

TOWN OF SWAN HILLS

By-Law No. 2016-05

PROVINCE OF ALBERTA

A BYLAW OF THE TOWN OF SWAN HILLS IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE THE USE OF HIGHWAYS, ROADWAYS AND STREETS WITHIN THE TOWN OF SWAN HILLS, THE TRAFFIC AND PEDESTRIAN MOVEMENT THEREON, THE USE OF OFF-HIGHWAY VEHICLES AND THE PARKING OF VEHICLES ON THE SAID HIGHWAYS, ROADWAYS AND STREETS.

WHEREAS the Traffic Safety Act, Chapter T 6, R.S.A. 2000, and amendments thereto, authorizes a Municipal Council to pass a bylaw pertaining to general Traffic Regulation in that Municipality;

WHEREAS a bylaw made under the Traffic Safety Act shall not be inconsistent with the Act;

WHEREAS under the authority and pursuant to the Municipal Government Act, Chapter M 26 R.S.A. 2000 and amendments thereto, authorizes a Municipal Council to pass bylaws providing for the health, safety and wellness of people;

WHEREAS under the provisions of the Municipal Government Act, the Council of a municipality may by bylaw provide for the payment of violation tickets or summons out of court;

WHEREAS the Traffic Safety Act gives Council the authority to establish maximum speed limits for highways under its control;

WHEREAS The Town of Swan Hills Council deems it desirable in the best interest of community safety to control and regulate the movement of traffic and pedestrians within the boundaries of The Town of Swan Hills;

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Government Act, and by virtue of all other enabling powers, the Council of The Town of Swan Hills, duly assembled, enacts as follows:

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Act, and by virtue of all other enabling powers, the Council of The Town of Swan Hills, duly assembled, enacts as follows:

PART 1 – TITLE

1. This bylaw may be cited as “The Traffic Safety Bylaw”

PART 2 – DEFINITIONS

2. In this bylaw, unless the context otherwise requires:

- (1) ADULT - means a person who is the age of 18 years or older;
- (2) ALLEY - is as defined in the Traffic Safety Act;
- (3) APPROVED HELMET - means a safety helmet that meets one or more standards under the current Vehicle Equipment Regulation;
- (4) BICYCLE - is defined in the Use of the Highway and Rules of the Road Regulation;
- (5) BOULEVARD - is as defined in the Traffic Safety Act;
- (6) CENTRE LINE - is as defined in the Traffic Safety Act;
- (7) CHILD - means a person under the age of 18;
- (8) COMMERCIAL VEHICLE - is as defined in the Traffic Safety Act;
- (9) COUNCIL - means the Council of The Town of Swan Hills, duly assembled and acting as such;
- (10) CROSSWALK - is as defined in the Traffic Safety Act;
- (11) DANGEROUS GOODS - is as defined in the Dangerous Goods Transportation and Handling Act;
- (12) DESIGNATE – means The Director of Public Works, A Community Peace Officer, Fire Chief or any other Town Employee that the Chief Administrative Officer designates administrative authorities under this By-law
- (13) DISABLED PERSONS VEHICLE - means a Vehicle that displays a disabled placard or License plate that is issued or recognized by the Registrar of Motor Vehicle Services;
- (14) EMERGENCY ACCESS ROUTE - means a route or lane so designated by a By-law or Policy of the Town of Swan Hills to provide Emergency Vehicles with unencumbered access to adjacent or nearby areas;
- (15) EMERGENCY VEHICLE - is as defined in the Traffic Safety Act;

- (16) **FIRE CHIEF** - means any member of the Town of Swan Hills Fire Department who is appointed a Fire Chief. For the purposes of this Bylaw, a Fire Officer shall be considered a Fire Chief in the absence of the Chief;
- (17) **HAUL** - means the transportation of goods or services on roads under the jurisdiction of The Town of Swan Hills exceeding 8,000 kg per load;
- (18) **HIGHWAY** - is as defined in the Traffic Safety Act;
- (19) **HEAVY VEHICLE** - means:
- (a) A vehicle with or without a load weighing 8000 kgs or more, or exceeding 8.5 meters in length; or
 - (b) A vehicle with a trailer with or without a load weighing 8000 kgs or more in total weight or, 8.5 meters in total length; or
 - (c) A vehicle licensed to transport a load of 8000 kgs or more;
- (20) **HOARDING** - means the fencing required to enclose an obstruction on a public place;
- (21) **INOPERABLE VEHICLE** - means a Vehicle that, in the opinion of a Peace Officer, is incapable of moving without repair;
- (22) **INTERSECTION** - means the area embraced within the prolongation or connection of:
- (a) The lateral curb lines; or
 - (b) If there are not any lateral curb lines, the exterior edges of the roadways, of 2 or more highways which join one another at an angle whether or not one highway crosses the other;
- (23) **LEAD VEHICLE** - means the vehicle leading a funeral procession;
- (24) **LOADING ZONE** - means a portion of a highway adjacent to the curb designated for the exclusive use of vehicles loading or unloading passengers or materials;
- (25) **MEMBER** - means any person who is duly appointed member of the Town of Swan Hills Fire Department;
- (26) **MINI BIKE** - means a miniature motorcycle or a compact type of motorcycle, usually intended for use as an off-road vehicle, and is commonly known as a mini moto or pocket bike;
- (27) **MOBILE HOME** - means a structure, whether ordinarily equipped with wheels or not, that;
- (a) Is constructed or manufactured to be moved from one point to another, and;

- (b) Is intended to be occupied by one or more persons;
 - (c) But does not include a Holiday Trailer or a Recreational Vehicle when the holiday Trailer of Recreational Vehicle is being used for a bona fide recreational purposes;
- (28) **MOTORCYCLE** - means any two or three wheeled Vehicle that is operated other than by human power and includes any two or three wheeled Vehicle operated by a combination of human and any other source of power;
- (29) **MUNICIPAL VIOLATION TICKET** – means a document that is a Municipal Violation Ticket issued on behalf of the Town of Swan Hills pursuant to the Municipal Government Act R.S.A 2000, cM-26
- (30) **OBSTRUCTION** - means an encroachment, excavation, structure or other obstacle, including a tree, shrub or hedge, that;
- (a) Interferes with or prevents the vision, passage, maintenance or use of public places by vehicles or pedestrians; or
 - (b) Interferes with or prevents the proper operation of a public work;
- (31) **OFF HIGHWAY VEHICLE** - is as defined in the Traffic Safety Act, and includes vehicles commonly referred to as “snowmobiles”;
- (32) **OPERATOR** - means a Person who drives a Vehicle or Off Highway Vehicle operates equipment as the Owner thereof, or as an agent, employee or servant of the Owner;
- (33) **OVER DIMENSIONAL VEHICLE** - is as defined in the Traffic Safety Act;
- (34) **OVERWEIGHT VEHICLE** - means any vehicle that exceeds the maximum weight set out in the Commercial Vehicle Dimension and Weight Regulation;
- (35) **OWNER** - is as defined in the Traffic Safety Act;
- (36) **PARADE** - means a procession or march that is:
- (a) Organized to entertain spectators, for display or inspection purposes, or to promote a cause or purpose; and
 - (b) Likely to block, obstruct, impede, hinder or otherwise interfere with Vehicle or Pedestrian traffic; but
 - (c) For the purposes of this Bylaw, a Special Roadway Event shall not be considered a Parade;
- (37) **PARK** - is as defined in the Use of the Highway and Rules of the Road Regulation;
- (38) **PARKING STALL** - means a portion of a Highway or Public Place indicated by lines or markings which allows for space to park one Vehicle;

- (39) **PARKLAND** - means any developed or undeveloped property that is owned, controlled or maintained by The Town of Swan Hills and is intended to be used by members of the public for recreation purposes, and is:
- (a) Preserved as a natural area;
 - (b) Designated or districted as park or park corridor land;
 - (c) Dedicated as municipal reserve, environmental reserve or a public utility lot property pursuant to the Municipal Government Act; or
 - (d) A Boulevard contiguous with partially within or fully within the property referenced under subsections (a), (b) or (c);
- (40) **PASSENGER ZONE** - means an area or space on a Highway established for the loading or unloading of passengers only;
- (41) **PEACE OFFICER** - means any sworn member of the Royal Canadian mounted Police, a Peace Officer appointed under the Peace Officer Act of Alberta or a Bylaw Enforcement Officer employed by The Town of Swan Hills;
- (42) **PEDESTRIAN** - is as defined in the Traffic Safety Act;
- (43) **PEDESTRIAN TRAFFIC CONTROL SIGNAL** - is as defined in the Use of the Highway and Rules of the Road Regulation;
- (44) **PERSON** - includes any individual, corporation, society, association, partnership or firm;
- (45) **PLAYGROUND ZONE** - means that portion of a Highway identified as a playground zone by a Traffic Control Device;
- (46) **PUBLIC PLACE** - includes any place, whether publicly or privately owned or leased, to which the public have access as of right or by invitation, express or implied and any Highway, Parkland, public bridge, Roadway, lane, footway, square, court, Alley or passage, whether a thoroughfare or not, and includes any open space to which the public have or are permitted to have access, whether by payment or otherwise;
- (47) **PRIVATE PASSENGER VEHICLE** - means any Vehicle used solely for personal transportation including the transportation of goods which are the property of the owner intended for the use and enjoyment of himself or members of his household and includes motor homes, campers, trailers, or vans used for recreational purposes only;
- (48) **RECREATIONAL VEHICLE** - means a Vehicle designed or used for travel with temporary living accommodation for vacations or camping purposes;
- (49) **REGISTRAR** - means the Registrar of Motor Vehicle Services and includes any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services;

- (50) **ROADWAY** - is defined in the Traffic Safety Act;
- (51) **SCHOOL BUS** - means a Motor Vehicle used primarily for transporting person to and from school;
- (52) **SCHOOL ZONE** - means that portion of a Highway identified as a School zone by a Traffic Control Device;
- (53) **SERVICE VEHICLE** - means any Vehicle that is operating mainly to provide services to the public other than the delivery of goods;
- (54) **SIDE WALK** - is as defined in the Traffic Safety Act;
- (55) **SKATEBOARD** - means a device for coasting made of a board mounted on coasters commonly called a skateboard;
- (56) **SLOW MOVING VEHICLE** - means:
 - (a) A Vehicle or other machinery or equipment designed for use at speeds that are less than 40 km/h; or
 - (b) A Vehicle upon which must be displayed, in accordance with provincial regulations, an emblem that is a slow moving vehicle; But does not include:
 - (c) Any Bicycle;
 - (d) Any Vehicle owned by or under contract to The Town of Swan Hills while actually engaged in Highway or public works maintenance operations; or
 - (e) Any Vehicle used in connection with the maintaining and servicing of public utilities while that Vehicle is actually engaged in public utility maintenance operations on a Highway;
- (57) **SMALL CAR** - means a passenger Vehicle having a wheel base of 270 cm or less;
- (58) **SPECIAL CLASS OF VEHICLE** - means any of the following:
 - (a) Small Cars;
 - (b) Emergency Vehicles;
 - (c) Transit Vehicles;
 - (d) Tour Buses;
 - (e) Limousines;
 - (f) Funeral Cars;
 - (g) School Buses;
 - (h) Disabled Persons Vehicles;
 - (i) Motorcycles;
 - (j) Commercial Vehicles; or
 - (k) Government Vehicles;

- (59) **SPECIAL ROADWAY EVENT** - means a competition, spectacle or event (including a block party or similar gathering) that takes place in whole or in part on a Highway and which may involve walking, running or the use or display of Bicycles, Motorcycles or Vehicles;
- (60) **STOP** - is as defined in the use of the Highway and Rules of the Road Regulation;
- (61) **STREET FURNITURE** - includes every Curb, Sidewalk, Pole, Traffic Control Device, Waste Receptacle, Bus Bench, Bus Enclosure, Tree, Plant, Grass, Utility, Utility Servicer, or any other property authorized for placement on a Highway or a Public Place by the Town;
- (62) **TAXI CAB** - means a public vehicle including a livery or any other motor vehicle designed to carry twelve passengers or less which is used to transport passengers and their baggage, on request, to a stated destination;
- (63) **TIME** - whenever time is referred to in this bylaw; it means either Mountain Standard Time or Mountain Daylight Saving Time, whichever is proclaimed to be in effect by the Province of Alberta;
- (64) **TOWN** - means The Town of Swan Hills;
- (65) **TRAFFIC CONTROL DEVICE** - is as defined in the Traffic Safety Act;
- (66) **TRAFFIC CONTROL SIGNAL** - is as defined in the Traffic Safety Act;
- (67) **TRAILER** - is as defined in the Traffic Safety Act;
- (68) **TRUCK** - means any Vehicle, other than a registered Disabled Persons Vehicle, Recreational Vehicle, School Bus or Transit Vehicle, that is:
 - (a) Greater than 11 meters in length; or
 - (b) Registered (in any jurisdiction) to operate at a maximum Gross weight of 8000 kg or more;
- (69) **VEHICLE** - is as defined in the Traffic Safety Act;
- (70) **VIOLATION TICKET**- is as defined in the Provincial Offences Procedure Act;
- (71) **WALKWAY** - means any footpath or trail, forming part of the Town's Trail System, which is limited for the use of Pedestrians and Bicycle traffic or any other devices operated by human power only;

- (72) WASTE - means any solid or liquid material or product or combination of solid or liquid material or product, including, but not limited to:
- (a) Rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage or the whole or part of an animal carcass; or
 - (b) The whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of.

PART 3 – AUTHORITIES

AUTHORITY OF COUNCIL

General

- 3. This bylaw applies to all Highways under the direction, management and control of The Town of Swan Hills.
- 4. Notwithstanding any other provisions of the bylaw, Council may by resolution except any class of vehicle from such provision of this bylaw relating to parking and stopping as the Council may deem fit and under such conditions as the Council may impose, and may provide for the identification of such vehicles so exempted.

AUTHORITY OF CHIEF ADMINISTRATIVE OFFICER

General

- 5. The Chief Administrative Officer, or their designate, is hereby delegated the authority to prescribe where Traffic Control Devices, either permanent or temporary, are to be placed, marked or located including Traffic Control Devices restricting the speed of Vehicles, and cause such to be inventoried in the form of Policy or other official document. Such Traffic Control Devices or Traffic Control Signals placed, marked or located by such persons pursuant to a delegation made under this clause shall be deemed to have been made by bylaw of the Town.

Crosswalks

- 6. The Chief Administrative Officer, or their designate, is hereby authorized to designate Crosswalks upon any Roadway and cause the same to be marked.

Turns

- 7. The Chief Administrative Officer, or their designate, is hereby authorized to designate a Highway intersection or other place on a Highway as a place at which no left-hand turn or no right-hand turn or both shall be made, and shall cause the place to be signed, barricaded or otherwise restricted.

8. The Chief Administrative Officer, or their designate, is hereby authorized to designate any intersection or place on a Highway, including a place where a railway right-of-way crosses a Highway, as a place where U-turns are prohibited, and shall cause such intersections or places to be marked.

Traffic Lanes

9. The Chief Administrative Officer, or their designate, is hereby authorized to designate any highway as one to be divided into lanes in such numbers as he considers proper.

School Zones

10. The Chief Administrative Officer, or their designate, is hereby authorized to designate "School Zones" and "Playground Zones". The Chief Administrative officer shall cause such zones to be marked by Traffic Control Devices.

Emergency/Construction

11. The Chief Administrative Officer, or their designate, is hereby delegated the authority to prescribe where emergency or construction Traffic Control Devices are to be located on any highway, and shall cause the same to be marked.

Parking Near Intersections

12. The Chief Administrative Officer, or their designate, is hereby authorized to designate distances from any intersection within which no parking is permitted and may cause Traffic control Devices to be erected indicating "No Parking". This provision shall not apply to Vehicles stopped in compliance with any provision of this bylaw.

Parking Time Limits

13. The Chief Administrative Officer, or their designate, is hereby authorized to designate portions of a Highway where parking is limited to a period of Time and shall cause Traffic Control Devices to be erected indicating such parking limitations.

Parallel and Angle Parking

14. The Chief Administrative Officer, or their designate, is hereby authorized to designate parallel and angle parking on any Highway and to cause the same to be marked.

Limitation of Load Limits

15. The Chief Administrative Officer, or their designate, is hereby authorized, in case of unfavourable road conditions, to establish and post load limits upon Town Highways.

Maximum Bridge Loading

16. The Chief Administrative Officer, or their designate, is hereby authorized, in case of unfavourable road conditions, to establish and post load limits upon any bridge upon Town Highways.

Private Driveway Prohibition Signs

17. The Chief Administrative Officer, or their designate, is hereby authorized to prohibit or restrict by Traffic Control Devices the movement of Vehicles from a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

Median

18. The Chief Administrative Officer, or their designate, is hereby authorized to temporarily close any existing median or divider opening on any Municipal Highway.

Parking Meters

19. The Council of the Town of Swan Hills may authorize the Chief Administrative Officer, or their designate, to establish the use of Parking Meters and designate any day or days, or parts thereof, in which parking metres will be inoperative.

Highway Repairs

20. The Chief Administrative Officer, or their designate, is hereby delegated the authority to authorize the moving of Vehicles from Highways and Alleys when removing snow, grading, maintaining, or repairing same.

PART 4 – OVERARCHING AUTHORITY

21. (1) Notwithstanding anything in this Bylaw, no Person shall act in contravention of:
- (a) The directions of a Peace Officer or a Member acting in the course of his or her duties; or
 - (b) In the absence or circumstances set out under subsection (a), a Traffic Control Device or Traffic Control Signal placed by or under the direction of the Town.
- (2) No Person other than a Peace Officer or a Member shall attempt to direct or regulate traffic or place anything resembling a Traffic Control Device other than with the permission of, and in accordance with any condition imposed by, the Chief Administrative Officer, or their designate.

PART 5 – PARKING

General Regulation

22. (1) No Person shall Park a Vehicle on any portion of a Highway upon which Parking is prohibited by a Traffic Control Device.
- (2) No Person shall stop a Vehicle on any portion of a Highway upon which Stopping during such time is prohibited by a Traffic Control Device.
23. (1) Unless required or permitted by a Traffic Control Device, this bylaw, the Traffic Safety Act, in compliance with the direction of a Peace Officer, or to avoid conflict with other traffic, a driver shall not stop, park, or leave his Vehicle:
- (a) On a sidewalk or boulevard;
 - (b) On a Crosswalk or any part of a Crosswalk;
 - (c) Within an intersection other than immediately next to the curb in a “T” intersection;
 - (d) At an intersection nearer than five (5) metres 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;
 - (e) Within 5 meters of any “STOP” sign or “YIELD” sign;
 - (f) Within 5 meters from any fire hydrant, or when the fire hydrant is not located at the curb, within 5 meters from the point on the curb nearest the hydrant;
 - (g) Within 1.5 meters from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
 - (h) Within 5 meters from the near side of a marked Crosswalk;
 - (i) Alongside or opposite any Highway excavation or obstruction when stopping or parking would obstruct traffic;
 - (j) On any bridge or in any causeway or on the approaches to either of them;
 - (k) On any portion of a Highway marked as an Emergency Access Route or Fire Lane;
 - (l) On the Roadway side of a Vehicle parked or stopped at the Curb or edge of the Roadway;
 - (m) Such that the Vehicle impedes or obstructs the orderly flow of Vehicle or Pedestrian traffic;
 - (n) At any place for a time longer than that stated on a Traffic Control Devices providing for parking for a specified time;
 - (o) On the side of a Roadway against the flow of traffic;
 - (p) In a Roadway maintenance or construction area unless the Vehicle is employed in the maintenance or construction work;
 - (q) Where any Vehicle may interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the Highway;
 - (r) Such that the Vehicle obstructs access to the entrance way of a fire or emergency exit from any building abutting the Highway;

- (s) Upon Parkland, or land designated by a public authority other than the Town as park or reserve land;
 - (t) On private property which has been clearly marked by a Traffic Control Device directed by the owner, tenant, or their agent, unless such person is in charge of the private land;
 - (u) In any place where a Traffic Control Device indicates that parking or stopping is restricted to a Special Class of Vehicle, except if that Vehicle qualifies as a member of such authorized Special Class of Vehicle;
 - (v) In such manner as to obstruct the access to or exit from any theatre or other building being used for public gatherings; or
 - (w) In such manner as to interfere with the proper operation of any Vehicle used by the Fire Department or other department of the Town;
 - (x) On any land owned by the Town unless designated as a Parking stall without express or written approval of the Chief Administrative Officer, or his designate.
- 23 (2) No person shall cast, project, discharge or throw, or cause to be such, any object or projectile, stone, ball of snow or ice, or engage in any stunt that is a nuisance or is dangerous or can be dangerous to the public, on any Highway within the Town of Swan Hills.

Abandoned Vehicles

24. (1) No person shall park or leave a Vehicle upon any Town street, public or private property without express or implied consent of the owner, or person in lawful possession or control of the property for a period of more than 72 hours.
- (2) No person shall park any unregistered, unlicensed and uninsured vehicle on any highway within the Town of Swan Hills. For the purposes of this section, any vehicle not displaying a licence plate is deemed to be unregistered, unlicensed and uninsured.

Parallel Parking

25. (1) When parking on a highway the driver shall park his Vehicle with the sides thereof parallel to the curb or edge of the Roadway; and
- (a) With the right-hand wheels thereof no more than 500 millimetres from the right-hand Curb or edge of the Roadway; or
 - (b) In the case of a one way Highway where parking on either side is permitted with the wheels closest to the Curb or edge of the Roadway not more than 500 millimetres from the Curb or edge.
- (2) This section does not apply where angle parking is permitted or required.

- (3) Where a Vehicle parking space for parallel parking upon the Highway is marked or designated, an operator using the same, shall park such vehicle wholly within the limits of the space provided that where any vehicle and trailer exceeds the length of a single Parking Stall, the same may occupy two, but no more than two Parking stalls.

Angle Parking

26. (1) When parking on a roadway where angle parking is permitted, or required, a driver shall park his Vehicle:
- (a) With its sides at an angle of between 30 and 60 degrees to the Curb or edge of the Roadway; and
 - (b) With one front wheel not more than 500 Millimetres from the Curb or edge of the Roadway; and
 - (c) A driver shall not cross oncoming traffic or cross the centre line of a Roadway to either enter or exit from the angle parking stall;
 - (d) No person shall parallel park any vehicle within an angle parking stall.
27. Notwithstanding Part 5 Section 26(1) of this Bylaw no person shall angle park any Vehicle or trailer which exceeds six (6) metres in overall length upon any Highway except at such locations as may have been designated by Council, the Chief Administrative Officer or their designate.

Repairing/Washing Vehicles

28. No person shall stand or park any Vehicle on any Highway for the purpose of servicing or repairing such Vehicle except for emergency repairs.
29. No person shall wash any Vehicle on any Highway in such a manner as to constitute a nuisance or hazard.
30. No person operating a garage business or any other business involving the use of motor Vehicles shall permit water, oil, gasoline, or grease arising from the washing, repairing, or maintaining of any Vehicle to be deposited on or run onto any Highway within the Town.

Idling Vehicle

31. No person shall park any vehicle and leave the motor running, in such a manner and such a location as to disturb the peace and quiet of another person.

Over-revving Vehicle

32. No person having care or control of a Vehicle on any Highway shall permit the motor of such Vehicle to run at what, in the opinion of a peace Officer, are excessive revolutions per minute in the manner commonly known as "revving".

Alley Parking

33. (1) No Person shall Park a Vehicle in an Alley except while loading and unloading goods:
- (a) From a Commercial Vehicle; or
 - (b) From a Private Passenger Vehicle for a period not exceeding 15 minutes.
- (2) Notwithstanding subsection (1), no Person shall Park a Vehicle in an Alley such that the passage of other Vehicles through the Alley is obstructed.

Parking Space

34. Where a parking space is indicated on a Highway surface, an Operator shall Park a Vehicle wholly within the limits of the parking stall.

Disabled Person's Parking Space

35. No person shall park or stop on private or public land, in a Parking Stall designated by a Traffic Control Device as reserved for the exclusive use of persons with disabilities unless such a person has marked the Vehicle with an official placard issued by any Motor Vehicle Registry, indicating it as a disabled person Vehicle.

Walkways

36. No driver of any Vehicle shall leave or operate any Vehicle on any Sidewalk or Walkway within The Town of Swan Hills.

Recreational Vehicle/Trailers

37. (1) No Person shall park a Recreational Vehicle or Trailer on any portion of a highway unless the Recreational Vehicle or Trailer is attached to a Vehicle that is mechanically capable of, and properly equipped for, towing the Recreational Vehicle Trailer in a safe manner.
- (2) A recreational vehicle parked pursuant to this section:
- (a) Shall not be parked for more than 72 consecutive hours; and
 - (b) Shall be removed to an off-highway location for at least 48 consecutive hours before it may be parked again on a highway.

Mobile Home

38. No Person shall Park a Mobile Home in a Public Place except in an area designated by the Town as a Mobile Home site, park or campground.

PART 6 – ZONES AND RULES FOR THE OPERATION OF VEHICLES

Parades

39. No person shall park any Vehicle on any Highway which has been cleared or is about to be cleared for a Parade provided that sufficient warning signs have been placed on the Highway at least twelve (12) hours before such parade is to take place

Interference with Emergency Equipment

40. Where any unprotected equipment of the Fire Department has been set out on any Highway or driveway for use at a fire or any other department activity, or alarm of a fire, no person shall drive any Vehicle over such equipment except with the consent of the Fire Officer in command.

Speed Restrictions

School Zones/Playground Zones

41. (1) The hours in which speed restrictions are in effect in a school zone are during the following periods of time on any day that school is held:
- (a) The period between 8:00 a.m. and 9:30 a.m.
 - (b) The period between 11:30 a.m. and 1:30 p.m.
 - (c) The period between 3:00 p.m. and 4:30 p.m.
- (2) The hours in which speed restrictions are in effect in a Playground Zone are daily from 0830 hours to one hour after sunset;
- (3) The speed limit in a School Zone is 30 km/h during the times indicated in Section 41(1);
- (4) The speed limit in a Playground Zone is 30 km/h during the times indicated in Section 41(2);
- (5) A School Zone or Playground Zone:
- (a) Begins at the point where there is a Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone; and

- (b) Ends at the point where there is a Traffic Control Device indicating a greater rate of speed or the end of the zone.

Passing

42. No driver of any Vehicle shall draw along side of or pass or attempt to draw along side of or pass any other Vehicle travelling in the same direction in any School Zone or playground Zone during the hours in which a speed limit of thirty (30) kilometres per hour is in effect.
43. No driver of any Vehicle shall pass, or attempt to pass, another Vehicle travelling in the same direction across any intersection of a Highway, having not more than two lines for traffic.

Overload Vehicle

44. No person shall drive a Vehicle so overloaded that the motor power of such Vehicle is unable to move it at a reasonable rate of speed on a Highway.

Restricted Vehicle

45. No person shall drive a Vehicle on any Highway or portion of any Highway when the use of that Highway or portion thereof has been restricted by the Chief Administrative Officer, or his designate, for that class of Vehicle.

Exemption Stickers

46. No Person shall display on any Vehicle any identification card or sticker purporting to provide for an exemption granted under the provision of any section of any statute or bylaw unless such card or sticker has been duly authorized by the Chief Administrative Officer.

Pedestrian Right of Way

47. (1) A Driver of a Vehicle shall yield the right of way to a Pedestrian crossing the highway within a Crosswalk, whether or not the Pedestrian is in or is about to enter the Vehicle's traffic lane.
- (2) No Driver of a Vehicle shall pass any vehicle that is stopped to allow a Pedestrian to cross within a crosswalk.

Turning Lane

48. On any Highway, when a traffic lane is marked by a Traffic Control Device, showing the words, "LEFT TURN ONLY" or "RIGHT TURN ONLY" a Vehicle travelling in that lane may make only the movement indicated by the Traffic Control Device at the intersection or other place to which the Traffic Control Device applies.

Vehicle "U" Turn

49. (1) A driver shall not turn his Vehicle so as to proceed in the opposite direction:
- (a) On a Roadway between Intersections;
 - (b) Where a Traffic Control Device prohibits making a "U" turn;
 - (c) At an Intersection controlled by a Traffic Control Device;
 - (d) At an Alley Intersection with a Roadway;
 - (e) At an Intersection when the Vehicle is required to stop; or
 - (f) At any place unless the movement can be made in safety.
50. A Peace Officer shall be exempt from Section 49 (1) of this By-law while in the course of their regular duties.

Backing

51. No person shall back a Vehicle into an Intersection or Crosswalk.

PART 7 – RULES FOR PEDESTRIANS AND BICYCLISTS

Sidewalks

52. (1) Where a Sidewalk or Walkway is located beside a Roadway, a pedestrian shall at times when reasonable and practical to do so use the Sidewalk or Walkway and shall not walk or remain on the Roadway;
- (2) Where there is no Sidewalk or Walkway, a Pedestrian shall, at all times when reasonable and practical to do so, walk only on the left side or the left shoulder of the Roadway, facing traffic approaching from the opposite direction.

Crossing Highway

53. (1) A Pedestrian crossing a Roadway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise impeding the free movement of traffic;
- (2) A Pedestrian shall not step onto a Roadway and walk or run into the path of any Vehicle that is so close that it is impracticable for the operator of the Vehicle to yield the right-of-way.
54. A Pedestrian crossing a Roadway at any point other than within a Crosswalk shall yield the right-of-way to Vehicles upon the Roadway.
55. At a place where there is a Crosswalk, a Pedestrian has the right-of-way over Vehicles for the purpose of crossing a Roadway within the Crosswalk unless otherwise directed by a Peace

Officer or a Traffic Control Signal, but nothing in this Section relieves a Pedestrian from the duty of exercising due care for their own safety.

56. Where a yellow light or a Traffic Control Signal indicating "WAIT" is shown at an intersection by a Traffic Control Signal at the same time as or following the showing of a green light:
- (1) A Pedestrian facing the yellow light or Traffic Control Signal indicating "WAIT" shall not enter the Roadway; and
 - (2) A Pedestrian proceeding across the Roadway facing the yellow light shown after he entered the Highway:
 - (c) Shall proceed to the Sidewalk as quickly as possible; and
 - (d) Has the right-of-way for that purpose over all vehicles.
57. Where a red light alone is shown at an Intersection by a Traffic Control Signal:
- (1) Any Pedestrian facing the red light shall not enter the Roadway unless instructed that he may do so by a Pedestrian Traffic Signal;
 - (2) A Pedestrian proceeding across the Roadway facing the red light shown after he entered the Highway:
 - (a) Shall proceed to the opposite Sidewalk as quickly as possible; and
 - (b) Has the right-of-way for that purpose over all vehicles.
58. Where and when a Pedestrian is instructed or permitted by a Traffic Control Signal to enter or to proceed across the Roadway he shall do so at an intersection only within a Crosswalk.
59. A Pedestrian waiting for a Traffic Control Signal to change shall not stand on the Roadway.

No Crossing or Jostling

60. A Pedestrian shall not crowd or jostle other Pedestrians in such a manner as to create or cause discomfort, disturbance, or confusion.

Obstruction Highway

61. No person shall stand in a group of Three (3) or more Persons near to each other on any Highway as to obstruct the entrance to buildings, or to obstruct, or prevent other Persons using such Highway and forthwith after a request has been made by a Peace Officer or other Person duly authorized to do so, shall disperse and move away.

62. No person shall stand, sit, or lie, or otherwise position himself on any Highway in such a manner as to obstruct vehicular or Pedestrian traffic, or as to annoy, or inconvenience any other person upon the Highway.
63. Nothing in Part 7, Section 61 and 62 of this Bylaw shall be construed as prohibiting the congregating or assembling of individuals to attend and listen to public speaking so long as the proceedings thereat are peaceable, and orderly, and sufficient space is left on the Highway to allow free movement of traffic, but should any Highway at or near such assembly become in consequence thereof so obstructed as to obstruct or impede traffic, the persons so requested to do so by any Peace Officer or by any person duly authorized shall move away and disperse upon being requested.

In-Line Skates/Roller Skates/Skateboards/Non-Motorized and Motorized Scooters, Mini Bikes and Pocket Bikes

64. (1) No Person shall use in-line skates, roller skates, a skateboard or a non-motorized scooter on a Sidewalk or Walkway in a reckless manner or without yielding to other Pedestrian traffic;
- (2) No Person who is less than 18 years old shall use in-line skates, roller skates, a skateboard or a non-motorized scooter within The Town of Swan Hills unless that person is properly wearing a safety helmet;
- (3) No Person shall use any motorized Scooter on any Sidewalk or Walkway within The Town of Swan Hills;
- (4) No Person who is less than 18 years old shall operate any motorized Scooter within The Town of Swan Hills unless that person is properly wearing a safety helmet;
- (5) No Person shall operate a motorized mini bike, on any Sidewalk, Walkway or Highway within The Town of Swan Hills.

Bicycles

65. (1) No Person who is less than 18 years old shall operate or ride as a passenger on a Bicycle unless that person is properly wearing a safety helmet;
- (2) A parent or guardian of a Person who is less than 18 years old shall not authorize or knowingly permit the Person to operate or ride as a passenger on a Bicycle unless that person is properly wearing a safety helmet;
- (3) No Person shall operate a Bicycle on which a passenger who is less than 18 years old is riding unless the passenger is properly wearing a safety helmet.

66. No Person shall ride a Bicycle, Motorcycle, or a Vehicle on any Sidewalk or Walkway except when it is required for cleaning and maintenance of the sidewalks or Walkway or in order to ingress or egress to or from a Highway.
67. Notwithstanding Section 66, a Person may operate a Bicycle on a Sidewalk or Walkway if:
- (a) That Person is 12 years of age or younger;
 - (b) That Person is using the Sidewalk in order to gain immediate access to a private residence, commercial premises, Parkland or Roadway; or
 - (c) In accordance with a Traffic Control Device.
68. (1) The Person who is operating a Bicycle or Motorcycle on a Highway:
- (a) Shall keep both hands on the handlebars of his Bicycle, or Motorcycle except when making signal in accordance with the Traffic Safety Act or regulations there under;
 - (b) Shall keep both feet on the pedals or foot rests of his Bicycle or Motorcycle;
 - (c) Shall not ride other than upon or astride the regular seat thereof; and
 - (d) Shall not use the said Bicycle or Motorcycle to carry more Passengers at one time than the number for which it is designed and equipped.
- (2) Any person who is operating a Bicycle on a Roadway shall ride as near as practicable to the right hand curb or edge of the Roadway.
- (3) A person shall not operate a Bicycle on a Roadway where signs prohibit its use.

PART 8 – COMMERCIAL VEHICLES

69. This part shall not apply to Service Vehicles or Private Passenger Vehicles.
70. (1) No Person shall operate a Commercial Vehicle on a Highway in the Town of Swan Hills other than on a Highway that is designated as a Truck Route in Schedule "A" which is attached to and forms part of this Bylaw or which is designated as a Truck Route by Council from time to time and which is marked as a Truck Route by appropriate Traffic Control Devices;
- (2) A Commercial Vehicle shall not be deemed to be operating in contravention of Subsection (1) if the Commercial Vehicle is being operated on the most direct and practical route between a place or location and the nearest Truck Route by:
- (a) Persons delivering, or collecting goods, or merchandise to, or from the premises of a bona fide customer;
 - (b) Persons going to or from business premises of the owner of the Commercial Vehicle concerned;

- (c) Persons moving a building for which necessary moving permits have been issued by the Town;
 - (d) Persons removing a disabled vehicle from a Highway;
 - (e) Persons going to or from premises for the servicing or repairing of a Commercial Vehicle; or
 - (f) Persons going to or actually performing work on a Highway.
- (3) Notwithstanding Subsection (1) and (2), persons having more than one delivery, collection, or service in the same area may make all deliveries, collections, or services within that area before proceeding by the most direct and practical route to the nearest Truck Route. In this section "area" is defined as one bounded on all sides by a Truck Route.
71. No Person shall operate a Commercial Vehicle on any Highway within The Town of Swan Hills with a weight exceeding the axle weight applicable to such Commercial Vehicle.
72. No person shall park any Vehicle that exceeds eight and a half (8.5) metres in length upon a Highway within the Town of Swan Hills whether designated as a Truck Route or otherwise.
73. (1) No Person shall operate a Heavy Vehicle in an area other than a designated Truck Route unless the Heavy Vehicle is one intended for recreational purposes only, or is:
- a) A Town Vehicle while in use, or is;
 - b) A Commercial Vehicle while making pick-ups or deliveries; as provided for in Section 72 of this bylaw.
74. An Operator of a Commercial Vehicle shall, when requested by a Peace Officer, produce for such officer's inspection, a bill of lading, an industrial waste report or other document showing the origin of and destination of the trip and description of the load.
75. Particulars obtained by a Peace Officer under Section 76 shall be prima facie proof of the particulars thereof submitted in evidence without proof of the signature of the official capacity of the person signing the bills of lading or the documents.

Dangerous Goods

76. (1) No Person shall operate a Commercial Vehicle carrying Dangerous Goods on a Highway in the Town of Swan Hills other than on a Highway that is designated as a Dangerous Goods Route in Schedule "A" which is attached to and forms part of this bylaw or which is designated as Dangerous Goods Route by Council from time to time and which is marked as a Dangerous Goods Route by appropriate Traffic Control Devices;

- (2) No Person shall park or leave unattended any Vehicle primarily intended for the conveyance of any Dangerous Goods upon any Highway within the Town of Swan Hills unless such highway is designated as a Dangerous Goods parking area.
 - (a) The approved Dangerous Goods Parking area within the Town of Swan Hills shall begin at the area on the West Side of Main St, South of 5536 Main St. as designated by a posted sign to the Area on the West Side of Main St., North of 5208 Main St, as designated by a posted sign.
 - (b) The Chief Administrative Officer may put into place, by resolution of Council, a time limitation on vehicles permitted to park in the Dangerous Goods Parking Area.
 - (3) The prohibition described in Section 76 (2) shall not apply to;
 - (a) Vehicles loading or unloading Dangerous Goods;
 - (b) Vehicles that are immobilized by a bona fide breakdown provided such Vehicle is repaired or removed for repair at the earliest opportunity. The Operator of such Vehicle immobilized by a bona fide breakdown shall take such precautions as may be reasonably necessary to warn other users of the Highway of the location of the Vehicle and of the Dangerous Goods contained thereon;
 - (c) Vehicles on a Highway in a well-lit area at least 50 metres from any building, school or playground for such length of time as is actually necessary for the operator to secure and eat a meal;
 - (d) Vehicles operating in compliance with directions of a Peace Officer.
 - (4) When requested to do so by a Peace Officer an Operator of a Dangerous Goods Carrier shall produce all documentation relating to the Dangerous Goods being transported, including, a training card, shipping documents, bills of lading, industrial waste reports, and documents showing the origin and destination of the trip and a description of the Carrier's load.
77. In the event of a traffic collision involving a vehicle carrying Dangerous Goods, or in the event of a Dangerous Goods leakage or spillage, the Carrier or Operator shall immediately inform a Peace Officer and the Town of Swan Hills Fire Department of the incident and of the nature of the Dangerous Goods being transported.

PART 9 – OBSTRUCTIONS

Removal of Obstructions

78. (1) A Peace Officer may cause to be removed any unauthorized structure or other thing, which projects into or obstructs the use of any Roadway, Sidewalk, or Boulevard;
- (2) The charges for removal and storage of any structure or other thing shall be paid by the owner or other person responsible therefore, and shall be in addition to any fine or

penalty imposed in respect of any such provision or to any payment made in lieu of prosecution under part 14 of this bylaw.

79. If a Peace Officer is satisfied that any tree, hedge or shrub heretofore or hereafter planted on private property may interfere with or obstruct the view of the driver of any vehicle, a Peace Officer may require the owner or occupant of the property, by giving seven (7) days notice, to remove, prune, trim, or alter such tree, hedge, or shrub and if the owner does not eliminate the obstruction within seven (7) days, the Peace Officer may direct the work done and the full cost, therefore will be charged to the owner.

PART 10 – MISCELLANEOUS PROVISIONS

Littering

80. (1) In this section, "Litter" means to allow, cause, or permit any substance or material whatsoever to become, loose, or detached, or blow, drop, spill, or fall from the Vehicle or equipment;
- (2) No Person shall drive, operate or permit to be driven or operated any Vehicle or equipment of any nature or kind in such manner as to litter a Highway;
- (3) Any Person who litters upon a Highway shall, in addition to the penalty specified, be liable to clean up or remove the substance or material littered upon the highway, in default of which the Town may clean up or remove such substance or material, the expense therefore, shall be a debt owed by the Person responsible, which shall be in addition to any fine or penalty imposed or to any payment made in lieu of prosecution under Part 14 of this Bylaw.
81. No Operator of any Vehicle shall enter a paved Roadway from any construction site without first removing mud or other material from the wheels of the Vehicle.
82. No Person shall, without authorization from the Town, deposit any earth, rocks, trees or other substances on any Roadway, Sidewalk, or Boulevard within the Town, and if such deposits have been made without authorization and the Town removes same, the expense therefore, shall be a debt owed by the Person responsible, which shall be in addition to any fine or penalty imposed or to any payment made in lieu of prosecution under Part 14 of this bylaw.
83. (1) No Person shall dispose of Waste on a Highway except in a container placed for the purpose of collecting Waste;

- (2) No Person shall transport waste in or on a Vehicle on a Highway unless the Waste is adequately contained, secured or covered to prevent it from falling off or being blown off the Vehicle while being transported;
- (3) If Waste is disposed of from a vehicle other than a Bus or Taxi cab and it cannot be determined which of 2 or more occupants of the Vehicle is responsible for the disposal, the Operator of the Vehicle is deemed to be the person who disposed of the waste;
- (4) If Waste is disposed of from a Vehicle other than a Bus or Taxi cab and it cannot be determined who is the operator of the vehicle, the Owner of the Vehicle is deemed to be the Person who disposed of the Waste unless the Owner proves to the satisfaction of a court that at the time of the offence the Vehicle was not being operated or parked or left by the Owner or by any other Person with the Owner's consent, express or implied.

Obstruction of the Highways

84. Unless written permission is first obtained from Council or the Chief Administrative Officer or unless otherwise permitted by any bylaw, no person shall:
- (1) Erect any doorstep, porch, fence, railing, awning, or other projection into, or over any Highway, including the Sidewalk and Boulevard; or
 - (2) Place, or maintain, or cause to be placed or maintained on any Highway, including the Sidewalk and Boulevard anything which obstructs the free use of such Highway including the Sidewalk and Boulevard.

Public Property

85. (1) No Person shall remove, damage, or interfere with any Traffic Control Device, Traffic Control Signal, sign, barricade, notice, marker sign, flare, or other Street Furniture or other utility work of the Town;
- (2) No Person shall deface or make any advertisement, legend, or sign of any kind on any Highway, Street Furniture or Hoarding unless authorized to do so by Council.

Flow of Water

86. No occupier of any premises shall permit the unrestricted flow of any water from such premises over any highway, including the Sidewalk, and Boulevard.

Engine Retarder Brakes

87. No Person shall use engine retarder brakes within The Town of Swan Hills.

Secured Loads

88. No Person shall transport any type of cargo by Vehicle within the Town unless such items are properly covered, secured, tied down or fastened in a manner that prevents any of the content from falling to the ground during transport.

PART 11 – OFF HIGHWAY VEHICLES

89. (1) No person shall operate an Off-Highway Vehicle in the Town of Swan Hills.
- (2) Notwithstanding Section 89(1), a person may operate an Off Highway Vehicle within the limits of the Town of Swan Hills to:
- (a) Transport the Vehicle, by the shortest and most direct route to a permitted area inside or outside the Town of Swan Hills and return to the original point of origin;
 - (b) For the purpose of Section 89(2) (a), only between the hours of 0700 hours and 2300 hours, unless the operator is returning to the original point of origin or their residence;
 - (c) No person shall exceed a speed of 30 kilometres per hour while operating an Off Highway Vehicle within the Town of Swan Hills.
90. No Person shall operate an Off-Highway Vehicle on any portion of a:
- (a) Area posted, restricting off highway vehicle use
 - (b) School ground
 - (c) Parkland area
 - (d) Sidewalk or Walkway
 - (e) Private property, without the owner or occupants permission,
 - (f) Environmental or Municipal Reserve
91. (1) No person less than 14 years of age may operate an Off Highway Vehicle on any public land within the boundaries of The Town of Swan Hills;
- (2) No parent or guardian shall permit a person less than 14 years of age to operate an off Highway Vehicle in contravention of Section 91(1);
- (3) Notwithstanding Section 91(1) and (2), a Child may operate an Off Highway Vehicle on public land, excluding a Highway, if the Child is accompanied on the Off Highway Vehicle by a person 18 years of age or older.
92. No person shall operate or ride upon an Off-Highway Vehicle without wearing a helmet that conforms to Section 108 of the *Vehicle Equipment Regulation – Alberta Regulation 122/2009* under the Traffic Safety Act.

PART 12 – INFRASTRUCTURE PROTECTION

General Highway Control

93. (1) No Person shall operate or permit another to operate on any Highway a Vehicle in excess of the axle weight limitations, or the size limits, set pursuant to this bylaw, any other Town of Swan Hills Bylaw and the Traffic Safety Act of Alberta without first entering into a Road Protection Agreement with the Town and subject to such conditions as specified in said agreement;
- (2) No Person shall operate, or allow another person to operate, a vehicle that is used, or intended to be used, to Haul on any highway without first entering into a Road Protection Agreement with the Town, and subject to such conditions as specified in the said agreement;
- (3) Unless authorization has been obtained by The Town of Swan Hills, no Person shall operate a Vehicle or Trailer on a Highway:
- (a) Having metal spikes, lugs or cleats or bands projection from the surface of the wheel or tire of such Vehicle or;
 - (b) Having skids or not using triple grouser or flat surface tracks unless authorized by The Town of Swan Hills. This section excludes gravelled highways.
- (4) No Person shall break, tear, cut or remove any pavement, sidewalk, curbing or any other road surface, or otherwise damage, or cause excavation in or under any highway in the Town of Swan Hills unless authorized to do so by The Town of Swan Hills.
- (5) No Person shall park or permit to be parked or left standing over night, any Commercial Vehicle with or without a load which exceeds a registered weight of 8,000 kg's anywhere within any residential area of the Town of Swan Hills.

Authorizations/Agreements

94. (1) The Chief Administrative Officer or their designate is hereby authorized to enter into agreements governing tracked or other vehicles detrimental to the integrity of the surface of a paved Highway;
- (2) No Person shall operate, or allow another person to operate, a vehicle that is used, or intended to be used to Haul on any Highway without first entering into a Road Protection Agreement with the Town, and subject to such conditions as specified in the said agreement;
- (3) The Chief Administrative Officer or their designate is hereby authorized to set axle weight restrictions (road bans) or size limits, as they deems necessary on any Highway pursuant to his Bylaw or the Traffic Safety Act of Alberta;

- (4) The Chief Administrative Officer or their designate shall be at liberty to require any Person desiring to haul goods and materials on a Highway, to enter into a Road User Agreement and to provide such security to the Town to ensure compliance with the terms of the Road Use Agreement as the Chief Administrative Officer or their designate shall deem necessary;
- (5) The form of the Road Protection Agreement referred to in section 93 & 94 of this by-law shall be contained within any Town of Swan Hills Road Protection Policy, as amended from time to time.

PART 13 – SPEED LIMITS

- 95. (1) The maximum speed limits for Highways are in accordance with those prescribed by the Traffic Safety Act, and shall be fifty (50) kilometres per hour within the Town of Swan Hills, unless otherwise specified by the proper Traffic Control Device.
- (2) No person shall drive a vehicle on any highway within the Town of Swan Hills that is greater than the maximum speed limit that is established or prescribed for that highway.

PART 14 – ENFORCEMENT

Temporary Notices/Markings

- 96. A Peace Officer may, in enforcing this bylaw, place temporary and removable markings or notices and placing of tags, tickets or other documents on any Vehicle or Trailer in relation to a contravention of this bylaw.

Penalty

- 97. (1) Any Person who contravenes any provisions of this bylaw is guilty of an offence and liable upon conviction to a specified penalty as set out in Schedule “D” of this bylaw;
- (2) Any Person who contravenes any provisions of this bylaw is guilty of an offence and liable upon conviction to a maximum penalty pursuant to the Provincial Offences Procedures Act;
- (3) When a Vehicle is operated or Parked or Stopped in contravention of any provision of this Bylaw, the Owner shall be deemed to have committed the corresponding offence.

Continuing Offence

98. (1) In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such separate offence;
- (2) If a vehicle, being the subject of a Municipal Violation Tag or a Violation Ticket issued due to a contravention of a parking limitation, remains parked for a further span of time in excess of the number of days, minutes or hours permitted, an additional offence shall be deemed to have occurred

Municipal Violation Ticket

99. (1) A Peace Officer may issue, with respect to an offence under this bylaw, a Municipal Violation Ticket specifying the fine amount established by this bylaw.
- (2) Where a Municipal Violation Ticket is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.
- (3) Where any Peace Officer believes that any person has committed a breach of this bylaw, he may serve upon such Person a Municipal Violation Ticket in the manner provided herein, and any such Municipal Violation Ticket shall be deemed to be sufficiently served:
- (a) If served personally on the accused;
 - (b) If sent by ordinary mail to the registered owner at his last known address shown by the records of Registrar of Motor Vehicle;
 - (c) If sent by ordinary mail to the address of the person concerned; or
 - (d) Is attached to, left in, or upon the Vehicle in respect of which the offence is alleged to have been committed.
- (4) If the Person upon whom any such Municipal Violation Ticket is served fails to pay the specified penalty within 21 days, a Municipal Violation Ticket may be withdrawn and may be re-issued in the form of a Violation Ticket, pursuant to the Provincial Offences Procedures Act.
- (5) Nothing in this Section contained shall:
- (a) Prevent any person from exercising his right to defend any charge of committing a breach of this bylaw;
 - (b) Prevent any Peace Officer from informing or laying a complaint against a person for committing a breach of this bylaw; or
 - (c) Prevent any Person from exercising any legal right such person may have to inform or lay a complaint against any other Person whether such other Person has made a payment under the provision of this bylaw or not, for a breach of any of the provisions of this bylaw.

Violation Ticket

100. A Peace Officer may at any time issue a Violation Ticket pursuant to the Provincial Offences Procedures Act, as amended, to any person who has contravened any provision of this bylaw.

Powers of Peace Officers

101. All Peace Officers are authorized to enforce this bylaw.

Removal and Impoundment of Vehicles

102. A Peace Officer may carry out the removal and impoundment of any vehicle found to be in contravention of this bylaw in accordance with the provisions of the Traffic Safety Act.

Seizure of Off-Highway Vehicle

103. A Peace Officer may seize and detain any off-highway vehicle in accordance with the provisions of the Traffic Safety Act.

Payment of Costs

104. Notwithstanding any other penalty that may be provided by law, any Peace Officer is hereby authorized to impound any Bicycle, Motorcycle, Skateboard, Snowmobile, or other Vehicle operated, parked, or abandoned in contravention of this bylaw. Any such impounded property shall be released to the owner thereof upon payment of any towing, transportation, or storage costs applicable to such impounded property. Any property impounded hereby shall, in addition to any impounding, towing, transportation, or other fees shall carry a storage fee of One Dollar per day following the day of impounding. Any impounded property not claimed by its rightful owner within 45 days of impounding, may be destroyed or sold by public or private auction without notice to the owner.
105. All property impounded hereby shall be and remain at the risk of the owner while impounded.
106. Any expense incurred by the Town for the removal of any obstruction on a Highway placed therein in contravention of this bylaw, may be recovered by distress upon the goods and chattels of the person by whom, or by whose direction, any obstruction is so placed in the same manner as if such expenses were taxes levied pursuant to the Municipal Government Act and so recoverable.

PART 15 – SEVERABILITY

107. If at any time, any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this Bylaw shall

continue in full force and effect and be construed as if it had been enacted without the illegal, invalid or ultra vires provision.

PART 16 – REPEAL

108. The Town of Swan Hills By-law No. 2012-12 shall be repealed upon passage of this bylaw.

PART 17 – EXEMPTION

109. A Peace officer shall be exempt from all provisions of the By-law while acting in the normal course of their duties.


PART 18 – EFFECTIVE DATE

110. This bylaw shall come into effect upon passing of the third reading.

**BY-LAW NO. 2016-05 IS HEREBY GIVEN FIRST READING THIS 10th DAY
OF August, 2016**

**BY-LAW NO. 2016-05 IS HEREBY GIVEN SECOND READING THIS 10th DAY
OF August, 2016**

**BY-LAW NO. 2016-05 IS HEREBY GIVEN THIRD READING AND PASSED THIS 10th DAY
OF August, 2016**

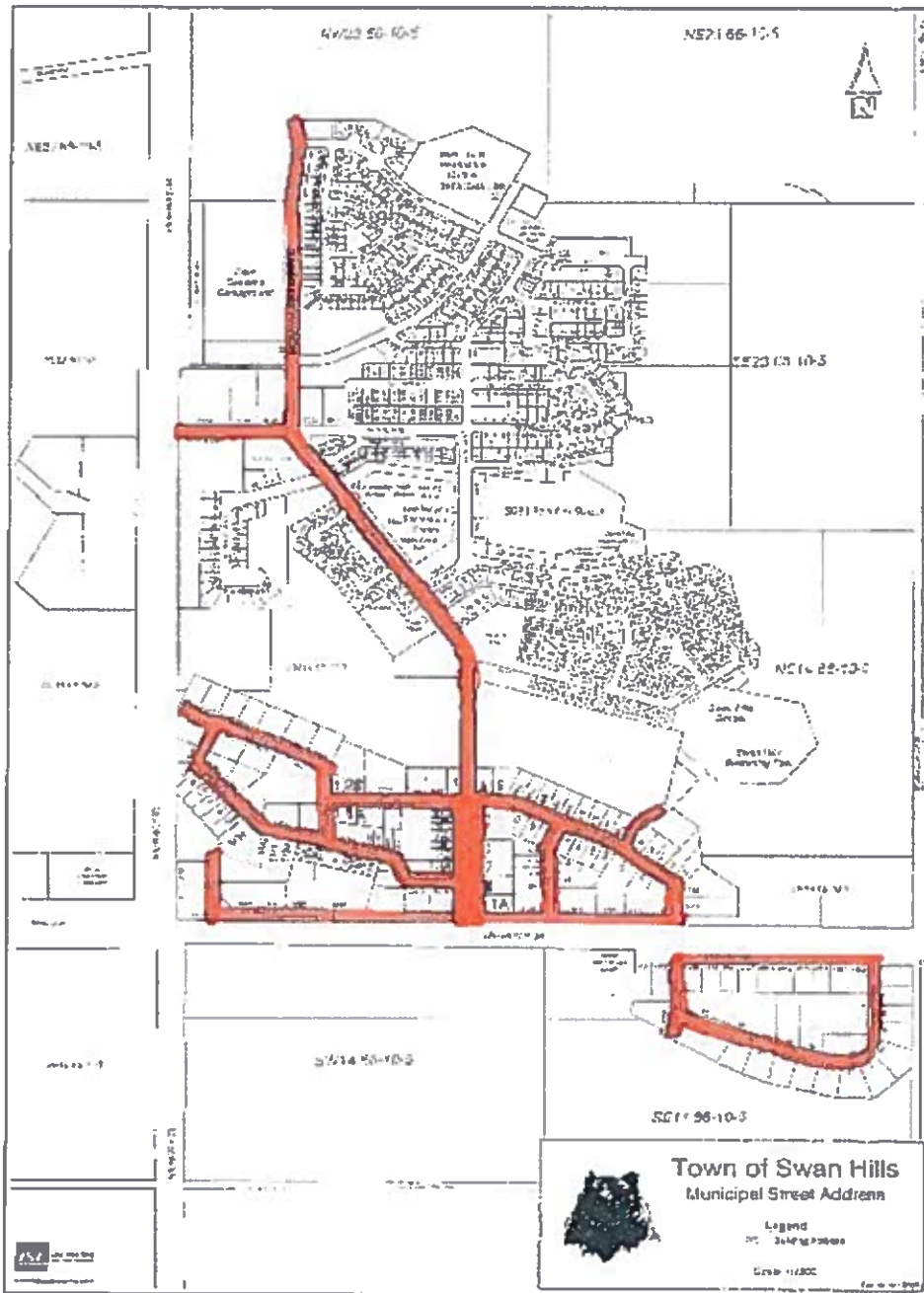


MAYOR



CHIEF ADMINISTRATIVE OFFICER

TOWN OF SWAN HILLS
By-Law No. 2016-05
Schedule "A"
Truck and Dangerous Goods Route



THE TOWN OF SWAN HILLS
Traffic Bylaw No. 2016-05
Schedule "B"
Specified Penalties

Section	Offence	Penalty
21(1)(a)	Fail to Obey Directions of a Peace Officer/Member	\$250.00
21(1)(b)	Fail to obey a placed Traffic Control Device/Signal	\$250.00
22(1)	Park where prohibited by a Traffic Control Device	\$60.00
22(2)	Stop when prohibited by a Traffic Control Device	\$60.00
23(a)	Stop/Park on a Sidewalk or Boulevard	\$60.00
23(b)	Stop/Park on a or any part of a Crosswalk	\$60.00
23(c)	Stop/Park within an Intersection	\$60.00
23(d)	Stop/Park within 5 meters of an intersection	\$60.00
23(e)	Stop/Park within 5 meters of a Stop or Yield sign	\$60.00
23(f)	Stop/Park within 5 meters of a Fire Hydrant	\$60.00
23(g)	Stop/Park within 1.5 meters of a access or vehicle sidewalk crossway	\$60.00
23(h)	Stop/Park within 5 meters of a Crosswalk	\$60.00
23(i)	Stop /Park alongside or opposite any Highway Excavation or Obstruction	\$60.00
23(j)	Stop/Park on any Bridge or in any Causeway	\$60.00
23(k)	Stop/Park in an Emergency Access Route or Fire Lane	\$60.00
23(l)	Stop/Park on the Roadway Side of a Parked Vehicle	\$60.00
23(m)	Stop/Park in a manner that obstructs traffic	\$60.00
23(n)	Stop/Park for a time longer than a permitted time	\$60.00
23(o)	Stop/Park against the flow of traffic	\$60.00
23(p)	Stop/Park in a Roadway maintenance or construction area	\$60.00
23(q)	Stop/Park in a manner that interferes with an emergency exit	\$200.00
23(r)	Stop/Park in a manner that obstructs access to an emergency service	\$200.00
23(s)	Stop/Park upon parkland without authorization	\$60.00
23(t)	Stop/Park upon private property without authorization	\$60.00
23(u)	Stop/Park in a designated Special Vehicle Class parking area	\$60.00
23(v)	Stop/Park obstructing exit from a theatre or public building	\$60.00
23(w)	Stop/Park interferes with use of Fire Department/Town vehicle	\$200.00
23(x)	Stop/Park on Town Land without authorization	\$60.00
23(2)	Engage in a Stunt, Nuisance or Dangerous Activity on a Highway	\$300.00
24	Park Vehicle More than 72 Hours	\$100.00
24(1)	Have Unregistered or Uninsured vehicle on a Highway	\$200.00
25(1)	Improper parallel parking	\$60.00
25(3)	Fail to park wholly within designated parking space	\$60.00
26(1)(a)(b)	Improper angle parking	\$60.00
26(1)(c)	Improper entry exit from an angle parking stall	\$100.00
26(1)(d)	Parallel park in an angle parking stall	\$60.00

27	Angle park a vehicle that exceeds 6 meters in length	\$60.00
28	Prohibited repairing of a vehicle on a highway	\$100.00
29	Prohibited washing of a vehicle on a highway	\$100.00
30	Garage business permit prohibited substance to deposit on a Highway	\$100.00
31	Park an idling vehicle that disturbs the peace and quiet	\$100.00
32	Over revving of a vehicle	\$300.00
33	Illegal Parking in an Alley	\$60.00
34	Fail to park wholly within a designated parking stall	\$60.00
35	Stop/Park in a disabled persons parking stall	\$300.00
36	Illegally operate a motor vehicle on a Sidewalk or Walkway	\$200.00
37(1)	Park unattached Recreational Vehicle or Trailer	\$80.00
37(2)	Park recreational vehicle more than 72 hours without 48 hour removal	\$100.00
38	Park a Mobile Home where prohibited	\$80.00
39	Park on a parade route when prohibited	\$60.00
40	Illegally drive a vehicle over Emergency Equipment	\$300.00
42	Illegally pass another vehicle in a School Zone/Playground Zone	\$300.00
43	Illegally pass another vehicle within an intersection	\$300.00
44	Illegally Operate an overloaded vehicle on a Highway	\$200.00
45	Illegally operate a restricted vehicle on a Highway	\$200.00
46	Illegally display an unauthorized exemption sticker	\$100.00
47(1)	Fail to yield to a pedestrian at a Crosswalk	\$575.00
47(2)	Illegally pass vehicle stopped for a pedestrian at a crosswalk	\$575.00
48	Fail to obey Traffic Control Device - make an Illegal Turn	\$150.00
49	Illegally make a "U" turn	\$150.00
51	Illegally back a vehicle into an intersection or crosswalk	\$150.00
52(1)	Pedestrian fail to use Sidewalk or Walkway	\$80.00
52(2)	Pedestrian fail to walk facing oncoming Traffic	\$80.00
53(1)	Pedestrian impede the flow of traffic	\$80.00
53(2)	Pedestrian improperly cross a Highway	\$80.00
54	Pedestrian fail to yield the right of way to vehicles	\$80.00
56	Pedestrian fail to obey Traffic Control signal - Yellow Light/Wait	\$80.00
57	Pedestrian fail to obey Traffic Control signal - Red Light	\$80.00
58	Pedestrian fail to cross roadway with the crosswalk	\$80.00
59	Pedestrian waiting for signal illegally stand on the Roadway	\$80.00
60	Pedestrian Illegally crowd or jostle other pedestrians	\$80.00
61	Fail to move or disperse from Highway when directed by a Peace Officer	\$300.00
62	Illegally obstruct vehicle/pedestrian traffic	\$100.00
64(1)	Improper use of Sidewalk or Walkway with non-motorized conveyance	\$100.00
64(2)	Child fail to wear a safety helmet - non-motorized conveyance	\$100.00
64(3)	Illegally operate a motorized scooter on a Sidewalk or Walkway	\$100.00
64(4)	Child fail to wear a safety helmet - motorized scooter	\$100.00

64(5)	Illegally operate a motorized mini bike on Sidewalk or Walkway	\$100.00
65(1)	Child operate/ride on a bicycle without a safety helmet	\$100.00
65(2)	Parent/Guardian permit child to operate a bicycle w/o safety helmet	\$100.00
65(3)	Operate bicycle with child passenger not wearing safety helmet	\$100.00
66	Illegally operate bicycle, motorcycle or vehicle on a Sidewalk	\$100.00
68(1)(a)	Fail to keep both hands on handlebar	\$100.00
68(1)(b)	Fail to keep both feet on pedals or foot rests	\$100.00
68(1)(c)	Fail to ride upon the regular seat	\$100.00
68(1)(d)	Carry more passenger than equipped to carry	\$100.00
68(2)	Fail to ride near the right hand of the Roadway	\$100.00
68(3)	Operate bicycle where prohibited	\$100.00
70(1)	Operate Commercial Vehicle off Truck Route	\$300.00
71	Operate Commercial Vehicle that exceeds applicable axle weights	\$500.00
72	Park vehicle that exceeds 8.5 meters in length	\$80.00
73	Operate Heavy Vehicle in a prohibited area	\$300.00
74	Fail to provide documentation to a Peace Officer	\$150.00
76(1)	Operate Commercial Vehicle off Dangerous Goods route	\$600.00
76(2)	Leave Dangers goods unattended	\$600.00
76(4)	Fail to provide Dangers Goods documentation to a Peace Officer	\$200.00
77	Fail to inform P/O or Fire Department of Dangerous Goods incident	\$600.00
80(2)	Illegally litter a Highway	\$200.00
81	Fail to remove mud/other material before entering a Highway	\$200.00
82	Illegally deposit a prohibited substance	\$200.00
83(1)	Illegally dispose of waste on Highway	\$200.00
83(2)	Fail to ensure waste is secure during transportation	\$200.00
84(1)	Erect a prohibited obstruction	\$100.00
84(2)	Place an illegal obstruction on a Highway	\$100.00
85(1)	Remove/Interfere/Damage a Town of Swan Hills utility work	\$500.00
85(2)	Deface any Town of Swan Hills utility	\$500.00
86	Illegally allow the unrestricted flow of water	\$100.00
87	Illegal use of an engine retarder brake within a Hamlet	\$200.00
88	Transport insecure cargo	\$300.00
89(1)	Prohibited operation of an Off Highway Vehicle	\$100.00
89(2)(a)	Fail to take direct route w/ Off Highway Vehicle	\$100.00
89(2)(b)	Operate Off Highway Vehicle during prohibited hours	\$100.00
89(2)(c)	Exceed maximum speed limit for an Off highway Vehicle	\$100.00
90	Operate an off Highway vehicle in a Prohibited area	\$100.00
91(1)	Person less than 14 years of age operate Off Highway Vehicle	\$75.00
91(2)	Permit person less than 14 years to operate an Off Highway Vehicle	\$75.00
92	Operate Off Highway - No approved helmet	\$200.00
93(1)	Operate an overweight/over dimensional vehicle – no permit	\$500.00

93(2)	Fail to enter into a road protection agreement	\$200.00
93(3)	Operate Vehicle or Trailer with prohibited equipment	\$500.00
93(4)	Illegally break, cut or damage a Highway	\$500.00
93(5)	Illegally Park/Permit to be parked a Commercial Vehicle	\$500.00
95(2)	Exceed maximum prescribed speed limit – 1 to 10 km/h over	\$60.00
95(2)	Exceed maximum prescribed speed limit – 11 to 20 km/h over	\$90.00
95(2)	Exceed maximum prescribed speed limit – 21 to 30 km/h over	\$120.00
95(2)	Exceed maximum prescribed speed limit – 31 to 40 km/h over	\$150.00
95(2)	Exceed maximum prescribed speed limit – 41 to 50 km/h over	\$180.00
95 (2)	Exceed maximum prescribed speed limit – 51 km/h or greater	Court