

BYLAW # 479

A BYLAW OF THE VILLAGE OF ARROWWOOD IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE ESTABLISHMENT OF RULES AND REGULATIONS PERTAINING TO THE MOVEMENT OF VEHICLE AND PEDESTRIAN TRAFFIC IN THE VILLAGE OF ARROWWOOD.

WHEREAS, pursuant to Section 7(d) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, Council may pass bylaws for municipal purposes respecting transport and transportation systems, and;

WHEREAS, pursuant to Section 13(1) of the Traffic Safety Act, being Chapter T-6 of the revised Statutes of Alberta, 2000, Council may make Bylaws for the regulation and control of vehicle, animal and pedestrian traffic with the municipality, and;

NOW THEREFORE, The Council of the Village of Arrowwood, in the Province of Alberta, duly assembled, hereby enacts as follows:

PART 1 – DEFINITIONS

1. This Bylaw may be cited as **“The Arrowwood Traffic Bylaw”**.
2. In the bylaw, unless the context otherwise requires:

“ACT” means the Revised Traffic Safety Act Statute of Alberta (2000) Ch. T-6 and amendments there to;

“ADMINISTRATOR” means the person appointed by Council in accordance with Section 205 of the Municipal Government Act and is referred to throughout this Bylaw as CAO or Chief Administrative Officer;

“ALLEY” means a narrow street intended chiefly to give access to the rear of buildings and parcels of land and is considered a street for the purposes of this Bylaw;

“BICYCLE” means any cycle propelled by human power upon which a person may ride, regardless of the number of wheels it may have;

“BOULEVARD” means the portion of street between the curb lines or lateral lines of a roadway and the adjoining property lines exclusive of the sidewalk; also that portion of a street between the curb lines or lateral lines of a divided street,

“COMMERCIAL VEHICLE” means a vehicle defined as a commercial vehicle in the Act.

“COUNCIL” means the Municipal Council of the Village of Arrowwood;

“CROSS WALK” means,

- a) That part of a roadway at an intersection included within the connection of the Lateral lines of the sidewalks on opposite sides of the street measured from the curbs or, in the absence of curbs, from the edge of the roadway, or
- b) Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the road surface,

“CURB” means the actual curb, if there is one, and if there be no curb in existence, shall mean the division of a street between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;

DRIVEWAY” means a recognizable, constructed, and designated parking area that leads to and from a public road to a house or garage;

“HEAVY EQUIPMENT” and/or construction equipment means any equipment or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, backhoes, scrapers, pavers, generators, haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, and other material handling equipment;

“HEAVY VEHICLE” means a motor vehicle, alone or together with any trailer, semi-trailer, or other vehicle being towed by the motor vehicle with a registration gross weight of 5,000 kilograms or more and/or exceeding 11.0 metres in total length.

“MOTOR VEHICLE” means every vehicle propelled by any power other than muscular power, except aircraft, tractors, whether equipped with rubber tires or not, implements of husbandry and such motor vehicles as run only upon rails;

“OFF-HIGHWAY VEHICLE” as defined in the Act means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

- a. 4-wheel drive vehicles,
- b. low pressure tire vehicles,
- c. cycles and related 2-wheel vehicles,
- d. amphibious machines,
- e. all terrain vehicles,
- f. miniature motor vehicles,
- g. snow vehicles,
- h. minibikes, and
- i. any other means of transportation that is propelled by any power other than muscular power or wind,

BUT DOES NOT INCLUDE

- j. motor boats, or
- k. any other vehicle exempted from being an off-highway vehicle by regulation;

PARK” means to allow a vehicle (whether occupied or not) to remain in one place except:

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

“PEACE OFFICER” means a member of the Royal Canadian Mounted Police or a special constable or a

member of the patrol division of the Department of the Solicitor General, an Alberta Peace Officer, Community Peace Officer, or a Bylaw Enforcement Officer of the Village of Arrowwood;

“PEDESTRIAN” means a person afoot or a person in a wheelchair;

“PUBLIC HOLIDAY” means a day designated Sunday, a public holiday as defined in the Interpretation Act or a day proclaimed so by the Mayor or declared by the Council of the Village of Arrowwood;

“RECREATION VEHICLE” means any vehicle or trailer that is designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place. Recreation vehicles include any motorhome, camper mounted on a truck or any other vehicle or object which a Peace Officer deems to be a recreation vehicle;

“ROADWAY” means that portion of the street intended for vehicular traffic within the Village;

“SIDEWALK” means that part of a street primarily intended for the use of pedestrians and includes the part lying between the curb line or edge of the roadway and the adjacent property line, whether or not paved or improved;

“STREET” means every thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles within the Village of Arrowwood;

“TRAFFIC CONTROL DEVICE” means a sign, signal marking or device placed or erected for the purpose of regulating, warning or guiding traffic;

“TRAILER” means a trailer as defined in the Act;

“VEHICLE” means a device in, upon, or by which a person or thing may be transported or drawn upon a street.

“VILLAGE” means the Municipal Corporation of the Village of Arrowwood or the area contained within the corporate boundaries of the Village, as the context requires;

PART 2 – SPEED LIMITS

1. The Council shall cause signs to be posted indicating a greater or lesser speed than that prescribed by the Traffic Safety Act or indicating that the prescribed speed limit has ceased to apply.
2. Unless otherwise indicated the speed limit in the Village of Arrowwood shall be forty (40) kilometers per hour.
3. No person shall drive a motor vehicle, in any alley or street intended chiefly to give access to the rear of buildings and parcel of land at a greater rate of speed than twenty (20) kilometers per hour.
4. The Council may cause signs to be posted along a street, fix a maximum speed limit in respect of any part of the street under construction or repair in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the street
5. Notwithstanding Part 2, Section 4, the Village Foreman, in the case of an emergency has the authority to temporarily reduce the speed limit for the safety of workers and shall report such action to the Council at the next regularly scheduled Council meeting.

PART 3 – TRAFFIC CONTROL DEVICES

1. Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
 - a. To divide the surface of a roadway into traffic lanes marked by solid or broken lines;
 - b. To prohibit “U” turns at any intersection;
 - c. To designate any intersection or other place on a street as an intersection or place at which no left hand turn or right hand turn shall be made;
 - d. To designate as a one-way street any roadway or portion thereof;
 - e. To designate “School Zones” or “Playground Zones”;
 - f. To designate truck routes;
 - g. To set apart as through street any street or part of a street and to control entry to any street by means of a “stop” sign or “yield” sign;
 - h. To designate a crosswalk upon any street;
 - i. To designate parking stands for use of any particular class of vehicle;
 - j. To close or restrict the use of any street, either 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;
 - k. To prohibit, restrict or regulate the parking of vehicles or any class of vehicles on any street or other public place or any portion thereof during such hours as may be determined;
 - l. To designate and mark guide lines for angle parking on any street or other public places or any portion thereof.
2. The Administrator shall cause a record to be kept of the location of all traffic control devices which record shall be open to public inspection during normal business hours.
3. Notwithstanding any provision of this bylaw all traffic control devices placed, erected or marked in the Village of Arrowwood prior to passing of the bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of Part 3, Section 1.

PART 4 – FIRES

1. In case of a fire within the Village, any Peace Officer or member of the Fire Department may designate in any manner, a line near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross over such line or lines.
2. The Chief Officer of the Fire Department or any person acting under his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department.

PART 5 – VEHICLES WITH LUGS

1. No person shall drive, propel or move on any street any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread.
 - a. Studded winter snow tires shall be exempt from Part 5(1).

PART 6 – BICYCLES AND OFF-HIGHWAY VEHICLES

1. No person over the age of 10 shall operate a bicycle on any sidewalk or footpath unless it is an asphalt surface that is no less than six (6) feet wide.
2. No person shall ride a bicycle, roller skate, in-line skate, skateboard, or a scooter:
 - a. without yielding to the right of way of pedestrians;
 - b. without giving an audible signal within a reasonable time before overtaking a pedestrian, by voice, bell or other warning device which is audible to the pedestrian;
 - c. without use of care and control required to ensure the safety of a pedestrian or other person;
 - d. without a helmet (if under the age of 18);
 - e. on any property if prohibited from doing so by a Traffic Control Device;
 - f. on private property without the expressed prior written consent of the property owner.
3. No person shall operate an off-highway vehicle, as defined in the Act, within the boundaries of the Village of Arrowwood unless such use is expressly permitted by Council or the Chief Administrative Officer, with the exception of Village maintenance personnel or agricultural operators that are exempt from off-highway regulations.
4. The Chief Administrative Officer, at his or her discretion, may grant a letter of authorization for off-highway vehicles, be it side-by-sides or golf carts, for medical reasons.

PART 7 – COMMERCIAL VEHICLES & HEAVY VEHICLES

1. No person shall park or operate a commercial vehicle on a street within the limits of the Village of Arrowwood other than a street in the Village of Arrowwood which is designated as a truck route in Schedule "A" thereof, which Schedule is hereby incorporated into and made part of this By-Law.
2. The following shall not be deemed to be operating a commercial vehicle in contravention of Section 1 if the commercial vehicle is being operated on the shortest route between the premises by:
 - a. persons delivering or collecting goods or merchandise to or from the premises of bona fide customers,
 - b. persons going to or from business premises of the owner of the heavy vehicle concerned as long as the premises is not located within an residential area,
 - c. persons going to or from business premises for the servicing or repairing on the heavy vehicles as long as the premises is not located within an residential area,
 - d. person(s) pulling a disabled vehicle from a street prohibited to heavy vehicles.

3. No person shall park a commercial vehicle or heavy vehicle within the municipal boundaries of the Village of Arrowwood in areas designated in the Land Use Bylaw as residential zones unless permitted under Section 2.
 - a. Subject to Section 3, those residential properties that are immediately adjacent and accessible to the designated truck route may park their commercial vehicles(s) on their residential properties.
4. No person shall utilize engine retarder brakes while operating a commercial vehicle or heavy vehicle within the limits of the Village of Arrowwood.

PART 8 – HEAVY EQUIPMENT

1. No person shall be permitted to park any heavy equipment within any residential area in the Village of Arrowwood unless the said heavy equipment is being used to develop the land in which it is parked on.
 - a. Part 8, Section 1 does not apply to any heavy equipment owned, used, or contracted by the Village of Arrowwood.

PART 9 – MAXIMUM WEIGHTS

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 issued by the Province of Alberta for such vehicles.
2. No person shall drive or have on the roadway a vehicle or combination of attached vehicles with a weight including or excluding any load thereon, in excess of maximum weight.
3. Wherever in his/her opinion, there is a contravention of Part 9, Section 2, a Peace Officer may order the driver or other person in charge or control of a vehicle or combination of attached vehicle suspected of being on a roadway in contravention of such section to take such vehicle or combination of attached vehicles to the nearest adequate weight scale to determine the weight of such vehicle or combination of attached vehicles and load thereof. 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 vehicles is in excess of maximum weight, the Peace Officer, in addition to any prosecution for contravention of Part 9, Section 2, 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 a street.
4. A weight slip given to a Peace Officer under Part 9, Section 3 and submitted by the Officer in evidence in court, shall be prima facie proof of authenticity of the weight slip and of the particulars thereon submitted in evidence and of the accuracy of the weight scale used.
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 roadway in contravention of Part 9, Section 2 shall, when requested by the Peace Officer, produce for such officer’s inspection any official registration certificate or interim certificate for such vehicle or vehicles that may have been issued by the Government of the Province of Alberta showing the maximum weight of such vehicle or combination of attached vehicles.
6. Particulars obtained by a Peace Officer from a registration certificate produced to the Officer under Part 9, Section 5 and submitted by the Officer as evidence in court shall be prima facie proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.

PART 10 – PEDESTRIANS

1. No person or persons shall stand on any street, crosswalk, or sidewalk in such a manner as to:
 - a. obstruct vehicular or pedestrian traffic,
 - b. annoy or inconvenience any other person lawfully upon such street, crosswalk, or sidewalk,
 - c. obstruct the entrance to any building.
2. No person shall run upon the roadway in such a manner as to impede traffic.
3. No person shall stand upon or walk along a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

PART 11 – PARKING

1. No person shall park a vehicle other than a vehicle of such class or classes deemed as recreational, small commercial truck, van or trailer, school bus, or a standard automobile on the portion of any street that is located in any residential zone.
2. The Council may designate and cause to be properly marked portions of streets upon which parking is prohibited at any time.
3. No person shall park a vehicle or trailer in an alley. Alleys, however, may be used for such periods of time as may be reasonably necessary for the loading or unloading of passengers or goods from a vehicle, provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the lane as to prevent other vehicles or persons from passing along such alley while the loading or unloading of passengers or goods is taking place.
4. Unless required or permitted by this by-law or by a traffic control device, or in compliance with the direction of an Enforcement Officer, or to avoid conflict with other traffic, a driver or operator shall not stop or park his vehicle:
 - a. on a sidewalk or boulevard;
 - b. on a crosswalk or any part of a crosswalk;
 - c. within five (5) meters on the approach to a stop sign or yield sign;
 - d. within four and a half (4.5) meters of a fire hydrant, or when the hydrant is not located at the curb, within four and a half (4.5) meters of the point on the curb nearest the hydrant;
 - e. within one and half meters (1.5) of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
 - f. within five (5) meters of the near side of a marked crosswalk;
 - g. alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - h. at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is prohibited;
 - i. on the roadway side of a vehicle parked or stopped at the curb or edge of the roadway;
 - j. at or near the site of any fire, explosion, accident, or other incident, if stopping or parking would obstruct traffic or hinder Enforcement Officers, Firemen, Ambulance Crews, Rescue Officers or Volunteers;
 - k. with the vehicle facing opposed to the direction of travel authorized for that roadway.

5. No vehicle operator shall park upon any roadway in such a manner as to block, obstruct, impede, or hinder traffic. Where the obstruction is unavoidable due to mechanical failure, the driver or operator will be in breach of this section provided they promptly take measures to clear the faulty vehicle from the road.
6. Except as otherwise provided in this by-law, no person shall park any vehicle:
 - a. not in running condition;
 - b. unregistered; or
 - c. uninsured on any road.
7. No person shall park a vehicle for any period of time whatsoever at the following locations, namely:
 - a. where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the street;
 - b. in the entrance to any fire hall;
 - c. where the sign indicates that parking there is restricted to a certain class of vehicles only.
8. No person shall park on any municipal roadway when a sign so prohibits except for the purpose of loading and unloading goods from a commercial establishment.
9. No person shall stop or park any vehicle in any lane or alleyway except in the act of loading or unloading goods or passengers.
10. No person shall park a vehicle on private land unless permission of the owner, tenant or occupant or person in charge of the said private land has been received and the vehicle is on an approved parking pad.
11. No person shall park any vehicle or equipment on land owned or controlled by the Village of Arrowwood, except where public parking spaces/areas are provided.
12. No person shall stop or park any vehicle on any roadway for the purpose of greasing or repairing such vehicle, except for emergency repairs.
13. No driver of a vehicle shall park a vehicle on a roadway that is leaking engine or transmission fluids or fluids of any type.
14. No person shall park in a residential area a commercial vehicle with a gross vehicle weight rating in excess of 5500 kg for longer than is reasonably necessary to load or unload the vehicle.
15. No person shall park in a residential area, a construction vehicle except when such a vehicle is required pursuant to a development or building permit for that site.
16. No person shall park a vehicle on a driveway or entrance way to any building so that any part of the vehicle extends across any portion of a sidewalk.
17. No person shall park a vehicle or a vehicle with any type of trailer attached thereto upon any roadway if the overall length of the vehicle or the vehicle with trailer exceeds fourteen (14) meters.
18. No person shall park any trailer (whether designed for occupancy by persons or for carrying of goods and equipment) upon any street unless 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.
 - a. Notwithstanding Section 9, a trailer may be parked on the portion of the roadway adjacent and parallel to the owner's property from May 1st to October 1st if:
 - i. there is adequate space available;
 - ii. the trailer is registered;
 - iii. the trailer is blocked from rolling;
 - iv. the trailer does not impede the view of intersections for vehicles or pedestrians; and

v. parking of the trailer does not contravene any other portion of this Bylaw.

19. No person shall park any vehicle upon any land owned by the Village of Arrowwood which the Village uses or permits to be used as a playground, recreation area or public park except in designated parking areas.
20. Where parking guidelines are visible on a roadway no driver shall park a vehicle except within the limits of the lines designating a parking stand.
21. Along Railway Avenue only parallel parking is allowed except when angle parking is required during events hosted by the Arrowwood Restoration Society Museum and the Buffalo Hills United Church.
22. No person shall park any vehicle in that part of a driveway which lies between curb or the traveled portion of the roadway and the property or lot boundary line which runs parallel to the said curb or traveled portion of a roadway.
23. Any person who is empowered to enforce the provisions of this Bylaw is hereby authorized to place an erasable chalk mark on the tread face of the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.
24. No person shall park any portion or whole of a vehicle on any sidewalk or extending over a sidewalk with any portion of a vehicle within the Village limits of Arrowwood.
25. A peace officer may cause any vehicle to be removed and taken to and stored in a suitable place when the vehicle is parked on private property without the consent of the owner of the property or on a street in a manner that obstructs any private driveway.
26. Except when permitted by a traffic control device, no person shall stop, stand, or park a vehicle on any street within the Village of Arrowwood other than on the right side of the street and with the right hand wheels parallel to that side and where there is a curb, within 30cm of the curb.
27. No person shall park a vehicle so as to obstruct the free passage of traffic on any street within the Village of Arrowwood with the exception of public works, enforcement, and emergency response vehicles.
28. Vehicles may not be parked on vacant lots unless said lot is immediately adjacent and under the same ownership as an abutting lot that is developed.
29. The Village of Arrowwood provides an exemption to public passenger vehicles (school buses) for parking in residential areas on public or private property as long as the school bus is parked immediately adjacent to the school bus operator's residence and as long as the school bus does not interfere with pedestrian or vehicular traffic.

PART 12 – SCHOOL BUS FLASHING LIGHTS

1. Alternating flashing lights and stop arms on school busses shall be operated when loading or unloading passengers within the Corporate Limits of the Village of Arrowwood except when loading or unloading passengers at designated loading zones at the respective schools or adjacent to the schools.
2. Alternating flashing lights and stop arms shall be operated in the sequence as provided in Section 73 (a) AR 304/2002 Use of Street and Rules of the Road of the Traffic Safety Act, Revised Statutes of Alberta 2000, Alberta Regulations, and amendments thereto.
3. Any operator of a vehicle who fails to slow for a school bus displaying alternating flashing amber lights, shall be guilty of an offence and liable for a penalty as prescribed in Schedule "B" attached.

4. Any operator of a vehicle who fails to stop for a school bus displaying alternating flashing red lights and a stop arm, shall be guilty of an offence and liable for a penalty as prescribed in Schedule "B" attached.

PART 13 – RECREATION VEHICLE PARKING

1. RVs may not be parked on vacant lots unless said lot is immediately adjacent and under the same ownership as an abutting lot that is developed.
2. No person is permitted to occupy any parked RV, vehicle, or trailer on their property, any vacant lot, roadway, or public place with respect to using them as a regular dwelling. Nor can they permanently connect them to any electrical, gas, or water system.
3. Parked RVs cannot block the view of intersections, crosswalks, playgrounds or signs.
4. Parked RV's cannot obstruct the movement of other vehicles.
5. A person may park a recreation vehicle upon a public street in the Village for a period not to exceed 72 hours and for the purposes of loading and unloading only, except as provided under Part 11, section 6.a.
 - a. For the purpose of Part 13(4), a recreation vehicle shall be deemed to be continuously parked unless the recreation vehicle has been moved to a location off of public property within the Village for at least 72 consecutive hours.
 - b. Subject to Part 13(4), at no time shall a recreation vehicle or recreation trailer have their slides extended out while parked on any public street in the Town.

PART 14 – TEMPORARY CLOSING OF STREETS

1. In any case where by reason of any emergency or of any special circumstances which in the opinion of the Administrator or Village Foreman, makes it desirable and in the public interest to do so, the Administrator may:
 - a. temporarily close in any area of the Village, any roadway in whole or in part to traffic
 - b. the Administrator may for such period of time as he/she deems necessary to meet such emergency or special circumstances, take such measure for the temporary closing of such street or the suspension of parking and place barricades or post appropriate notices on or near the street concerned as she/he may consider to be necessary in the circumstances.

PART 15 – MISCELLANEOUS OFFENCES

1. Every person shall be guilty of an offence who:
 - a. coasts on any roadway on a sled, toboggan, skis or roller blades which is being towed by a vehicle,
 - b. washes a vehicle upon any roadway or drains the radiator of any vehicle upon a roadway or washes a vehicle near a roadway so as to result in water, slush or ice forming upon a roadway or public sidewalk.
 - c. places, leaves, stores or deposits, or permits to accumulate on any street or sidewalk any article or thing that may be dangerous or in any way interfere with the proper use of the street or sidewalk or interrupt the free flow of vehicular or pedestrian traffic, nor shall any waste paper, debris, or things be left on any street, alley, roadway, sidewalk or public

place in the Village.

- i. Notwithstanding Part 15, section 1.c., an exception can be made for vehicles and materials for which specific permission has been granted by the Chief Administrative Officer. Person(s) responsible for such shall be liable for clean-up and/or repair costs.
 - ii. Permission can be sought of the Chief Administrative Officer by email or other written form.
 - iii. Permission shall be granted by the Chief Administrative Officer by email or other written form, specifying the length of time and conditions of any exception that is granted.
2. No person shall drive, propel or move on or over any roadway within the Village, any vehicle of other type of equipment of thing(s) which damages or is likely to damage the roadway.
 3. No person shall place any electric cord, hose, ropes and pipe or like obstruction above or across a sidewalk or boulevard.
 - a. Power cords are exempt when hanging over a sidewalk during winter months for the purpose of having a motor vehicle plugged in.
 4. A person must not make, continue, or allow to be made or continued any objectionable noise or odour from a motor vehicle.

PART 16 – PENALTIES

PROSECUTION OF OFFENCES

1. Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Bylaw or the regulations for which a penalty is not otherwise provided is liable to a fine of not less than two hundred and fifty (\$250.00) dollars and of not more than two thousand five hundred (\$2,500.00) dollars and in default of payment is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.
2. The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs for which they are liable under the provisions of this Bylaw.
3. Where a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw or as shown on Schedule “B”, the owner of the vehicle is guilty of an offence and liable for the contravention and the penalty provided herein unless there is evidence before the court that at the time of the contravention, the vehicle was not driven, used, parked or left by him/her or by any other person with their consent, express or implied.
4. Where any Peace Officer believes that a person has contravened any provision of this Bylaw he may serve upon:
 - a. a written warning of the contravened offence
 - b. such person a Violation Ticket referencing the section contravened; or
 - c. the registered owner of the motor vehicle a Violation Ticket referencing Section 160 (1) of the Act and the section of the Bylaw contravened in accordance with the provisions of the *Provincial Offences Procedure Act* R.S.A. 2002 c. P-34.
5. The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule “B” of this Bylaw, said Schedule being hereby incorporated into and made part of this Bylaw.
6. Notwithstanding Part 16(4), a Peace Officer may issue a Breach of Bylaw Notice, in a form approved by

the Chief Administrative Officer, referencing the section of the Bylaw contravened, to the alleged offender, or to the registered owner of any vehicle involved in a contravention of this Bylaw.

7. Service of any such notice or tag shall be sufficient if it is:
 - a. personally served
 - b. served by regular or registered mail
 - c. attached to the vehicle in respect of which the offence is alleged to have been committed.
8. The penalty payable to the Village in respect of a contravention of this Bylaw, to be indicated on any such Breach of Bylaw Notice issued, is as provided for in Schedule "B" of this Bylaw. Upon payment to a person authorized by the Village Council to receive such payment, an official receipt for the payment shall be issued and such payment shall be accepted in lieu of prosecution.
9. Where payment of the penalty for a tag or notice issued for breach of any of the sections of this Bylaw is received within the time allowed for payment by a person authorized by the Village to receive such payment, such payment shall be accepted in lieu of prosecution.
10. If the person upon whom any such tag is served fails to pay the required sum within the time limit, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
11. Nothing in this Section shall:
 - a. Prevent any person from exercising their right to defend any charge of committing a breach of any of the provisions of this Bylaw.
 - b. Prevent any Peace Officer in lieu of serving a Violation Ticket, notice or tag or any other person from laying information or a complaint against another person for committing a breach of any of the provisions of this Bylaw, or
 - c. Prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this Bylaw or not) for a breach of any of the provisions in this Bylaw.
12. Where any person has made payment pursuant to the provisions of this section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.
13. No person other than the owner or driver of a vehicle shall remove any Violation Ticket, notice or tag placed on or fixed to such vehicle by a Peace Officer in the course of his/her duties.
14. No person shall wilfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and is engaged in the enforcement of the provisions of this Bylaw.

REMOVAL AND IMPOUNDMENT OF VEHICLES

15. A peace officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
 - a. operated or parked in contravention of any provision of this Bylaw; or
 - b. where emergency conditions may require such removal from a street.
16. Such vehicle or trailer may be removed to a place designated by the Chief Administrative Officer, where it will remain until claimed by the owner thereof or his agent, subject to any separate policy that the place of impoundment may have implemented.
17. No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The Village is not responsible for impounding, towing or removal charges.

PART 17 – SEVERABILITY

1. It is the intention of the Village Council that each separate provision of this bylaw shall be deemed independent of all other provisions and it is further the intention of the Village Council that if any provisions of this bylaw be declared invalid all other provisions thereof shall remain valid and enforceable.

PART 18 – COMMENCEMENT DATE

1. This Bylaw comes into force upon the date of passing of the third and final reading thereof.

Read a first time this 13th day of October, 2021

Read a second time this 13th day of October, 2021

Read a third time and finally passed this 13th day of October, 2021



Mayor, Matt Crane

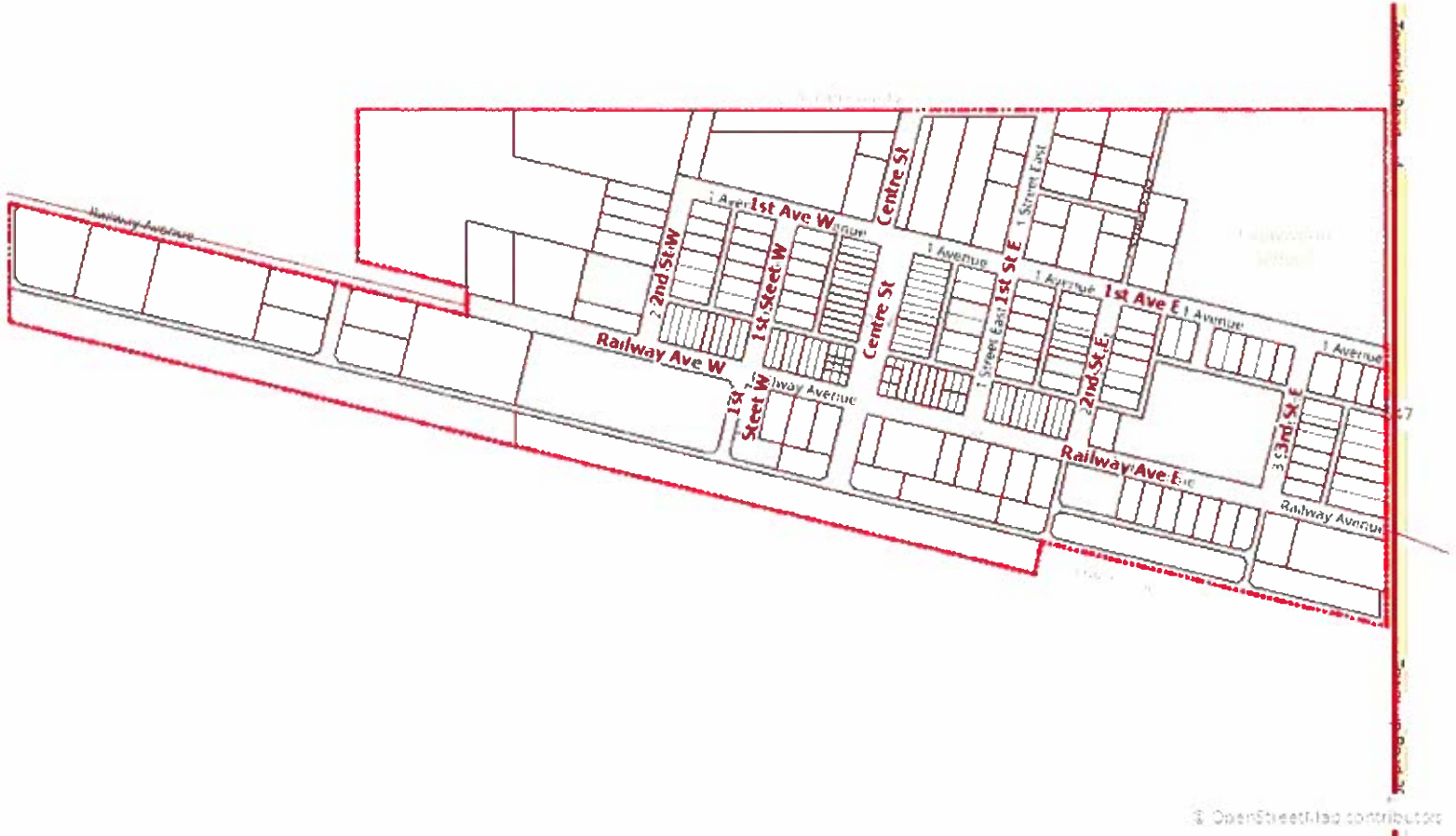


CAO, Christopher Northcott



SCHEDULE "A"

Village map



SCHEDULE "B"

Part 5(1)	Operating a vehicle with lugs on a street in the Village	\$125.00
Part 6(1)	Operating a off-highway vehicle in the Village	\$150.00
Part 7(1)	Commercial vehicle being operated off of truck route	\$250.00
Part 7(3)	Parking a commercial vehicle in a residential area	\$200.00
Part 7(4)	Use of engine retarder brakes in the Village	\$200.00
Part 8 (1)	Heavy equipment parked in a residential area	\$200.00
Part 10(1)(a)	Person obstructing vehicular or pedestrian traffic	\$150.00
Part 10(1)(b)	Person annoying or inconveniencing any other person who is lawfully upon a street, crosswalk or sidewalk	\$150.00
Part 10(1)(c)	Person obstructing the entrance to any building	\$150.00
Part 10(2)	Person running upon a roadway which manner impedes traffic	\$125.00
Part 10(3)	Person soliciting a ride from a roadway from the driver of a private vehicle	\$125.00
Part 11(4)	Parking over time limit	\$125.00
Part 11(5)	Parking in an alley	\$125.00
Part 11(7)	Parking in a passenger loading zone, no parking area, in front of main entrance, exit or doorway of a public building	\$125.00
Part 11(9)	Parking over time limit in a truck loading or unloading space	\$125.00
Part 11(10)	Unattached trailer parked on street	\$150.00
Part 11(11)	Prohibited parking on Village property	\$150.00
Part 11(16)	Parking on or over a sidewalk	\$150.00
Part 11(20)	Improper parking along the curb or edge of roadway	\$150.00
Part 11(21)	Parked in such a way that impedes the normal flow of traffic	\$150.00
Part 12(3)	Failing to slow for a school bus displaying alternating flashing lights	\$200.00
Part 12(4)	Failing to stop for a school bus displaying alternating flashing lights and a stop arm	\$200.00
Part 13(2)	Prohibited occupancy of a Recreation Vehicle	\$150.00
Part 13(3)	Parked Recreation Vehicle blocking view of intersection, crosswalk, playground or sign	\$125.00
Part 13(4)	Parked Recreation Vehicle obstructing the movement of other vehicles	\$125.00
Part 13(5)	Illegally parked Recreation Vehicle	\$150.00
Part 15(1)(a)	Sled, toboggan, skis, snowboard or rollerblades being towed by a vehicle on a street	\$125.00
Part 15(1)(b)	Washing a vehicle resulting in water, slush or ice forming upon a street or sidewalk	\$125.00
Part 15(1)(c)	Unauthorized deposit of material on Village property	\$175.00
Part 15(2)	Operating a vehicle or piece of equipment that has damaged or is likely to damage the street	\$200.00



