
- 1.3 Of Municipal highways for the use of bicycles only and to regulate the movement of bicycles upon the portion of such highway designated for the use of bicycles.

PART VII: MISCELLANEOUS

Section 701 Prohibited Conveyances

- 1.1 No person shall ice skate or skateboard upon a highway or sidewalk in such a manner as to obstruct pedestrian or vehicle traffic or as to inconvenience any other person on the highway.
- 1.2 No person shall coast on a sled, toboggan, skis, or other conveyance, except a bicycle, upon a highway excluding sidewalks/trails.

Section 702 Mobility Aid Vehicle

- 1.1 No person is required to hold a licence, insurance, or obtain registration to operate a mobility aid vehicle.
- 1.2 There is no minimum age requirement to operate a mobility aid vehicle.
- 1.3 No person is required to wear a helmet when operating a mobility aid vehicle. However, it is recommended especially when operating on uneven surfaces.

Section 703 Washing and Repairing a Vehicle

- 1.1 No person shall carry out activities upon a highway or so near a highway as to result in depositing mud or other materials, or creating slush or ice, upon a public sidewalk or highway. No person operating a premise shall allow water, mud, slush, or other materials to deposit on a public sidewalk from a highway.

Section 704 Shrubs/Fences at Intersections

- 1.1 No person shall allow trees, hedges, or shrubs on private property within 5 meters of a highway intersection, whether planted before or after the date of the passing of this Bylaw; to grow to such a height or width that good visibility for safe traffic flow is interfered with.
- 1.2 The CAO may require any person concerned to comply with the provisions of Section 706, Subsection 1.1 hereof within 14 days of written notification to do so. If the person fails to comply with such notice, the CAO may direct employees or agents of the Municipality to enter upon the private property to carry out the necessary work. In such cases, the cost of performing the required work and the pertinent fines outlined in this Bylaw will be charged to the property owner in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property owner.
- 1.3 No person shall erect, build, or place a fence, wall, or other object on private property within 6.0 meters of a highway intersection so that good visibility for safe traffic flow is interfered with.

Section 705 Signage

- 1.1 Signage compliance and risk
 - 1.1.1 Upon notice from the Municipality that any sign posing a public safety risk, is structurally damaged, has been vandalized, or is otherwise not in compliance with this Bylaw, a person responsible for the sign shall repair or remove the sign as directed, failing which, the Municipality may, without limitation to any other remedy, proceed to remove and dispose of the sign.
- 1.2 A person shall not display any goods for sale, offer any goods for sale, sell any goods, park a vehicle that is being displayed for sale, or that is displaying advertising directing persons to a commercial premises. Notwithstanding, the Municipality may order, authorize the display of

goods or the sale of goods on a highway under its direction, control, and management.

Section 706 Snow, Ice, Dirt and Debris Removal

- 1.1 All persons within the Municipality owning, controlling, or occupying property that adjoins any sidewalks shall remove or cause to be removed and cleared away all snow, ice, dirt, debris, or other materials from that part of any sidewalk adapted for the use of pedestrians. Such removal shall be completed to bare pavement standard within forty eight (48) hours of the time when the snow, ice, dirt, debris, or other material was formed or deposited thereon. In default of any person complying with this subsection, and in addition to any other remedy available to the Municipality for non-compliance with this Bylaw, the Municipality may arrange to have the sidewalk cleared. In such cases, the cost of performing the required work and the pertinent fines outlined in this Bylaw will be charged to the property owner in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property owner.
- 1.2 No person shall remove snow, ice, dirt, debris, or other materials from any sidewalks by causing such material to be placed upon any other portion of the highway, other public place adjacent to such property other than their own.
- 1.3 Every owner, occupant, or tenant of property with a land use designation other than R1, R2, R3 and RMH1 and business owners (other than businesses located on 49th Avenue, 50th Avenue, and 51st Avenue) in the Town Land Use By-Law shall not deposit any snow, ice, dirt, debris or other material removed from Private Property onto the Highways or other Public Places of the Town except as authorized in writing by the Municipal Manager or his or her delegate.
- 1.4 No person shall place, or permit to be placed, any snow, ice, dirt, debris, or other material removed from the highway, private land, or other public places within the Municipality onto another highway, or other public place within the Municipality, or onto private property other than their own. In default, or any person not complying with this subsection, and in addition to any other remedy available to the Municipality for non-compliance with this Bylaw, the Municipality may arrange to have the highway, public, or private property cleared. In such cases, the cost of performing the required work and the pertinent fines outlined in this Bylaw will be charged to the property owner in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property owner.
- 1.5 Where, in the opinion of a Peace Officer, or other Person authorized to enforce this By-Law, a sidewalk has become dirty or otherwise covered in debris to an extent such as to be unsightly or pose a danger to any Person, the Peace Officer or other Person authorized to enforce this By-Law may issue an Order pursuant to Section 545 of the Municipal Government Act ordering the Owner or Owner and Occupant of the property to take such steps are necessary to clean the portion of the sidewalk abutting their property or to take such other steps as are necessary to remove the danger to the public. Nothing in this Section shall prohibit a municipality from issuing a Violation Tag or Violation Ticket pursuant to this By-Law against the Owner or occupant of such premises.

Section 707 Roofs, Eaves, and Awnings

- 1.1 Every property owner of any highway or public place shall ensure that any accumulation of snow or ice on the roof or eaves of such building that accumulates to an extent where there is a danger to people passing is

removed or caused to be removed at once. Every person while removing the same shall take due and proper care and precaution for the warning and safety of persons passing.

- 1.2 Any premise owner with an awning extending over a highway or portion thereof shall keep the awning free from snow or ice.
- 1.3 If water drips from an awning upon a highway the owner of the premises shall clean the sidewalk or highway portion thereof to prevent ice from forming thereon.

Section 708 Firearms

- 1.1 No Person shall carry any loaded or unloaded Firearm of any kind or description within any Public Place within the Town.
- 1.2 No Person shall discharge a Firearm of any kind or description within the Corporate Limits of the Town of Vermilion without the written consent of the CAO.
- 1.3 Sections 1.1 and 1.2 shall not apply to any Person having lawful authority pursuant to any Federal or Provincial Statute or Regulation, to carry Firearms in the ordinary course of the exercise of their duties and responsibilities.
- 1.4 Sections 1.1 and 1.2 shall not apply to any Person transporting in the most direct route to or from a Firearm retail sales or maintenance place or transporting to or from or discharging a Firearm at an authorized shooting range or gun club or any similar facility, designated and operated as such in accordance with the Town's Land Use Bylaw and all Federal, Provincial, and Municipal Laws and Regulations.

PART VIII: POWERS OF PEACE OFFICERS

Section 801 Removals and Impoundments of Vehicles

- 1.1 Any Peace Officer is hereby authorized to remove or cause to be removed from a Municipal highway any vehicle or Recreational Vehicle:
 - 1.1.1 parked in contravention of a provision of this Bylaw;
 - 1.1.2 parked in contravention of the Traffic Safety Act R.S.A. 2000c Chapter T-6
 - 1.1.3 when emergency conditions require such removal;
 - 1.1.4 where such vehicle is obstructing an area where road maintenance is occurring or about to occur.
- 1.2 Such vehicle may be removed to a place designated by the CAO and will remain impounded until claimed by the owner. The owner of the vehicle or recreational vehicle shall be responsible for all costs associated with the removal, impoundment, and storage, as well as any pertinent fines outlined in this Bylaw.
- 1.3 Notwithstanding anything else in this Bylaw, where portable "No Parking" signs have been placed on or near a highway by the Municipality or with permission of the Municipality, the Peace Officer or RCMP may tow any vehicles parked in contravention of those signs at the expense of their owner and park the same on an adjacent highway without impounding the vehicles, after the expiration of twenty-four (24) hours from the time the portable "No Parking" signs are erected.
- 1.4 The Peace Officer or other Person authorized to enforce this By-Law may issue an Order pursuant to Section 545 of the Municipal Government Act

ordering the Owner or Owner and Occupant of the property to take such steps are necessary to clean the portion of the sidewalk abutting their property or to take such other steps as are necessary to remove the danger to the public. Nothing in this Section shall prohibit a municipality from issuing a Violation Tag or Violation Ticket pursuant to this By-Law against the Owner or occupant of such premises.

Section 802 Violation Tickets and Penalties

- 1.1 Where a Peace Officer believes that a person has contravened any provision of this Bylaw, he/she may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
- 1.2 Any person who is issued a violation ticket for contravention of this Bylaw shall immediately discontinue the offence to avoid prosecution for a second offence.
- 1.3 Ticket Evidence of Service
 - 1.3.1 A violation ticket shall be deemed to be sufficiently served when done so in compliance with the *Provincial Offences Procedure Act* 2000 Ch. P-34.
 - 1.3.2 An offence notice shall:
 - i. indicate the specified penalty for the offence;
 - ii how and when the defendant may respond to the offence notice, and
 - iii. that the defendant may be convicted in the defendant's absence without a hearing if the defendant fails to respond to the violation ticket by the initial appearance date indicated on the offence notice or if the defendant pleads not guilty and fails to appear in court in person or by an agent on the defendant's trial date.
 - 1.3.3 An offence notice shall be served on a defendant:
 - i. in the case of a defendant who is an individual, by delivering it personally to the defendant;
 - ii. in the case of a defendant that is a municipality by delivering it personally to the chief elected official or CAO of the municipality;
 - iii. in the case of defendant that is a corporation other than a municipality or Metis Settlement:
 - by sending it by single registered mail to the registered office of the corporation; or
 - by delivering it personally to the manager, secretary, or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address.
 - 1.3.4 Where an offence notice is mailed to a defendant and the date of the mailing of the offence notice is set out in the related certificate of offence.
 - 1.3.5 That offence notice is in the absence of evidence to the contrary deemed to have been served on the defendant on the seventh day from the date of mailing as set out in the certificate of offence.
- 1.4 Evidence of Service
 - 1.4.1 If an offence notice is served by the Peace Officer who issued it, the Peace Officer shall complete and sign a certificate of service on the violation ticket that the Peace Officer personally served the offence notice on the person charged and the Peace Officer shall indicate the date of service;

- 1.4.2 a certificate of service does not need to be sworn; and
- 1.4.3 service is posted in a conspicuous place on the land referred to on the notice.

1.5 Penalty Provisions

1.5.1 The operator of an off highway vehicle that is involved in a contravention of this Bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule II of the Bylaw and.

Section 805 Penalties

Any person who commits a breach of any of the provisions of this Bylaw shall on conviction for such a breach be liable to a violation as prescribed in the Municipality Bylaws as amended from time to time.

Section 806 Onus of Proof

Where a vehicle is driven, used, parked, or left in contravention of any provision of this Bylaw, the owner of the vehicle is responsible for the contravention and liable to the penalty provided herein unless proven to the satisfaction of the Provincial Judge trying the case that at the time of the contravention the vehicle was not driven, used, parked, or left by any person.

Section 807 Severability

If any section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such section or parts shall be deemed to be severable and all other section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

That Bylaw 16-2004 and 15-2011 are hereby rescinded.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____,
2014

Mayor

Town Manager

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____,
2014

Mayor

Town Manager

READ A THIRD TIME IN COUNCIL THIS ____ DAY OF _____,
2014

Mayor

Town Manager

**SCHEDULE I
TRUCK ROUTES**

1. On 52nd Street from South Corporate Limits to North Corporate Limits.
2. On 47th Avenue from 32nd Street to Beckie Scott Trail.
3. On 44th Street from 47th Avenue to 52nd Avenue.
4. On Railway Avenue from 38th Street to 53rd Street.
5. On 53rd Street from Railway Avenue to 50th Avenue.
6. On 50th Avenue from 52nd Street to 53rd Street.
7. On 48th Avenue from 32nd Street to 41st Street.
8. On 41st Street from 48th Avenue to Railway Avenue.
9. On 40th Street from 48th Avenue to 52nd Avenue.
10. On 52nd Avenue from 39th Street to 44th Street.
11. On 39th Street from Railway Avenue to 47th A Avenue.
12. On 47th A Avenue from 38th Street to 41st Street.
13. On 32nd Street from 47th Avenue to 48th Avenue.
14. On 45th Street from 46th Avenue to 47th Avenue.
15. On 46th Avenue from 45th Street to 47th Street.
16. On 47th Street from 46th Avenue to 47th Avenue.

DANGEROUS GOODS ROUTES

1. On 52nd Street from South Corporate Limits to North Corporate Limits.
2. On 47th Avenue from 32nd Street to 52nd Street.

**SCHEDULE II
FINES**

Bylaw Section	Section Heading	Specified Penalty	Second or Subsequent offence in same calendar year	Third or Subsequent Offence in the same calendar year
Section 201 – 208	Standard Vehicle Parking	\$ 80.00	\$ 80.00	\$ 80.00
Section 301 – 303	Unattached Trailers/ Angle Parking/ Heavy Vehicle Parking	\$100	\$200	\$300
Section 304 – 306	Tracked Vehicles/ Truck Route/ Use of Retarder Brakes	\$200	\$200	\$200
Section 307	Off-Highway Vehicles	\$150	\$300	\$450
		**In default of payment is liable to imprisonment for a term not exceeding six months		
Section 401 – 407	No Crowding or Jostling/ Obstructing Highway/ Hitchhiking	\$ 50	\$ 50	\$ 50
Section 501	Reckless Operating on Sidewalk/ No Helmets	\$ 50	\$ 50	\$ 50
Section 701 – 704	Prohibited Conveyance/ Mobility Aid Vehicle/ Washing & Repairing a Vehicle/ Shrub/ Fences at Intersections	\$ 50	\$ 50	\$ 50
Section 705	Signs	\$100	\$100	\$100
Section 706 – 707	Snow, Ice, Dirt, and Debris Removal/ Roofs, Eaves, and Awnings	\$ 80	\$160	\$250
Section 708	Unauthorized transport of firearm	\$200	\$400	\$600
Section 708	Unauthorized discharge of firearm	\$400	\$600	\$800