

**TOWN OF DRUMHELLER
BYLAW NUMBER 10.22**

Repeals 01.03

BEING A BY-LAW OF THE TOWN OF DRUMHELLER FOR THE PURPOSES OF REGULATING AND CONTROLLING VEHICULAR, PEDESTRIAN AND ANIMAL TRAFFIC IN THE TOWN OF DRUMHELLER.

WHEREAS the Traffic Safety Act authorizes a municipality to regulate and control; Vehicle, Pedestrian, and animal traffic, Parking on the streets and on other property within the municipality;

WHEREAS the MGA enables a Council to pass Bylaws and delegate authority in respect of Highways under it's direction, control, management and transport thereon;

AND WHEREAS the purpose of the municipality includes providing services that in the opinion of Council are necessary and desirable for public safety;

NOW THEREFORE, the Municipal Council of the Town of Drumheller enacts as follows:

SECTION 1 - INTERPRETATION AND DEFINITIONS

- 1.1 This Bylaw may be cited as the Town of Drumheller Traffic Bylaw.
- 1.2 Nothing in this Bylaw relieves a Person from complying with any federal, provincial law or regulation or other Bylaw.
- 1.3 Where this Bylaw refers to a Person or thing with reference to gender or the gender neutral the intention is to read the Bylaw with the gender applicable to the circumstances.
- 1.4 References to the plural include the singular as applicable.
- 1.5 The words include, includes and including are to be read as not limiting the phrases of descriptions that precede them.
- 1.6 Any reference to specific laws already in force and applicable in the province of Alberta as at the same Time that this Bylaw was enacted will be stipulated and referred to as such in the Bylaw. Provincial laws will be referenced as to the relevant chapter of the Revised Statues of Alberta 2000, as amended from Time to Time including succeeding legislation. Federal laws will be referenced as to the relevant chapter of the Revised Statues of Canada 1985 as amended from Time to Time including succeeding legislation.

- 1.7 Any reference in this Bylaw to a closure, section or part unless otherwise stipulated is a reference to a clause, section or part in this Bylaw.
- 1.8 Wherever a work is used in this Bylaw the meaning of that word is as specified in the definitions section of this Bylaw. Words not specified in the definitions section will have their regularly applied meaning in the English Language.
- 1.9 Any clause, section or part of this Bylaw that may be declared invalid for any reason by a court of competent jurisdiction will be disengaged from the Bylaw and other provisions of this Bylaw shall remain enforceable and valid.

DEFINITIONS - For purposes of this Bylaw, all definitions and interpretations of the Traffic Safety Act and all subsequent regulations shall apply, unless otherwise defined in this Bylaw, as follows:

- A. "Alley" means a Roadway which primarily serves to provide access to the rear of buildings and parcels of land.
- B. "Bicycle" and "Tricycle" means a Vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel.
- C. "Bus" means a large motor Vehicle, having a long body, equipped with seats or benches for passengers, usually operating as part of a scheduled service passenger Vehicle that is owned or operated as part of the municipal Bus system, a school board or contracted operator for a school board to transport students, or private entity.
- D. "Bylaw Enforcement Officer" means any regular member of the Royal Canadian Mounted Police, any Peace Officer or Municipal Enforcement Officer employed by the Town of Drumheller in accordance with the Municipal Government Act
- E. "C-can" or "Sea Can" means a specific type of portable storage container which is a metal freight container that is used for the temporary storage of materials and equipment.
- F. "Center Line" means the center of a roadway measured from the Curbs or, in the absence of Curbs, from the edges of the roadway,
- G. "Chief Administrative Officer" or "CAO" means the Person appointed by Council to be the CAO of the Town in accordance with Council Bylaw.
- H. "Commercial Vehicle" 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.
- I. "Council" means the Council of the Town of Drumheller, duly assembled and acting as such.

J. "Crosswalk" means:

- i) That part of a roadway at an Intersection included within the connection of the lateral line of the sidewalks on opposite side of the Highway measured from the Curbs, or in the absence of Curbs, from the edges of the roadway; or
- ii) Any part of a roadway at an Intersection of elsewhere distinctly indicated for Pedestrian crossing by Traffic Control Devices or by line or by other markings on the surface;

K. "Curb" means the concrete or asphalt edge of a Roadway, or the division point between a Roadway and a Boulevard or sidewalk.

L. "Dangerous Goods" means any product, substance or organism included by its nature or by the regulations to the Dangerous Goods Transportation and Handling Act in any of the classes listed in the Schedule to the Dangerous Goods Transportation and Handling Act.

M. "Electric Scooter" or "E-Scooter" means a Vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboards and pushing the other against the ground and that is assisted by an electric motor.

N. "Dangerous Goods Permit" means permits issued by the appropriate authority that evidences permission to transport Dangerous Goods on a Highway

O. "Dangerous Goods Route" means any roadway designated by the Town upon which Trucks are authorized to travel while carrying Dangerous Goods.

P. "Disabled Persons Vehicle" means a Vehicle that displays a disabled placard or license plate that issued or recognized by the Registrar of Motor Vehicle Services (or any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services).

Q. "Emergency Vehicle" means:

- i) A Vehicle operated by a police service or a law enforcement service,
- ii) A fire-fighting or other type of Vehicle operated by the fire protection service
- iii) An ambulance operated by a Person or organization providing ambulance services;

R. "Fire Chief" means the Person appointed by the CAO as Fire Chief that is head of the Drumheller Fire Service or any other Person designated by the Manager to act on his behalf.

S. "Gross Weight" means:

- i) In respect of a single axle of a Vehicle, the total weight that a single axle transmits to a Highway;
- ii) In respect of an axle group of a Vehicle, the sum of the weights transmitted to a Highway by all the axles within the axle group.
- iii) In respect of a tire of a Vehicle, the total weight that the tire transmits to a Highway;

- iv) In respect to a Vehicle, the total weight of a Vehicle or combination of Vehicles calculated as the sum of the weights transmitted to a Highway through each of the axles.

T. “Heavy Vehicle” means a Commercial Vehicle, or a Vehicle with Trailer attached, having a maximum gross Vehicle weight of 4500 kg or more, or 12.5 meters in total length.

U. “Highway” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, Alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or Parking of Vehicle, and includes:

- i) A sidewalk, including a boulevard adjacent to the sidewalk,
- ii) If a ditch lies adjacent to and parallel to the roadway, the ditch, and
- iii) If a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway as the case may be, but does not include a place declared by regulation not to be a Highway.

V. “Disabled Loading Zone” means a portion of a street set aside adjacent to a Curb designated for the exclusive use of Vehicles for the loading or unloading of disabled passengers and includes an area designated as such;

W. “Industrial Vehicle” means any Vehicle used for the loading or unloading of merchandise or other object from a Vehicle. This does not include manpower.

X. “Inoperative Vehicle” means any Vehicle which cannot be legally operated on the street because of lack of registration, lack of engine, transmission, wheels, windshield or any other part or equipment necessary to operate on public streets and/or Highways.

Y. “Intersection” means an at-grade junction where two or more roads meet or cross.

Z. “Mobile Unit” means any structure whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more Persons.

AA. “Municipal Enforcement Officer” – see Bylaw Enforcement Officer

BB. “Municipal Government Act” means the Municipal Government Act of Alberta, RSA 2000, c. M-26, as amended, repealed or replaced.

CC. “Obstruction” means an encroachment, excavation, structure or other obstacle, which interferes or may be expected to interfere with sight lines, or the safe passage, maintenance or use of Highways or Public Places by Vehicles or Pedestrians.

DD. "Off-Highway Vehicle" is as defined in Section 117 of the Traffic Safety Act, R.S.A 2000, c. T-6, as amended, repealed, or replaced.

EE. "Owner" means the Person who owns a Vehicle and included any Person renting a Vehicle or having exclusive use of a Vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a Vehicle for a period of more than 30 days.

FF. "Parade or Procession" a public procession, especially one celebrating a special day or event and including marching bands and floats.

GG. "Park" 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 and unloading of passengers; or
- ii) When standing in obedience to a Peace Officer or Traffic Control Device.

HH. "Parkland" means any grassed, cultivated or otherwise improved land used for the purposes of a Playground or recreation area, any public park, parkway or square. This definition shall not include golf courses.

II. "Peace Officer" means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the Peace Officers Act R.S.A. 2006 Chapter p-3.5. or other federally or provincially designated Peace Officer in accordance with legislation

JJ. "Pedestrian" means a Person on foot and a Person in or on a mobility aid.

KK. "Person" includes any individual, corporation, society, association, partnership or firm.

LL. "Playground Area" means a section of a roadway that is denoted by Playground Area signage only.

MM. "Playground / School Zone" means a section of a roadway that is denoted by School Zone or Playground Zone signage and a Thirty (30) kilometer per hour (km/h) speed limit sign. Each sign will be posted with start Time and end Time and are in effect seven (7) days a week, Three-Hundred sixty-five (365) days a year.

NN. "Private Passenger Vehicle" means a Vehicle used solely for Personal transportation.

OO. "Public Place" means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other Personal purpose.

PP. “Roadata” means a commercial Truck online permitting system of service to both Alberta Municipalities and industry clients relating to the movement of heavy Trucks over rural roads and any travel on municipally owned Highways.

QQ. “Recreational Vehicle” means a Vehicle used or intended for primarily recreational use, and without restricting the generality of the foregoing, includes any motor home, holiday Trailer, Trailer, camper, tent Trailer, any van or Bus converted for use as a Recreational Vehicle, boat Trailer, ATV Trailer or noncommercial utility Trailer.

RR. “Residential Area” shall refer to lands districted as Residential, with Residential districts including those districts identified in the Land Use Bylaw, and shall include any Highways or public property abutting such districts.

SS. “Road Ban” means an axle weight restriction imposed by the Town in respect of a Highway, pursuant to this Bylaw.

TT. “School Bus” means a Bus that is used primarily to transport students to and from school.

UU. “Street Furniture” means items such as poles, Traffic Control Devices, waste receptacles, benches, Bus enclosures, trees, plants, grass, utilities, planters, Bicycle racks, newspaper boxes or any other similar property placed on a Highway or woonerf.

VV. “Taxi” means a licensed Vehicle for hire in the City to pick up and transport passengers, while on duty, whether or not passengers are embarked.

WW. “Temporary Construction Barricade” means any fencing, boarding or barrier required to enclose an Obstruction on a Highway or Public Place for the purpose of construction.

XX. “Time” means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the Province of Alberta.

YY. “Track” or “Tracking” means to allow, cause or permit any substance or material of any nature or kind whatsoever to become loose, detached, blow, drop, spill, or fall from any Vehicle, accessories or tires onto any Highway.

ZZ. “Traffic Control Device” means any sign, signal, marking or device placed, marked or erected under the authority of this Bylaw or under the Traffic Safety Act of Alberta RSA 2000, c. T-6.

AAA. “Traffic Safety Act” means the Traffic Safety Act of Alberta RSA 2000, c. T-6, as amended, repealed or replaced.

BBB. “Trailer” means a Vehicle so designated that it;

- i) May be attached to or drawn by a motor Vehicle or tractor, and

- ii) Is intended to transport property or Persons, and includes a Vehicle defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways.

CCC. "TRAVIS Permit" means Transportation Routing and Vehicle Information System. Travis and Roadata issues a permit to travel through a municipality for oversize and overweight loads. Information is collected by the Province for a fee and allocates a portion back to the municipality for road damage and administration costs.

DDD. "Truck" means any Vehicle, other than a registered Disabled Persons Vehicle, Recreations Vehicle, School Bus or Transit Bus, that is:

- i) Greater than twelve (12) meters in length, or
- ii) Registered (in any jurisdiction) to operate at a maximum Gross Weight of 4500 kg or more.

EEE. "Truck Route" means Highways under the direct control of the province of Alberta and shall exclude all municipal streets and services roads adjacent to them.

FFF. "Vehicle" means 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.

GGG. "Vendor Stand" means structure advertising, displaying or containing goods or services for sale.

HHH. "Violation Tag" means a tag or similar document issued by the Town pursuant to the Municipal Government Act.

III. "Violation Ticket" means a notice issued under Part two (2) or Part three (3) of the Provincial Offences Procedure Act as amended, replaced or repealed.

JJJ. "Waste Bin" or what is commonly referred to as a dumpster is a type of movable and portable metal waste container designed to be brought and taken away by a special collection Vehicle, or to a bin that a specially designed garbage Truck lifts, empties into its hopper, and lowers, on the spot.

SECTION 2 - TRAFFIC CONTROL DEVICE

- 2.1 No Person may act contrary to any Traffic Control Device situate on public property.
- 2.2 The Town may cause temporary Traffic Control Devices to be placed along a portion of a Highway or any other place, for the purpose of facilitating construction, maintenance, repair work or any other reason, including removal of snow and ice.
- 2.3 All temporary Traffic Control Devices carry the same authority and penalty as a permanent Traffic Control Devices.

- 2.4 Duly placed temporary Traffic Control Devices shall supersede any other Traffic Control Device located in the vicinity.
- 2.5 A Traffic Control Device may provide an effective Time period, for which the provisions of that temporary Traffic Control Device shall go into effect. No Person shall act or allow action in a manner contrary to that Traffic Control Device when the Time period is in effect.
- 2.6 No Person shall alter, move or in any way change any Traffic Control Device either permanent or temporary at any Time.
- 2.7 Subsection 2.6 of this Bylaw shall not apply to any Person, duly designated to alter a Traffic Control Device for the purposes of maintenance, construction or relocation. This exemption includes Town workers and emergency services.
- 2.8 No Person shall pass beyond a control point or otherwise disregard direction given them at any location as part of a response to an emergency event and so occupied by a Peace Officer, a Member of the Fire Department, flag Person or Traffic Control Device.

SECTION 3 – PARKING ON SIDEWALK AND BOULEVARD

- 3.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked on a sidewalk or boulevard or any part of a sidewalk or boulevard.

SECTION 4 - EXEMPTION FROM PARKING PROVISIONS

- 4.1 Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or Parking of Vehicles engaged in the course of their normal course of duty do not apply to:
- i) Emergency Vehicles
 - ii) Service Vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems
 - iii) Municipal and other Government Public Works Vehicles
 - iv) Towing service Vehicles; while any such Vehicle is being used in work requiring that it be stopped or Parked at that location.

SECTION 5 - NO PARKING

- 5.1 A Vehicle shall not stop or be Parked on a Highway in any location identified as a zone where Parking is prohibited.

5.2 A Vehicle shall not be stopped on a Highway in any location identified as a zone where stopping is prohibited.

5.3 A Vehicle shall not be stopped on a Highway where the Vehicle will obstruct the flow of traffic.

SECTION 6 - CROSSWALKS

6.1 A Vehicle shall not be Parked:

- i) On a Crosswalk or any part of a Crosswalk; or
- ii) Within five (5) meters of the near side of a marked Crosswalk.

SECTION 7 - STOP OR YIELD SIGNS

7.1 A Vehicle shall not be Parked within five (5) meters on either side of a stop sign.

SECTION 8 - INTERSECTIONS

8.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked:

- i) At an Intersection within five (5) meters of the projection of the Curb or edge of the roadway;
- ii) Within an Intersection other than immediately next to the Curb or edge of the roadway in a "T" Intersection; or
- iii) Within 1.5 meters of an access to a garage, private road or driveway or a Vehicle crossway over a sidewalk.
- iv) Beside any Curb or Traffic Control Device that displays yellow paint.

SECTION 9 - FIRE HYDRANTS

9.1 Except as permitted in this section a Vehicle shall not be stopped on a Highway within five (5) meters of a fire hydrant or, when the hydrant is not located at the Curb, within five (5) meters from the point on the Curb nearest the fire hydrant.

SECTION 10 - DOUBLE PARKING

10.1 A Vehicle shall not be Parked on the roadway side of a Vehicle that is Parked at the Curb or edge of the roadway.

SECTION 11 - DIVIDED HIGHWAY

11.1 A Vehicle shall not be Parked on that portion of the Highway that is to the left of the yellow line if the Highway is divided into two or more roadways by a boulevard, ditch or other physical barrier.

SECTION 12 - ALLEY PARKING

- 12.1 A Vehicle shall not be Parked in an Alley in a manner that obstructs the safe movement of vehicular traffic.

SECTION 13 – PARKLAND/ENVIRONMENTAL RESERVE/TOWN OWNED PROPERTY/OFF HIGHWAY VEHICLES

- 13.1 No Person shall operate or Park any Vehicle or off Highway Vehicle upon any Parkland, environmental reserve, skating rink, recreational area, tennis court, park, Playground or school ground or any Town owned property except as authorized by this Bylaw.
- 13.2 No Person shall operate an Off Highway Vehicle upon any Highway.
- 13.2 Subsection 13.1 of this Bylaw shall not apply to Vehicles or off Highway Vehicles operated during emergency response or Town authorized work by Town agents or contractors, police, Peace Officers or members of the fire department engaged in the performance of their authorized duties.

SECTION 14- MARKED SPACE

- 14.1 A Vehicle Parked on a Highway in a location marked by lines or otherwise shall be Parked entirely within the markings.

SECTION 15 - OBSTRUCTION

- 15.1 A Vehicle shall not be Parked on a Highway in a manner that blocks or obstructs:
- i) The movement of traffic on the Highway;
 - ii) A doorway to a building, any Pedestrian walkway or handicap access to a sidewalk,
 - iii) Access to any fire station, police station, hospital or other place where Emergency Vehicles require access.
- 15.2 Notwithstanding subsection 15.1 of this Bylaw, where the Obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this Bylaw provided they take measures as soon as practicable to remove such Vehicle from the Highway.
- 15.3 No Person shall construct or place an Obstruction of any kind such as a large metal Waste Bin or what is commonly referred to as a dumpster or a C-Can, in, upon or above any Highway unless granted a Town permit.
- 15.4 In the event of an emergency or where the Obstruction is deemed to pose a danger to users of a Highway, the Town may cause the immediate removal of the Obstruction

without notice shall be at the expense of the Person causing, placing or permitting the Obstruction on the Highway or Public Place.

- 15.6 The permit holder shall be required to produce the permit upon request of the CAO or authorized designate.
- 15.7 Where an Obstruction of any kind exists in, upon or above a Highway or Public Place and creates an unsafe condition, the Town shall be entitled to take such measures as are required for the protection of life or property.

SECTION 16 - RECREATIONAL VEHICLE RESTRICTIONS

- 16.1 A Recreational Vehicle shall not be Parked on a Highway unless it is Parked in a location completely adjoining the Recreational Vehicle Owner's residence as shown in the records of the Motor Vehicle Registry.
- 16.2 A Recreational Vehicle parked pursuant to this section:
- i) Shall not be Parked for more than seventy-two (72) consecutive hours; and
 - ii) Shall be removed to an off-Highway location for at least forty-eight (48) consecutive hours before it may be Parked again on a Highway,
 - iii) All extendable slides shall be collapsed.
- 16.3 A Recreational Vehicle Parked on a Highway shall not be occupied.
- 16.4 Notwithstanding anything else in this section, an Owner or operator of a Recreational Vehicle must not Park the Recreational Vehicle on any Highway in the Town in such a manner as to constitute a hazard to other Persons using the street.

SECTION 17 - UNATTACHED TRAILER PARKING

- 17.1 Notwithstanding any other provision of this Bylaw, a Trailer shall not be Parked on a Highway unless the Trailer is attached to a Vehicle by which it may be drawn.
- 17.2 A Trailer may be Parked on any Highway in the Town unattached to any Vehicle for up to a period of three days but the Trailer must be secured in place with wheel chocks, tongue support and any other reasonable measure to render it immobile and not a safety hazard. Such a Trailer must be Parked and occupy similar space to a motor Vehicle if Parked in the same location.
- 17.3 No Person shall use a Mobile Unit, or permit any other Person to use a Mobile Unit for overnight residency, where that Mobile Unit is located upon a Highway or upon public property unless that property has been designated by the Town for use as a Mobile Unit park or trailer court.

SECTION 18 - PARALLEL PARKING

18.1 A Vehicle Parked on a Highway shall be Parked with:

- i) The sides of the Vehicle parallel to the Curb or edge of the roadway, and
- ii) The right wheels of the Vehicle not more than five hundred (500) millimeters from the right Curb or edge of the roadway.

18.2 A motorcycle may be Parked:

- i) At an angle, other than perpendicular, to the Curb or edge of the roadway, and with:
- ii) A wheel of the motorcycle not more than five hundred (500) millimeters from the Curb or edge of the roadway, and
- iii) The motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is Parked.

18.3 Subsection (1) does not apply where angle Parking is permitted or required.

SECTION 19 - ANGLE PARKING

19.1 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides between and parallel to any two of the guide lines.

19.2 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) No Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the Curb or edge of the roadway and

19.3 A Vehicle with a total length exceeding 5.8 meters shall not be Parked at an angle on a Highway.

SECTION 20 - IDLING VEHICLE

20.1 No Person shall Park any Vehicle with a motor running for more than twenty (20) minutes.

20.2 No Person shall Park any Vehicle with a motor running in such a manner or at such a location as to cause a disturbance.

20.3 A Vehicle shall not be deemed to be idling in contravention of section 20.1 if:

- i) A Vehicle idling due to traffic, an emergency or mechanical difficulty;
- ii) Armored Vehicles engaged in the secure delivery and pick up of goods;
- iii) Emergency Vehicles;
- iv) Vehicles that must remain idling so as to power a heating or refrigeration system required for the preservation or maintenance of cargo;
- v) Vehicles that must remain idling so as to power any tools or equipment required for or incidental to the provision of services by a municipality or public utility.

SECTION 21 - VEHICLE ON JACK

21.1 A Vehicle shall not be Parked and left unattended on a Highway if:

- i) The Vehicle is on a jack or similar device; and
- ii) One or more wheels have been removed from the Vehicle or part of the Vehicle is raised without mechanical support and proper axle stands being implemented.

SECTION 22 - ABANDONED VEHICLE

22.1 Except as otherwise permitted under Bylaw, a Person shall not;

- i) Abandon a Vehicle on a Highway,
- ii) Abandon a Vehicle on public or private property without the consent of the Owner or Person in possession or control of the property

22.2 A Vehicle that is;

- i) left standing on a Highway for more than seventy-two (72) consecutive hours, unless otherwise provided for in this Bylaw in the case of a Highway under the direction, control and management of the Council or the Municipality; or
- ii) left standing on public or private property for more than seventy-two (72) consecutive hours without the consent of the Owner or Person in possession or control of the property;

is deemed to have been abandoned at that location.

SECTION 23 – REMOVAL OF VEHICLES OR OBSTRUCTION

23.1 A Municipal Enforcement Officer may cause a Vehicle or Obstruction to be immediately removed or relocated and impounded by the Town when;

- i) A Vehicle is abandoned; or
- ii) A Vehicle has been left unattended on a Highway in a manner that may obstruct the normal movement of traffic, or
- iii) A Vehicle is Parked on a Highway in contravention of this Bylaw, including the provisions of any Traffic Control Device, or

- iv) A Vehicle is Parked on a Highway in a manner that impedes or prevents access to a fire hydrant by fire suppression equipment, or
- v) Is not displaying a subsisting license plate or a permit
- vi) Is Parked on private property without the consent of the Owner of the property or on a Highway in a manner that obstructs any private driveway;
- vii) Is left unattended on a Highway and, in the opinion of a Municipal Enforcement Officer, the Vehicle, its contents or any goods being carried by the Vehicle are liable to be stolen or tampered with;
- viii) Is situated unattended at a location or in a condition so that, in the opinion of the Municipal Enforcement Officer, it constitutes a present or potential hazard to Persons or property;
- ix) Vehicle is Parked in a manner that impedes advertised Town snow removal or contrary to advertised snow removal operations signage,
- x) A Vehicle is Parked in a manner that impedes emergency or municipal operations, or
- xi) An Obstruction of any kind has been placed, caused or permitted to be placed on a Highway, unless a permit authorizing placement of the Obstruction has been issued by the Town.

23.2 A Municipal Enforcement Officer may cause any Vehicle to be removed and taken to and stored in a suitable place when the Vehicle when the Municipal Enforcement Officer or a Peace Officer believes on reasonable and probable grounds that a Vehicle referred to in subsection 6.1 is worthless cause the Vehicle to be moved to a salvage yard or municipal dump for disposal or to be otherwise dealt with.

SECTION 24 - LOADING ZONES

- 24.1 A Vehicle shall not be Parked on a Highway in any location identified as a loading zone for a period of Time longer than that permitted by signage.
- i) Only Commercial Vehicles shall be Parked on a Highway in any location identified as a commercial loading zone.
 - ii) Only passenger Vehicles shall be Parked on a Highway in any location identified as a passenger loading zone.
 - iii) A Vehicle shall not be Parked on a Highway in any location identified as both a passenger and commercial loading zone for a period of Time longer than that permitted for the passenger loading zone unless the Vehicle is a Commercial Vehicle.

SECTION 25 - EMERGENCY ACCESS

25.1 A Vehicle shall not be Parked on a Highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of Emergency Vehicles.

SECTION 26 - DISABILITY PARKING

- 26.1 A Vehicle shall not be Parked on a Highway in any location identified as being for the use of Persons with disabilities unless the Vehicle:
- i) Displays a valid disabled placard or license plate issued or recognized by the Registrar as designating a Vehicle as transporting, belonging to, or operated by, a disabled Person; and
 - ii) Is being used for the transportation of a Person with a disability.

SECTION 27 - BUS PARKING

- 27.1 A Bus shall not be Parked on a Highway, Town owned Parking lot or Town owned property unless it is actively engaged in loading, unloading or awaiting passengers to board.

SECTION 28 - PARKING OVER PERMITTED TIME LIMIT

- 28.1 A Vehicle shall not be Parked on a Highway in any location identified as a Time limited zone for a period of Time in excess of the Time limit.
- 28.2 In order to determine the Time period over which a Vehicle has been Parked in a location where Parking is restricted to a specific Time limit, a Municipal Enforcement Officer may place an erasable chalk mark on the tread face of the tire of a Parked Vehicle.
- 28.3 When a Vehicle, that has been subject of a Violation Tag or a Provincial Violation Ticket issued for a contravention of Subsection 30.1 of this Bylaw, remains Parked beyond the expiration of the Time limit indicated on the Traffic Control Device for more than sixty (60) minutes past the Time of the issuance of the Violation Tag or Provincial Violation Ticket this Vehicle may be removed immediately by a Municipal Enforcement Officer.

SECTION 29 - PRIVATE PROPERTY WITH PUBLIC ACCESS

- 29.1 A Vehicle shall not be Parked on privately owned property to which Vehicles driven by members of the public generally have access unless the permission or authorization of the Owner of the property or Person having possession or control of the property has been given for such Parking.

SECTION 30 - TOWN PROPERTY

- 30.1 No Person shall Park a Vehicle on a Town owned Parking lot in contravention of any Traffic Control Device indicating the terms, conditions or prohibitions governing the use of that Parking lot.

30.2 No Person shall Park or place any Vehicle or property owned by the Town of Drumheller in contravention of any law.

30.3 Any Vehicle or property so Parked or placed in contravention of section 30.1 and 30.2 is subject to immediate removal by a Municipal Enforcement Officer.

SECTION 31 - TAXI STAND

31.1 No Person shall stop or Park a Vehicle that is not a Taxi in a marked Taxi stand allotted to a company or in an open Taxi zone.

31.2 No operator of a Taxi shall stop or Park and leave the Taxi unattended for a period exceeding fifteen (15) minutes at any Taxi stand.

SECTION 32 - SPEED

32.1 Unless otherwise posted, no Person shall drive a Vehicle in any Alley at a speed in excess of fifteen (15) kilometers per hour(km/h).

32.2 No Person shall operate a Vehicle on any Highway within the Town of Drumheller at a speed in excess of fifty (50) kilometers per hour (km/h).

32.3 No Person shall drive any Vehicle in excess of thirty (30) kilometers per hour within a posted school zone or Playground Zone between the hours of 7:30 am and 9:00 pm, seven (7) days a week.

- i) Zones begin at the point where the Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone, and
- ii) Ends at the point where the Traffic Control Device indicating a greater rate of speed or the end of the zone.

SECTION 33 - RIGHTS AND DUTIES OF PEDESTRIANS

33.1 Jay Walking or Pedestrian crossing Highways at undesignated locations,

- i) No Pedestrian shall cross, or attempt to cross, from one side of a Highway to another at any point other than within a Crosswalk.
- ii) A Pedestrian shall not cross, or attempt to cross, a Highway at a designated Crosswalk when a Traffic Control Device prohibits such crossing.
- iii) Notwithstanding Subsection 36.1 of this Bylaw Pedestrian may cross an Alley at any point provided the right away is yielded to Vehicles on the Alley.
- iv) Nothing in this Bylaw shall be construed as prohibiting the assembling of Persons for the purpose of watching an authorized Parade or Procession.

SECTION 34 - OBSTRUCTING HIGHWAY

- 34.1 No Person or group of people shall obstruct the entrance to any building from a Highway or to prevent or interfere with the free movement of other Persons using that Highway.
- 34.2 No Person or group of people shall so conduct themselves or otherwise position themselves on a Highway in such a manner as to prevent or interfere with the free movement of vehicular traffic upon the Highway.
- 34.3 No Owner or occupant of any premises shall allow any gate located on the premises to swing or project over any portion of a Highway.

SECTION 35 - HITCHHIKING

- 35.1 No Person shall stand upon or walk along a Highway for the purpose of soliciting a ride from the driver of any Vehicle.

SECTION 36 - ELECTRICAL CORDS AND WATER HOSES

- 36.1 No Person shall place, fasten, cross, or otherwise attach above any sidewalk, boulevard, or any other Town property, a cord or cable that may transmit electrical energy from private property to where a Vehicle may legally Park unless the electrical cord is at least 2.5 meters (or eight (8) feet) above the sidewalk.
- 36.2 No Person shall place, fasten, cross or otherwise attach a water hose on any sidewalk, boulevard or any other Town property.
- 36.3 No Person shall drive a Vehicle over an unprotected hose of the Town of Drumheller Fire Services that has been laid down on a roadway or a driveway unless an official of the Fire Department at the scene has directed the driver to do so.

SECTION 37 - SKATEBOARDS, ROLLERBLADES, CYCLISTS, ANIMALS, E- SCOOTERS AND ANIMAL POWERED VEHICLES

37.1 ANIMALS OR ANIMAL DRAWN VEHICLE ON HIGHWAY

The operator or Person responsible for any animal or animal drawn Vehicle operating on a Highway shall remain responsible for and in control of the animal and the animal drawn Vehicle at all Times including the disposal of any waste material. No animal or animal drawn Vehicle shall be operated on any sidewalk or any part of a trail system.

37.2 BICYCLES ON SIDEWALKS

No Person shall operate a Bicycle having a wheel diameter in excess of fifty (50) centimeters on any sidewalk.

37.3 **SKATEBOARDS/ROLLERBLADES/E-SCOOTERS**

No Person shall ride and or operate a skateboard, rollerblade, e-scooter or similar device in any Public Place, sidewalk or Highway where prohibited or, where permitted, in any manner so as to interfere with the safety of other Persons or in any manner that otherwise interferes with another Person's use of a sidewalk or Highway for its intended purpose.

37.4 **SEIZURE OF DEVICE**

Notwithstanding any other penalty imposed, where a Person contravenes Subsection 41.2 or 41.3 of this Bylaw, a Peace Officer may elect to seize and confiscate that Person's Bicycle, skateboard, roller blades, scooter, or similar device for a period not exceeding thirty (30) days. Anything seized pursuant to this Bylaw that is not claimed by its Owner within sixty (60) days of the last day of the period of seizure may be disposed of or otherwise dealt with in accordance with the Municipal Government Act.

SECTION 38 - HEAVY VEHICLES

38.1 No Person shall operate a Heavy Vehicle on any Highway that is not designated as a Truck Route.

i) Exemptions The following Persons shall not be deemed to be operating a Vehicle in contravention of this Bylaw if the Vehicle is being operated on the most direct and practicable route between the household or commercial location being serviced and the nearest Truck Route.

SECTION 39 - TRUCK WEIGHTS, DIMENSIONS, ENGINE RETARDER BRAKES, OVERSIZE PERMITTING

39.1 No operator of any motor Vehicle shall activate engine retarder brakes within the Town limits.

39.2 **LENGTH RESTRICTIONS**

1) A Vehicle or a Vehicle with a Trailer attached, with a total length exceeding 12.5 meters shall

not be Parked on a Highway:

- i) In a location adjoining residential property at any Time; or
- ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.

2) This section does not apply if the Vehicle:

- i) Is a Recreational Vehicle; or

- ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

39.3 **WEIGHT RESTRICTIONS**

1) A Vehicle, or a Vehicle with a Trailer attached, that is registered for a weight exceeding 4,500

kilograms, or that weighs more than 4,500 kilograms, shall not be Parked on a Highway:

- i) In a location adjoining residential property at any Time; or
- ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.

2) This section does not apply if the Vehicle:

- i) Is a Recreational Vehicle; or
- ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods

39.4 In the absence of evidence to the contrary, a School Bus is presumed to have a Gross Weight exceeding 4,500 kilograms.

39.5 **OVER DIMENSION PERMITS**

- i) No Person shall operate or permit to be operated a Vehicle within the Town in excess of the size limits established under the Commercial Vehicle Dimension and Weight Regulation (AR 316/2002 of the Traffic Safety Act) as amended, repealed or replaced without first obtaining the required permit(s) from an authorized agency(s) to do so.
- ii) A Person operating or permitting the operation of an Over-Dimension Vehicle on a Highway with or without a lawful permit issued from an authorized agency(s), shall be responsible to reimburse the Town for all costs and expenses incurred in correcting any damages done to the Highway or any public works located in, over, under or adjacent to the Highway, resulting from the operation or movement of the over dimension Vehicle on that Highway.
- iii) In addition to reimbursing the Town for any repair costs of an Over Dimension violation, a fine may be issued to the offending party pursuant to offenses of this Bylaw.

39.6 All heavy Truck permits regarding overlength or overweight units seeking to travel within Town

limits and not on a provincially designated Highway are administered on behalf of the Town by

ROADATA services limited at 888-830-7623.

39.7 ROAD BANS

No Person shall operate a Vehicle on a Highway in contravention of the weight restrictions I imposed pursuant to a Road Ban issued under this Bylaw or any other temporary Road Ban in place.

39.8 TRACKING

- i) No Person shall drive, operate or permit to be driven or operated, any Vehicle or Industrial Vehicle of any nature or kind in such a manner as to Track any material upon a Highway.
- ii) Any Person who Tracks materials upon a Highway shall, in addition to any other penalty imposed under this Bylaw, reimburse the Town for all costs and expenses incurred in the clean-up and removal of the Tracked substances or materials.

39.9 VEHICLE NOT EQUIPPED WITH RUBBER TIRES

- i) No Person shall operate a Vehicle having metal spikes, lugs, Tracks, cleats, skids or bands projecting from the surface of the wheel or tire of the Vehicle, upon a Highway, unless a permit to do so has been issued by the CAO or designate.
- ii) This Bylaw does not apply to the use of studded tires.

39.10 DANGEROUS GOODS

- i) No Person shall Park a Vehicle or a Trailer used for the conveyance of Dangerous Goods upon a Highway.
- ii) Except as required in the normal course of making deliveries or receiving goods, no Person shall Park a Vehicle or Trailer used for the conveyance of Dangerous Goods closer than fifteen (15) meters to any building or structure.
- iii) Except as otherwise authorized by Provincial or Federal Statute or Regulation, all Vehicles and Trailers used in the conveyance of Dangerous Goods shall, at all Times, bear a warning placard identifying the contents of their Dangerous Goods.

39.11 SECUREMENT OF LOADS

- i) No Person shall operate a Vehicle on a Highway, or a Vehicle towing a Trailer upon a Highway containing a load unless the load is completely covered by a tarpaulin or other device or is secured in such a manner that no portion of the load can escape, blow, drop, spill or fall from the Vehicle onto a Highway or land adjacent thereto.

- ii) In the event that any load or any portion thereof, or other material being transported by a Vehicle or Vehicle towing a Trailer, becomes loose, detached, blows, drops, spills or falls from any Vehicle onto any Highway so as to become an Obstruction, the operator of that Vehicle shall immediately take all reasonable precautions to draw the attention of other users of the Highway to the presence of the Obstruction and shall take any required action to remove the Obstruction material(s) from the Highway as soon as safely possible.

SECTION 40 - ROADWAY CLOSURES, PARADES AND PROCESSIONS

40.1 Permit Required

- i) No Person shall organize, hold, lead, march, join or participate in any special event requiring a roadway closure, Parade or Procession that has not been authorized pursuant to a permit issued through the CAO.
- ii) No Person organizing, holding, leading or participating in a special event requiring a roadway closure, Parade or Procession shall engage in any conduct contrary to the conditions of the Permit and which may reasonably be expected to create a risk of harm to any Person or damage to private or public property.
- iii) A Person driving a Vehicle in a funeral procession, other than the lead Vehicle in the funeral procession, may, during day Time hours, drive the Vehicle into an Intersection without stopping the Vehicle if:
 - a) The Vehicle's headlamps are alight;
 - b) The Vehicle is travelling immediately behind the Vehicle in front of it in the funeral procession so as to form a continuous line of traffic; and
 - c) The passage into the Intersection can be made safely.
- iv) No driver shall interfere, obstruct or otherwise break through the column, ranks or group of Vehicles travelling together as part of a funeral procession.

40.2 Permit Application

- i) Any Person intending to hold a special event requiring a roadway closure, Parade or Procession within the Town shall, at least fifteen (15) business days prior to the date of the intended event, submit a special event application in writing to the Town. The instructions of the Town of Drumheller Special Event policy shall be followed.

- 40.3 During any Parade or Procession, all Persons attending, but not participating in the Parade or Procession shall remain upon the sidewalk or otherwise clear of the Highway.
- 40.4 No Parade or Procession shall travel at an unreasonable rate of speed or obstruct any Highway for a period longer than may be scheduled included in the permit.

SECTION 41 - HIGHWAY CONSTRUCTION AND MAINTENANCE

- 41.1 No Person shall perform any construction or maintenance work on a Highway without written permission from, or entering into a contract with, the Town.
- 41.2 In addition to any other penalty imposed for undertaking construction or maintenance on a Highway without a permit, the Person responsible for that construction or maintenance work shall be required to reimburse the Town for all reasonable costs and expenses incurred as a result of the Person's actions.
- 41.3 Notwithstanding any other section of this Bylaw every Person(s) shall obey any temporary Traffic Control Device dutifully placed for any construction or maintenance required on Highways within the Town.

SECTION 42 - SNOW AND ICE CONTROL

- 42.1 No Person shall Park a Vehicle, or permit a Vehicle to be Parked on a Highway marked as a snow route when a snow route ban has been declared by the CAO or designate and is in effect until either a permanent or temporary Traffic Control Device have been removed. Snow removal bans start at 6:00 am of the day listed on the Traffic Control device and are in effect until the street has been cleared.
- 42.2 All Vehicles Parked on signed snow routes after the ban is in effect are subject to a Violation Ticket issued or immediate removal at the expense of the registered Owner of said Vehicle.
- 42.3 Snow removal signs will be placed in the area of the ban a minimum of twenty-four (24) hours prior to snow removal. Signs will display the day of the week snow removal operations will be conducted.
- 42.4 Reasonable public notice shall include and not be limited to: published notices in local newspapers, information available on the Town of Drumheller webpage, radio announcements on any local station, social media sites and the information contained therein or roadway signage placed in the proximity of anticipated removal work.

SECTION 43 – MICELLANIOUS

- 43.1 **LITTERING**

- i. No Person shall dump, discard, abandon or place any substance or thing on any Highway.

43.2 LOADING ACROSS SIDEWALK

- i. No Person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken or Parking.

43.3 STREET FURNITURE

- i) No Person shall climb upon, deface, damage or otherwise interfere with any Street Furniture, protection system, utility pole or system, or public works equipment located anywhere in the Town.

43.4 GRAFFITTI AND DEFACEMENT

- i) No Person shall deface, or make any advertisement, legend, poster or sign of any kind on any Highway, Traffic Control Device, utility pole, Street Furniture or Temporary Barricades.

43.5 DAMAGE TO PAINTED LINES ON HIGHWAY

- i) No Person shall drive or walk on or over a newly painted wet lines on any Highway where the wet paint is indicated by signs, flags or other warning devices.
- ii) No Person shall intentionally damage painted surfaces on any Highway.

43.6 MERCHANDISE ON SIDEWALKS AND STREETS

- i) No Person shall place any goods wares, merchandise or other articles of any kind upon any sidewalk, Highway or expose any goods, wares, merchandise or other articles outside of any shop, warehouse or building which shall project over any portion of sidewalk or street without first acquiring all appropriate permits from the Town. The provisions of this Bylaw shall not be construed to interfere with the moderate use of a portion of such street, or sidewalk for a reasonable Time, during the taking in or delivering of goods, wares, or merchandise.

SECTION 44 - REGISTERED OWNER RESPONSIBILITY

- 44.1 For the purposes of this Bylaw, an Owner shall mean the Person named on the certificate of registration for the subject Vehicle.

- i. Where a Vehicle is driven, used, Parked or left in contravention of any provision of this Bylaw, the Owner of the Vehicle shall be deemed responsible for the contravention and liable to the penalty provided herein,
- ii. Unless the Owner proves to the satisfaction of the CAO or designate that, at the Time of the contravention, the Vehicle was not driven, used, Parked or left by that Owner, or any other Person acting under the Owner's consent, express or implied.

SECTION 45 - AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

- 45.1 Without restricting any other power, duty or function granted by this Bylaw the CAO may, but is not limited to, ordering the following in the Town in accordance with public safety and traffic management: the place and location of Traffic Control Devices, Crosswalk locations, Highway closures, traffic restrictions, speed and Parking signage, Vehicle and load prohibitions, and to
- i. Delegate any powers, duties or functions under this Bylaw to an employee of the Town.

SECTION 46 - ENFORCEMENT AND PENALTY

- 46.1 A Person who contravenes or fails to comply with a provision of this bylaw is guilty of an offence and shall be liable, upon summary conviction to the fine as set out in offenses of this Bylaw.
- 46.2 Any Person who interferes with or obstructs a Municipal Enforcement Officer in the execution of their duties under this Bylaw is guilty of an offence.
- 46.3 Where a Bylaw Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, that Bylaw Enforcement Officer may serve that Person with a violation by:
- i. Person service
 - ii. Registered mail; or
 - iii. By leaving it with a Person apparently over eighteen (18) years of age at the place of residency of the Person to whom the Violation Tag is addressed.
- 46.4 Where a Peace Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw that Peace Officer may serve that Person with a Violation Ticket in

accordance with the provisions of the Provincial Offences Procedure Act.

- 46.5 A Peace Officer may serve either a Violation Tag or Violation Ticket.
- 46.6 A Bylaw Enforcement Officer who is not a Peace Officer or member of a police force may only serve a Violation Tag.
- 46.7 A Violation Tag or Violation Ticket issued pursuant to this Bylaw, shall specify the penalty in lieu of prosecution payable in respect of the contravention of this Bylaw as set out in the Town Of Drumheller Fees schedule.
- 46.8 A Person who has been issued a Violation Tag or Violation Ticket pursuant to this Bylaw and has paid the penalty to the Town by the date specified, shall not be liable to prosecution for the subject of the contravention.
- 46.9 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any Person who contravenes any provision of this Bylaw, or from swearing an information.
- 46.10 When Court records the receipt of a voluntary payment pursuant to Provincial Offences Procedure Act, the act of recording the receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 46.11 Nothing in this Bylaw shall be read or construed as:
- i) Preventing any Person from exercising their right to defend an allegation that the person has committed an offence.

SECTION 47 - VICARIOUS LIABILITY

- 47.1 For the purpose of this Bylaw, an act or omission by an employee or agent for a Person is deemed also to be an act or omission of the Person if the act of omission occurred in the course of the employee's employment with the Person, or in the course of the agent exercising the powers of or performing duties on behalf of the Person under their agency relationship.

SECTION 48 - SEVERABILITY

- 48.1 If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of

the Bylaw, and the remaining provisions of this Bylaw shall continue to be valid and enforceable.

SECTION 49 - TRANSITION AND EXECUTION

1. This Bylaw shall repeal Bylaw No. 01-03 and all amendments thereto on the date of final passing.
2. This Bylaw shall come into full force and effect on the date of final passing.

READ A FIRST TIME THIS XX DAY OF XX , 2022.

READ A SECOND TIME THIS XX DAY OF XX, 2022.

READ A THIRD AND FINAL READING THIS XX DAY OF XX, 2022.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

PENALTY SECTION/FEES SCHEDULE

<u>Section</u>	<u>Offence Description</u>	<u>Penalty</u>
General Penalties	All bylaw sections not specified in this schedule.	\$50
2(1)	Fail to obey Traffic Control Device.	\$243
7(1)	Park within 5m of fire hydrant.	\$81
11(2)	Operate OHV in Parkland.	\$324
13(1)(iii)	Park obstructing emergency access.	\$243
19(1)	Vehicle on jacks or similar device.	\$81
19(2)	Vehicle on jack with wheel(s) removed.	\$81
20(2)	Abandoned Vehicle.	\$324
26	Park in fire lane.	\$243
27	Park in handicap zone.	\$243
41(2)	Use engine retarder brakes.	\$150
41(12)(i)	Unsecured load.	\$810
50(1)	Littering.	\$120
50(6)	Climb/interfere with Street Furniture.	\$324
50(7)	Graffiti/Defacement.	\$324