

BYLAW # 97-13

VILLAGE OF ACME

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

WHEREAS, pursuant to Section 7 of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta 1994, and amendments thereto, Council may pass bylaws for municipal purposes respecting transport and transportation systems, and;

WHEREAS, pursuant to Section 16 of the Highway Traffic Act, being Chapter H-7 of the Revised Statutes of Alberta, 1980, with amendments, Council may make bylaws for the regulation and control of vehicle and pedestrian traffic within the municipality, and;

WHEREAS, pursuant to Section 18 of the Off-Highway Vehicle Act, being Chapter O-4 of the Revised Statutes of Alberta, 1980, with amendments, Council may make bylaws with respect to highways under its control and management, to authorize persons to operate off-highway vehicles on any portion of any such highway or class of highway and may restrict the hours during which that operation may take place;

NOW THEREFORE, the Municipal Council of the Village of Acme, duly assembled, hereby enacts a Bylaw to regulate vehicle, off-highway vehicle and pedestrian traffic in the Village of Acme;

SHORT TITLE:

This bylaw may be cited as the "Acme Traffic Bylaw".

PART 1 - DEFINITIONS:

- a) "Alley/Lane" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- b) "Boulevard" means, in an urban area, that part of a highway that
 - (i) is not a highway, and
 - (ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians
- c) "Bylaw Enforcement Officer" shall mean any authorized person as appointed by Council;
- d) "C.A.O." means the Chief Administrative Officer of the Village of Acme;
- e) "Driver or Operator" means a person who drives or is in the actual physical control of a vehicle;
- f) "Commercial Vehicle" means a commercial vehicle as defined in Section (d) of the Highway Traffic Act;
- g) "Heavy Vehicle" means a vehicle in excess of 19 feet in length and includes tractors, trailers and school buses;
- h) "Highway" means a highway as defined in Section (g) of the Highway Traffic Act;
- i) "Motor Vehicle" means a motor vehicle as defined in Section (k) of the Highway Traffic Act;

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- j) "Municipality" means the Village of Acme, a corporate body in the Province of Alberta;
- k) "Off-Highway Vehicle" means a off-highway vehicle as defined in Section (k) of the Off-Highway Vehicle Act;
- l) "Owner" means
 - (i) in the case of land, any person who is registered under the Land Titles Act as the owner of land, or
 - (ii) in the case of property other than land, any person who is in lawful possession, thereof, or
 - (iii) in the case of vehicles, "owner" includes any person renting a motor vehicle or having exclusive use of it under a lease or otherwise for a period of more than 30 days;
- m) "Park" means to park when prohibited as defined in Section (n) of the Highway Traffic Act;
- n) "Peace Officer" means
 - (i) a member of the Royal Canadian Mounted Police, or
 - (ii) a special constable;
- o) "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected under the authority of the Highway Traffic Act for the purpose of regulating, warning or guiding traffic;
- p) "Treasurer" shall mean the Chief Administrative Officer of the Village of Acme;
- q) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn upon a highway.
- r) "Village" means the Village of Acme.

PART 2 - AUTHORITIES

Exempt Classes of Vehicles

201. The Council may by resolution exempt any class of vehicle from such provisions of this Bylaw relating to parking and stopping as the Council may deem for and under such conditions as the Council may impose, and may provide for the identification of such vehicles so exempted.

Owner Responsibility

202. Where a vehicle is driven, used, parked or left in contravention of any provision of this bylaw, the owner or operator of the vehicle is responsible for the contravention and liable to the penalty provided herein, unless he proves to the satisfaction of the Court, trying the case that at the time of the contravention the vehicle was not driven, used, parked or left by him or by any other person with his consent, expressed or implied.

PART 3 - VEHICLE TRAFFIC

301. The Council is hereby authorized to cause the installation of any traffic control device to govern and direct traffic within the Municipality;

302. The Speed limit for all vehicles on all streets of the municipality shall be thirty (30) kilometers per hour unless otherwise posted.
303. The Speed limit for all vehicles on all lanes of the municipality shall be twenty-five (25) kilometers per hour unless otherwise posted.
304. No vehicle operator shall drive a vehicle upon any highway in such a manner as to impede or hinder traffic thereon.
305. (1) When repairs or alterations are in progress on or adjoining any highway within the municipality and such work is being indicated by barricades or signs or by a flag person, no person shall disregard the warning given thereby and every operator shall obey any signal of a flag person on duty at the site of the work.
- (2) When a vehicle is engaged in such highway repairs or alteration within an area controlled by a flag person the provisions of this Bylaw relating to backing, turning stopping, and making other movements shall not apply to such vehicle
306. When a fire hose of the Fire Department has been laid down on any highway or driveway for use at a fire or fire practice, no person shall drive any vehicle over such hose except with the consent of the Fire Department Official in command.
307. Where a newly painted line on any roadway is indicated by signs, flags or other warning device, no person shall drive or walk over such lines.

PART 4 - SPECIAL CLASSES OF VEHICLES

401. Council may establish Truck and Bus Routes to be followed by commercial vehicles, heavy vehicles or vehicles with any type of trailer attached when unit exceeds nineteen (19) feet in length as set out in Schedule "A" attached thereto and being part of this bylaw.
402. Whenever a route has been established under Section 401 hereof for any particular classification of vehicle, no person shall drive or park a vehicle of that classification on any other street or streets within the Village except:
- (i) when so directed by a peace officer;
 - (ii) when following posted directional signs or directions of a flag person indicating that the truck route or portions thereof have been closed for purposes of maintenance, construction or repairs.
403. The following shall not be deemed to be operating a vehicle in contravention of Section 402, if the vehicle was being operated on the most direct practicable route between premises or location concerned and the nearest truck route:
- (i) persons operating a tow truck for the purpose of towing or pushing a disabled vehicle from a highway prohibited to heavy vehicles;
 - (ii) persons driving a vehicle owned or actually in the service of the Village;

(iii) persons delivering or collecting goods or merchandise to or from the premises of bona fide customers.

404. No person shall park any trailer upon a 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.

(i) No person shall park a recreational vehicle on a highway for the purpose of storage for a period longer than forty-eight (48) hours.

405. No person shall park a commercial vehicle, heavy vehicle or vehicle with any type of trailer attached thereto on private property in a residential area. The Bylaw Enforcement officer may use their own discretion in regards to recreational vehicle parking on private property in residential areas.

406. No person shall park a commercial vehicle, heavy vehicle or vehicle with any type of trailer attached thereto upon any highway if the over-all length of the vehicle or the vehicle with trailer exceeds nineteen (19) feet.

(i) the foregoing restrictions shall not apply so as to prohibit such vehicle being parked on a highway for the purpose of loading or unloading goods to or from premises abutting such highway provided that, if the loading or unloading is taking place during a period of restricted visibility, then the vehicle and its trailer shall have all front and rear parking lights illuminated.

407. (1) No person shall park a vehicle or a trailer used for the conveyance of flammable liquid or a explosive material upon a highway or on private property.

(2) No person shall park a vehicle or trailer used for the conveyance of flammable liquid, and explosive material, or other contents dangerous to human safety nearer than fifty (50) feet to a substantial building likely to contain persons or valuable goods, and it shall have a warning notice clearly displayed.

408. Council may at its discretion impose and lift a ban for vehicles exceeding nine hundred and ten (910) kilograms.

PART 5 - USE OF STREETS

501. No person shall drive on, or haul on or over, any hard surfaced or graveled highway in the Village, any tractor or motor vehicle or any type of equipment or building or thing which may in anyway damage the said highway.

502. No person shall drive a vehicle over or upon any curb or gutter or sidewalk within the Village, unless and until such curb and gutter or sidewalk has been suitably reinforced by timbers and planks to ensure that no damage will occur to said curb and gutter and sidewalk.

503. Any person who contravenes Section 502 of this bylaw shall, in addition to any penalty imposed under Schedule "B" be deemed liable for any damages caused to the curb, gutters, sidewalks or boulevards and re-compensate the Village for damages.

504. The Council or an authorized representative of council may cause the removal of any unauthorized structure or other thing which projects into or obstructs the use of any highway, sidewalk, boulevard or public place.

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505. The driver of a vehicle shall not enter a highway from a private driveway nor drive from a highway onto a private driveway if a sign prohibits the driver from doing so.
506. When the Council has caused any intersection to be marked by signs or otherwise indicating that left turns, right turns, U-turns or any turns are prohibited, no operator of a motor vehicle shall make such a prohibited turn.
507. No occupier of any premises shall permit the unrestricted flow of any water from such premises over any street, sidewalk or boulevard.
508. No person shall, without authorization from the Village, deposit any rocks, earth, trees or other substances or objects on any street, sidewalk or boulevard within the Village, and if such deposits have been made without authorization and the Village removes the same, the expense therefore shall be chargeable to the person.
509. Any electrical cord over a sidewalk shall be erected at least eight feet (2.5 meters) above the sidewalk and in no event shall an electrical cord be laid on a sidewalk.
510. Where angle parking is permitted on a street where traffic moves in both directions pursuant to this bylaw, no person shall cause a vehicle to make a left hand turn at any place other than at an intersection for the purpose of angle parking on the side to the left of travel. Vehicles may make a left hand turn for the purposes of entering an alley, lane, driveway or parking lot.

511. PARADES AND PROCESSIONS

- (1) No person shall hold or take part in any parade or procession unless a permit has been obtained.
- (2) Any person desiring to hold a parade or procession shall, at least thirty (30) days prior to the time desired to hold the same, make application in writing and such an application shall contain the following information:
- (i) the name and address of the applicant, and if the applicant is an organization, the name and address of the executive thereof;
 - (ii) the day, date, hours during which the same will be held;
 - (iii) the intended route of the parade;
 - (iv) the nature and object of the parade and procession;
 - (v) the signatures and addresses of the persons who will be responsible for the orderly conduct thereof.
- (3) Funeral processions shall not be subject to the provisions of this section provided that the procession is conducted in accordance with section 110 (1) of the Highway Traffic Act, 1980 R.S.A.

PART 6 - OFF-HIGHWAY VEHICLES

601. No person shall operate an off-highway vehicle within the municipality, except to proceed in and from his place of residence to a recreation location outside the Village boundaries, taking the shortest route possible;
602. Only alleys and lanes shall be used for this purpose except when it is necessary to cross or proceed on a street for a short distance in order to connect with another alley;
603. The operator shall bring the machine to a complete stop before crossing any sidewalk, street or avenue and shall yield the right-of-way at all times to pedestrians or moving vehicles;

604. All off-highway vehicles shall operate within a maximum speed of twenty (20) kilometers per hour while traveling to and from recreation locations and shall do so with the least possible noise;

605. No off-highway vehicles shall operate between the hours of 11:00 pm and 8:00 am.

PART 7 - PARKING

701. Unless required or permitted by this bylaw or by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:

- (a) on a sidewalk or boulevard,
- (b) on a crosswalk or any part of a crosswalk,
- (c) within an intersection other than immediately next to the curb in a "T" intersection,
- (d) within five (5) meters on the approach to a stop sign or yield sign,
- (e) within five (5) meters of any fire hydrant, or when the hydrant is not located at the curb, within five (5) meters of the point on the curb nearest the hydrant,
- (f) within 1.5 meters of the near side of a marked crosswalk,
- (g) within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossway, over a sidewalk,
- (h) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic,
- (i) at any other place where a traffic control device prohibits stopping or parking, during the times stopping or parking is prohibited,
- (j) on the roadway side of a vehicle parked or stopped at the curb edge of the highway, or,
- (k) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder police officers, fire personnel, ambulance drivers or assistants or rescue officer or volunteers,
- (l) no vehicle operator shall park upon any highway in such a manner as to block, obstruct, impede or hinder traffic. Where the obstruction is unavoidable due to mechanical failure the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway,
- (m) except as otherwise provided in this bylaw no person shall park a wrecked, dismantled or unlicensed vehicle or any vehicle not in running condition on any highway,
- (n) where a vehicle parking space is marked out or designated upon a street every driver of a vehicle using the same, shall park such vehicle wholly within the limits of the space,
- (o) no person shall park a vehicle for any period of time whatsoever at the following locations, namely:
 - (i) where the vehicle will in anyway interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the street;

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- (ii) in the entrance to any fire hall;
 - (iii) where the sign indicates that parking is restricted to a certain class of vehicles only.
- (p) no person shall park in any lane where a sign so prohibits parking except for the purpose of loading and unloading goods from a commercial establishment,
- (q) no person shall stand or park any vehicle in any lane in such a manner as to obstruct the passage of other vehicles,
- (r) no person shall park a vehicle on private land, unless permission of the owner, tenant, occupant or person in charge of the said private land has been received,
- (s) Where a sign is placed which permits parking for a specified length of time, no person shall park a vehicle for a period of time longer than the amount specified. Where a traffic tag has been issued to a vehicle in breach of this provision and where this vehicle remains parked in excess of the time permitted for a further period, then a second offense shall be deemed to have occurred,
- (t) no person shall park any vehicle in any parking space upon Village owned or controlled property where such space has been reserved for a vehicle operated by an employee of the Village,
- (u) No person shall park any trailer (whether designed for occupancy by persons or for the carrying of goods and equipment) upon any streets 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,
- (v) No person shall wash any vehicle on any street in such a manner as to constitute a nuisance or hazard,
- (w) No person shall stand or park any vehicle on any street for the purpose of greasing or repairing such vehicle, except for emergency repairs,
- (x) No person shall park in a residential area a commercial vehicle or heavy vehicle for longer than is reasonably necessary to load or unload the vehicle,
- (y) No person shall park in a residential area an industrial or construction vehicle except when such a vehicle is required pursuant to a development or building permit for that site,
702. (1) When parking on a highway, a driver shall park his vehicle with the sides of it parallel to the curb or edge of the highway.
- (2) This section does not apply where angle parking is permitted.
703. (1) Notwithstanding any other provision of this bylaw, the Village Foreman may cause moveable signs to be placed on or near a highway prohibiting parking for emergency purposes or street cleaning work;
- (i) after such signs are placed on or near a highway, no person shall park or leave a vehicle on the signed portion of highway for any part of the duration of sign posting;



- (ii) any vehicle that is on such highway when such signs are placed thereon shall be removed promptly by its owner or operator;
- (iii) when an emergency snow removal or street cleaning commences on the signed highway, the owner of any vehicle found thereon shall be charged with unlawful parking and the vehicle may be removed;
- (iv) when it is practicable the vehicle, on removal from the highway being cleaned, will be left nearby to minimize inconvenience and expense to its owner or operator.

704. Except when actually taking or discharging passengers no person shall park a vehicle at the following locations:

- (i) in a passenger loading or unloading space marked with a sign;
- (ii) on any portion of a highway marked by a sign as "No Parking";
- (iii) any parking space marked and designated "Handicapped Parking" unless the person displays a valid handicap marker on the front windshield area of the vehicle.

705. Council is hereby authorized to designate angle and parallel parking on any highway and to cause the same to be marked accordingly.

706. No person shall park any vehicle with the motor running, in such a manner and such a location as to cause a nuisance.

707. No driver of any vehicle shall park such vehicle in front of a school exit or entrance.

PART 8- PARKS AND PUBLIC PLACES

801. No person shall drive a motor vehicle or off-highway vehicle upon any grassed or cultivated lands or improved area, recreational area, playground or school grounds, except on existing highways, or except in the performance of duly authorized duties.

PART 9 - SNOW/ICE/DIRT AND OTHER OBSTRUCTIONS ON SIDEWALKS

901. Council deems it necessary to provide for the removal of all snow, ice, dirt and other obstructions from the sidewalks within the Village.

902. All persons within the Village are hereby compelled to remove all snow, ice, dirt and other obstructions from sidewalks situated on land adjoining the property owned or occupied by them.

903. The Village is authorized by this bylaw to provide for the clearing of sidewalks adjoining the property of non residents as well as all other persons who for twenty-four (24) hours neglect to clear the sidewalks. In the case of non payment of expenses set out in Schedule "B", by the owner or occupant, the expenses will be charged against the property as a special assessment to be recovered in a like manner as and with other taxes.

904. All persons who leave town on a vacation or are required to be out of town for business reason, are hereby compelled to leave someone in charge to remove snow and ice from the sidewalks adjoining their property during their absence. In the case of non-compliance the Village will hire a person to clean the sidewalk and expenses will be charged against the property as a special assessment to be recovered in a like manner as and with other taxes.



PART 10 - GENERAL

- 1001. No person shall ice skate, in-line skate or roller skate upon any highway in such a manner as to endanger public safety.
- 1002. No person shall allow himself to be drawn by a moving vehicle while he is riding upon a sled, toboggan, bicycle, skis or other conveyance, except a trailer or float during a scheduled event, upon a highway.

PART 11 - PENALTIES

- 1101. Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Act or the regulations for which a penalty is not otherwise provided is liable to a fine of not more than \$500.00 and in default of payment is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term of six (6) months without the option of a fine.
- 1102. Notwithstanding section 1101, any person contravening this bylaw may avoid summary conviction by the voluntary payment of a specified penalty as set out in Schedule "B" within the time stated thereon.

PART 12 - SIGN PLACEMENT

- 1201. The Village Council shall have the appropriate signs placed and maintained wherever necessary on the highways of the Village to indicate to drivers of commercial and heavy vehicles the highways restricted to the use of said vehicles and designate those highways which are truck routes and/or bus routes.

PART 13 - SIGN REMOVAL

- 1301. No person shall:
 - (i) tear down, remove or interfere with any barricades or notice of closing or suspension, erected or posted under authority of this section;
 - (ii) do anything in contravention of any notice posted under authority of this section.

PART 14 - REPEAL OF CONFLICTING BYLAWS

- 1401. Bylaws 97-2 and 97-9 are hereby repealed.

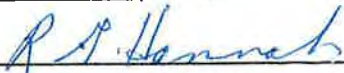
PART 15 - EFFECTIVE DATE

- 1501. This bylaw to take effect on the final reading thereof.

READ A FIRST TIME THIS 24 DAY OF NOVEMBER , 1997.

READ A SECOND TIME THIS 24 DAY OF NOVEMBER , 1997.

READ A THIRD AND FINAL TIME THIS 24 DAY OF NOVEMBER , 1997.



MAYOR



C.A.O.

SCHEDULE "A"

Schedule "A" referred to in Section 502 establishing the routes to be followed by vehicles defined as commercial or heavy vehicles or any classification or classification thereof, when traversing the streets within the Village:

TRUCK ROUTE (Schedule "C" MAP)

- a) Thompson and Nolan Street from Secondary Road # 806 to Pacific Ave; and
- b) All of Pacific Avenue from Secondary Road # 575.

SCHOOL BUS ROUTE (Schedule "D" MAP)

- a) All of Cross Street from Pacific Avenue to Walsh Avenue;
- b) Walsh Avenue from Cross Street to Thompson Street;
- c) Thompson Street and Nolan Street from Secondary Road # 806 to Pacific Avenue
- d) All of Pacific Avenue.

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SCHEDULE "B"

Section	Offence	Penalty
<u>Part 3 - Vehicle Traffic</u>	Speed Limits	Provincial authority
<u>Part 4 - Special Classes of Vehicles</u>		
402	Off Truck Route	\$50.00
402	Off Bus Route	\$50.00
404	Parking Rec Vehicle more than 48 hrs	\$50.00
405	Parking Special Class of Vehicle in Residential area	\$50.00
406	Vehicle in excess of 19 feet	\$50.00
407	Parking of vehicle for conveyance of hazardous materials	\$100.00
408	Vehicle exceeding ban weight	\$100.00
<u>Part 5 - Use of Streets</u>		
501	Damage of highway	\$100.00 plus costs to repair
502/503	Damage to curb/gutter/sidewalks	\$100.00 plus costs to repair
504 & 508	Obstruction on sidewalk/highway	\$50.00 plus costs to remove
507	Unrestricted flow of water	\$50.00
509	Electrical cord contravention	\$50.00
<u>Part 6 - Off - highway Vehicles</u>		
601	Operating in prohibited area including public highways	\$50.00
604	Speed Limits	Provincial authority
605	Operating during restricted hours	\$50.00
<u>Part 7 - Parking</u>		
701 (a-y)/704/707	Parking where not permitted	\$50.00
<u>Part 8 - Parks and Public Places</u>		
801	Parking in public areas	\$50.00
<u>Part 9 - Snow/Ice/Dirt and other obstructions on Sidewalks</u>		
902 & 904	Failure to clear sidewalks	\$ fee set by individual hired

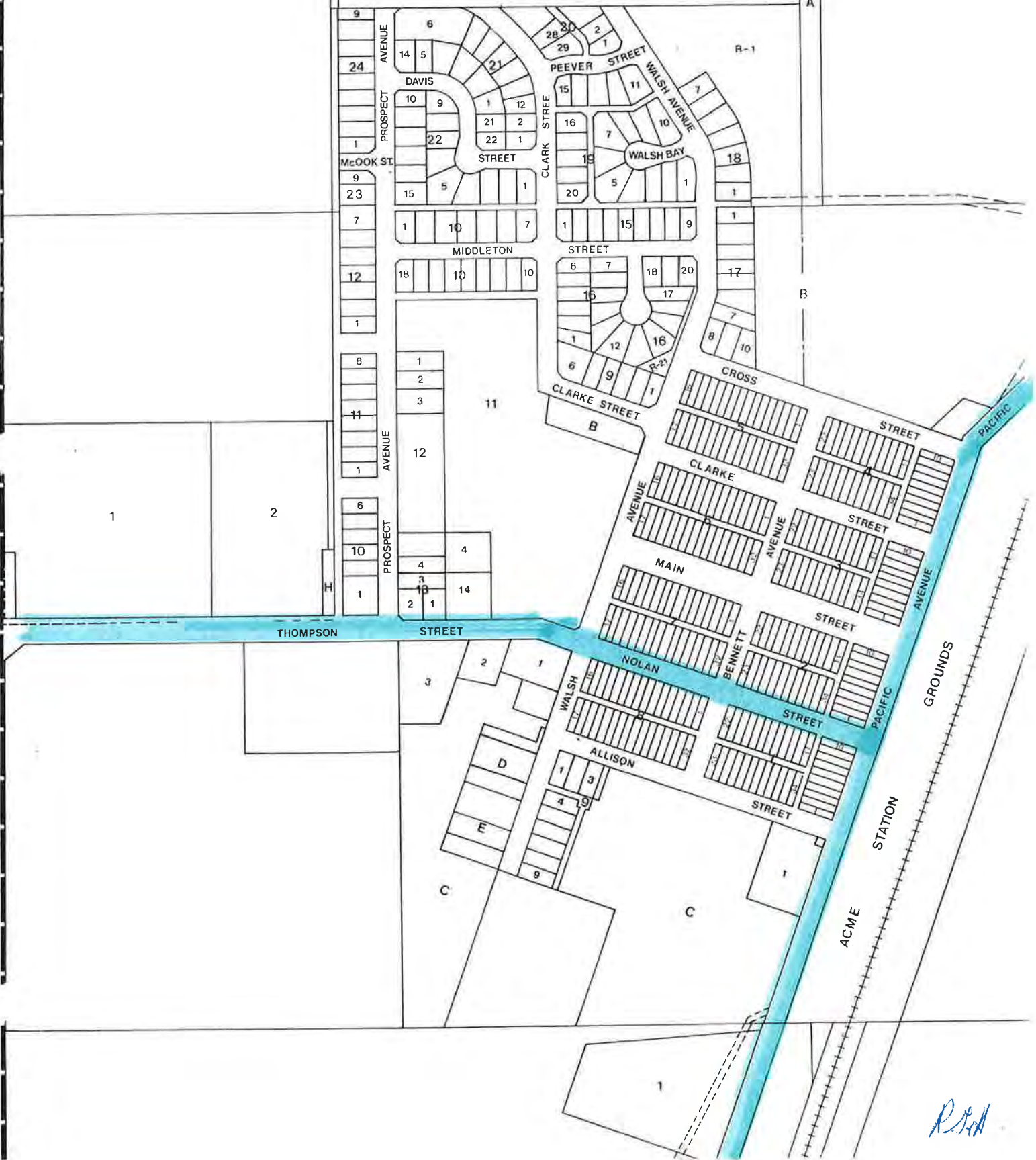
NOTE: SECOND AND SUBSEQUENT OFFENSES THE PENALTY DOUBLES.

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SCHEDULE "C"

TRUCK ROUTES



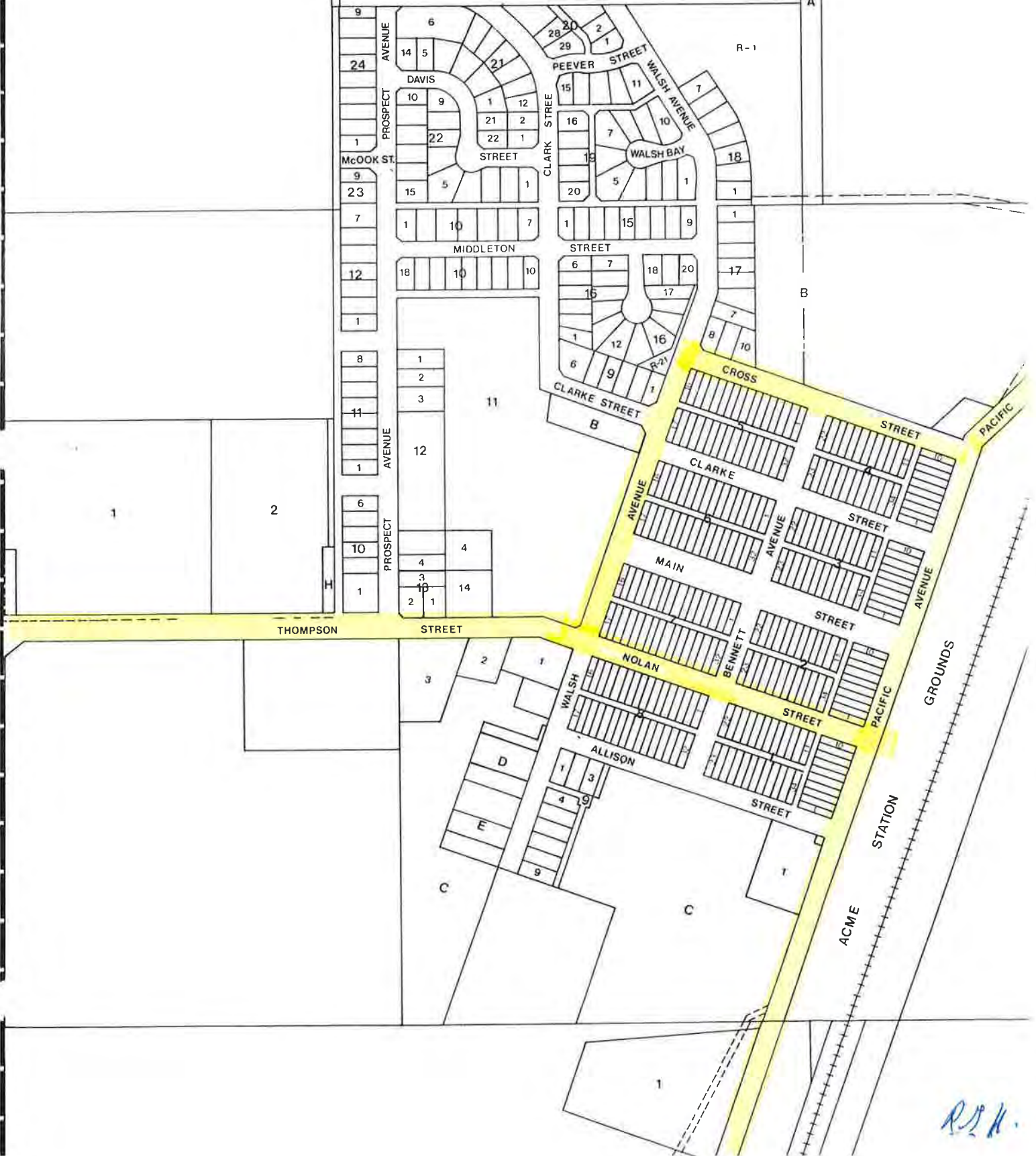
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SCHEDULE "D"

BUS ROUTES

VILLAGE OF ACME



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