

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW #036-20

A Bylaw to regulate the use of highways under the direction, control, and management of the City of Chestermere, and to regulate the parking of vehicles on such highways as well as on privately owned property within the corporate limits of the City of Chestermere.

WHEREAS pursuant to Section 7 of the *Municipal Government Act, R.S.A. 2000, c. M-26*, the council of a municipality may pass bylaws for municipal purposes respecting, among other things, (a) the safety, health, and welfare of people and the protection of people and property; (b) people, activities, and things in, on, or near a public place or place that is open to the public; (c) transport and transportation systems; and (d) the enforcement of such bylaws, including the creation of offences, the imposition of fines and imprisonment, the ability to conduct inspections and remedying contraventions of bylaws;

AND WHEREAS pursuant to Section 13 of the *Traffic Safety Act, R.S.A. 2000, c. T-6*, the council of a municipality may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the TSA, respecting the following matters:

- (a) governing the use of highways;
- (b) governing the parking of vehicles;
- (c) governing the establishment and use of parking places that are for the exclusive use of persons with disabilities who display on their vehicles a disabled placard or licence plate that is issued or recognized by the Registrar;
- (d) governing access to highways from private land;
- (e) governing fees charged with respect to the parking of vehicles;
- (f) classifying motor vehicles and other vehicles and pedestrians for any purposes involving the use of streets, lanes and other public places;
- (g) with respect to noise produced in connection with a vehicle,
 - (i) defining what constitutes an objectionable noise, and
 - (ii) prohibiting the use or operation of a vehicle where the noise produced in connection with that vehicle is objectionable noise;
- (h) governing the turning of vehicles at intersections;
- (i) governing the encumbering of highways;
- (j) governing, subject to Sections 77 to 79, the impounding and removal of vehicles
 - (i) in respect of which parking fees are payable,
 - (ii) that are parked in an area where parking is prohibited, or
 - (iii) that are parked in contravention of this Act or a bylaw;

- (k) governing the impounding of off highway vehicles and similar devices;
- (l) governing Parades and Processions;
- (m) governing closing or restricting the use of a highway;
- (n) authorizing the municipality to issue a licence or permit that is terminable on 30 days' notice in writing for the temporary occupation or use of a road allowance or highway or a portion of a road allowance or highway when it is not required for public use;
- (o) restricting the use of specific traffic lanes to vehicles carrying a prescribed number of passengers;
- (p) restricting the use of specific traffic lanes to specific vehicles or classes of vehicles;
- (q) governing the issuing of tags, tickets or other documents;
- (r) governing the placing of tags, tickets or other documents on vehicles;
- (s) governing the marking of tires on vehicles for the purpose of enforcing parking bylaws;
- (t) governing the employing of or engaging the services of persons to enforce bylaws made with respect to the parking of vehicles;
- (u) designating routes for vehicles or classes of vehicles;
- (v) restricting the weight of vehicles or of vehicles and the goods being carried by the vehicles; and
- (w) prescribing or otherwise providing for penalties with respect to the contravention of a bylaw made under this Division;

AND WHEREAS pursuant to Section 14 of the *Traffic Safety Act, R.S.A. 2000, c. T-6*, the council of a municipality may pass bylaws with respect to with respect to:

- (a) privately owned property that is located within the municipality to which vehicles driven by members of the public generally have access,
 - (i) governing parking on the property without the permission or authorization of the owner of the property or a person having possession or control of the property;
 - (ii) governing the parking of vehicles in manufactured home communities;
 - (iii) governing the establishment and use of parking places that are for the exclusive use of persons with disabilities who display on their vehicles a disabled placard or license plate that is issued or recognized by the Registrar;
 - (iv) prescribing speed limits in respect of lanes or other thoroughfares used by vehicles;
- (b) with respect to private property that is located within the municipality to which vehicles driven by members of the public generally do not have access but on which the owner of the property or a person having possession or control of the property may park or otherwise keep vehicles, prohibiting
 - (i) the parking of vehicles on that property without the permission or authorization of that person;

- (ii) the parking of vehicles so that the access to that property is denied or otherwise restricted;
- (c) with respect to a vehicle parked or driven in contravention of a bylaw made under this Section,
 - (i) governing the issuing of tags or tickets or other documents;
 - (ii) governing the placing of tags, tickets or other documents on vehicles;
 - (iii) governing, subject to Sections 77 to 79 of the *Traffic Safety Act*, the removal and impounding of vehicles;
 - (iv) providing for the laying of an information and complaint;

Now Therefore, the Council of the City of Chestermere, duly assembled, hereby enact as follows:

1. Title

- (1) This Bylaw may be cited as the "Traffic Control Bylaw".

2. Definitions

In this Bylaw:

All words shall have the same meaning as the *Traffic Safety Act*, except as otherwise defined.

- (a) "Act" means the *Dangerous Goods Transportation and Handling Act, R.S.A., 2000, c. D-4*;
- (b) "CAO" means the Chief Administrative Officer of Chestermere, Alberta appointed by Council, or their designate;
- (c) "City" means the municipal corporation of the City of Chestermere, in the Province of Alberta, or the area within the City of Chestermere's corporate limits, as the context requires;
- (d) "Class" means the classes of Dangerous Goods as listed in Schedule "B";
- (e) "Commercial" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle;
- (f) "Council" means the Municipal Council of the City of Chestermere;
- (g) "Dangerous Goods" means a product, substance, or organism included by its nature or by the regulations in any of the Classes listed

in Schedule "B";

- (h) "*Director of Community Operations*" means the Director of Community Operations for the City of Chestermere, or their designate;
- (i) "*Handling*" means the loading, unloading, packing, or unpacking of Dangerous Goods in or on a means of containment for the purposes of, in the course of or following transportation in or by a means of transport, and includes their storage in the course of transportation;
- (j) "*Heavy Truck*" shall include, but is not limited to, any vehicle or combination of vehicles or trailers designed primarily for the transportation of property or equipment including a bed truck, truck, picker truck, truck tractor, winch truck or trailer that, with or without its load, exceeds any of the following:
 - (i) 2 axels;
 - (ii) 8 meters in length;
 - (iii) 2 meters in width;
 - (iv) A gross vehicle weight in excess of 4500 kilograms;
- (k) "*Inspector*" means a person or a member of a class of persons designated as an inspector under Section 6(1) of the Act;
- (l) "*In Transport*" means that a person has possession of Dangerous Goods for the purpose of transportation or for the purpose of storing them in the course of transportation;
- (m) "*Lane*" means that portion of a Highway used to provide secondary access to land, in addition to the primary access provided by the street in front of the lands;
- (n) "*Means of Containment*" means a container or packaging, or any part of a Means of Transport, that is or can be used to contain Dangerous Goods;
- (o) "*Means of Transport*" means
 - (i) an item of rolling stock within the meaning of the *Railway (Alberta) Act, R.S.A. 2000, c. R-4*; or
 - (ii) a device in, on, or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles, but does not include a mobility aid;
- (p) "*Parade*" or "*Procession*" means a group of pedestrians and/or vehicles on a highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or vehicular traffic on the highway, excluding a funeral procession;

- (q) "*Park*", "*Parked*", and "*Parking*" means to allow a vehicle (whether occupied or not) to remain standing in one place except:
- i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers; or
 - ii) when standing in obedience to a Peace Officer or Traffic Control Device;
- (r) "*Pathway*" means any multiple-use path whether of asphalt, concrete or an aggregate surface, and set aside for use by pedestrians, cyclists and persons using wheeled non-motor conveyance;
- (s) "*Peace Officer*" means a police officer or member of a police service under the *Police Act, R.S.A. 2000, c. P-17*, or a Peace Officer appointed pursuant to the *Peace Officer Act, S.A. 2006, c. P-3.5*; or a person appointed as a bylaw enforcement officer pursuant to the *Municipal Government Act, R.S.A. 2000, c. M-26*;
- (t) "*Person*" means an individual, firm, partnership, association, corporation, company or society, and includes the executors, administrators or legal representatives of a person;
- (u) "*Provincial Offences Procedure Act*" means the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34* and the regulations thereof, as amended or replaced from time to time;
- (v) "*Railway Vehicle*" means any vehicle that is designed to be drawn or propelled on rails by any power other than muscle power and that is prepared for use or being used on rails;
- (w) "*Recreational Vehicle*" means a vehicle, including a trailer, that is designed, constructed, equipped or used, either temporarily or permanently, for travel with living accommodation or a sleeping place for vacation, camping or recreational use, and that is capable of being driven, towed or transported;
- (x) "*Registered Owner*" means the person recognized as the owner of the vehicle, and includes the Person or Persons named as the owner on vehicle certificate of registration and, where the vehicle certificate of registration has lapsed or expired, the Person or Persons most recently names as the owner in the vehicle certificate of registration;
- (y) "*Residential Area*" means all land designated as a residential district in the City of Chestermere Land Use Bylaw and any amendments thereto, and includes all highways within or abutting a Residential Area, whether or not the highway abuts any other district;

- (z) “*Safety Mark*” means a Dangerous Good mark or a compliance mark, or both, as the case may be, under the Act;
- (aa) “*Safety Standards*” has the same meaning as under the Act;
- (bb) “*Shipping Record*” has the same meaning as under the Act;
- (cc) “*Standardized Means of Containment*” means a Means of Containment for which there is a Safety Standard;
- (dd) “*Stop*” or “*Stopping*” means:
 - i) when required, a complete cessation of vehicular movement; and
 - ii) when prohibited, any halting, even momentarily, of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or a Traffic Control Device;
- (ee) “*Taxi*” means a vehicle for hire for which a valid taxi license or accessible taxi license has been issued by a municipal body;
- (ff) “*TDG Act and Regulation*” means the *Transportation of Dangerous Good Act, S.C. 1992, c. 34* and the *Transportation of Dangerous Goods Regulation SOR/2001-286* thereunder;
- (gg) “*Traffic Control Device*” means any sign, signal, marking, or device placed, arched or erected under the authority of the *Traffic Safety Act, R.S.A. 2000, c. T-6* for the purpose of regulating, warning, or guiding traffic;
- (hh) “*Trailer*” means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transfer property or Persons and includes any Trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways;
- (ii) “*Violation Tag*” means a tag or similar document issued by the City pursuant to the *Provincial Offences Procedure Act*.

3. Application

- (1) Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other Bylaw or any requirement of any lawful permit, order, or license.

- (2) Any heading, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (3) Where this Bylaw refers to another Act, Bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.
- (4) All the schedules attached to this Bylaw shall form a part of this Bylaw.
- (5) This Bylaw is gender-neutral and, accordingly, any reference to one gender includes the other.

4. Speed Limits – General

- (1) No driver of a vehicle shall drive a vehicle within the City of Chestermere at a speed in excess of forty (40) kilometers per hour unless otherwise posted.

5. Speed Limits – School and Playground Zones

- (1) Pursuant to Section 107(5) of the *Traffic Safety Act*, no Person shall drive a vehicle at a speed in excess of thirty (30) kilometers per hour in a playground zone, between the hours of 7:30 a.m. and 9:00 p.m. every day of the week

6. Traffic Control Device

- (1) The Director of Community Operations is authorized to prescribe where the Traffic Control Devices are to be located, including Traffic Control Devices restricting the speed of vehicles.
- (2) No driver of a vehicle shall disobey any Traffic Control Device.

7. Parking and Storage

- (1) No driver or Registered Owner of a vehicle shall Park or store a vehicle or permit a vehicle to be Parked or stored upon a highway for more than seventy-two (72) hours consecutively at one location.

8. Obstruction of Highways

- (1) No driver of a vehicle shall park or stop a vehicle or permit a vehicle to be parked or stopped upon any highway in such a manner to block, obstruct, impede, or hinder
 - (a) pedestrian or vehicle traffic on the highway;

- (b) vehicle entry or exit to a building, including a driveway;
 - (c) access to a public utility; or
 - (d) the approach to any fire station, police station, hospital, medical facility, or other location where emergency vehicles require regular access, unless the driver possess a valid Parade or Procession permit issued pursuant to this Bylaw.
- (2) Notwithstanding Section 8(a), where the obstruction caused by a vehicle is unavoidable due to mechanical failure, that Person will not be in breach of Section 8(a) provided the Person:
 - (a) promptly takes measures to remove such vehicle from the highway; and
 - (b) does not leave the vehicle unattended if the vehicle has been placed on a jack or jacks.
- (3) Subject to Section 8(2), no Person shall make or place an obstruction of any kind or permit any obstruction to be made or placed in, upon or above any highway unless authority or permission has been granted in writing by the Director of Community Operations, or if the obstruction is equipment that is being used by Municipal Emergency Services, for the purposes of protecting life and property.
- (4) No Registered Owner or driver of a vehicle shall cause, permit, or allow a vehicle, machinery, or equipment to track, release, deposit, or spill an excessive amount of material including mud, dirt, soil, salt, sand, rocks, gravel, other loose substances, or debris of any nature on to a highway or sidewalk so as to cause a nuisance or unclean condition.
- (5) Every Person who fails to obtain or to comply with the provisions of Section 8(3) or 8(4) shall be guilty of an offence and shall, in addition to any other penalty, cause the removal of the obstruction or the material within no later than twenty-four (24) hours of being notified to do so by the City. After the expiration of the twenty-four (24) hour period, the City may cause the removal or clean-up of the obstruction or material and such removal shall be at the expense of the Person causing, placing, or permitting the obstruction or tracking, release, deposit, or spill on the highway or sidewalk.
- (6) Notwithstanding Section 8(5), where an obstruction, tracking, release, deposit, or spill of any kind exists in, upon, or above any highway or sidewalk, and in the opinion of the Director of Community Operations, Fire Captain, or Peace Officer creates an unsafe condition, the City may immediately take such measures as are required for the protection of life or property and the cost of such measures shall be at the expense of the Person causing, placing, or permitting the obstruction or

tracking, release, deposit or spill on the highway or sidewalk.

- (7) The City assumes no responsibility for damage to either the property that is causing obstruction, or the property that is abutting the highway or sidewalk when work is being done pursuant to Section 8(5) or 8(6).
- (8) No owner of a property shall allow any landscaping, foliage or structure to impede or restrict visibility that impacts safety of users of a highway or Pathway.
- (9) No Person shall drive a vehicle over an unprotected hose or any other equipment that is being used by a fire department.

9. Temporary Repairs and Street Maintenance

- (1) The Director of Community Operations may cause temporary Traffic Control Devices to be placed on or near a highway to indicate temporary traffic directions for the purpose of repairs, maintenance, ice/snow removal, or emergency. Such temporary Traffic Control Devices may include signs stating "Closed", "No Parking", "Emergency Repairs, no parking", or "Snow Removal, no parking". Such temporary Traffic Control Devices shall take precedence over all other Traffic Control Devices. A Person shall obey the instructions of the temporary Traffic Control Devices while they are in place.
- (2) No driver of a vehicle shall Park a vehicle or permit a vehicle to be Parked on a highway from the time a sign or signs referred to in Section 9(1) have been placed, and until such sign or signs have been removed.
- (3) Where the vehicle was Parked prior to the placement of the signs referred to in Section 9(1), no driver of a vehicle shall leave that vehicle Parked or permit that vehicle to remain Parked on the highway after the expiration of twenty-four (24) hours from the time the sign or signs were placed, and until such sign or signs have been removed.

10. Tracked Vehicles

- (1) Unless permission to do so has been granted by the Director of Community Operations, no Person shall operate or permit to be operated on a highway:
 - (a) a vehicle having metal spikes, logs or cleats or bands projecting from the surface or the wheel or tire of such vehicle; or
 - (b) a vehicle having skids or not using triple ground or flat surface tracks.

11. Rights and Duties of Pedestrians

- (1) No pedestrian shall cross, or attempt to cross, from one side of any highway to another side, at any point other than an intersection or crosswalk.
- (2) For the purposes of Section 11(1) above, highway shall not include a Lane.
- (3) No Person shall cross the Highway at an intersection if a sign or red light prohibits such crossing.
- (4) No pedestrian shall stand in a group of three (3) or more pedestrians so near to each other or on any highway so as to obstruct the entrance to any building or to obstruct or prevent other persons from using such highway and forthwith after the request has been made by a Peace Officer to do so, shall disburse and move away.
- (5) No pedestrian shall so conduct himself or otherwise position himself on a highway in such manner as to obstruct or hinder vehicular or pedestrian traffic or as to inconvenience or distract any other Person upon the Highway.
- (6) Nothing in Section 11(4) and 11(5) shall be construed as prohibiting the assembly of Persons for the purpose of participating in or watching a Parade or Procession duly authorized by the CAO.
- (7) No Person shall hitchhike or otherwise stand on a highway for the purpose of soliciting a ride from the operator of any vehicle.

12. Horse-Drawn Vehicles, Horses, and Cyclists

- (1) The driver or other Person in charge of any horse drawn vehicle on a highway shall remain up on such vehicle while it is in motion, or shall walk beside the horse drawing such vehicle.
- (2) No Person shall ride a horse or other animal on a highway except:
 - (a) in a Parade or Procession duly authorized by the CAO; or
 - (b) while being used by a Peace Officer.
- (3) No Person shall ride a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle upon a sidewalk at any rate of speed that is reckless or unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian (and animal) traffic that is or might reasonably be expected to be on the sidewalk.

- (4) Notwithstanding Section 12(3), no Person shall ride a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle upon a sidewalk, regional or local pathway at a rate of speed above fifteen (15) kilometers per hour unless otherwise posted.
- (5) Every Person riding a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle upon a sidewalk shall:
 - (a) yield the right of way to the pedestrians and their animal(s), provided the animal(s) are secured on a leash and capable of being controlled;
 - (b) when passing a pedestrian or other Person on the sidewalk, use care and control required to ensure the safety of a pedestrian or other Person;
 - (c) stay at a reasonable distance from other Persons and properly restrained animal(s) using a sidewalk or Pathway; and
 - (d) give an audible signal prior to overtaking a pedestrian or other Person on the sidewalk, which signal shall be produced a reasonable time prior to overtaking, by voice, bell, or other warning device which is audible to the pedestrian.
- (6) No Person shall ride a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle on any property if prohibited from doing so by a Traffic Control Device.
- (7) No Person shall ride a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle on private property without the expressed prior written consent of the property owner.
- (8) Notwithstanding any penalties specified, any Person who operates a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle in contravention of any of the provisions of this Bylaw or any other Bylaw of the City, or any applicable provincial legislation, may have said bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days).
- (9) Every Person under the age of eighteen (18), who while riding a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle shall wear a Canadian Standard Association (CSA) approved helmet.
- (10) An adult person who accompanies a person under the age of eighteen

(18) years, who is riding a bicycle, e-bicycle, scooter, e-scooter, roller skate, in-line skate, skateboard, longboard, or other similar vehicle, shall ensure that the person under the age of eighteen (18) years wear a CSA approved helmet.

13. Parking in Lanes

- (1) No driver of a vehicle shall Park a vehicle or permit a vehicle to be Parked in a Lane unless
 - (a) a Traffic Control Device otherwise permits such Parking; or
 - (b) the vehicle is in the process of loading or unloading of goods or passengers, provided that the vehicle's hazard warning lights are alight.
- (2) Notwithstanding Section 13(1), no driver of a vehicle while loading or unloading passengers or goods shall Park a vehicle or permit a vehicle to be Parked in such a manner that may obstruct the passage of other vehicles in the Lane.

14. Parking/Stopping

- (1) No driver of a vehicle shall Stop or Park a vehicle in any location identified by a Traffic Control Device or otherwise as a zone where Stopping or Parking is prohibited.
- (2) No driver of a vehicle shall Stop or Park a vehicle in any bus stop properly marked by a Traffic Control Device or sign.
- (3) No driver of a vehicle shall Stop or Park a vehicle in the entrance to any fire hall, police station, hospital, medical facility, or location where emergency vehicles require regular access.
- (4) No driver of a vehicle shall Park a vehicle in any alley, except in the following circumstances:
 - (a) the loading or unloading of goods from a commercial vehicle for a period not exceeding forty-five (45) minutes; or
 - (b) the loading or unloading of goods or passengers from the vehicle other than a commercial vehicle for a period not exceeding five (5) minutes provided that the vehicle is not Parked in a manner which obstructs or prevents other vehicles from passing along the alley, in which case the owner of the vehicle so Parked shall be guilty of an offence.
- (5) No driver of a vehicle shall Park a Heavy Truck in a Residential Area at any time.

- (6) No driver of a motor vehicle shall Park a Truck on any highway within the City unless such parking is authorized by a Traffic Control Device.
- (7) A vehicle shall not be parked on a highway in any location identified as being for the use of a particular Class of vehicle unless the vehicle is within that particular Class. For the purpose of this Section, particular Classes of vehicles may include, but are not limited to:
 - (a) Small cars;
 - (b) Police or emergency vehicles;
 - (c) Tour line buses;
 - (d) Funeral cars;
 - (e) School buses;
 - (f) Taxis;
 - (g) Motorcycles;
 - (h) Vending units;
 - (i) Electric vehicles;
 - (j) Federal, provincial, or municipal government vehicles, including Department of National Defence vehicles.
- (8) No driver of a vehicle shall Stop or Park a vehicle which is not a Taxi in either a marked Taxi stand allocated to a Taxi company or in any areas designated as Taxi Parking only by a Traffic Control Device.
- (9) No driver of a vehicle shall Park a vehicle that is leaking any fluid or substance, including engine or transmission fluids, on the highway.
- (10) Unless permitted by a Traffic Control Device, a driver of a vehicle shall not Park a vehicle in the following areas:
 - (a) on a sidewalk or walking path;
 - (b) on a boulevard;
 - (c) on a crosswalk or any part of a crosswalk;
 - (d) within an intersection;
 - (e) within five (5) meters of the approach to any stop sign, yield sign, or crosswalk;
 - (f) within five (5) meters of any fire hydrant, or when the fire hydrant is not located at the curb, within five (5) meters of the point on the curb nearest the fire hydrant;
 - (g) within 1.5 meters of an access to a garage, private road, alley way or driveway, or a vehicle crossway over a sidewalk;
 - (h) within five (5) meters of any speed control sign;
 - (i) when parallel parking on a highway,
 - (i) with the right hand wheels of the vehicle more than fifty (50) centimeters from the right hand curb or edge of the Roadway; or
 - (ii) with the vehicle facing against the direction of travel authorized for that side of the Highway.

- (11) No Person shall leave a vehicle unattended on a Highway if the vehicle has been placed on a jack or a similar device and:
 - (a) one or more wheels have been removed from the vehicle; or
 - (b) part of the vehicle is raised.
- (12) No driver of a vehicle shall Stop or Park a vehicle in an area designated by signs as a fire Lane.
- (13) Section 14(9)(b) does not apply to the boulevard directly adjacent to odd numbered addresses on East Chestermere Drive, and even numbered addresses on West Chestermere Drive when parking on this boulevard has been permitted by the CAO.

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- (14) No Person, except in the case of a breakdown or other emergency not allowing the vehicle to be moved, shall stand or park a vehicle on a Highway for the purpose of servicing or repairing the vehicle.

15. Idling

- (1) A Person shall not cause, permit, or allow a vehicle to idle for more than five (5) minutes total in any continuous thirty (30) minute period on any highway or at any location closer than ten (10) meters to a place designated as an educational institution, recreation centre, or medical facility.
- (2) Section 15(1) does not apply to:
 - (a) vehicle when the outdoor temperature is less than zero degrees Celsius ($<0^{\circ}\text{C}$) and only to allow safe vehicle operation and maintain clear windows;
 - (b) vehicles in which the engine is used to operate auxiliary equipment or machinery that is essential to the basic function of the vehicle and/or vehicles containing equipment or machinery that must be operated inside or in association with the vehicle; or
 - (c) any emergency vehicle.

16. Trailers

- (1) No driver shall Park any Trailer, or permit any Trailer to be parked upon any highway unless the Trailer is attached to a vehicle by its primary mechanism of attachment, by which it may be propelled or drawn; when the Trailer is attached it shall be deemed to be part of the vehicle to which it is attached and shall be subject to the regulations pertaining to vehicles unless otherwise authorized by the Director of Community Operations.

- (2) No Person shall occupy or permit any other Person to occupy a Trailer Parked on a highway or upon property owned or controlled by the City unless the property has been designated by the City for use as a Trailer park or court, or the Director of Community Operations has given written approval for such occupation.
- (3) No driver shall Park or permit any Trailer to be parked in a manner which obstructs any sidewalk, highway, or Pathway unless authorized by the Director of Community Operations.

17. Recreational Vehicles

- (1) An owner or driver of a recreational vehicle shall not Park the recreational vehicle on a highway unless it is parked in a location immediately adjoining the recreational vehicle owner's or operator's place of residence, as shown in the records of the Alberta Registries, Motor Vehicles.
- (2) Notwithstanding the foregoing, recreational vehicles shall not be parked on a highway between November 1 and April 30 of the following year.
- (3) A recreational vehicle Parked pursuant to Section 17(1):
 - (a) shall not be Parked for more than seventy-two (72) consecutive hours; and
 - (b) shall be removed to an off-highway location for at least forty-eight (48) hours before it may be Parked again on the highway.
- (4) Notwithstanding anything else in this Section, an owner or operator of a recreational vehicle must not Park the recreational vehicle on any highway in such a manner as to constitute a hazard to pedestrians or other vehicles.

18. Off-Highway Vehicles

- (1) No Person, who is the owner or driver, shall operate or permit any other Person to operate an off-highway vehicle within the City, including on any portion of a:
 - (a) highway;
 - (b) recreation area;
 - (c) school ground or playground;
 - (d) open space or parkland;
 - (e) developed or landscaped areas; or
 - (f) private property without permission of the owner of such property.
- (2) Section 18(1) does not apply to off-highway vehicles being operated

on the lake surface or in the Parking area within the John Peake Park Boat Launch for the purpose of loading or unloading and accessing or exiting the lake surface.

- (3) The owner or operator of an off-highway vehicle being operated on the lake, or on adjacent City property, must ensure that the operator holds:
 - (a) valid insurance for that vehicle;
 - (b) valid certificate of registration for that vehicle; and
 - (c) valid license plate that is properly displayed on that vehicle.
- (4) A Peace Officer who, on reasonable and probably grounds, believes that an offence under this Section of the Bylaw has occurred may seize and detain any off-highway vehicle, in respect of which the offense was committed for a period of seven (7) days.
- (5) When seizure and detainment occur, the owner of the off-highway vehicle shall be responsible for all towing, storage, and any other associated fees.

19. Special Classes of Vehicles

- (1) No driver of a vehicle shall Park a vehicle on any highway within the City where the vehicle is over eight (8) meters in length other than in areas designated by a Traffic Control Device for such purposes.
- (2) No driver of a vehicle shall Park a vehicle on any highway within the City where the vehicle is over two (2) meters in width, other than in areas designated by a Traffic Control Device for such purposes.
- (3) The provisions of Section 19(1) and 19(2) do not apply to vehicles Parked for the purpose of loading or unloading goods or passengers to and from premises abutting the highway, for only such time as it is reasonably necessary and safe to load and unload the vehicle.
- (4) The provisions of Sections 19(1) and 19(2) do not apply to Recreational Vehicles Parked in accordance with Section 17 between May 1 and October 31.
- (5) With the exception of Highway 1, no driver of a vehicle shall apply or engage engine retarder brakes within the City.
- (6) No driver or owner of a vehicle shall permit or allow a vehicle to emit noise or exhaust gases in a manner considered to be excessive, unreasonable, or unnecessary.
- (7) No driver of a vehicle shall drive on a highway with any refuse, sand, gravel, rocks, earth, or other loose material contained in the box or

body of the vehicle, a Trailer, or other exterior compartment, unless the box, body, Trailer, or exterior compartment is completely covered at all times and the compartment and load is secured by a tarpaulin or other appropriate covering.

- (8) No driver of a vehicle, with or without a Trailer, shall allow refuse, sand, gravel, rocks, earth, or other material, or any other goods or materials, to escape or be scattered upon a highway or upon land in the vicinity thereof.
- (9) No person shall drive a vehicle, with or without a trailer, on a highway with any irregular or oversize load contained in or on the vehicle, or protruding from the vehicle, or contained in or on a Trailer, if such load or part thereof could become dislodged from the vehicle or could otherwise endanger other vehicles or Persons.
- (10) In the event that any refuse, sand, gravel, rocks, earth, loose materials, or other load falls or is released onto a highway from a vehicle, the driver operating the vehicle shall take all reasonable steps to remove such materials from the highway, if the conditions are safe to do so, and notify the Director of Community Operations.

20. Disabled Parking

- (1) The owner or driver of a vehicle not identified by a visible valid disabled placard or license plate issued or recognized by Alberta Registries shall not Stop, Park, or permit the Stopping or Parking of the vehicle in a Parking space designated as disabled parking.
- (2) Any designated disabled Parking space, regardless of location, may be used by any vehicle, on the condition that valid placard, as described in Section 20(1), is visible.

21. Parking Permits

- (1) Where a Traffic Control Device upon a highway restricts Parking thereon to residents, or a provision of this Bylaw restricts such Parking, no driver or owner of a vehicle shall Park or permit to be Parked the vehicle contrary to the Traffic Control Device or Bylaw provision unless such vehicle clearly displays on the front windshield or other approved location of such vehicle, a valid and subsisting permit authorized by the Director of Community Operations.
- (2) No driver or owner of a vehicle shall display upon a vehicle a permit purporting to exempt such vehicle from the provisions of Section 21(1) unless the Director of Community Operations authorizes such permit

- (3) Any person requesting the installation of the specialized Parking signage on public property shall make application to the Director of Community Operations, provided that:
 - (a) any Person requesting the installation of specialized signage is responsible for all costs incurred by the City in completing such a request. All payments must be received by the City prior to the commencement of the work being completed; and
 - (b) it is the responsibility of the Director of Community Operations to review the application, including the area, the signage requested, and effects such signage may have on adjacent Parking. The Director of Community Operations may then approve and direct all work associated to any requests for specialized signage.

22. Removal or Impoundment of Vehicles

- (1) Any Peace Officer is authorized to remove or cause to be removed any vehicle or Trailer:
 - (a) Parked in contravention of a provision of this Bylaw; or
 - (b) where emergency conditions exist, making removal of the vehicle or Trailer necessary or desirable.
- (2) Any vehicle or Trailer removed pursuant to Section 22(1) may be removed to an impound lot where it shall remain impounded until claimed by the owner.
- (3) Unless the CAO agrees, no impounded vehicle or Trailer shall be released by the City to its owner until all removal and impounding fines, penalties, charges, and fees have been paid to the City and/or the towing/impound company acting on behalf of the City.
- (4) For greater certainty, all charges for removal and/or impounding shall be in addition to any fine or penalty in respect of any violations pursuant to this Bylaw.

23. Parades and Processions

- (1) No Person shall organize, conduct, march, join or participate in a Parade or Procession unless the CAO has issued a permit for such Parade or Procession.
- (2) Any Person wishing to organize or arrange a Parade or Procession shall submit an application for a Parade Permit to the CAO at least seventy-two (72) hours prior to the time of the proposed Parade or Procession. The application shall include the following information:
 - (a) name and address of applicant and, if the applicant is an

- organization, the names and addresses of the executives overseeing the organization;
 - (b) nature and object of the Parade or Procession;
 - (c) day, date, and hour of the Parade or Procession;
 - (d) intended route of the Parade or Procession, including starting and stopping points and any organizing or gating areas;
 - (e) approximate number of people who will take part; and
 - (f) approximate size, number and nature of flags, banners, placards, flats, vehicles, animals, etc. participation in the Parade or Procession.
- (3) A fee established by the City is payable at the time of the application.
- (4) The CAO may:
- (a) unconditionally approve the application;
 - (b) approve the application with conditions, such as specifying or modifying the route, the time the Parade or Procession may take place, and the types of vehicles, animals, displays, or any other elements allowed to take part; or
 - (c) refuse the application for a Parade or Procession Permit.
- (5) Where an application for a Parade or Procession Permit has been approved with conditions or refused, an applicant may appeal the CAO's decision within seven (7) days of the receipt of the CAO's decision to Council. Council who may uphold or repeal the CAO's decision.
- (6) No Parade or Procession shall obstruct the movement, use or operation of any fire apparatus, police vehicle, or emergency equipment or vehicles, or otherwise block or obstruct the approach to any fire station, police station, hospital, medical facility, or other place where emergency equipment or vehicles require regular access.
- (7) No Person driving or riding any vehicle or riding a horse shall drive or ride through, nor shall any pedestrian walk through, the ranks of any military or funeral procession, nor through the ranks of any other authorized Parade or Procession, or in any way obstruct, impede, or interfere with the same.
- (8) Where a Parade or Procession Permit has been granted:
- (a) notwithstanding the provisions elsewhere contained in this Bylaw, Persons may congregate on the sidewalks or a portion of a street designated for the purpose of viewing the Parade or Procession;
 - (b) the City may temporarily close, for all or some types of traffic, all or portions of the highway along or near the route set out in the Parade or Procession Permit for the anticipated time of the

- Parade or Procession and for such additional time as necessary to clear the highway for normal traffic; and
- (c) the City may temporarily suspend Parking and Loading privileges on all or a portion of the highway on the route of the Parade or Procession.
- (9) Where a Parade or Procession Permit allows floats, vehicles, or animals to be placed in or on the route of a Parade or Procession, the Person or Persons organizing or sponsoring the Parade or Procession shall
- (a) indemnify and save harmless the City from and against any and all claims for injury to any Person or Persons and damage to any real or personal property arising by reason of or in any way connected with the entry, placing, or operation of the float, vehicle, or animals in the Parade or Procession whether prior to, during, or after the Parade or Procession, and whether arising out of, or directly or indirectly caused by, any act, omission, or negligence of the City, its employees or agents; and
 - (b) if required as condition of a Parade or Procession Permit, obtain a policy of liability insurance in an amount specified by the City and that names the City as an additional insured and is primary insurance.
- (10) Notwithstanding Section 23(9) of this Bylaw, the driver or operator of a float, vehicle, or animal, and all Persons riding on a float, vehicle, or animal participating in the Parade or Procession shall ensure that:
- (a) the float, vehicle, or animal, or any part thereof, shall not damage the highway, electric, or telephone poles or wires, street lights, cables or supports, traffic signal lights or signs, fire hydrants, or any other property of the City or a public utility in, upon, over, or beside a highway;
 - (b) the float, vehicle, or animal, or anything thereon or attached thereto shall not injure any Person or cause damage to any real or personal property; and
 - (c) no portion of the float, vehicle, or animal, and nothing erected, placed on or attached to the float, vehicle, or animal shall come in contact with any telephone wire or any wire charged with or carrying out electric current.

24. Weight Restriction

- (1) No Person shall operate a commercial vehicle on a highway under the direction, control, and management of the City other than in accordance with the weight limitations as specified in the *Traffic Safety Act* and regulations made under the authority of this Act.

- (2) The Director of Community Operations is authorized to issue or direct a third party to issue overweight permits on behalf of the City.
- (3) The Director of Community Operations may require any Person desiring to haul goods and materials on a highway to provide security to the City to ensure compliance with the terms of any overweight permit.
- (4) Any Person issued an overweight permit issued under the authority of this Bylaw shall at all times ensure that the conditions attached to any overweight permit are complied with. Failure to comply with this Bylaw shall make the issued permit null and void.
- (5) Any Person issued an overweight permit shall produce it on demand of a Peace Officer.
- (6) The Director of Community Operations is authorized to issue a road ban order at their discretion to limit the allowable weights on any highway within the City.

25. Designated Heavy Truck Routes

- (1) No driver of a Heavy Truck shall operate a Heavy Truck on a highway unless the highway is designated as a truck route within City limits.
- (2) Section 25(1) shall not apply to Heavy Trucks required to exit the designated truck routes for the purposes of delivering or collecting goods or supplies, performing work, or providing services, provided that the driver takes the most direct and practical connection between the nearest truck route and the destination, and returns to the truck route using the same or a suitable alternate connection.
- (3) The designated truck routes within the City of Chestermere shall be as follows:
 - (a) Chestermere Boulevard (Highway 1A) within the City of Chestermere;
 - (b) Rainbow Road, south to Rainbow Falls Gate;
 - (c) Township Road 240; and
 - (d) Highway 1 within the City of Chestermere.

26. Dangerous Goods Routes

- (1) Unless permitted by this Bylaw, no Person shall transport any Dangerous Goods for which a placard is required on a highway, unless the highway is designated as a Dangerous Goods route or a permit authorizing the transportation has been issued by the City.

- (2) The Dangerous Goods routes within the City of Chestermere shall consist of the following highways:
 - (a) Highway 1 within the City of Chestermere; and
 - (b) Chestermere Boulevard (Highway 1A) between Range Road 284 and Highway 1.
- (3) When it becomes necessary to leave the designated Dangerous Goods route for the purpose of making a delivering or collecting goods or supplies, performing work, or providing a service, the driver must proceed on the Dangerous Goods route to the designated truck route that forms the most direct and practical connection to the destination point and, if necessary, proceed on the designated truck route to the highway that forms the most direct and practical connection to the destination point.
- (4) No Person shall Handle or transport Dangerous Goods unless in a standardized means of containment that complies with the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (5) The handler or the Person transporting Dangerous Goods must produce a valid training certificate upon an inspector's request as per the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (6) No person shall Handle or transport Dangerous Goods unless they are appropriately permitted, qualified, trained and supervised, in accordance with applicable requirements under the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (7) When transporting Dangerous Goods, the handler or Person transporting the Dangerous Goods shall ensure that they have all shipping records and shipping documents as required under the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (8) No Person shall transport Dangerous Goods in a means of containment without displaying the safety marks as required under the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (9) The handler or Person transporting Dangerous Goods shall ensure that all Dangerous Goods safety marks are visible and legible as required under the *Transportation of Dangerous Goods Act* and regulations as applicable.
- (10) The handler or Person transporting Dangerous Goods shall ensure to cover all or remove safety marks from a means of containment after unpacking, unloading, cleaning, or purging the means of containment as required under the Act and/or the *Transportation of Dangerous Goods Act* and regulations as applicable.

27. Owner, Employer and Corporate Liability

- (1) If a vehicle or Trailer is involved in an offence referred to in this Bylaw, the registered owner of that vehicle or Trailer is guilty of an offence.
- (2) With respect to a vehicle or Trailer, where a Person other than the owner contravenes this Bylaw, that Person and the owner are jointly and severally liable for the contravention.
- (3) An act or omission by any employee or agent of a Person is deemed to be an act or omission of the Person if the act or omission occurred during the course of the employee's employment with the Person or in the course of the agent's exercise of the powers or performance of duties on behalf of their principal.
- (4) When a corporation commits an offence under this Bylaw, every principal, partner, director, officer, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

28. Offences and Penalties

- (1) Any Person who contravenes any provision of this Bylaw by:
 - (a) doing any act or thing which the Person is prohibited from doing;
 - (b) failing to do any act or thing the Person is required to do; or
 - (c) owning a vehicle involved in an offence;is guilty of an offence.
- (2) Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.
- (3) Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.
- (4) Any Person convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00.
- (5) Nothing in this Bylaw shall be construed as curtailing or bridging the right of the City to obtain compensation or to maintain any action for loss of or damage to property from or against the Person or Persons responsible.

29. Violation Tags and Violation Tickets

- (1) Where a Peace Officer believes that a vehicle is parked in contravention of this Bylaw, they may:
 - (a) place a Violation Tag on the vehicle; or
 - (b) send a Violation Tag to the registered owner of the vehicle by ordinary mail.
- (2) A Violation Tag shall be in a form approved by the City and shall state:
 - (a) the license plate of the vehicle, if applicable;
 - (b) the offence;
 - (c) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - (d) that the penalty shall be paid within twenty-two (22) days of issuance of a Violation Tag; and
 - (e) where payment for a Violation Tag is received by the City within twenty-two (22) days of the issuance of that Violation Tag, the City may reduce the penalty to the minimum penalty for that violation as listed in Schedule "A" of this Bylaw.
- (3) If a Person who is responsible for a contravention of a provision of this Bylaw pays the penalty amount within the time and in the manner set out on the Violation Tag, such payment will be accepted in lieu of prosecution.
- (4) If payments referred to in Section 29(2) are not made within the times and in the manner set out on the Violation Tag, a Violation Ticket may be issued to the registered owner of the vehicle in accordance with this Bylaw and the *Provincial Offences Procedures Act*.
- (5) Nothing in this Section shall:
 - (a) prevent any Person from exercising their right to defend any charge of committing a breach of any Section of this Bylaw;
 - (b) prevent any Peace Officer, in lieu of serving a tag, from issuing a Violation Ticket to a Person or owner pursuant to the *Provincial Offences Procedures Act*; or
 - (c) prevent any Peace Officer from issuing a Violation Ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act*, or from laying an information instead of issuing a Violation Ticket.
- (6) A Person other than the owner or operator of a vehicle shall not remove any tag or notice placed on or affixed to a vehicle by a Peace Officer in the course of his duties.
- (7) No Person other than a Peace Officer shall place a tag on any vehicle.

- (8) Where contravention of this Bylaw is of a continuing nature, a contravention constitutes a separate offence in respect of each day on which it continues, and further Violation Tags may be issued by a Peace Officer provided that no more than one Violation Tag is issued for each day that the contravention continues.
- (9) In order to determine the time which a vehicle has been Parked, a Peace Officer may place an erasable chalk mark on the tire of the Parked or Stopped vehicle without such Peace Officer or other Person or the City incurring any liability for so doing.
- (10) No Person shall remove an erasable chalk mark placed under Section 29(9) while the vehicle remains Parked in the location where it was marked.
- (11) In order to determine the time which a vehicle has been Parked, a Peace Officer may place a sticker on the Parked or Stopped vehicle without such Peace Officer or other Person or the City incurring any liability for so doing.
- (12) No Person shall remove a sticker placed under section 29(11) while the vehicle remains Parked in the location where it was marked.

30. General

- (1) The provisions of this Bylaw do not apply to the following vehicles:
 - (a) Emergency vehicles;
 - (b) Vehicles owned, contracted, or within the lawful possession of the City;
 - (c) Vehicles engaged in maintenance or repair of a public utility, as defined in the *Municipal Government Act*;
 - (d) A vehicle operated by a federal, provincial or municipal government, or with the approval of the federal, provincial or municipal government; or
 - (e) School buses, when authorized or buses for the handicapped, while transporting, loading, or unloading passengers during the ordinary course of business.

31. Severability

- (1) If any Section or parts of this Bylaw are found in any course of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

32. Strict Liability Offence

- (1) It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability offences.

Bylaw 011-13 and all amendments thereto are hereby repealed in its entirety.
Bylaw 2003-203/1 and all amendments thereto are hereby repealed in its entirety.

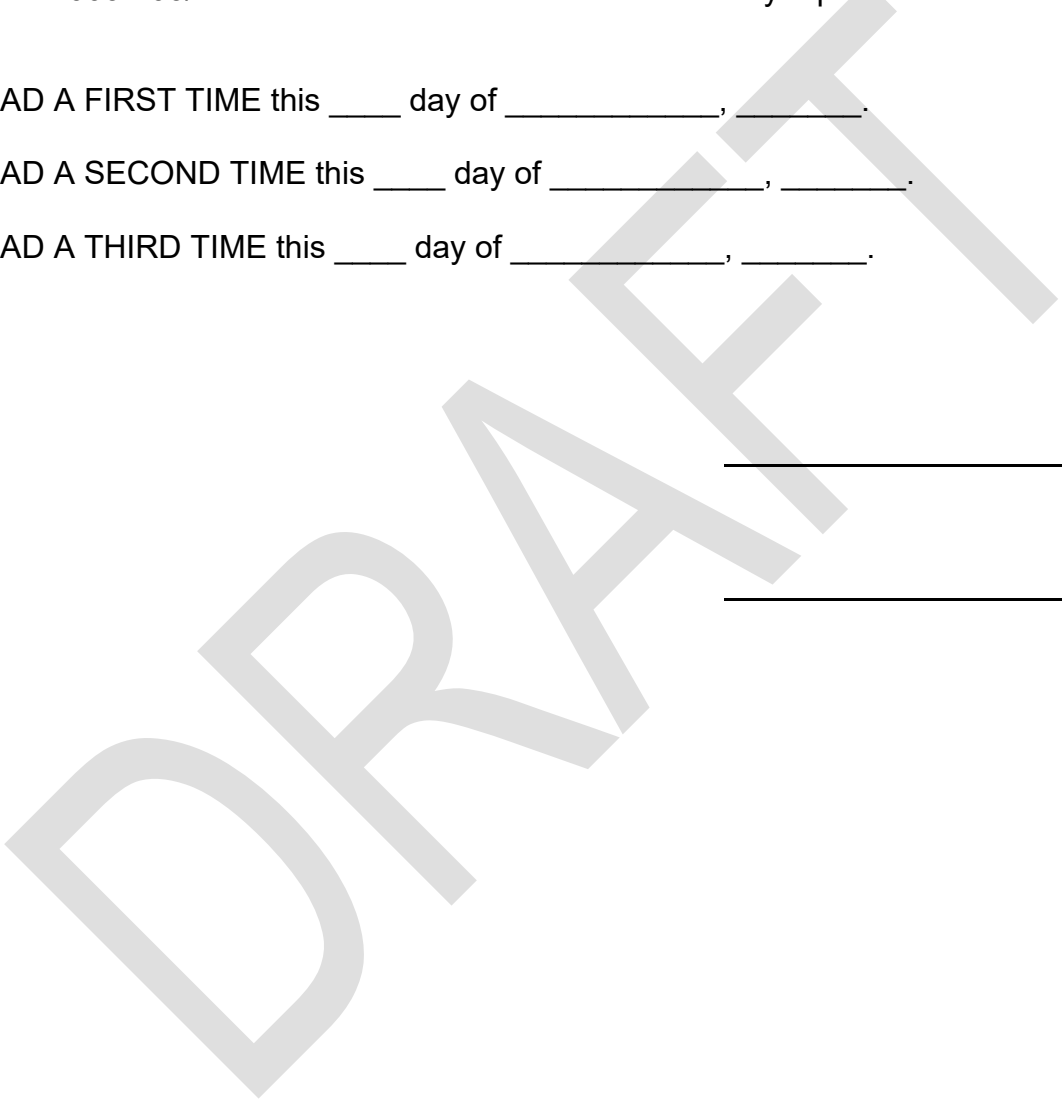
READ A FIRST TIME this ____ day of _____, _____.

READ A SECOND TIME this ____ day of _____, _____.

READ A THIRD TIME this ____ day of _____, _____.

MAYOR

CAO



DRAFT