

Bylaw No. 982

BEING a Bylaw of the Town of Carstairs in the Province of Alberta, the purpose of this Bylaw is to regulate traffic, parking and the use of any highway within the boundaries of the municipality.

WHEREAS Section 7. (a) of the Municipal Government Act, Chapter M26RSA 2011 amended; A Council may pass bylaws for municipal purposes respecting the following matter of the safety, health and welfare of people and the protection of people and property;

WHEREAS Section 7. (d) of the Municipal Government Act, Chapter M26RSA 2011 amended; A Council may pass bylaws for municipal purposes respecting the following matter of transport and transportation systems;

NOW THEREFORE, the Municipal Council of the Town of Carstairs in the province of Alberta, duly assembled in Council, enacts as follows:

1. This bylaw shall be named **“The Traffic Bylaw.”**
2. For the purposes of interpretation, this bylaw accepts and encompasses all definitions as set forth in the ‘Traffic Safety Act’ and amendments thereto in its entirety and shall be enforceable as empowered by such Act and this Bylaw’.
3. By Authority of the Traffic Safety Act of Alberta, the Council of the Town of Carstairs may authorize the placing, erecting or marking of a Traffic Control device at such locations as they may deem fit and may, from time to time, alter the locations of such traffic devices.
4. In this Bylaw:
 - a. Traffic Control Device means any sign, signal, marking or device placed, marked or erected under this authority for the purpose of regulating, warning or guiding traffic;
 - b. Traffic Control Signal means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;
 - c. Peace Officer means:
 - i. a member of the Royal Canadian Mounted Police;
 - ii. a member of a municipal police service;
 - iii. a peace officer appointed under the *Peace Officer Act* for the purposes of this Act;
 - iv. a park warden appointed under the *Parks Canada Agency Act* (Canada);
 - v. a conservation officer appointed under section 1 of Schedule 3.1 to the *Government Organization Act*;
 - vi. a forest officer appointed under the *Forests Act*;
 - vii. a wildlife officer appointed under the *Wildlife Act*.
 - d. Park when prohibited, means allowing a vehicle to remain stationary in one place except:
 - i. while actually engaged in loading or unloading passengers or;
 - ii. when complying with a direction given by a peace officer or traffic control device.
 - e. Double Parked means to stop or park a vehicle in the manner described in the Traffic Safety Act:
 - i. on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway.
 - f. “Truck Tractor” means a truck that maybe coupled to a semi trailer by a means of a fifth wheel.
 - g. Truck means a motor vehicle designed and intended for the transport of goods or carrying of loads.

- h. Trailer means a vehicle without motive power that is designed to be towed by another vehicle.
- i. Roadway shall mean any street, road, trail, avenue, lane, alley or highway.
- j. Highway means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
 - i. a sidewalk, including a boulevard adjacent to the sidewalk;
 - ii. if a ditch lies adjacent to and parallel with the roadway, the ditch and;
 - iii. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway.
- k. An abandoned vehicle is any vehicle on public property that has remained for 72 hours without consent of the CAO or mayor.
- l. Parades and Processions shall mean any group or train of persons or vehicles using the roadway within the Town for show or display but shall not include any military or funeral parade or procession.
- m. Emergency Vehicle means:
 - i. a vehicle operated by a police service as defined in the *Police Act*;
 - ii. a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
 - iii. an ambulance operated by a person or organization providing ambulance services;
 - iv. a vehicle operated as a gas disconnection unit of a public utility;
 - v. a vehicle designated by regulation as an emergency response unit.

Speed Limits

- 5. Unless otherwise posted by Approved Traffic Control Device no person:
 - a. Shall drive a vehicle in any alley in the Town at a speed in excess of 20 km per hour.
 - b. Shall drive a vehicle on any roadway where no speed limit is posted at a speed in excess of 50 km per hour within the Town.

Parking and Moving Offences

- 6. The Provisions of the Traffic Safety Act shall apply to any highway:
 - a. No person shall violate any provision of the Traffic Safety Act or regulations there under within the Town of Carstairs.
- 7. Unless otherwise indicated by a traffic control device, all parking in the Town of Carstairs shall be parallel.
- 8. When parallel parking a vehicle on a roadway, a person may only park a vehicle with:
 - a. the sides of the vehicle parallel to the curb or edge of the roadway and;
 - b. the right wheels of the vehicle not more than 500 millimeters from the right curb or edge of the roadway;
 - c. this section does not apply where angle parking is permitted or required.

9. No person shall Double Park a vehicle.
10. Whenever a curb has been lowered to allow a vehicle to cross a sidewalk in order to reach private property, no person shall park a vehicle so as to obstruct the use of such crossing or driveway.
11. No person shall park a vehicle within 5 meters of any intersection.
12. No person shall park a vehicle at the curb within 5 meters of a line drawn at right angles to the curb from a fire hydrant.
13. No person shall park a vehicle on any roadway for more than 72 consecutive hours.
14. No person shall park any vehicle upon any sidewalk or boulevard.
15. No person shall park or display on land owned or leased by the Town of Carstairs, any vehicle marked for sale.
16. No person shall park any trailer, designed for hauling or occupancy on a residential roadway or commercial area unless such trailer is attached to a vehicle by which it may be propelled or drawn and when so attached; the trailer shall be a part of the vehicle and subject to any regulations pertaining to the vehicle (see 12).
17. No person shall obstruct, or permit to be obstructed, an alley except for proceeding to or from premises of bona fide customers of the owner or operator of the truck in the course of delivering to or collecting from such premises goods or merchandise.
18. Where No Parking signs are located, no person shall park any vehicle in contravention of conditions stated on the sign.
19. No vehicle shall be allowed to be parked in contravention of any Traffic Control Device or Traffic Control Signal
20. No vehicle shall be allowed to park on any land owned by the Town of Carstairs except where designated for parking.
21. No person shall park or cause to be parked, a truck tractor, bus or truck (GVW in excess of 5500 kg (12100 lbs)) anywhere in an area zoned residential. A resident with a truck tractor who has a parking area on his property may apply to the town for an exception so long as the truck tractor will not be started or run between the hours of 11 pm to 7 am seven days a week. Any person in contravention may lose their letter of exception and be subject to fines under the provisions of the Town of Carstairs Noise Bylaw.
22. No person shall park in front or adjacent to any building in course of erection, demolition, alteration or repair, when such parking will impede or obstruct traffic, or access to such buildings by persons working or vehicles being used in connection with such erection, demolition, alteration or repair, except by written permission of the CAO.
23. Yellow paint applied to the curb is hereby declared as an official sign indicating parking is prohibited where the curb is so marked.
24. Except in the case of an emergency not allowing a vehicle to be removed, a person shall not park any vehicle on the street for the purpose of servicing or repairing the vehicle.
25. No person shall leave parked on any roadway any self-propelled type of vehicle incapable of being moved under its own power.
26. No person shall abandon a vehicle on public property without the express consent of the CAO.
27. No person shall park or permit to be parked, a vehicle or trailer which can not be completely parked within the confines of the person's driveway space. Any portion of the vehicle which encroaches past the driveway to the adjoining roadway or curbside sidewalk is considered an offence and said vehicle or trailer will be required to be removed.
38. No person shall leave a vehicle unattended on a roadway 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 by an object which is not attached to to the vehicle's superstructure for the leveling of the vehicle or designed to create additional lift to a vehicle which would be operated in that state.
39. No person shall park a vehicle designed for occupancy on any roadway unless the vehicle is being used as a temporary residence and for not more than 72 hours.
40. No person shall drain lubricating oils or any fluids or allow fluids to drain associated with the operation of a motor vehicle upon a roadway.
41. No person shall park a vehicle in a parking space where a sign, curb painting or pavement painting indicates that it is for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Province of Alberta.
42. No person shall park or drive any vehicle upon any land owned by the Town of Carstairs which the Town uses or permits to be used as a playground recreation area, utility or public park, buffer strip, land held for resale, or any land in reserve or on any boulevard unless permission has been obtained in writing from the Town of Carstairs' CAO or their appointed designate.
43. No person shall place; permit to be placed, or throw any substance or thing of any kind, including cement from construction sites, on any roadway, boulevard or sidewalk.

Trucks and Truck Routes

44. The CAO shall ensure that a record of truck routes is kept and is made available to the public.
45. No person shall operate a truck on a roadway which is not a truck route unless the vehicle being so operated is:
- a. proceeding to or from premises of bona fide customers of the owner or operator of the truck in the course of delivering to or collecting from such premises goods or merchandise or;
 - b. proceeding to or from premises, being designated as commercial, occupied by the owner of the truck or;
 - c. proceeding to or from a dwelling house for the purpose of carrying household goods for furniture belonging to a person who is moving his residence to or from such dwelling house or;
 - d. proceeding to or from premises where the repair or maintenance of trucks is lawfully carried on, for the purpose of being serviced or repaired on or adjacent to such premises or;
 - e) towing a disabled vehicle from a roadway;
 - f) owned by the Town of Carstairs or being used in work being done for or under contract to the Town of Carstairs, provided the vehicle is being operated in the cases specified in a), b), c), d) and e), on the most direct practical route between the nearest truck route and the premises respectively described in those cases.
46. No person shall drive, propel or move on any roadway, any vehicles having metal spikes, lugs, cleats or bands projecting from the surface of the wheel (or tire of such vehicle), unless the vehicle has been issued with a special permit by the CAO.
47. No person shall operate engine retarder brakes within the Town limits, except in case of emergency.

Bicycles, Motorcycles and Off-Highway Vehicles

48. No person shall ride a bicycle or motorcycle on any sidewalk or boulevard, nor park any such vehicle in such a manner as to obstruct the use of a sidewalk by pedestrians. Any person found to be operating a motorcycle or off highway vehicle on a sidewalk is subject to a specified penalty of four times the penalty prescribed for this section under Schedule 'H' of Rates and Fees Bylaw.
49. Children's bicycles and tricycles having a wheel diameter of less than 50 cm may be operated on the sidewalk provided due consideration for other users of the sidewalk is given.
50. No person shall operate an off-highway vehicle within the Town of Carstairs except by written permission of the CAO.
51. No person shall operate any unlicensed motorized vehicle within the Town of Carstairs except by permission of the CAO.

Temporary Closing of Roadways

52. When by reason of accident, emergency or other special circumstances, it appears to the CAO, Peace Officer, or member of the Carstairs Fire Department, to be necessary in the public interest to do so, the CAO may:
 - a. temporarily close off an area of roadway, in whole, or in part, to traffic or;
 - b. temporarily suspend, in any area of the Town of Carstairs, parking privileges granted by this or any other bylaw; and the CAO, Peace Officer, or member of the Carstairs Fire Department, may, for such period of time as deemed necessary to meet such emergency or special circumstances, take such measures for the temporary closing of the highway or the suspension of parking privileges and place barricades or post notice on or near the highway concerned, for the purpose of safeguarding or closing the roadway or portion thereof.

Fires

53. No vehicle shall follow within ten (10) meters of any emergency vehicle.
54. A person driving a vehicle shall not, unless directed by a Peace Officer, follow within thirty (30) meters of an emergency vehicle on which a siren or flashing lights, or both are operating:
 - a. This section does not apply to a person driving an emergency vehicle on which the siren or flashing lights, or both, are in operation.
55. No vehicle shall park or stop within (30) meters of any emergency vehicle which is stopped for an emergency with its emergency lights activated, unless otherwise specified by any member of the Carstairs Fire Department, Peace Officer at the scene of the incident.
56. No person shall either willfully, or otherwise operate their motor vehicle, off highway vehicle, motorized vehicle or bicycle in a manner which will interfere with the Carstairs Fire Department, or other Emergency Services ability to respond to an Emergency.
57. No person shall interfere or tamper with any equipment operated by emergency services, unless so directed by a member of the emergency services.

Parades and Processions

58. A person/organization shall obtain a permit from the Town of Carstairs to hold a parade or procession on a roadway or highway.
59. Every member of a parade or procession and the organization and leaders thereto shall be guilty of an offence for each and every violation of this section.
60. Any person/organization desiring to hold a parade or procession within the Town of Carstairs shall, at least 48 hours prior to the time they desire to hold the event, make application in writing to the CAO and in such application shall furnish information with respect to the following, namely:

- a. the name and address of the applicant and if such application is an organization, the names, addresses and occupations of the executive thereof;
- b. the nature and object of such parade or procession;
- c. the day, date and hours during which same will be held;
- d. the intended route thereof;
- e. the approximate number of persons who will take part therein;
- f. the approximate size, number and nature of flags, banners, placards, or such similar things to be carried therein and particulars of signs, inscriptions and wording to be exhibited thereon and such writing and application shall bear the signatures and addresses of the persons who will be in control of such parade or procession.

Pedestrians, Sidewalks and Boulevards

- 61. No person shall interfere with the normal and reasonable flow of traffic. No parent of a minor shall permit such interference.
- 62. No group of more than three (3) persons shall congregate so near to each other on any highway, crosswalk or sidewalk so as to obstruct the entrance to any building or to obstruct or prevent other persons from using said roadway or sidewalk.
- 63. No person shall climb any railings, fence or tree or any post pole or structure, lawfully erected on a street, unless they have proper authority to do so.
- 64. No person shall sell anything by auction on the streets without prior authority.
- 65. No person shall place articles, goods or merchandise upon any roadway or sidewalk or hang or place them on the outside of any building so they project on any street or sidewalk without having first obtained written permission from the CAO or Mayor.
- 66. No person shall leave, store or deposit or merit accumulating on any roadway or sidewalk, any article or thing that may be dangerous or in any way interfere with free flow of vehicular or pedestrian traffic.
- 67. No person shall toboggan or ski on any roadway or sidewalk without due consideration for other users of the roadway or sidewalk.
- 68. No person shall stand, sit or lie on any roadway in such a manner as to obstruct vehicular or pedestrian traffic or as to annoy or incommode any other person lawfully upon the roadway.
- 69. No person shall stand upon or walk along a roadway for the purpose of soliciting a ride from the driver of any vehicle within the municipality.
- 70. No person shall place or leave on or across any part of a town roadway, sidewalk or alley, a cord or cable that is capable of transmitting electrical energy from private property to any part of a town street where a vehicle may park.
- 71. No person shall enter into an emergency scene/area, which is being attended to by Fire Personnel, Peace Officers or Ambulance Personnel:
 - a. where they have been otherwise directed to leave or not enter or;
 - b. if otherwise directed to leave an area by a Peace Officer, Fire Personnel or Ambulance Personnel;
 - c. no person shall interfere with Fire Fighters, Peace Officers or Ambulance Personnel at any fire; traffic stop; motor vehicle collision; medical emergency or any other circumstance where the personnel on scene require bystanders to relocate from the area.

Penalties and Fines

72. A breach of any of the provisions of this Bylaw is an offence punishable on summary conviction or by the issuance of a Bylaw ticket and /or Provincial Violation ticket by a Peace Officer or other authorized persons and the penalty for such an offence is as specified in the current year Rates Bylaw. Any vehicle in contravention of this bylaw may be removed and all costs associated to the removal shall be payable by the owner of the vehicle. Any person found guilty of an offence under this bylaw, after having been compelled to court by way of an issued summons with a mandatory court appearance required, shall be subject to a penalty of not less than \$500.00 and not more than \$2500.00 and/or six months in jail. Any person found guilty of an offence where a court appearance was not required shall be subject to a penalty of not less than the specified penalty as prescribed by Schedule H of the Rates and Fees Bylaw and not more than \$2500.00 and/or six months in jail.
73. This Bylaw is to repeal Bylaw 905.

READ A FIRST TIME THIS 11TH DAY OF OCTOBER A.D., 2011

READ A SECOND TIME THIS 11TH DAY OF OCTOBER A.D., 2011

READ A THIRD AND FINAL TIME THIS 11TH DAY OF OCTOBER A.D., 2011

Rick Blair, Deputy Mayor

Carl McDonnell, CAO