

TOWN OF ECKVILLE
TRAFFIC BYLAW

BYLAW 688/08

A BYLAW OF THE TOWN OF ECKVILLE, IN THE PROVINCE OF ALBERTA, TO REGULATE THE TRAFFIC WITHIN THE TOWN OF ECKVILLE

WHEREAS Council deems it necessary to regulate traffic within the Town;

AND WHEREAS the Traffic Safety Act R.S.A. 2000 c. T-6 and the Municipal Government Act R.S.A. 2000 c. M-26 provide authority for the Town to regulate such matters;

NOW THEREFORE, the Council of the Town of Eckville, in the Province of Alberta, duly assembled, hereby enacts as follows:

Part I – DEFINITIONS

1. This Bylaw may be cited as the "Traffic Bylaw".
2.
 - (a) Except where otherwise defined in this Bylaw or in a context otherwise required by this Bylaw, all defined terms shall have the same meaning as is ascribed to them in the Traffic Safety Act, R.S.A. 2000, Chapter T-6, and all amendments and Regulations thereto.
 - (b) "Alley" means a narrow highway providing access to the rear of buildings and parcels of land;
 - (c) "CAO" means the Chief Administrative Officer appointed by Council in accordance with the Municipal Government Act;
 - (d) "Council" means the Council of the Town of Eckville,
 - (e) "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 of 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.
 - (f) "Parade or Procession" means any group of pedestrians numbering more than twenty

(20) and marching or walking on the street or any group of vehicles numbering ten (10) or more.

- (g) "Peace Officer" means any member of the RCMP, Community Peace Office, or Bylaw Enforcement Officer.
- (h) "Recreational Vehicle" means a vehicle used or intended for use as a shelter, and without restricting the generality of the foregoing, includes any motorhome, holiday trailer, camper, tent trailer or any van or bus converted for use as a recreation vehicle.
- (i) "Town" means the Town of Eckville.
- (j) "Traffic Control Device" means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.
- (k) "Truck Route" means the Highways within the Town that have been posted with signs indicating Truck Route (Appendix "C").
- (l) The Town of Eckville, its agents, servants and employees, shall not be deemed to be in contravention of this Bylaw in performing any duties or work required to be done by the Town in emergent situations requiring the Town to do work within Town limits which might otherwise contravene this Bylaw.

Part II – AUTHORITIES

- 3. The power to prescribe the necessity and location of Traffic Control Devices within the Town is hereby delegated to the CAO. The CAO shall cause a record to be kept of the location of all Traffic Control Devices, and such record shall be open to public inspection during normal business hours at the Town office.
- 4. The Council may, by resolution, designate any Highway to be a Truck Route or part of a Truck Route. A record of such Truck Routes approved by the Council shall be kept by the CAO.
- 5.
 - (a) Temporary Traffic Control Devices may be placed on a Highway by Town authorized road maintenance personnel in the course of their duties.
 - (b) Town employees may remove or cause to be removed vehicles from any Town Highway when maintaining or repairing same, or if snow is being removed or the streets are being cleaned.
- 6.
 - (a) No person shall place or cause to be placed any unauthorized structure or object which projects into or obstructs the use of any Highway, roadway, sidewalk, boulevard or Alley.
 - (b) Town authorized employees may remove or cause to be removed any unauthorized structure or other object in subsection (a) and the charges for removal and storage of any such structure or other object shall be paid by the owner or other person

responsible and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this Section.

Part III - RULES FOR THE OPERATION OF VEHICLES

7. Every person operating a motor vehicle, a bicycle, a tractor, an implement of husbandry or other type of vehicle upon a Highway in the Town shall, insofar as they are applicable, obey the rules of the road as set out in Use of Highway and Rules of the Road Regulation AR 304/2002 of the Traffic Safety Act.
8. Every person operating a motor vehicle, a bicycle, a tractor, an implement of husbandry or any other type of vehicle upon a Highway in the Town shall not exceed a speed of 40 km/hr, with the following exceptions:
 - (a) Highways posted with a speed other than 40 km/hr; and
 - (b) An Alley, where the speed shall not be in excess of 20 km/hr.
9. On any day on which school is held no driver shall drive within a school zone at any rate of speed greater than 30 km/hr between the hours of 7:30 am and 4:30 pm.

Part IV - RIGHTS AND DUTIES OF PEDESTRIANS

10.
 - (a) Every person shall, insofar as they are applicable, obey the rules for pedestrians as set out in Part 3 of the Use of Highway and Rules of the Road Regulation AR 304/2002 of the Traffic Safety Act RSA 2000 c. T-6 as amended.
 - (b) No pedestrian, except as permitted by this Bylaw, shall cross any Highway at any point other than a crosswalk. The driver of a vehicle is not relieved from exercising due care in any event.
 - (c) No person shall cross at an intersection if a Traffic Control Device thereat prohibits the crossing.

Part V - PARKING

11.
 - (a) Every person parking a motor vehicle, a tractor, an implement of husbandry or any other type of vehicle upon a Highway in the Town shall, insofar as they are applicable, obey the parking regulations as Traffic Safety Act RSA 2000 c. T-6 as amended and the regulations thereunder.
 - (b) No person shall park a vehicle at any place where a Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.
 - (c) No person shall park a vehicle at any place where a temporary Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.
12. No person shall park a vehicle in an Alley unless a sign directs or permits otherwise. Alleys may

be used for such period of time as may be reasonably necessary for loading or unloading of passengers or goods, provided the vehicle concerned does not obstruct the Alley as to prevent other vehicles or persons from passing along the Alley.

13. (a) No person shall park a vehicle on private land which has been clearly marked as such by a sign erected by the owner, tenant or their agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.

(b) An owner, tenant, occupant or person in charge of private land, if satisfied that any person is violating the prohibition set forth in sub-section (a) of this Section may report to a Peace Officer the license number and location of the illegally parked vehicle; any person making such a report to a Peace Officer shall give his own name and address.
14. No person shall park in an area 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.
15. No person shall park any vehicle upon any land owned by the Town except on such part thereof as the CAO may designate by a sign or signs for vehicular parking.
16. Recreational vehicles will be allowed to park on the street in front of the registered owner's residence from May 15 to September 15 unless the recreational vehicle poses a traffic or safety hazard. The recreational vehicle may not be permitted to park on a public street location if at the discretion of a Peace Officer the recreational vehicle is considered a traffic or public safety hazard. Recreational vehicles parked on private property must be fully contained within the property. No portion of a recreational vehicle may be permitted to protrude into a public street, laneway or sidewalk.
17. No person shall park a vehicle or a vehicle with a trailer attached thereto other than a recreation vehicle, if the overall length of the vehicle or vehicle and trailer attached thereto exceeds 8 meters, upon any highway at any hour of the day or night when such vehicle or vehicle and trailer would be located either in front of or across from or on the flankage of residential property.
18. 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 a conflict with other traffic, a driver shall not stop or park his vehicle
 - a) on a sidewalk, or the boulevard portion of a highway,
 - b) on a crosswalk or on any part of a crosswalk,
 - c) in such a manner as to obstruct access to a garage, private road, or driveway,
 - d) on any bridge, culvert or approach thereto,
 - e) within an intersection, other than immediately next to the curb in a "T" intersection,
 - f) at an intersection nearer than 4.5 meters to the projection of the corner property line immediately ahead or immediately to the rear, except when his vehicle is parked in a space where a parking meter or other Traffic Control Device indicates parking is permitted,
 - g) within 4.5 meters on the approach to a Stop sign or Yield sign,
 - h) within 4.5 meters of any fire hydrant, or when the hydrant is not located at the curb, within

4.5 meters of the point on the curb nearest the hydrant.

19. A person being in charge or control of a garage, service station, radio shop or other premises where repairs or installations are made on vehicles for compensation shall not leave or cause or permit to be left on any street a vehicle, which is left in his possession for carrying out the repairs or making installations or for any other purpose whatsoever nor any vehicles which are the property of the said garage, service station, radio shop or other premises where repairs or installations are made.

Part VI - SPECIAL CLASSES OF VEHICLES

20. For the purpose of Part VI - Special Classes of Vehicles, a "Heavy Vehicle" is defined as a vehicle which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with trailer which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with or without a trailer that exceeds 7 meters in total length but does not include a recreational vehicle.
21. (a) No person shall park a heavy vehicle upon any Highway except on a Truck Route, unless otherwise posted.
- (b) The restriction in (a) shall not apply so as to prohibit such vehicles being parked on a Highway for the purpose of unloading or loading 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 vehicles and its trailer shall have all front and rear parking lights illuminated.
22. (a) No person shall operate a heavy vehicle on a Highway other than a Truck Route (Appendix "C") except as authorized in sub-section (b). .
- (b) A person operating a heavy vehicle shall, for the purposes of obtaining goods from or delivering goods to a location off a designated Truck Route, take the most direct route between the delivery or collection point and a designated Truck Route.
23. (a) No vehicle or trailer having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire, or having caterpillar tracks or skids, may be operated on any Highway within the Town.
- (b) The forgoing restriction shall not apply to studded tires on passenger vehicles.
24. Part VI of this Bylaw shall not apply to Town vehicles or vehicles under hire by the Town for snow removal, road building or maintenance, or maintenance of Town property.
25. No person shall drive a heavy vehicle or other industrial vehicle over or upon any curb, gutter or sidewalk so as to cause damage to the curb, gutter or sidewalk.

Part VII - RULES FOR PARADES AND PROCESSIONS

26. No person shall hold or take part in a Parade or Procession without first having obtained a permit from the Town.

27. (a) Any person desiring to hold a Parade or Procession within the Town shall, at least ten (10) calendar days before the time they desire to hold the same, make application in writing to the Town furnishing the following information:
- i) the name and address of the applicant and, if such applicant is an organization, the names and addresses of the executives thereof;
 - ii) the nature and object of such Parade and Procession;
 - iii) the day, date and hours during which same will be held; and
 - iv) the intended route thereof.
- (b) The CAO may specify the hours and route of the Parade or Procession and give such directions to the applicants in regard to such Parade or Procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the highway or tend to prevent a breach of the peace.
- (c) During such Parade or Procession, all pedestrians not taking part therein shall be restricted to the use of the sidewalk.
- (d) No Parade or Procession shall move at a slower speed than 5 km/hr or obstruct any highway for a longer period than is reasonably necessary.

Part VIII – SKATEBOARDS, ROLLERSKATES, ROLLERBLADES, BICYCLES, AND HORSE-DRAWN VEHICLES

28. The driver or other person in charge of any horse-drawn vehicle on a Highway shall remain upon such vehicle while it is in motion or shall walk beside the horse drawing such vehicle.
29. No person shall use, ride, propel or operate a bicycle, rollerblades, skateboard, in-line skates, skateboard or scooter on any sidewalk in the Town of Eckville at any time. Baby strollers, children's wagons, walking aids, such as motorized wheelchairs or electric scooters, and bicycles that have a wheel diameter less than fifty centimeters, are exempted from this provision.
30. Notwithstanding any penalty specified, any person who operates a bicycle or skateboard within the corporate limits of the Town in contravention of any of the provisions of this Bylaw or any other Bylaw of the Town, or any Act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days.

Part IX - POWER OF PEACE OFFICER

31. Any Peace Officer is hereby authorized to control and regulate vehicles and highway traffic on all Highways within the Town.
32. (a) A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.

- (b)
 - i) A Peace Officer is authorized to remove or cause to be removed any vehicle or trailer operated or parked in contravention of any provision of this Bylaw, or where emergency conditions may require such removal from a Highway.
 - ii) Such vehicle may be seized and removed to a suitable place where it will remain until claimed by the owner thereof or his agent.
 - iii) No seized vehicle shall be released to its owner or his agent until the storage and removal charges on the vehicle have been paid; such charges shall be in addition to any fine or penalty imposed in respect of any such violation or to any payment made in lieu of prosecution as provided. The Town is not responsible for towing or storage charges.
- 33. (a) Any Peace Officer or any member of the Fire Department may, in case of fire or other emergency, designate a point beyond which no person shall pass.
- (b) No pedestrian or person operating a vehicle shall stand or park so as to prevent or impede access to the zone of a fire or other emergency, or pass beyond a point designated by a Peace Officer or member of the fire department.

Part X – MISCELLANEOUS

- 34. (a) No person shall allow hedges or shrubs on private property to grow to a height in excess of one (1) meter within five (5) meters from the front property line or three (3) meters from the side property line at a Highway intersection, whether planted before or after the date of the passing of this Bylaw, to ensure good visibility for safe traffic flow.
- (b) No person shall erect or cause to be erected, built, placed or replaced a fence, wall or other object on private property to a height in excess of one (1) meter within five (5) meters from the front property line or three (3) meters from the side property line at a Highway intersection, whether erected, built, placed or replaced before or after the passing of this bylaw, to ensure good visibility for safe traffic flow.
- 35. No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided on the premises to which the goods are being delivered or from which they are being taken.
- 36. No unauthorized person shall place upon any Highway or upon any structure abutting a Highway any sign, mark or notice relating to the use of the Highway.
- 37. No person other than a Town employee in the normal course of his/her duties shall mark any curb with paint or any other substance.
- 38. No person shall stand or park any vehicle on any Highway for the purpose of maintaining or repairing such vehicle except for emergency repairs.
- 39. No person shall wash or drain any vehicle or article in such a manner as to result in mud, grease, oil, ice or any item being placed upon a Highway, boulevard or sidewalk.

40. No person shall place, or shall cause or allow to be placed upon a highway or Town property any snow, ice, dirt, gravel, concrete, material, equipment, or other obstruction other than from a sidewalk pursuant to the provisions of this Bylaw.
41. Every person shall comply with any traffic signal or direction of a School Patrol.
42. No person shall place or leave on/or cross on/or above any part of a highway, sidewalk, boulevard, or any other Town property, a cord or cable that may transmit electrical energy from a private property to any part of the aforementioned property where a vehicle may park.
43. No person who owns, operates, or controls a vehicle equipped with engine retarder brakes shall allow such brakes to be engaged in any area within the Town where the use of engine retarder brakes is prohibited by signage placed by the Town, the Provincial Government, or other proper authority.
44.
 - (a) The owner of a vehicle which is involved in any contravention of this Bylaw is guilty of an offence unless he proves to the satisfaction of the judge that, at the time of the offence, the vehicle was not being driven or was not parked or left by him or by any other person with his consent, expressed or implied.
 - (b) "owner" as used in this section means the person named on the Certificate of Registration.
45. Any person violating a provision of this Bylaw is guilty of an offence and is liable to pay the amount as set out in the Town General Penalties – Appendix "A" of this Bylaw.
46. A Municipal Tag (Appendix "B") may be issued in respect of a bylaw offence:
 - (a) Where a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify the fine amount established by the bylaw for the offence;
 - (b) A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by the bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
47. A Violation Ticket pursuant to the Provincial Offences Procedure Act R.S.A. 2000, Chapter P-34 may be issued in respect of an offence. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - (a) Specify the fine amount established by the bylaw for the offence;
 - (b) Require a person to appear in court without the alternative of making a voluntary payment.
48. A person who commits an offence may:
 - (a) If a Violation Ticket is issued in respect of the offence; and

(b) If the Violation Ticket specifies the fine amount established by the bylaw for the offence;

make a voluntary payment equal to the specified fine.

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

50. Bylaw No. 518/87 is hereby repealed.

THIS BYLAW WILL COME INTO EFFECT ON THE DAY ON WHICH IT IS FINALLY PASSED.

READ A FIRST TIME IN COUNCIL THIS DAY OF , 2009.

READ A SECOND TIME IN COUNCIL THIS DAY OF , 2009.

READ A THIRD TIME IN COUNCIL AND PASSED THIS DAY OF , 2009.

MAYOR

ADMINISTRATOR

TOWN OF ECKVILLE**BYLAW 688/08****TRAFFIC BYLAW****Appendix "A"
Specified Penalties**

Section 6(a) Place Unauthorized Structure obstructing Roadway/Sidewalk/Boulevard	\$200.00
Section 8(b) Exceed Speed Limit in Alley	\$150.00
Section 12 Park in Alley.....	\$100.00
Section 13(a) Park on Private Land (posted).....	\$100.00
Section 14 Park in Handicapped Stall.....	\$100.00
Section 15 Park on Town Land	\$100.00
Section 16 Park Unattached Trailer.....	\$100.00
Section 21(a) Park a Heavy Vehicle on Highway.....	\$100.00
Section 22(a) Operate a Heavy Vehicle off Truck Route.....	\$500.00
Section 23(a) Operate a Vehicle with lugs or spikes on Highway.....	\$1000.00
Section 25 Fail to Reinforce Curb or Sidewalk.....	\$1000.00
Section 26 Fail to obtain Parade Permit.....	\$100.00
Section 27 Fail to abide by Parade Permit.....	\$100.00
Section 28 Person in charge of Horse drawn Vehicle Fail to remain upon or beside Such Vehicle.....	\$100.00
Section 29 Operate a bicycle on a Sidewalk (excess of 50 cm diameter).....	\$100.00
Section 30 Fail to use Consideration of Others while Roller-skating/Rollerblading/Skateboarding on Sidewalk.....	\$100.00
Section 35(b) Pedestrian or Vehicle impedes access to Emergency Zone.....	\$400.00
Section 36(a) Allow trees/shrubs/hedges to grow within 1.2 m (4 ft.) of the property line.....	\$100.00

Section 37 Load/Unload across Sidewalk.....	\$100.00
Section 38 Unauthorized person erect Traffic Sign.....	\$200.00
Section 39 Unauthorized person mark Curb.....	\$200.00
Section 40 Repair a Vehicle on Highway.....	\$300.00
Section 41 Wash or drain any vehicle/article, placing mud/grease/oil/ice on highway/boulevard/sidewalk.....	\$200.00
Section 43 Fail to comply with Direction of School Patrol.....	\$1150.00
Section 44 Electrical Cords over Sidewalk	\$100.00
Section 45 Use of Engine Retarder Brakes	\$100.00