

**COUNTY OF THORHILD NO. 7**

**BYLAW No. 1154-2011**

**TRAFFIC SAFETY BYLAW**

**A BYLAW OF THE COUNTY OF THORHILD NO. 7, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING THE USE OF HIGHWAYS UNDER THE DIRECTION, CONTROL AND MANAGEMENT OF THE COUNTY AND THE PARKING OF VEHICLES ON SUCH HIGHWAYS AND ON PRIVATELY OWNED PROPERTY LOCATED WITHIN THE COUNTY OF THORHILD NO. 7**

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WHEREAS pursuant to section 13 of the *Traffic Safety Act* the council of a municipality may, with respect to highways under its direction, control and management, pass bylaws not inconsistent with the *Traffic Safety Act* respecting matters enumerated therein;

AND WHEREAS pursuant to section 14 of the *Traffic Safety Act* the council of a municipality may pass bylaws governing the parking of vehicles on privately owned property;

AND WHEREAS pursuant to section 108 of the *Traffic Safety Act* the council of a municipality may pass bylaws prescribing speed limits that are different from the speed limits established in that *Act*;

AND WHEREAS pursuant to section 48 of the *Highways Development and Protection Act* the council of a municipality may pass bylaws regulating the placing of roadside improvements on privately owned property;

AND WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and the enforcement of bylaws;

NOW THEREFORE, the Council for the County of Thorhild No. 7, in the Province of Alberta, duly assembled, enacts as follows:

**PART 1 - SHORT TITLE**

1.1 This Bylaw may be cited as the "Traffic Safety Bylaw".

**PART 2 - DEFINITIONS**

2.1 In this Bylaw, word shall have the same meanings as in the *Traffic Safety Act* and Regulations thereunder except as otherwise defined herein.

2.2 In this Bylaw:

(a) "**CAO**" means the chief administrative officer for the County, or a delegate thereof;

(b) "**Council**" means the municipal council of County of Thorhild No. 7;

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- (c) “**County**” means the municipal corporation of County of Thorhild No. 7, and includes the geographical area within the boundaries of County of Thorhild No. 7 where the context so requires;
- (d) “**Curb**” means the actual curb, if there is one, and if there is no curb in existence, it shall mean the edge of the roadway;
- (e) “**Hamlet**” means an unincorporated community designated by Council from time to time as a hamlet of the County pursuant to section 59 of the *Municipal Government Act* and includes, but is not limited to, the hamlets of Abee, Egremont, Long Lake, Newbrook, Opal, Radway and Thorhild;
- (f) “**Heavy Vehicle**” means a Vehicle, or a Vehicle with a Trailer attached that has a gross weight of 5500 kilograms or more, with or without a load, or exceeds **12.5** metres in overall length, excluding Recreational Vehicles;
- (g) “**Municipal Tag**” or “Violation Tag” means a tag or similar document issued by the County pursuant to the *Municipal Government Act* for the purpose of notifying a person that an offence has been committed for which a prosecution may follow;
- (h) “**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, excluding a funeral procession or military parade;
- (i) “**Park**”, “**Parking**”, or “**Parked**” means to allow a Vehicle, whether occupied or not, to remain stationary in one place, except;
  - (i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
  - (ii) when complying with a direction given by a Peace Officer or traffic control device;
- (j) “**Peace Officer**” means a member of the Royal Canadian Mounted Police, a Community Peace Officer whose appointment includes enforcement of the County’s Bylaws, or a Bylaw Enforcement Officer appointed by the County;
- (k) “**Person**” means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (l) “**Recreational Vehicle**” means a vehicle designed to provide temporary living accommodation for travel, vacation, or recreational use, and to be driven, towed or transported, some examples of which include, without restricting the generality of the foregoing, a motor home, holiday trailer, camper, tent trailer and any bus or truck converted for use as a Recreational Vehicle;

- (m) “**Street Furniture**” includes lamp posts, benches, waste bins, planters, bicycle racks, newspaper boxes or any other similar property placed on or adjacent to a highway;
- (n) “**Traffic Control Device**” means any temporary or permanent sign, signal, marking or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic or governing parking;
- (o) “**Trailer**” means a Vehicle so designed that it may be attached to or drawn by a motor vehicle or implement of husbandry, and intended to transport property or persons, but does not include machinery or equipment used in the construction or maintenance of highways;
- (p) “**Vehicle**” means a device in, upon or by which a person or thing may be transported or drawn upon a highway and includes a combination of vehicles, but does not include a mobility aid;
- (q) “**Violation Ticket**” means a ticket issued pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

### **PART 3 - OPERATIONAL RESTRICTIONS**

#### **FUNERAL PROCESSIONS**

- 3.1 Any person operating a Vehicle participating in a funeral procession, other than the lead vehicle in the funeral procession, may, during daytime hours, drive the Vehicle into an intersection without stopping the Vehicle if:
  - (a) the Vehicle’s headlamps and warning lamps are alight,
  - (b) the Vehicle is travelling immediately behind the Vehicle in front of it in the funeral procession so as to form a continuous line of traffic,
  - (c) the lead vehicle in the funeral procession is showing a purple flashing light, and
  - (d) the passage through the intersection can be made in safety.

#### **AUTHORIZED PARADES OR PROCESSIONS**

- 3.2 No person shall organize, conduct or take part in any Parade or Procession unless a permit authorizing the Parade or Procession has been issued by the CAO.
- 3.3 Where the organizers or leaders of a Parade or Procession or any person, animal, Vehicle or equipment participating in the Parade or Procession contravenes any conditions of a permit granted by the CAO or the provisions of this Bylaw governing Parades or Processions, the permit holder, person responsible for the contravention, or any or all of them are guilty of an offence.

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- 3.4 During an authorized Parade or Procession, all spectators shall remain on the sidewalk or edge of the roadway if there is no sidewalk.

MAXIMUM SPEEDS

- 3.5 A maximum speed in excess of or less than 80 kilometres per hour is hereby provided on the described portions of highway set out in Schedule "A".

ROAD BANS

- 3.6 No person shall operate a Vehicle on a highway that is subject to a road ban if the weight of the carrying axle or axle group of the Vehicle exceeds the specified percentage axle weight imposed by the road ban.
- 3.7 This section is subject to any provincial legislation exempting certain vehicles from road bans or permitting an increased specified percentage of axle weight.

ENGINE RETARDER BRAKES

- 3.8 No person shall use engine retarder brakes within a Hamlet of the County.

COMPLIANCE WITH TRAFFIC CONTROL DEVICES

- 3.9 No person shall operate or Park a Vehicle in contravention of a Traffic Control Device.

VEHICLES WITH LOADS

- 3.10 No person shall operate a Vehicle on a highway with any loose material on the exterior of the Vehicle.
- 3.11 No person shall operate a Vehicle containing any load on a highway unless the load has been secured to prevent any part of it from falling onto the highway.

TRACKING MATERIAL

- 3.12 No person shall operate a Vehicle on a highway so as to track any earth, sand, gravel or other material on the highway.
- 3.13 A person tracking material contrary to section 3.12 shall, in addition to any penalty that may be specified in Schedule "B" to this Bylaw, be liable to clean up or remove the material tracked upon the highway and in default the County may clean up or remove the material at the expense of the person tracking.

SPIKE/LUGS PROHIBITED

- 3.14 No person shall operate a Vehicle on a highway with spikes, lugs, cleats, bands or other items projecting from the surface of the wheel or tire.

- 3.15 A person operating a Vehicle contrary to section 3.14 shall, in addition to any penalty that may be specified in Schedule "B" to this Bylaw, be liable for all costs incurred by the County to repair any damage.

#### **PART 4 - PARKING**

##### **PARKING WITHIN SPACES**

- 4.1 A Vehicle Parked on a highway in a location marked by lines or otherwise shall be Parked wholly within the marked parking space.

##### **PARALLEL PARKING**

- 4.2 A Vehicle Parked on a highway shall be Parked with:
- (a) the sides of the vehicle parallel to the Curb, and
  - (b) the right hand wheels of the vehicle not more than 50 centimetres from the right hand Curb;
- 4.3 Notwithstanding section 4.2, a motor cycle may be Parked with:
- (a) a wheel of the motor cycle not more than 50 centimetres from the Curb, and
  - (b) the motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.
- 4.4 The above parallel Parking provisions do not apply where angle Parking is permitted or required.

##### **ANGLE PARKING**

- 4.5 When:
- (a) a Traffic Control Device indicates that angle Parking is permitted or required, and
  - (b) Parking markings are visible on the roadway, a Vehicle shall be parked with the Vehicle's sides between and parallel to any two of the markings, and
  - (c) in the case of a Vehicle other than a motor cycle, with one front wheel not more than 50 centimetres from the Curb, or
  - (d) In the case of a motor cycle, with
    - (i) a wheel of the motor cycle not more than 50 centimetres from the Curb, and

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- (ii) the motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.

4.6 When

- (a) a Traffic Control Device indicates that angle parking is permitted or required, and
- (b) no Parking markings are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides at an angle of between 30 and 60 degrees to the Curb, and
- (c) in the case of a Vehicle other than a motor cycle, with one front wheel not more than 50 centimetres from the Curb, or
- (d) in the case of a motor cycle with:
  - (i) a wheel of the motor cycle not more than 50 centimetres from the Curb, and
  - (ii) the motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked;

4.7 A Vehicle with a total length exceeding 6.8 metres shall not be parked at an angle on a highway unless:

- (a) a Traffic Control Device specifically permits such Parking; or
- (b) The Vehicle displays a valid and subsisting permit authorizing such Parking issued by the CAO.

PROHIBITED PARKING

4.8 Unless permitted or required by a Traffic Control Device, no person shall stop or Park a Vehicle:

- (a) On a highway adjacent to a Curb or sidewalk that has been marked by being painted in a solid colour;
- (b) On a sidewalk or boulevard;
- (c) On a crosswalk or any part of a crosswalk, or within 5 metres of the near side of a crosswalk;
- (d) In any driveway, lane or other location designated as a fire lane, an emergency access zone or otherwise being for the use of emergency vehicles;
- (e) to the left of the centre line of a highway facing oncoming traffic;
- (f) On a highway in a manner that blocks or obstructs:
  - (i) a doorway to a building; or

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- (ii) the approach to any fire station, police station, hospital or other place where emergency vehicles require regular access;
  
- (g) At an intersection within 5 metres to the projection of the Curb or edge of the roadway;
  
- (h) Within 5 metres of any approach to any stop or yield sign;
  
- (i) 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 Curb nearest to the fire hydrant;
  
- (j) Alongside or opposite any street excavation or obstruction when stopping or Parking would obstruct traffic;
  
- (k) At any other place where a Traffic Control Device prohibits stopping or Parking, during such times as stopping or parking is so prohibited;
  
- (l) On the roadway side of a Vehicle parked or stopped at the Curb or edge of a highway;
  
- (m) Within 1.5 metres of an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
  
- (n) At any angle to the Curb in a cul-de-sac unless that Vehicle is parked in such a manner so as not to interfere with the free flow of traffic in the cul-de-sac;
  
- (o) In an alley, unless the vehicle is a commercial vehicle with hazard warning lights alight and in the process of loading or unloading of goods or passengers;
  - (i) Notwithstanding subsection 4.8(o), a commercial vehicle shall not be parked in an alley for more than 30 minutes; and
  
  - (ii) Nothing in subsection 4.8(o) permits a Person to park a Vehicle in an alley in a manner that blocks or obstructs the movement of traffic.
  
- (p) On any bridge or on any approach to a bridge; or
  
- (q) In such a manner that may obstruct the safe movement of traffic and pedestrians using the roadway.

#### TIME LIMIT PARKING

- 4.9 Where a Traffic Control Device restricts the Parking of Vehicles to a specified time limit, no Person shall Park a Vehicle for a time period in excess of the time limit indicated on that Traffic Control Device.

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- 4.10 Where no Traffic Control Device creates a specific time limit for Parking, no Person shall Park a Vehicle for a time period in excess of 72 hours.
- 4.11 Where a Vehicle that has been the subject of a Municipal Tag or Violation Ticket issued for a contravention of section 4.9 remains Parked beyond a subsequent expiration of the time limit indicated on the Traffic Control Device, this shall be deemed to constitute a second or subsequent contravention of section 4.9, for which a new Municipal Tag or Violation Ticket may be issued.
- 4.12 Where a Vehicle that has been the subject of a Municipal Tag or Violation Ticket issued for a contravention of section 4.10 remains Parked beyond a subsequent 72 hour time period, this shall be deemed to constitute a second or subsequent contravention of section 4.10, for which a new Municipal Tag or Violation Ticket may be issued.

#### PARKING RESERVED FOR DISABLED PERSONS

- 4.13 A Vehicle shall not be Parked on a highway in any location identified as being reserved for the use of Persons with disabilities unless the Vehicle:
- (a) displays a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicles; and
  - (b) is being used for the transportation of a Person with a disability.

#### HEAVY VEHICLE PARKING

- 4.14 No Person may Park a Heavy Vehicle in a location adjoining residential property, except:
- (a) commercial Vehicles with the hazard warning lamps alight and in the process of loading or unloading goods; or
  - (b) construction equipment being used during construction or improvement of property, provided that the equipment is Parked adjacent to the property where the work is being done.

#### RECREATIONAL VEHICLE PARKING

- 4.15 No Person may Park a Recreational Vehicle on a Highway unless it is Parked in a location completely adjoining the Recreational Vehicle owner's residence as shown in the records of the Motor Vehicle Registry and then only between May 1 and October 15.
- 4.16 A Recreational Vehicle Parked pursuant to section 4.15:
- (a) shall not be Parked for more than 72 consecutive hours; and
  - (b) shall be removed to an off-highway location for at least 48 consecutive hours before it may be Parked again on a highway.

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4.17 No Person shall occupy a Recreational Vehicle Parked on a highway.

PASSENGER LOADING ZONE

4.18 A Vehicle shall not be Parked on a highway in any location identified as a passenger loading zone unless the Vehicle is actively engaged in loading or unloading passengers.

4.19 A Vehicle shall not be Parked on a highway in any location identified as a passenger loading zone for a period of time longer than that permitted.

COMMERCIAL LOADING ZONE

4.20 A Vehicle shall not be Parked on a highway in any location identified as a commercial loading zone unless the Vehicle is a commercial Vehicle.

4.21 A Vehicle shall not be Parked on a highway in any location identified as a commercial loading zone for a period of time longer than that permitted.

PARKING IN RECREATION AREAS

4.22 No Person shall Park a Vehicle on any land owned or controlled by the County and which the County uses or permits to be used as a playground, recreation area, public park, or campground except in a developed parking lot or other area specifically designated for the Parking of Vehicles.

COUNTY EMPLOYEE PARKING

4.23 No Person shall Park a Vehicle in any parking space upon property owned or controlled by the County where such space has been designated as being reserved for a Vehicle operated by a County employee.

PRIVATE PROPERTY WITH PUBLIC ACCESS

4.24 No Person shall Park a Vehicle on privately owned property to which vehicles driven by members of the public generally have access unless the permission or authorization of the owner of the property or Person having possession or control of the property has been given for such Parking.

4.25 This section applies only where the privately owned property has been clearly identified as having restrictions on Parking.

4.26 A Vehicle on privately owned property to which Vehicles driven by members of the public generally have access Parked in contravention of any specific restrictions on Parking identified for the location is presumed to be Parked without the permission or authorization in section 4.24.

PRIVATE PROPERTY WITHOUT PUBLIC ACCESS

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- 4.27 No Person shall Park a Vehicle on privately owned property to which Vehicles driven by members of the public generally do not have access, but on which the owner of the property or a Person having possession or control of the property may Park or otherwise keep the Vehicles, unless the permission or authorization of a party described above has been given for such Parking.
- 4.28 This section applies only where the privately owned property has been clearly identified as having restrictions on Parking.

#### ABANDONED VEHICLE

- 4.29 No person shall abandon a Vehicle on a Highway.
- 4.30 Without restricting the generality of section 4.29, a Vehicle that is left standing in one location on a highway for more than 72 consecutive hours is deemed to have been abandoned at that location.

#### HIGHWAY MAINTENANCE

- 4.31 The CAO may cause temporary "No Parking" signs to be placed on or near a highway for maintenance or construction purposes.
- 4.32 The owner of a Vehicle which remains Parked in an area where Parking has been prohibited pursuant to section 4.31 for a period of 12 hours subsequent to the placement of the appropriate signs shall be in contravention of this section.

#### TRAILERS

- 4.33 No Person shall Park any Trailer on a highway unless the Trailer is attached to a Vehicle by which it may be propelled or drawn. When so attached, the Trailer will be deemed to be part of the Vehicle it is attached to for the purposes of this Bylaw.

#### VEHICLES ON JACKS

- 4.34 No person shall leave a Vehicle unattended on a highway if the Vehicle has been placed on a jack or similar device and;
- (a) one or more of the wheels have been removed from the Vehicle; or
  - (b) part of the Vehicle is raised off of the ground.

#### GARAGE AND SERVICE STATIONS

- 4.35 No Person in control of a garage, service station, Vehicle accessories store, stereo shop or other premises where repairs or installations are made on Vehicles for compensation shall leave or cause or permit to be left on any highway a Vehicle which is left in the Person's possession for the carrying out of repairs, installations or for any other purpose.

## **PART 5 - USE OF STREETS AND SIDEWALKS**

### **LITTERING**

- 5.1 No Person shall place, permit to be placed, or throw any litter, refuse, substance or thing of any kind on any highway.

### **UNAUTHORIZED SIGNS**

- 5.2 No Person shall place a sign, notice or other object upon a highway or upon abutting public lands, without proper authority or a permit issued by the CAO.
- 5.3 For the purposes of section 5.2, any individual or corporation referred to on a sign, whether directly or indirectly, is presumed to have placed the sign or caused or permitted the sign to be placed.

### **VEHICLE FLUIDS**

- 5.4 No Person shall drain lubricating oils or any fluids associated with the operation of a Vehicle upon a highway.

### **EXTENSION CORDS**

- 5.5 No Person shall place, cause, or permit to be placed, an electrical extension cord across a sidewalk, boulevard or driveway in a manner which, in the opinion of a Peace Officer, may pose a hazard to Persons or property.

### **MATERIAL ON SIDEWALKS/ROADWAYS**

- 5.6 No Person shall place, cause or permit to be placed any earth, sand, gravel, grass, leaves, snow, ice, debris or other materials upon any sidewalk or roadway.

### **FIRES AND EMERGENCY SITE MANAGEMENT**

- 5.7 No Person shall pass beyond a point designated by a Peace Officer or a member of the Fire Department near the location of a fire.
- 5.8 No Person shall drive a Vehicle over any fire hose unless directed to do so by a Peace Officer or a member of the Fire Department near the location of a fire.

### **STREET AUCTIONS**

- 5.9 No Person shall display, sell, or offer for sale any article or thing whatsoever upon any highway unless a permit has been issued by the CAO.

#### SIDEWALK OBSTRUCTIONS

- 5.10 No Person shall place any goods, wares, merchandise, or any other articles upon a highway outside of a shop, warehouse, or building so as to obstruct pedestrian or vehicular traffic.

#### PEDESTRIANS

- 5.11 No Person shall stand or be in any other position on a highway so as to obstruct the entrance to a building.
- 5.12 No Person shall stand or be in any other position on a highway so as to obstruct pedestrians or Vehicles using the highway.
- 5.13 Where a Peace Officer has reasonable grounds to determine that a Person is in contravention of section 5.11 or section 5.12, the Peace Officer may direct that Person to disperse immediately and any Person receiving such a direction from a Peace Officer that fails to immediately comply with that direction shall be guilty of an offence.
- 5.14 Sections 5.11 and 5.12 do not apply to Persons participating in or assembled to watch a Parade or Procession for which a permit has been issued pursuant to this Bylaw.

#### STREET FURNITURE

- 5.15 No Person shall climb upon, interfere with, damage, deface, remove or destroy any Street Furniture.

#### DAMAGE TO TRAFFIC CONTROL DEVICES

- 5.16 No Person shall climb upon, interfere with, damage, deface, remove, alter or destroy a Traffic Control Device.

#### HIGHWAY OBSTRUCTIONS

- 5.17 No Person shall permit any building, structure, fixture, road, tree, shrub, hedge, fence, sign, notice, advertising device, light or other object on property they own or occupy to:
- (a) cause a drifting or accumulation of snow on a highway,
  - (b) damage a highway,
  - (c) obstruct the vision of pedestrians or drivers of Vehicles on a highway, or
  - (d) create a hazard or obstruction to vehicular or pedestrian traffic on the highway.

### **PART 6 - MISCELLANEOUS**

#### PERMITS

- 6.1 The CAO may issue permits in relation to activities governed by this Bylaw on such terms and conditions as the CAO deems appropriate.

- 6.2 A Person to whom a permit has been issued pursuant to this Bylaw and any Person carrying out an activity otherwise regulated, restricted or prohibited by this Bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit and shall produce the permit to a Peace Officer upon request.
- 6.3 A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.
- 6.4 If any term or condition of a permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, in addition to any other remedy available to the County, the CAO may immediately cancel the permit.
- 6.5 The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.

## **PART 7 - AUTHORITY OF MUNICIPAL OFFICIALS**

### **AUTHORITY OF THE CAO**

- 7.1 Without restricting any other power, duty or function granted by this Bylaw, the CAO is authorized to:
- (a) Carry out any inspections to determine compliance with this Bylaw;
  - (b) Take any steps or carry out any actions required to enforce this Bylaw;
  - (c) Take any steps or carry out any actions required to remedy a contravention of this Bylaw;
  - (d) Establish areas where activities restricted by this Bylaw are permitted;
  - (e) Establish forms for the purpose of this Bylaw;
  - (f) Establish the criteria to be met for a permit pursuant to this Bylaw;
  - (g) Issue permits with such terms and conditions as are deemed appropriate;
  - (h) Prescribe the location and placement of any Traffic Control Device in the County and keep or cause to be kept a record of such locations and placements;
  - (i) Impose road bans on any highway and designate the period of time the road bans are in effect;

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- (j) Designate crosswalks upon any highway, and may cause them to be marked with signs or lines painted on the surface of the highway;
- (k) Designate any area as one in which Parking privileges are temporarily suspended in whole or in part to traffic and cause the area to be marked with Traffic Control Devices;
- (l) Designate school zones and playground zones and cause such zones to be marked by the appropriate Traffic Control Devices;
- (m) Designate any boulevard upon which Parking is permitted and cause Traffic Control Devices permitting such Parking to be erected;
- (n) Temporarily close any highway for the purpose of repairs, maintenance or other valid reason or in the case of an emergency;
- (o) Cause moveable signs to be placed on or near a highway; and
- (p) Delegate any powers, duties or functions under this Bylaw to an employee of the County.

## **PART 8 - AUTHORITY OF PEACE OFFICERS**

### **CHALKING TIRES**

- 8.1 In order to determine the time period over which a Vehicle has been Parked in a location, a Peace Officer may place an erasable chalk mark on the tread face of the tire of a Parked Vehicle, or use any other reasonable method capable of determining the time period over which a Vehicle has been Parked, without the Peace Officer incurring any liability relating thereto.

### **TOWING**

- 8.2 A Peace Officer may cause any Vehicle to be removed and impounded when the Vehicle is parked in contravention of this Bylaw or where emergency conditions require that the Vehicle be removed.
- 8.3 Any Vehicle removed pursuant to section 8.2 may be moved to:
- (a) A nearby Highway; or
  - (b) a place designated by the County where it will remain impounded until claimed by its owner.
- 8.4 Any Vehicle impounded pursuant to section 8.3(b) may be released to its owner upon payment of any costs imposed for towing and storage.

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- 8.5 Where a Vehicle is impounded pursuant to section 8.3(b) and is not claimed within thirty (30) days of its removal, the Vehicle may be disposed of in accordance with the provisions of the *Traffic Safety Act* and the regulations thereunder.

MUNICIPAL TAGS

- 8.6 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 8.7 A Municipal Tag may be served:
- (a) personally to the accused;
  - (b) mailed to the address of the registered owner of the Vehicle concerned, or the Person concerned; or
  - (c) Attached to or left upon the Vehicle with respect of which the offence is alleged to have been committed.
- 8.8 The Municipal Tag shall be in a form approved by the CAO and shall state:
- (a) the name of the Person to whom the Municipal Tag is issued, if known;
  - (b) a description of the offence and the applicable Bylaw section;
  - (c) the appropriate penalty for the offence as specified in Schedule "B" of this Bylaw;
  - (d) that the penalty shall be paid within fourteen (14) days of the issuance of the Municipal Tag in order to avoid prosecution; and
  - (e) any other information as may be required by the CAO.
- 8.9 Where a contravention of this Bylaw is of a continuing nature, further Municipal Tags may be issued by a Peace Officer, provided that no more than one Municipal Tag shall be issued for each day that the contravention continues.
- 8.10 A Person to whom a Municipal Tag has been issued may pay the penalty specified on the Municipal Tag and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.
- 8.11 Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.

VIOLATION TICKETS

- 8.12 Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag is not paid within the prescribed time, a Peace Officer is hereby authorized and

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empowered to issue a Violation Ticket pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

- 8.13 Notwithstanding Section 8.12 of this Bylaw, a Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 8.14 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 8.15 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by this Bylaw for the offence in Schedule “B”; or
  - (b) require a Person to appear in court without the alternative of making a voluntary payment.
- 8.16 A Person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
  - (b) if a Violation Ticket specifies the fine amount established by this Bylaw for the offence;
- make a voluntary payment equal to the specified fine.
- 8.17 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

## **PART 9 - PENALTIES**

### **OFFENCE**

- 9.1 A Person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in this Part and not exceeding \$10,000.00.

### **SPECIFIED PENALTIES**

- 9.2 Without restricting the generality of section 9.1, the fine amounts established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered are as set out in Schedule “B”.

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OWNER LIABLE

- 9.3 In this Part “owner” includes any Person registered as an owner at the Motor Vehicle Registry.
- 9.4 If a Vehicle is involved in an offence under this Bylaw, the owner of that Vehicle is guilty of an offence.
- 9.5 Section 9.4 does not apply if the owner of the Vehicle satisfies the court that, at the time that the Vehicle was involved in an offence:
- (a) In the case of a Vehicle that was in motion,
    - (i) the owner of the Vehicle was not driving the Vehicle, and
    - (ii) no other person was driving the Vehicle with the owner’s expressed or implied consent,
  - and
  - (b) In the case of a Vehicle that was Parked,
    - (i) the owner did not Park the Vehicle, and
    - (ii) no other Person Parked the Vehicle with the owner’s expressed or implied consent.
- 9.6 An owner who is guilty of an offence under this section is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

**PART 10 - GENERAL**

SEVERABILITY

- 10.1 Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining Bylaw shall be maintained.

BYLAW SCHEDULES

- 10.2 Schedules “A” and “B” attached hereto shall form part of this Bylaw.

REPEAL

- 10.3 The following Bylaws, as amended, are hereby repealed:

Bylaw 1078-2006 – Establish Maximum Speed Limit in Northbrook and Pinebrook Subdivisions

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Bylaw 1006-2000 – Establish Maximum Speed Limit on Portion of Opal Road  
Bylaw 1011-2001 – Establish Maximum Speed Limit in Hamlet of Radway  
Bylaw 874-88 – Designate Location of Traffic Safety Devices  
Bylaw 857-86 – Establish Maximum Speed Limit at Half Moon Lake Park  
Bylaw 05-2004 – Village of Thorhild Traffic Safety Bylaw

EFFECTIVE DATE

10.4 This Bylaw shall come into force and effect upon receiving third and final reading.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Read a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CAO

**SCHEDULE "A"**

**SPEED LIMIT EXCEPTIONS**

**1. Municipal Highway/Rural Road**

- i) **Portion of Opal Road.** The maximum speed limit on the portion of Opal Road (Range Road 224 proceeding north to the Correction Line where it is re-named Range Road 223) between Township Road 580 and Highway 18 (Township Road 600) is One Hundred (100) kilometres per hour.
- ii) **Northbrook and Pinebrook Subdivisions.** The maximum speed limit on the portion of Range Road 232 that is within the Northbrook and Pinebrook Subdivisions is Sixty (60) kilometres per hour.
- iii) **Buffalo Estates.** The maximum speed limit on the portion of Range Road 221 that is within Buffalo Estates is Sixty (60) kilometres per hour.
- iv) **Portion of Correction Line Road (Half Moon Lake).** The maximum speed limit on the portion of Correction Line Road (Township Road 590) immediately adjacent to Half Moon Lake is Fifty (50) kilometres per hour.

**2. Urban – Hamlet Highway**

- i) **Portion of Opal Road.** The maximum speed limit on the portion of Opal Road within the Hamlet of Opal is Seventy (70) kilometres per hour.
- ii) **Hamlet of Radway.** The maximum speed limit on roads within the Hamlet of Radway is Forty (40) kilometres per hour.

### **3. DESIGNATED MUNICIPAL RECREATION AREAS**

- i) **Half Moon Lake Park.** The maximum speed limit on the road west of NW34-58-23-W4 from the junction of the Correction Line Road (Township 590) south to Half Moon Lake is Fifteen (15) kilometres per hour.
  
- ii) **Thorhild Recreation Vehicle Park.** The maximum speed limit on the road within Blocks F, G and F South of 7<sup>th</sup> Avenue within the Hamlet of Thorhild is Fifteen (15) kilometres per hour.
  
- iii) **Radway Fish Pond.** The maximum speed limit on the road west of Range Road 205 within Block 1, Plan 8120778 (Part of SE31-58-20-W4M) is Fifteen (15) kilometres per hour.

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**SCHEDULE "B"**

**Penalties**

| <b>Section</b>  | <b>Infraction</b>   | <b>Penalty</b> |
|---|---|----------------|
| <b>Part 3 – Operational Restrictions</b>  | All Sections  | \$100          |
| <b>Part 4 – Parking</b> (excepting sections 4.13, 4.14, 4.15 to 4.17, and 4.33) | All Sections except 4.9 to 4.12, 4.13, 4.14, 4.15 to 4.17, and 4.33 | \$50           |
| Section 4.13  | Parking Reserved For Disabled Person Violation                      | \$100          |
| Section 4.14  | Heavy Vehicle Parking Violation                                     | \$100          |
| Sections 4.15 to 4.17   | Recreational Vehicle Parking Violation                              | \$100          |
| Section 4.33  | Trailer Parking Violation   | \$100          |
| <b>Part 5 – Use of Streets and Sidewalks</b> (excepting sections 5.7 and 5.8)   | All Sections except 5.7 and 5.8                                     | \$50           |
| Sections 5.7 and 5.8  | Violation Concerning Fires and Emergency Site Management            | \$100          |