

## BYLAW NO. 1233

WHEREAS the *Traffic Safety Act, R.S.A. 2000, c. T-6* authorizes a Municipal Council to pass Bylaws for the regulation and control of vehicle, animal, pedestrian traffic, and off-highway vehicles; and

WHEREAS the *Municipal Government Act, R.S.A. 1994, c. M-26.1* empowers a Municipal Council to impose a fine for infractions of a Bylaw.

NOW THEREFORE, the Council of the Municipal District of Bonnyville No. 87, in the Province of Alberta, duly assembled enacts as follows:

### 1.0 GENERAL – DEFINITIONS

#### 1.1 TITLE

This Bylaw may be cited as the “*Municipal District of Bonnyville No. 87 Traffic Safety Bylaw*”.

#### 1.2 DEFINITIONS AND INTERPRETATIONS

- (1) In this Bylaw, the following definitions shall apply.
- (2) All definitions and interpretations of The Traffic Safety Act shall apply, and
  - (1) “**Alley**” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
  - (2) “**Chief Administrative Officer**” means the Chief Administrative Officer for the M.D. of Bonnyville appointed by the Council of the M.D. of Bonnyville or his designate.
  - (3) “**Commercial Vehicle**”
    - (1) means a truck, trailer or semi-trailer, except
      1. a truck, trailer or semi-trailer that is a public service vehicle, or
      2. a truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle,and
    - (2) includes:
      1. A motor vehicle from which sales are made of goods, wares, merchandise or commodity, and
      2. a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof.
  - (4) “**Council**” means the Council of the M.D. of Bonnyville.
  - (5) “**Curb**” means the actual curb if there is one; if there is no curb in existence, it shall mean the division of a highway between the roadway and the sidewalk or boulevard, as the case may be.
  - (6) “**Dangerous Goods**” means dangerous goods for which placards are required by the Transportation of Dangerous Goods Control Act and Regulations.

- (7) **“Emergency Vehicle”** means a vehicle being operated by a Special Constable, fire fighting vehicles, public utility vehicles while actually being used in any emergency, police vehicles, ambulances, or a vehicle being used by a member of the M.D. work force or a medical doctor responding to an emergency call.
- (8) **“Heavy Vehicle”** means a vehicle or a vehicle with a trailer attached, with or without a load, of 5500 kgs. Gross vehicle weight or more, or exceeding 6.3 m. (20.7') in overall length, recreation vehicles, school buses, public service vehicles, implements of husbandry and emergency vehicles exempt.
- (9) **“Highway”** means any thoroughfare, street, road, trail, avenue, parkway, driveway, 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 vehicles, and
- (1) includes:
1. a sidewalk (including the boulevard portion of the sidewalk),
  2. if a ditch lies adjacent to and parallel with the roadway, the ditch, and
  3. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,
- but
- (i) does not include a place declared by the Lieutenant Governor in Council not to be a highway.
- (10) **“Holiday”** means any day officially proclaimed a holiday by any Federal, Provincial or Municipal authority, and which is in effect in the M.D. of Bonnyville.
- (11) **“Land Use Bylaw”** means the Land Use Bylaw for the M.D. of Bonnyville.
- (12) **“Off-Highway Vehicle”** means an off-highway vehicle as defined in the *Traffic Safety Act*, R.S.A. 2000, c. T-6.
- (13) **“Parkland”** shall mean every recreational area owned or controlled by the M.D. that lies within the limits of the M.D. whether such parkland is improved in whole or in part or remains in its natural state but shall include other neighborhood beautification areas, campgrounds and publicly maintained areas administered by the M.D.
- (14) **“Parade” or “Procession”**, with the exception of a military parade or funeral procession, means any group numbering more than twenty (20) marching or walking in the street, or any group of vehicles or combination of pedestrians and vehicles which together exceed more than ten (10).
- (15) **“Peace Officer”** means a member of the M.D. of Bonnyville Special Constable Department, a member of the Royal Canadian Mounted Police, a Municipal Police Officer or a Bylaw Enforcement Officer.
- (16) **“Permitted Areas”** shall mean any areas of the M.D. where an off highway vehicle may be operated.

- (17) **“Recreation Vehicle”** means a vehicle used or intended for use as a shelter, and without restricting the generality of the foregoing, includes any motor home, holiday trailer, camper, tent trailer or any bus or truck converted for use as a recreation vehicle.
- (18) **“Time”** means either Mountain Standard Time or Mountain Daylight Saving Time, whichever is proclaimed to be in effect by the Province of Alberta.
- (19) **“Municipal District (M.D.)”** means the M.D. of Bonnyville No. 87, a Municipal Corporation of the Province of Alberta, or the corporate limits of the M.D. of Bonnyville, as the context requires.
- (20) **“Tractor”** means a truck with a short chassis and no body used in combination with a trailer for the highway hauling of freight.

## **2.0 RULES FOR OPERATION OF VEHICLES**

### **2.1 UNINSURED VEHICLES**

Any vehicle parked on a highway must be registered and insured, as per the *Traffic Safety Act*, R.S.A. 2000, c. T-6.

### **2.2 FUNERAL PROCESSION**

**Despite Sections 95, 97 to 101, 108 and 109 of the *Traffic Safety Act***, any vehicle in a funeral procession, except the lead vehicle, may during daytime hours, enter an intersection without stopping if

- (1) The headlamps of the vehicle are alight, and the four-way “Hazards Lamps” are activated,
- (2) The vehicle is traveling immediately behind the vehicle in front of it so as to form a continuous line of traffic, and
- (3) The passage into the intersection can be made in safety.

### **2.3 RULES FOR PARADES/CHARITY RUNS**

- (1) No person shall hold any parade or procession without first obtaining permission from the Chief Administrative Officer, subject to such terms and conditions, as the Chief Administrative Officer deems advisable.
- (2) Every member of a parade or procession and the organization and leaders thereof shall be guilty of an offence for each and every violation of this section.
- (3) Any person desiring to hold a parade or procession within the M.D. shall at least 72 hours prior to the time they desire to hold the same, make application in writing to the Chief Administrative Officer and in such application shall furnish the following information:
  - (a) the name and address of the applicant; if such application is an organization, the names, addresses, and occupations of the executive thereof,
  - (b) the nature and object of such parade or procession,
  - (c) the day, date, and hours during which same will be held,
  - (d) the intended route thereof,
  - (e) the approximate number of persons and vehicles taking part therein,

- (4) PEDESTRIANS WATCHING - During such parade or procession all pedestrians not taking part therein shall be restricted to the use of the sidewalk area;
- (5) NOT TO OBSTRUCT - No parade or procession shall obstruct any highway for a longer period than is reasonably necessary.

#### **2.4 SCHOOL BUS FLASHING LIGHTS EXEMPTED**

A driver of a school bus shall be exempted from activating the flashing warning lights when loading and unloading passengers in the School Bus Loading Zones located at the following locations:

- (1) Ardmore School
- (2) Iron River School

#### **2.5 ENGINE RETARDER BRAKES**

No person shall operate engine retarder brakes on diesel powered vehicles where such operation is prohibited by sign.

#### **2.6 TRUCKS PROHIBITED**

- (1) No person shall operate a Heavy vehicle on a highway where the operation of such a vehicle is prohibited by sign.

##### Exemptions

- (2) Despite Paragraph 2.6(1) a heavy vehicle may be permitted to operate on a truck prohibited highway when
  - (a) The company, owner or operator of the vehicle has obtained a Road Use Agreement from the Chief Administrative Officer or his designate, in accordance with the M.D.'s Road Use Policy
  - (b) The vehicle is being operated in accordance with any of the restrictions listed on the Road Use Agreement
  - (c) A copy of the Road Use Agreement is carried in the vehicle.

- 2.7 The operator of a heavy vehicle on a Truck Prohibited Road must produce a copy of the Road Use Agreement to a Peace Officer when requested to do so.

#### **3.0 PARKING**

##### **3.1 PARKING WITHIN SPACES**

Every person who parks a vehicle upon any highway, where parking spaces are marked out for angle, perpendicular, or parallel parking shall park wholly within the marked parking space.

##### **3.2 PARKING RESTRICTIONS**

Unless required or permitted by this Bylaw or the *Traffic Safety Act*, or by a traffic control device, or in compliance with the directions of a peace officer or other authorized person, or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:

- (a) On a highway adjacent to a curb or sidewalk that has been marked by being painted a solid color (PAINTED CURB);
- (b) On a sidewalk or boulevard (SIDEWALK);
- (c) On a crosswalk or on any part of a crosswalk (CROSSWALK);

- (d) In any driveway or lane designated for use by ambulances, fire fighting vehicles, or other emergency response vehicles (AMBULANCE, FIRE, and EMERGENCY SERVICE DRIVEWAYS or LANES);
- (e) Where such vehicle will obstruct, or in any way interfere with, the use of any doorway intended to be used as a fire or emergency exit from any building, provided that such doorway is marked by a sign, indicating an Emergency Exit or Fire Exit (EMERGENCY EXIT);
- (f) Within an intersection other than immediately next to the curb in "T" intersection (INTERSECTIONS);
- (g) At an intersection nearer than five (5) meters (16.4 feet) to the projection of the corner line immediately ahead or immediately to the rear except when the vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted (INTERSECTIONS);
- (h) Within five (5) meters (16.4 feet) upon any approach to any stop or yield sign (STOP/YIELD);
- (i) Within five (5) meters (16.4 feet) of any fire hydrant, or when the hydrant is not located at the curb, within five (5) meters (16.4 feet) of the point on the curb nearest to the hydrant; except in those locations where parking has been authorized by the Municipal Manager (FIRE HYDRANT);
- (j) Within five (5) meters (16.4 feet) of the near side of a marked crosswalk (CROSSWALK);
- (k) Alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic (STREET EXCAVATION);
- (l) At any other place where a traffic control device prohibits stopping or parking, during such times as stopping or parking is so prohibited (NO PARKING ZONE);
- (m) On the roadway side of a vehicle parked or stopped at the curb or edge of a highway (DOUBLE PARKING);
- (n) In such a manner as to obstruct access to a garage, private road, or driveway (OBSTRUCTIONS);
- (o) At any angle to the curb in a cul-de-sac unless that vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac (CUL-DE-SAC);

### **3.3 TIME LIMIT PARKING**

No person shall park a vehicle for a longer period of time than that indicated on any sign placed in a parking area by authority of the Chief Administrative Officer. Where signs are not posted, the parking time limit shall be 72 hours.

#### Second Offence

- (1) After the issuance of a traffic tag concerning a vehicle for a first violation and where that vehicle remains parked in excess of the time permitted on the sign or in contravention of any sign for a further period, then a second offence shall be deemed to have occurred.

#### Fine and Towed

- (2) Any person who has not moved their vehicle after a second offence has occurred, will be fined and the vehicle may be immediately towed at the owner's expense.

### Repeat Offenders

- (3) Any person who has been served with 4 (four) violation tags for a repeated violation, will be towed at the owner's expense. This does not preclude a peace officer from towing a vehicle in accordance with his authority under Section 7.1.

### Exemptions

- (4) This section shall not apply where the Chief Administrative Officer has given an exemption in writing.

### **3.4 HANDICAP PARKING**

No person shall park a vehicle in a parking space where a sign indicates that it is for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Province of Alberta.

### **3.5 OBSTRUCTING ALLEY**

No driver shall park in any alley, except a commercial vehicle engaged in the loading or unloading of goods.

### **3.6 PARKING ON A HIGHWAY**

When parking on a highway, a driver shall park his vehicle with the sides parallel to the curb edge of the highway, and

- (1) With the right hand wheel thereof not more than 500 mm (19.7 in.) from the right hand curb or edge of the highway, or
- (2) In the case of one-way highway where parking on either side is permitted, the wheels closest to the curb edge of the highway shall not be more than 500 mm (19.7 in.) from the curb or edge and with the vehicle facing the direction of travel authorized for that highway.
- (3) This section does not apply where angle parking is permitted or required.

### **3.7 ABANDONING A VEHICLE**

- (1) No person shall abandon a vehicle on a highway;
- (2) No person shall abandon a vehicle on public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.
- (3) A vehicle left standing, at a location referred to in Subsection (1) or (2), for more than 72 consecutive hours shall be deemed to have been abandoned at that location for the purposes of Section 93 of the *Traffic Safety Act*, and as specified in Section 3.3.
- (4) Where the abandonment or obstruction is unavoidable due to mechanical failure the operator will not be in breach of this section provided he promptly takes measure to clear the faulty vehicle from the highway.
- (5) Nothing in this section shall be construed as to allow parking contrary to other provisions of this Bylaw.

### **3.8 PARKING ON MUNICIPAL DISTRICT OWNED LAND**

No person shall park or drive any vehicle upon any land owned by the M.D. of Bonnyville which the M.D. uses or permits to be used as a playground, recreation area, utility or public park, buffer strip, land held for resale, or any land in reserve, or on any boulevard unless permission has been obtained in writing from the Chief Administrative Officer or his appointed designate.

### **3.9 PROHIBITED PARKING**

The Chief Administrative Officer or his designate is authorized to designate those portions of highways upon which parking is prohibited.

### **3.10 NO PARKING ROADWAY MAINTENANCE**

- (1) Despite any other provision in the Bylaw, the Chief Administrative Officer or his appointed designate may cause "No Parking Signs" to be placed on or near a roadway for roadway maintenance or construction purposes. The signs shall be erected 24 hours prior to the work being done.
- (2) When emergency snow removal, street cleaning or other work commences on the signed portion of the highway, then the owner of any vehicle parked 24 hours after the placement of the appropriate signs, shall be in contravention of this section. Vehicles remaining stationary during the 24 hour period mentioned in Section (1) shall also be in contravention of this section. Vehicles in contravention may be towed at the owners' expense.

### **3.11 TRAILERS**

- (1) For the purposes of this Section, "mobile unit" shall mean:
  - (a) Any vacation trailer, house trailer, motor home or relocation trailer, or
  - (b) 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.
- (2) No person shall occupy or permit any other person to occupy a mobile unit upon a highway or upon public property unless such property has been designated for use as a mobile unit park, trailer court or campground.

### **3.12 UNATTENDED VEHICLES**

No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or similar device; and

- (1) One or more of the wheels have been removed from the vehicle, or
- (2) Part of the vehicle is raised.

### **3.13 DANGEROUS GOODS**

- (1) No person shall park a vehicle carrying Dangerous Goods for which placards are required by the Dangerous Goods Transportation and Handling Act in any residentially zoned area.

### **3.14 SERVICING**

No person being in charge or control of a garage, service station, radio shop or other premises where repairs or installations are made on vehicles for compensation shall leave or cause or permit to be left on any street a vehicle which is left in his possession for carrying out the repairs or making installations or for any other purpose whatsoever.

### **3.15 CHALKING TIRES**

- (1) For the purposes of this Part, it shall be lawful for any person authorized to enforce this Bylaw to place an erasable chalk mark on a tire on any vehicle found parked on any highway or Municipal District of Bonnyville property.

- (2) A Peace Officer shall cause an erasable mark to be placed across the tire in order to establish the amount of time the vehicle has remained stationary.

#### **4.0 STREETS, SIDEWALKS, AND PUBLIC PLACES**

##### **4.1 LITTERING**

- (1) No person shall place, permit to be placed, or throw any substance or thing of any kind, on any highway, boulevard, sidewalk, or public place.

- (2) Cover Loads

- (a) No person shall drive or pull onto or upon a highway a vehicle containing a load unless such load is completely covered by a tarpaulin or other covering device secured in such a manner that no portion of the said load can escape, blow, drop, spill or fall onto a highway or land adjacent thereto.

- (b) In the event that any load or any portion thereof becomes loose or detached or blows, drops, spills, or falls from any vehicle onto any highway, it shall be the duty of the driver of the vehicle forthwith to safeguard traffic and also to remove such material from such highway.

- (c) Farmers are exempt from tarping but must have the load secure.

- (3) Tracking

- (a) No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track upon a highway.

- (b) Any person who tracks upon a highway; shall, in addition to the penalty specified, be liable to cleanup or remove the substance or material, tracked upon the highway in default of which the M.D. may cleanup or remove such substance or material at the expense of the person tracking.

##### **4.2 VEHICLE FLUIDS**

No person shall drain lubricating oils or any fluids associated with the operation of a motor vehicle upon a highway.

##### **4.3 AT AN EMERGENCY**

No person shall pass beyond a point designated by a Peace Officer, a member of the Fire Department, or any other emergency personnel at a location near a fire, motor vehicle accident or other emergency occurrence.

##### **4.4 PEDESTRIAN**

- (1) No person shall stand in a group of 3 or more persons or so 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 so to do, the persons shall disperse and move away.

- (2) No person shall conduct himself or otherwise position himself on a highway in such a manner as to obstruct vehicular or pedestrian traffic or inconvenience any other person upon the highway.

- (3) HITCHHIKING - No person shall stand upon or walk along a roadway for the purpose of soliciting a ride from the driver of any vehicle.

- (4) No person shall place or cause to be placed any sign or other

advertising matter on a highway.

- (5) Except as permitted by this Bylaw, where there are designated crosswalks available no person shall cross any highway at any point other than a crosswalk. The driver of a vehicle is not relieved from exercising due care.
- (6) No person shall cross at an intersection if a traffic control device there at prohibits the crossing.

#### **4.5 VANDALISM**

- (1) No person shall climb, deface or interfere with any street furniture, public structure, trees, protection system or any other utility system of the M.D.
- (2) No person shall willfully remove, throw down, deface or alter, damage or destroy a traffic control device, or sign, placed, marked or erected on a highway.

#### **4.6 OBSTRUCTION OF TRAFFIC CONTROL DEVICE**

No person shall erect, build or allow the growth of trees, shrubs or of anything that shall in any way obstruct the visibility of a traffic control device.

#### **4.7 OVERHANGING TREES, SHRUBS**

The owner, tenant or occupier of any land adjoining any highway or public place in the M.D. of Bonnyville shall cause all trees, shrubs and bushes which overhang on the sidewalk of the street, lane or public place to be properly trimmed and cut back, so as to prevent obstruction on the sidewalk, highway or public place to pedestrians or vehicles.

#### **4.8 OBSTRUCTION OF ROAD ALLOWANCE, HIGHWAY OR PUBLIC PLACE**

- (1) No person shall place any obstruction on, over or under any road allowance, road, street, lane or other public place
- (2) No person shall place or in any way permit the accumulation of dirt, stones, filth, or rubbish upon, on or over road allowances, roads, highways, lanes or other public places within the Municipal District;
- (3) Person as hereinbefore referred to shall include any individual, person, company, firm or partnership, its agents, employees, contractors or sub-contractors;
- (4) The Council or their designate may by letter in writing give notice in writing to any person contravening any of the Sections herein compelling the removal of the obstruction and in default thereof, the council or their designate may have the said obstruction removed and any expenses incurred thereby in the removal of any such obstruction, will and shall be forthwith payable by the person placing said obstruction, and in the event of default of payment, the said sum so expended shall be recoverable by Distress upon the goods and chattels of the person by whom or by whose direction any such obstruction was so placed in the same manner as if the expenses were taxes and so recoverable. This Section shall also apply to the costs of removal of dirt, stones, filth, dust or rubbish as contained in subparagraph 4.8(2) herein.

#### **5.0 OFF-HIGHWAY VEHICLES**

##### **5.1 OPERATION**

No person shall operate an Off-Highway Vehicle within the M.D. except as provided in this section.

- (1) Off-Highway Vehicles are permitted to operate on a highway solely for the purpose of loading or unloading an Off-Highway Vehicle from or onto a trailer or into a building or property.

- (2) Peace Officers, Emergency Service Personnel or employees of the M.D. are authorized to operate Off-Highway Vehicles on any highway within the M.D. while performing their official duties.
- (3) A person who is granted permission by the Municipal Manager or his designate is authorized to operate an Off-Highway Vehicle within the route and period of time specified.
- (4) Off-Highway Vehicles are permitted to be operated in the ditches adjacent to M.D. controlled highways. Any damage which may occur as a result of this operation shall be the responsibility of the Off-Highway Vehicle's Registered Owner.
- (5) Off-Highway Vehicles operating in the ditches adjacent to M.D. controlled highways must:
  - (a) Travel in the same direction as traffic on the highway.
  - (b) Not exceed 30 km/h.
- (6) No person shall operate an Off-Highway Vehicle upon any parkland or campground within the M.D. of Bonnyville except where permission for access is posted.
- (7) No person who is the owner or operator of an Off-Highway Vehicle may operate or permit any other person to operate the Off-Highway Vehicle when there is not a subsisting certificate of registration and/or a financial responsibility card indicating valid insurance issued pursuant to the Provincial *Traffic Safety Act*.

## **6.0 AUTHORITY OF MUNICIPAL OFFICIALS**

### **6.1 TRAFFIC CONTROL DEVICES**

The Chief Administrative Officer is hereby authorized to:

- (1) Delegate authority under this Bylaw to any designated representative.
- (2) Prescribe the location and placement of every traffic control device and traffic signal in the M.D. and shall keep a record of such locations and placements and such records shall be available to the public for inspection during normal business hours.
- (3) Designate crosswalks upon any highway and to cause same to be marked with signs or lines to be painted on the surface of the highway.
- (4) Designate any highway intersection or other place on a highway as a place at which no left hand or no right hand turn or both, shall be made, and shall cause the said place to be signed, barricaded, or otherwise restricted.
- (5) 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 same to be marked with signs prohibiting U-turns.
- (6) Designate any area as one in which parking privileges are temporarily suspended in whole or in part to traffic and shall cause such areas to be marked with signs.
- (7) Designate any roadway as one to be divided into traffic lanes of such number as is considered proper and shall cause such lanes to be marked with solid and/or broken lines painted on the road surface.
- (8) Designate "School Zones" and "Playground Zones" and shall cause such zones to be marked by signs posted along the highway, or by markings on the pavement or by signs or lights or both, posted or suspended over the highway.
- (9) Is hereby authorized to designate any boulevard upon which parking is permitted and shall cause signs permitting such parking, to be

erected thereon.

- (10) Determine the format of the traffic tags, notices, and other forms required to administer the Bylaw.

## **6.2 ONE WAY TRAFFIC**

When Council has approved of any highway or a part of a highway being designated for one-way traffic, the Chief Administrative Officer shall cause the same to be marked with signs.

## **6.3 MOVEABLE SIGNS**

Despite any other provision in this Bylaw, the Chief Administrative Officer may cause moveable signs to be placed on or near a highway.

## **7.0 AUTHORITY OF PEACE OFFICERS**

### **7.1 TOWING**

Any Peace Officer of the M.D. is hereby authorized to remove and impound, or cause to be removed and impounded, any vehicle or trailer, parked on any highway when in contravention of any provision of this Bylaw, and when interfering with snow removal or other public works being carried on by the M.D.

### **7.2 IMPOUNDMENT AND RELEASE OF VEHICLES**

Any vehicle impounded under this Section may be released to the owner or agent upon proof that any traffic tag charges or costs imposed for towing and/or storage have been paid.

### **7.3 TRAFFIC TAG**

A Notice of Form commonly called a Traffic Tag may be issued by a Peace Officer to any person who contravenes any provision of this Bylaw, and served as per Section 7.4, and the Tag shall require the payment to the M.D. for the specified amount for that particular breach of this Bylaw.

### **7.4 DEEMED SERVED**

- (1) A Traffic Tag shall be deemed to be sufficiently served:
  - (a) If served personally on the accused, or
  - (b) If mailed to the address of the registered owner of the vehicle concerned, or the person concerned, or
  - (c) If attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.
- (2) Nothing in this Bylaw shall prevent any person from defending a charge of committing a breach of this Bylaw.

### **7.5 PEACE OFFICER ON DUTY**

A Peace Officer, while in the performance of his duty, may contravene Sections 2, 3, 4, and 5 of this Bylaw, in a manner that, considering the circumstances, is not negligent.

## **8.0 PENALTIES**

### **8.1 GENERAL PENALTY**

Except as otherwise provided herein, every person who contravenes any provisions of this Bylaw is guilty of an offence, and shall be liable on Summary Conviction to a fine of not less than fifty (\$50.00) dollars or more than five hundred (\$500.00) dollars.

**8.2 SPECIFIED PENALTIES**

Every person who contravenes any provisions of this Bylaw, as enumerated in Schedule "A" herein, is guilty of an offence and shall be liable on Summary Conviction to the penalty specified therein for such offence.

**8.3 PAYMENT RECEIVED**

Where payment of a penalty for a Traffic Tag is received within 15 days from the date of issue, the voluntary payment shall be reduced by ten (\$10.00) dollars.

**8.4 LATE PAYMENT**

If at any time after the expiration of the fifteenth (15<sup>th</sup>) day from the service of a Traffic Tag, a person pays for a Traffic Tag issued, the M.D. shall accept payment of the appropriate penalty as provided in Schedule "A", and the payment will be accepted in lieu of prosecution.

**8.5 VOLUNTARY PAYMENT**

When a voluntary penalty ticket is issued by a Peace Officer for an offence which is not enumerated in Schedule "A" herein, the monetary penalty shall be the minimum fine that may be imposed under Section 8.1 of this Bylaw.

**9.0 GENERAL**

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

**9.2** Schedule "A" attached hereto do not form part of this Bylaw and may be amended by resolution of Council.

**9.3** This Bylaw shall come into full force and effect on the date of third and final reading by Council.

READ A FIRST TIME IN COUNCIL THIS 10<sup>TH</sup> DAY JUNE, 2004.

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REEVE

\_\_\_\_\_  
MUNICIPAL MANAGER

READ A SECOND TIME IN COUNCIL THIS 10<sup>TH</sup> DAY JUNE, 2004.

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REEVE

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MUNICIPAL MANAGER

READ A THIRD TIME IN COUNCIL THIS 24<sup>TH</sup> DAY JUNE, 2004.

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REEVE

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MUNICIPAL MANAGER

**SCHEDULE "A"**

OFFENCES	SECTION	SPECIFIED PENALTY
<b>2.0 RULES FOR OPERATION OF VEHICLES</b>		
Park Uninsured/Unregistered Vehicle on Highway	2.1	\$50.00
Utilize Engine Retarder Brakes where Prohibited	2.5	\$100.00
Operate Heavy Vehicle where Prohibited	2.6	\$100.00
Fail to Produce Road Use Agreement to Peace Officer	2.7	\$50.00
<b>3.0 PARKING</b>		
Parking Within Space Allotted	3.1	\$50.00
Painted Curb	3.2(a)	\$50.00
Parking on Boulevard/Sidewalk	3.2(b)	\$50.00
On Crosswalk	3.2(c)	\$50.00
Ambulance & Fire Driveways	3.2(d)	\$50.00
Emergency Exits	3.2(e)	\$50.00
Next to Curb in "T" Intersection	3.2(f)	\$50.00
Less Than 5 Metres from Intersection	3.2(g)	\$50.00
Within 5 Metres from Stop/Yield Sign	3.2(h)	\$50.00
Fire Hydrant	3.2(i)	\$50.00
Crosswalk	3.2(j)	\$50.00
Street Excavation	3.2(k)	\$50.00
No Parking Zone	3.2(l)	\$50.00
Double Parking	3.2(m)	\$50.00
Obstructing	3.2(n)	\$50.00
Cul-De-Sac	3.2(o)	\$50.00
Exceed Parking Limit	3.3	\$50.00
Second Parking Offence	3.3(1)	\$50.00
Handicap Parking – No Placard	3.4	\$50.00
Obstruct Alley	3.5	\$50.00
<b>OFFENCES</b>	<b>SECTION</b>	<b>SPECIFIED PENALTY</b>
Park Vehicle Improperly	3.6	\$50.00
Abandon Vehicle on Highway/Private Property	3.7(1)(2)	\$50.00
Park/Drive on M.D. Owned Land	3.8	\$50.00
No Parking - Roadway Maintenance	3.10	\$50.00
Occupy Mobile Unit	3.11(2)	\$50.00
Unattended Vehicle on a Jack	3.12(1)	\$50.00
Unattended Vehicle Raised	3.12(2)	\$50.00
Prohibited Parking T.D.G.	3.13(1)	\$50.00
Park Vehicle Left for Servicing - Prohibited	3.14	\$50.00

<b>4.0 STREETS, SIDEWALKS, AND PUBLIC PLACES</b>		
Littering	4.1(1)	\$100.00
Cover Load	4.1(2)	\$50.00
Fail to Remove spilled material from Highway	4.1(3)	\$100.00
Track Substance on Highway	4.1(4)	\$100.00
Vehicle Fluids on Highway	4.2	\$100.00
At an Emergency	4.3	\$500.00
Loitering/Obstructing Highway/Hitch-Hiking/Advertising	4.4 (1)(2)(3)(4)	\$50.00
Jaywalking	4.4(5)(6)	\$50.00
Damage M.D. Property	4.5(1)	\$100.00
Damage/Remove Traffic Sign	4.5(2)	\$100.00
Obstruction of Traffic Control Device	4.6	\$50.00
Overhanging Trees, Shrubs	4.7	\$50.00
Obstruct Road Allowance/Roadway/Public Place	4.8(1)(2)	\$50.00
Removal of Obstruction by MD Forces	4.8	Cost of Work
Administration Fee	4.8(4)	\$50.00
<b>5.0 OFF HIGHWAY VEHICLES</b>		
Prohibited Operation of Off-Highway Vehicles (All Sections)	5.0	\$50.00