

TOWN OF PICTURE BUTTE

Bylaw No.795 /06

A Bylaw of the Town of Picture Butte to regulate HIGHWAY TRAFFIC in the Town of Picture Butte.

WHEREAS Section 13 (1) of the Traffic Safety Act, R.S.A. 2000 c. T-6 reads in part as follows:

the council of a municipality may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with this Act

regarding those activities as listed in Section 13, sub-section (1) (a) through (x) of the Act.

AND WHEREAS the Traffic Safety Act, R.S.A. 2000, c. T-6 provides that the council of a municipality may make bylaws with respect to privately owned property that is located within the municipality regarding parking, speed limits, issuance of tags or tickets, and impounding of vehicles on private property as specified in Section 14 of the Act.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF PICTURE BUTTE IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

PART 1 – DEFINITIONS

- (a) This Bylaw may be cited as “The Picture Butte Traffic Bylaw”.
- (b) In this Bylaw, unless the context otherwise requires:
 - (1) “ACT” means the Traffic Safety Act, R.S.A. 2000, c. T-6 and amendments thereto;
 - (2) “ALLEY” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
 - (3) “BOULEVARD” means that portion of highway 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 roadway
 - (4) “CHIEF ADMINISTRATIVE OFFICER” means the Chief Administrative Officer of the Town of Picture Butte.

- (5) “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 highway 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 line or other markings on the road surface.
- (6) “CURB” means the actual curb, if there be one, and if there be no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;
- (7) “HIGHWAY” means every thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway 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 Town of Picture Butte;
- (8) “MOTOR CYCLE” means a motor vehicle, other than a moped, that is mounted on 2 or 3 wheels and includes those motor vehicles known in the automotive trade as motor cycles and scooters;
- (9) “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;
- (10) “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,
- (i) 4-wheel drive vehicles,
 - (ii) low pressure tire vehicles,
 - (iii) motor cycles and related 2-wheel vehicles,
 - (iv) amphibious machines,
 - (v) all terrain vehicles,
 - (vi) miniature motor vehicles,
 - (vii) snow vehicles,

- (viii) minibikes, and
 - (ix) any other means of transportation that is propelled by any power other than muscular power or wind,
but does not include
 - (x) motor boats, or
 - (xi) any other vehicle exempted from being an off-highway vehicle by regulation;
- (11) “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.
- (12) “PARKING STANDS” means that portion of any highway set apart by the Chief Administrative Officer as a place where a vehicle may be parked and, where the context requires, includes a parcel, lot or place set apart for the public parking of vehicles;
- (13) “PASSENGER LOADING SPACE” means a space or section of highway marked with a sign marking authorized by the Chief Administrative Officer, permitting parking therein for the period necessary to load or unload passengers;
- (14) “PEACE OFFICER” means a member of the Royal Canadian Mounted Police Force, Special Constable or a Bylaw Enforcement Officer of the Town of Picture Butte.
- (15) “PEDESTRIAN” means a person afoot or a person in or on a mobility aid as defined in the Act;
- (16) “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 Town of Picture Butte.
- (17) “ROADWAY” means that portion of the highway intended for vehicular traffic within the Town;

- (18) “SIDEWALK” means that part of a highway 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;
 - (19) “TOWN” means the Corporation of the Town of Picture Butte or the area contained within the corporate boundaries of the Town, as the context requires;
 - (20) “TRAFFIC CONTROL DEVICE” means a sign, a signal marking, or device placed, marked or erected for the purpose of regulating, warning or guiding traffic;
 - (21) “TRAFFIC CONTROL SIGNAL” means a traffic control device whether manually, electrically or mechanically operated by which traffic is directed to stop and to proceed;
 - (22) “TRUCK LOADING SPACE” means a space or section of the highway marked for use for the loading or unloading of goods;
 - (23) “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.
- (c) In this bylaw, any references to the masculine (he) shall also refer to the feminine (she).

PART II – SPEED LIMITS

- a. Pursuant to the provisions of the Traffic Safety Act, R.S.A. 2000 c. T-6, Section 108 the maximum speeds prescribed for highways within the Town shall be designated in Schedule “B”.
- b. The Chief Administrative Officer shall cause signs to be posted indicating a greater or lesser speed than that prescribed by the Act or indicating that the prescribed speed limit has ceased to apply.
- c. No person shall drive a motor vehicle, in any alley or highway intended chiefly to give access to the rear of buildings and parcel of land at a greater rate of speed than 20 kilometers per hour.
- d. The Chief Administrative Officer may by signs posted along a highway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while travelling over that part of the highway.

PART III – TRAFFIC CONTROL DEVICES

- a. The Chief Administrative Officer is hereby authorized to place, erect or mark traffic control devices at such locations as he may determine and shall place traffic devices at such locations as Council may be resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
 - (1) To divide the surface of a roadway into traffic lanes marked by solid or broken lines;
 - (2) To prohibit “U” turns at any intersection;
 - (3) To designate any intersection or other place on a highway as an intersection or place at which no left hand turn or right hand turn shall be made;
 - (4) To designate as a one-way street any roadway or portion thereof;
 - (5) To designate “School Zones” and “Playground Zones”;
 - (6) To designate truck routes;
 - (7) To set apart as through street any highway or part of a highway and to control entry to any highway by means of a “stop” sign or “yield” sign;
 - (8) To designate a crosswalk upon any highway;
 - (9) To designate parking stands for use of any particular class of vehicle;
 - (10) To prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public place or any portion thereof during such hours as he may determine;
 - (11) To designate and mark guide lines for angle or parallel parking on any highway or other public place or any portion thereof.
- b. The Chief Administrative Officer is hereby authorized and empowered to designate the location of traffic control signals.
- c. The Chief Administrative Officer 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.

- d. Notwithstanding any provision of this Bylaw all traffic control devices placed, erected, or marked in the Town of Picture Butte prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of Section (a).
- e. No unauthorized person shall place upon any highway or upon any structure abutting a highway any sign, mark or notice relating to parking or the use of the highway.
- f. No unauthorized person shall remove, deface or alter in any way any traffic control device placed, erected or marked pursuant to this Bylaw.

PART IV – PARADES AND FUNERAL PROCESSIONS

- a. “PARADE” or “PROCESSION” means any group of pedestrians (except military and funeral processions) numbering more than fifty marching, walking, running or racing on the roadway or on the sidewalk, or any group of vehicles (except military and funeral processions) numbering ten or more.
- b. Any person desiring to hold a parade or procession within the Town of Picture Butte shall, at least 48 hours prior to the time they desire to hold the same, make application in writing to the Chief Administrative Officer for a permit and in such application shall furnish to the Chief Administrative Officer information with respect to the following, namely:
 - 1) The name and address of the applicant, and if such applicant is an organization, the names, addresses and occupations of the executive thereof;
 - 2) The nature and object of such parade or procession;
 - 3) The day, date and hours during which same will be held;
 - 4) The intended route thereof;
 - 5) The approximate number of persons who will take part therein;
 - 6) The approximate size, number and nature of flags, banners, placeards or such similar things to be carried therein and particulars of signs, inspections and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertakes to be responsible for the good order and conduct thereof;

- c. The Chief Administrative Officer may issue a permit, with or without conditions, or, for any reason that appears to him proper, may refuse to issue a permit. In the case of a refusal, the applicant has a right of appeal to the Mayor who may grant or refuse permission for the parade or procession or may refer the matter to Council either with or without a recommendation thereon.

If an application for permission to hold a parade or procession is referred by the Mayor to Council, Council may:

- 1) Grant permission without conditions;
- 2) Grant permission with conditions; or
- 3) Refuse permission.

- d. Where a permit has been issued pursuant to Section (c) the Chief Administrative Officer shall fix the hour and route of the parade or procession and give such directions to the applicants in regard to such parade or procession as in his opinion will prevent any unnecessary or unreasonable obstruction to the street or sidewalk and tend to prevent a breach of the peace and may erect or cause to be erected such temporary barriers or traffic control devices as he deems necessary.
- e. If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles, shall obey the order and direction of the Peace Officer so regulating traffic.
- f. Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this Bylaw and shall not drive the vehicle into the intersection until it is safe to do so.
- g. No person driving any vehicle or riding or driving a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.
- h. No person shall take part in the organization or conduct of a parade or procession that forms up, attempts to form up or is carried on without a permit having been issued pursuant to Section (c).
- i. No person shall fail or refuse to comply with the conditions set forth in the permit issued pursuant to Section (c).

PART V – FIRES

- a. In case of a fire within the Town, any Peace Officer or Member of the Fire Brigade of the Town may designate in any manner a line or lines 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 such line or lines.
- b. The Chief Officer of the Fire Department of the Town of Picture Butte 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 of the Town of Picture Butte.

PART VI – VEHICLES WITH LUGS

- a. No person shall drive, propel or move on any highway 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 steel tracks, unless and until a special permit from the Chief Administrative Officer has been issued pursuant to Section (b).
- b. Any person desiring to obtain a permit required by the preceding Section, shall make application in writing therefore to the Chief Administrative Officer, setting out the nature of the vehicle to be moved, the name of the maker thereof the style of wheels and of any projections thereto, origin and destination of route and such further information as the Chief Administrative Officer may require. Any person making application shall agree to pay all damages caused to the highway, or any works made or done over, upon or under the same as a result of the operation and conveyance or movement of the vehicle mentioned in their permit. The Chief Administrative Officer may in such permit specify the route to be taken, the precautions required to protect the highway along the route (including the laying down of planks to protect pavement or crosswalks or timbering to protect bridges or culverts), the hours during which the movement shall take place and such other conditions as he deems necessary for the protection of the highways and any works done or made over or under the same.

PART VII – OFF-HIGHWAY VEHICLES

- a. No person shall operate an off-highway vehicle on any portion of a highway, sidewalk or boulevard within the Town of Picture Butte except as permitted in the Act, or by special permit from the Chief Administrative Officer, or in those areas designated for such use.

- b. Notwithstanding Section a, the operator of an off-highway vehicle may cross any highway, including the roadway, parking lane, boulevard or sidewalk portions thereof as the case may require, if:
 - (1) The operator stops the off-highway vehicle before entering on to the highway or portion thereof to be crossed,
 - (2) All passengers disembark from the off-highway vehicle and any vehicle or thing attached thereto before the snow vehicle commences to cross,
 - (3) The operator yields the right-of-way to all other vehicles and persons on the highway, and
 - (4) The operator crosses over the highway or portion thereof to be crossed by the most direct and shortest route of travel available to him.

PART VIII – HEAVY VEHICLES

- a. For the purpose of this Part, a “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 Tonnes or more or exceeding eleven metres in total length. Notwithstanding the above, a public passenger vehicle shall be deemed to be excluded from the definition of a “heavy vehicle” for the purposes of Section (b).
- b. No person shall operate a heavy vehicle on a highway other than a highway in the Town of Picture Butte that is designated as a truck route in Schedule “C”, which Schedule is hereby incorporated into and made part of this Bylaw.
- c. The following shall not be deemed to be operating a heavy vehicle in contravention of Section (b) if the heavy vehicle was being operated on the shortest route between the premises or location concerned and the nearest truck route by:
 - (1) Persons delivering or collecting goods or merchandise to or from the premises of bona fide customers,
 - (2) Persons going to or from business premises of the owner of the heavy vehicle concerned. These premises shall not be in a residential area.

- (3) Persons moving a house for which the necessary moving permits have been issued by the Town.
 - (4) Persons going to or from premises for the servicing or repairing of the heavy vehicle,
 - (5) Persons pulling a disabled vehicle from a highway prohibited to heavy vehicles,
 - (6) Persons driving heavy vehicles engaged in lawful public works requiring them by the very name of such work to deviate from the established truck routes.
- d. No person shall utilize engine retarder brakes while operating heavy vehicles within the limits of the Town of Picture Butte.

PART IX – MAXIMUM WEIGHT

- a. For the purpose of this Section “Maximum Weight” means:
- (1) The maximum weight permitted for a vehicle and load pursuant to the official registration certificate issued by the Province of Alberta for such vehicles or;
 - (2) If there is no such official registration certificate or interim registration certificate for a vehicle, then the combined weight of the vehicle and heaviest load that may be carried in accordance with provisions of Section 9 of the Commercial Vehicle Dimension and Weight Regulation, Alta. Reg. 315/2002.
- b. 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.
- c. Wherever in his opinion, there is a contravention of Section (b), a Peace Officer may order the driver or other person in charge or control of a vehicle or combination of attached vehicles 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 carried thereof. The weight slip or slips shall be given to the Peace Officer and may be retained by him, 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 Section (b), 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 take upon a highway.

- d. A weight slip given to a Peace Officer under Section (c) and submitted by him in evidence in court shall be prima facie proof of the authenticity of the weight slip and of the particulars thereon submitted in evidence and of the accuracy of the weigh scale used.
- e. A person driving or in charge of control of a vehicle or combination of attached vehicles suspected by a Peace Officer of being on a roadway in contravention of Section (b) shall, when requested by the Peace Officer, produce for such Officer's inspection any official registration certificate or interim registration 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.
- f. Particulars obtained by a Peace Officer from a registration certificate produced to him under Section (e) and submitted by him under Section (e) and submitted by him as evidence in court shall be prima facie proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.

PART X – INFLAMMABLE EXPLOSIVE OR HAZARDOUS MATERIALS

- a. No person shall park any vehicle used primarily for the conveying of fuel oil, gasoline or other explosive material upon any highway or upon any property having a building or buildings thereon unless the vehicle is parked upon the property at least fifteen metres from the nearest building likely to contain persons or valuable goods, provided that this prohibition shall not apply to the time during which any such vehicle is necessarily motionless while delivering gasoline or oil to garages, or retail dealers in the gas and oil.
- b. The provisions of this Bylaw dealing with heavy vehicles shall apply to vehicles referred to in Section (a).

PART XI – PEDESTRIANS

- a. Where a crosswalk at an intersection is marked with lines, no pedestrian shall cross at any place within that intersection except within the lines of the marked crosswalk(s).
- b. No pedestrian shall cross a highway except within the limits of a marked crosswalk when crossing the following highways:
 - 1. Highway Avenue
 - 2. Rogers Avenue

- c. Where crosswalks are marked in a school zone, no person shall cross any street or avenue within a block of such school zone between the hours of 7:30 A.M. and 4:30 P.M. on a school day, except within the limits of a marked crosswalk.
- d. No person or persons shall stand on any highway, crosswalk or sidewalk in such a manner as to:
 - (1) Obstruct vehicular or pedestrian traffic,
 - (2) Annoy or inconvenience any other person lawfully upon such highway, crosswalk, or sidewalk.
 - (3) Obstruct the entrance to any building.
- e. No person shall run upon a roadway in such a manner as to impede traffic.

PART XII – PARKING

- a. The Chief Administrative Officer is hereby authorized and empowered to designate the properly marked portions of highways where parking is restricted to any particular class or classes of vehicles. No person shall park a vehicle other than a vehicle of such class or classes on the portions of highway as marked.
- b. The Chief Administrative Officer may designate and cause to be properly marked portions of highways upon which parking is prohibited at any time.
- c. The Chief Administrative Officer may designate portions of the Highway for 15 minute or 20 minute parking of vehicles and cause same to be properly marked by signs.
- d. No person shall park a vehicle on a portion of highway marked pursuant to Section (c), for a time in excess of the period so marked.
- e. The Chief Administrative Officer may designate and cause to be properly marked, portions of highway for fifteen minutes, twenty minutes, thirty minutes, one hour, two, three, and four hours parking of vehicles between the hours of nine o'clock in the forenoon and five thirty o'clock of any day of the week. No person shall park a vehicle for any period of time exceeding the time limit so designated.
- f. No person shall park a vehicle in a traffic lane. Traffic lanes, however, may be used for such period 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 so obstruct the lane as to prevent other vehicles or persons from passing along such lanes while the loading or unloading of passengers or goods is taking place.

- g.** No person shall park a vehicle in an alley. Alleys, however, may be used for such period 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 so obstruct the alley as to prevent other vehicles or persons from passing along such alleys while the loading or unloading of passengers or goods is taking place.
- h.** The Chief Administrative Officer may designate portions of the Highway as a passenger loading or unloading space and may cause such space to be marked with a sign designating the areas as a “loading zone”.
- i.** Except when actually taking on or discharging passengers, no person shall park or stand a vehicle for any period of time at a passenger loading zone, at a “No Parking” area or in front of main entrance or doorway of a public building.
- j.** The Chief Administrative Officer may designate and cause to be properly marked by signs, portions of the highway as truck loading or unloading spaces.
- k.** No person shall park a vehicle in a truck loading or unloading space for a period of time longer than fifteen minutes.
- l.** No person shall park any trailer (whether designed for occupancy by persons or for the carrying of goods and equipment), upon any highway 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.
- m.** No person shall park any commercial vehicle, bus or motor home, truck, engine, trailer or truck of the design capacity of more than 1 Tonne or a length of more than 6 metres upon any highway except where such parking is expressly permitted.
- n.** Notwithstanding Section l. and m. of Part XII, a person may park a trailer or a motor home upon a highway, while loading or unloading only, provided that in so doing no obstruction is caused to vehicular or pedestrian traffic.

- o. No person shall park a vehicle in a bus stop marked as a “No Parking” area other than a bus used by a scheduled transit system.
- p. No person shall park any vehicle, other than an authorized vehicle in any parking space, upon any property owned by the Town where such space has been reserved by the Chief Administrative Officer and legibly marked for a vehicle operated by an employee of the Town. The Foregoing shall apply between the hours of 8:00 o’clock in the morning and 5:00 o’clock in the afternoon, Monday to Friday inclusive.
- q. No person shall park any vehicle upon any land owned by the Town of Picture Butte that the Town uses or permits to be used as a playground, recreation area or public park except on such part thereof as may be designated with a sign or signs or otherwise authorized by the Chief Administrative Officer for vehicle parking.
- r. The Chief Administrative Officer is hereby authorized and empowered to designate and properly mark any highway or portion of a highway upon which parking is prohibited between the hours of 1:00 o’clock and 7:00 o’clock in the morning or between 2:00 o’clock and 7:00 o’clock in the morning of any day of the week from Monday to Saturday. No person shall park a vehicle during the times so designated as prohibited.
- s. No person shall angle park any vehicle that exceeds six metres in over-all length upon any highway of the Town.
- t. 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.
- u. No person shall park his vehicle with the side thereof parallel to the curb or edge of the roadway when angle parking is permitted or required by means of a sign or parking guidelines.
- v. When a sign indicates that angle parking is permitted or required, a person may only park a vehicle with one front wheel not more than 500 millimeters from the curb or edge of the roadway.
- w. Except for a roadway designated as a cul-de-sac, all parking on any highway will be parallel parking unless specified by a traffic control device.
- x. Notwithstanding Section (v) of this Part, no vehicle may be parked at an angle to the curb in a cul-de-sac unless that vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.

- y. No person shall park a vehicle so that the bumper or side of the vehicle is or will be closer than 60 centimeters (24 inches) to the bumper or side of another vehicle.
- z. No person shall parallel park a vehicle such that the right wheels exceed a distance of 500 millimetres from the right curb or edge of the roadway except in the case of a one-way highway where parking on either side is permitted.
- aa. Notwithstanding Sections (r) through (x) of this Part, a person may park a motor cycle where parallel or angle parking is permitted or required
 - 1. at an angle, other than perpendicular, to the curb or edge of the roadway, and
 - 2. with
 - i. a wheel of the motor cycle not more than 500 millimetres from the curb or edge of the roadway, 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.
- bb.
 - 1. No person shall park or leave any vehicle on private land or property that has been clearly marked as such by a sign or signs erected by the owner, or his agent, unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of said land or property.
 - 2. An owner, tenant, occupant or person in charge of control of private lane or property if personally satisfied that any person is violating the prohibition set forth in the above paragraph may report to the Chief Administrative Officer or a Peace Officer the license number and location of the illegally parked vehicle. Any person making such report to the Chief Administrative Officer or a Peace Officer shall give his own name and address.
 - 3. Any Peace Officer may cause a vehicle improperly parked on private property, to be removed and taken to and stored in a suitable place and all costs for the removal and storage are a lien upon the vehicle which may be enforced in the manner approved by the Possessory Liens Act R.S.A. 2000 c. P-19
- cc. 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.

- dd. No person shall park a vehicle on a sidewalk, boulevard or median except, under special circumstances and by request to the Town, when authorized by the Chief Administrative Officer.
- ee.
 - 1. The Chief Administrative Officer is hereby authorized to establish, sign or otherwise designate such parking stalls or zones within the Town as he deems necessary for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
 - 2. The owner, tenant, occupant or person in control of private property within the Town to which vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage and markings used to so designate such parking spaces shall be in a form similar to that approved and used by the Chief Administrative Officer.
 - 3. No person shall park or stop a vehicle which does not display a disabled placard or license plate that is issued or recognized by the Registrar of Motor Vehicle Services in a parking space clearly signed or otherwise designated pursuant to subsections dd.1.or dd.2 of this Part.
- ff. Any person who is empowered to enforce the provisions of this Bylaw is hereby authorized to place an erasable chalk mark on the read face of the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.

PART XIII – TEMPORARY CLOSING OF HIGHWAYS

- a. In any case where by reason of any emergency or of any special circumstances which in the opinion of the Chief Administrative Officer makes it desirable and in the public interest to do so, the Chief Administrative Officer may:
 - (1) Temporarily close in any area of the Town, any highway in whole or in part to traffic, or
 - (2) Temporarily suspend in any area of the Town, parking privileges granted by the provisions of this or any other Bylaw. The Chief Administrative Officer may for such period of time as he deems necessary to meet such emergency or special circumstances, take such measure for the temporary closing of such highway or the suspension of parking privileges and place barricades or post

appropriate notices on or near the highway concerned as he may consider to be necessary in the circumstances.

- b. The Town, after clearly posting or signing a roadway or public parking lot a minimum of twelve (12) hours prior may cause a roadway or public parking lot to be cleared of vehicles for the purpose of street cleaning, snow removal, parades or processions, or highway repair. In such cases, the Town may tow and impound vehicles blocking street cleaning, snow removal, parades or processions, or repair equipment at the vehicle owner's expense. All costs for the removal and storage are a lien upon the vehicle, which may be enforced in the manner approved by the Possessory Liens Act R.S.A. 2000 c. P-19.

PART XIV – MISCELLANEOUS OFFENCES

- a. Every person shall be guilty of an offence who:
 - (1) Coasts on highway on a sled, toboggan or skis.
 - (2) Rides a bicycle or uses roller blades or a skateboard on a roadway, sidewalk, or boulevard in a manner that is unsafe or that interferes with pedestrian or motor vehicle traffic.
- b. No person shall wash, repair, or service a vehicle on or near any roadway, sidewalk, boulevard, or alley within the Town in a manner that allows mud, cement, refuse, debris, tar, oil, grease, antifreeze or other vehicle fluids to flow onto or enter upon the roadway, sidewalk, boulevard or alley, or enter any storm water system.
- c. No person shall place or deposit, or allow the placement or deposit, of any object, refuse, building or other materials, dumpsters, snow, earth, sand, gravel, sod, or any other matter on a roadway, alley, sidewalk, or boulevard within the Town, excepting vehicles and materials for which specific permission has been granted by the Chief Administrative Officer.
- d. No owner or occupant of private property located at an intersection of roadways in the Town shall allow hedges, shrubs, plants, trees, or other object, whether planted before or after the date of the passing of this Bylaw, within the triangular portion of the property closest to the intersection, measured from the corner of the intersection along the property line to a distance of 6.1 metres each direction along the edge of the roadway, to grow or to remain at a greater height than one metre or, in the case of branches or foliage of trees or shrubs overhanging the said portion of the property, to a height less than three (3) metres.

The described visibility triangle at a corner lot will not be required where a four-way stop exists at the time of final passing of this bylaw, namely at the intersections of

1. 2nd Street and Crescent Avenue North;
2. 4th Street and Crescent Avenue North;
3. 6th Street and Crescent Avenue North;
4. 7th Street and Crescent Avenue North; and
5. 6th Street and Centennial Avenue South;

provided the traffic control status of the intersection remains as a four-way stop.

An owner or occupant of residential property that is affected by this section e. of PART XIV may make application to the Town for reimbursement or partial reimbursement of the reasonable costs incurred in complying with the provisions of this section. Council shall only consider such application if the application is submitted within 6 months of the final passing of this bylaw and if the application is made prior to commencing the work on the property. The Town reserves the right and option to have the work necessary for compliance on the property completed by the Town, at the expense of the Town, in lieu of any reimbursement to the property owner or occupant.

- e. No owner or occupant of private property shall allow any vegetation overhanging a sidewalk, boulevard, roadway or alley, to reach a height less than four (4) metres above the said sidewalk, boulevard, roadway or alley.
- f. Where an offence under sections b., c., d., or e. of this Part occurs, the Chief Administrative Officer or his designated authority may, in addition to any penalty imposed, serve notice to the occupant or owner of the private property or owner of the vehicle, or person responsible, as the case may be, requiring specific remedial action.
- g. No owner or occupant of private property in the Town shall build, place, erect or continue the existence of fences, walls or other objects on private property to or adjacent to and within 6.1 metres from a street intersection when such fences, walls or other objects interfere with good visibility for safe traffic flow.
- h. The Chief Administrative Officer or his designated authority may serve a notice upon any person required to comply with the provisions of (g), provided however that where any such fence, all or other object that adversely affects good visibility for safe traffic was in existence on or before the first day of November 1982, the fence, wall or other object may only be moved and reduced in height at the expense of the Town.

- i. Any notice issued pursuant to this bylaw shall set forth:
 - (1) A description of the land on or adjacent to which the remedial action is required;
 - (2) The condition that is not in compliance with the Bylaw, including reference to the applicable provision of the Bylaw;
 - (3) Remedial action required;
 - (4) A deadline for compliance.

- j. Any notice served pursuant to this Bylaw will be deemed to have been sufficiently served in the case of an offence if:
 - (1) served personally upon the person to whom it is directed, or
 - (2) posted or left at a conspicuous location on the property or vehicle, or
 - (3) if mailed by regular or registered mail to the address of the person to whom the notice was directed, or to the owner of the private property involved using the address on record with the Town of Picture Butte, or to the registered owner of the vehicle using the address on record with the Alberta Motor Vehicle Branch, or
 - (4) if given verbally by a peace officer, including all information as required in section (i.) of this Part, and directed to the occupant or owner of the private property involved or to the registered owner of the vehicle.

- k. No person shall fail to satisfactorily comply with a notice issued pursuant to section (f) or (h) of this Part within the specified deadline.

- l. In default of the owner or occupant failing to comply with a notice from the Chief Administrative Officer or his designated authority pursuant to the provisions of (f) or (h) in this Part, the Town may do the work, and where applicable do the work at the expense of the person in default.

- m. The expenses incurred by the Town for the work done, where applicable may be recovered with costs by action in any Court of competent jurisdiction or in a like manner as municipal taxes.

PART XV – PENALTIES

- a. Any person who contravenes any provision of this Bylaw is guilty of an offense and is liable to a fine of not more than Ten Thousand dollars (\$10,000.00) or to imprisonment for not more than 1 year, or to both fine and imprisonment.
- b. 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 he is liable under the provisions of this Bylaw.
- c. Any Peace Officer may impound and remove from a highway, street, alley, parking lot or other public place, a vehicle in respect of which charges have not been paid or of a vehicle parked in violation of a provision of the Bylaw and all costs of removal which may be enforced in the manner provided by the Possessory Liens Act R.S.A. 2000 c. P-19.
- d. If a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw the owner of the vehicle is guilty of an offence and liable for the contravention and the penalty provided herein unless he proves to the satisfaction of the Magistrate 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 XVI – ISSUANCE OF TAGS OR VIOLATION TICKETS AND PAYMENT OF PENALTY

- a. (1) Where any Peace Officer believes that a person has contravened any provision of this Bylaw he may serve upon
 - (a) such person a Violation Ticket referencing the section contravened; or
 - (b) 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.
- (2) The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule “A” of this Bylaw, said Schedule being hereby incorporated into and made part of this Bylaw.
- (3) Notwithstanding subsection (1) of this section, a Peace Officer may issue a Parking Violation Tag or 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.

- (4) 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.
- (5) The penalty payable to the Town in respect of a contravention of this Bylaw, to be indicated on any such Parking Violation Tag or Breach of Bylaw Notice issued, is as provided for in Schedule "A" of this Bylaw. Upon payment to a person authorized by the Town to receive such payment, an official receipt for the payment shall be issued, and, pursuant to the provisions of (6), (7) and (8) of this Section, such payment shall be accepted in lieu of prosecution.
- (6) 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 Town to receive such payment, such payment shall be accepted in lieu of prosecution.
- (7) 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.
- (8) Nothing in this section shall
 - (a) Prevent any person from exercising his 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 any other person for committing a breach of any of the sections listed in the said Schedules, 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 sections listed in the said Schedules.

- (9) Where any person had 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.
- b. 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 duties.
- c. No person shall willfully obstruct, hinder or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.

PART XVII – SEVERABILITY

- a. It is the intention of Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Town Council that if any provisions of this Bylaw be declared invalid all other provisions thereof shall remain valid and enforceable.

PART XVIII – REPEAL

- a. Bylaw Number 577/82 and any amendments thereof are hereby repealed.

PART XIX – COMMENCEMENT DATE

- a. This Bylaw shall come into effect on the date of the final passing thereof.

MOVED by Councillor Oliver that first reading be given to Bylaw No. 790-06, being a bylaw of the Town of Picture Butte to regulate Highway Traffic within the Town.
CARRIED.

MOVED by Councillor Sheen that the Traffic Bylaw No. 790-06 be amended to read Bylaw # 795-06.
CARRIED.

MOVED by Deputy Mayor Kerkhoff that second reading be given to Bylaw No. 795-06, being a bylaw of the Town of Picture Butte to regulate Highway Traffic within the Town.
CARRIED.

MOVED by Councillor Oliver to proceed with third reading of the Traffic Bylaw No. 795-06, being a bylaw to regulate Highway Traffic in the Town of Picture Butte this 25th day of September, 2006.
CARRIED

Mayor

Chief Administrative Officer

SCHEDULE "A"

| Section | Description | Penalty |
|------------------|---|----------------|
| Part II (c) | Speeding in alley | \$ 75.00 |
| Part III (e) | Placing unauthorized traffic control device | \$ 100.00 |
| Part III (f) | Alter or deface a traffic control device | \$ 100.00 |
| Part IV (g) | Crossing through procession or parade | \$ 100.00 |
| Part IV (h) | Take part in parade or procession without permit | \$ 50.00 |
| Part IV (i) | Fail to comply with conditions of parade permit | \$ 50.00 |
| Part V (a) | Crossing a Fire Line | \$ 150.00 |
| Part VI (a) | Use of lugs on highway without permit | \$ 150.00 |
| Part VII (a) | Non-permissible use of Off-Highway Vehicle | \$ 50.00 |
| Part VIII (b) | Heavy vehicle off truck route | \$ 150.00 |
| Part VIII (d) | Use of engine retarder brakes in Town limits | \$ 100.00 |
| Part X (a) | Prohibited parking of fuel truck | \$ 50.00 |
| Part XI (a) | Crossing intersection outside limits of crosswalk | \$ 50.00 |
| Part XI (b) | Crossing designated highway outside crosswalk | \$ 50.00 |
| Part XI (c) | Crossing outside crosswalk in School Zone | \$ 50.00 |
| Part XI (d) | Obstructing vehicular or pedestrian traffic | \$ 50.00 |
| Part XI (e) | Causing impediment to traffic | \$ 50.00 |
| Part XII (a) | Parking in a restricted area | \$ 50.00 |
| Part XII (d) | Parking over time limit | \$ 30.00 |
| Part XII (e) | Parking over time limit | \$ 30.00 |
| Part XII (f) | Parking in a traffic lane | \$ 50.00 |
| Part XII (g) | Parking in an alley | \$ 50.00 |
| Part XII (i) | Parking in a passenger loading zone | \$ 30.00 |
| Part XII (k) | Parking in a truck loading zone | \$ 30.00 |
| Part XII (l) | Parking an unattached trailer on highway | \$ 50.00 |
| Part XII (m) | Parking where not permitted | \$ 30.00 |
| Part XII (n) | Parking of unauthorized vehicle in bus zone | \$ 50.00 |
| Part XII (o) | Parking of unauthorized vehicle | \$ 30.00 |
| Part XII (p) | Parking on public land | \$ 75.00 |
| Part XII (q) | Parking when prohibited | \$ 30.00 |
| Part XII (r) | Angle parking an over length vehicle | \$ 30.00 |
| Part XII (s) | Parking outside designated lines | \$ 30.00 |
| Part XII (t) | Not angle parking when required | \$ 50.00 |
| Part XII (u) | Improper angle parking | \$ 50.00 |
| Part XII (v) | Not parking parallel when required | \$ 30.00 |
| Part XII (w) | Parking causing interference in cul-de-sac | \$ 30.00 |
| Part XII (x) | Parking too close | \$ 50.00 |
| Part XII (y) | Improper parallel parking | \$ 50.00 |
| Part XII (z) | Improperly parking a motor cycle | \$ 30.00 |
| Part XII (aa.1) | Unauthorized parking on private property | \$ 50.00 |
| Part XII (bb) | Improper parking on driveway | \$ 30.00 |
| Part XII (cc) | Parking on sidewalk or boulevard | \$ 50.00 |
| Part XII (dd. 3) | Unauthorized parking in disabled parking zone | \$ 75.00 |
| Part XIV (a. 1) | Coast on highway | \$ 30.00 |
| Part XIV (a. 2) | Riding unsafely or in interfering manner | \$ 30.00 |
| Part XIV (b) | Releasing non-permissible material | \$ 50.00 |
| Part XIV (c) | Placing non-permissible object or material | \$ 50.00 |

SCHEDULE "B"

- (1) 30 Kilometres Per Hour

Highway Avenue

That portion of Highway Avenue lying between 2nd Street, North and 5th Street, North.

4th Street, North

That portion of 4th Street, North lying between Highway Avenue and the Canadian Pacific Railway crossing.

SCHEDULE "C"

- (1) Truck routes in the Town of Picture Butte shall be designated to be only:

Highway Avenue

Rogers Avenue

Factory Drive