

**Village of Delia
Province of Alberta
By-Law No. 607-13**

A bylaw to control and regulate vehicle and pedestrian traffic.

Whereas, the *Traffic Safety Act*, Revised Statutes of Alberta 2000 authorizes a municipality to regulate and control vehicle and pedestrian traffic and parking within the municipality, and

WHEREAS Section 113 (2)(b) of the *Traffic Safety Act*, Revised Statutes of Alberta 2000, Alberta Regulations, and amendments thereto, provide a municipal council the authority to pass a bylaw governing the times during which, the locations at which, or the circumstances under which, as the case may be, that alternating flashing lights and stop arm on a school bus may be, shall be or shall not be used, and

Whereas, the *Municipal Government Act*, Chapter M-26, Revised Statutes of Alberta, 2000 as amended allows a municipality to pass bylaws and delegate authority with respect to highways under its direction, control and management,

NOW THEREFORE under the authority of the Municipal Government Act and the Traffic Safety Act, the Council of the Village of Delia, in the Province of Alberta, enacts as follows:

Short Title

1 The short title of this Bylaw shall be the "Traffic" Bylaw.

Definitions

2 In this Bylaw the following words shall be defined as:

- (a) "Act" means the Traffic Safety Act, Chapter T-6, Revised Statutes of Alberta 2000, or as substituted from time to time.
- (b) "Alley" means a narrow highway intended to give access to the rear of buildings and parcels of land and is a highway for the purpose of this bylaw.
- (c) "Bicycle" means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:
 - i. May be propelled by muscular or mechanical power
 - ii. Is fitted with pedals that are continually operable to propel it
 - iii. Weighs not more than 35 kilograms
 - iv. Has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters

- v. Has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel, and
 - vi. Does not have sufficient power to traverse level ground within a distance of 2 kilometers from a standing start.
- (d) "Boulevard" means that part of a highway in an urban area that:
 - i. is not a roadway, and
 - ii. is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- (e) "Bus Stop" or "School Bus Loading Zone" or "Bus Lane Only" shall mean that portion of a roadway next to the curb, extending ten (10) meters from a traffic control device indicating a stop or zone.
- (f) "Chief Administrative Officer" means the Chief Administrative Officer as appointed by Council or his/her designate.
- (g) "Commercial Loading Zone" means a portion of a highway set aside adjacent to a curb designated for the exclusive use of commercial vehicles for the loading or unloading of materials and includes an area designated as such.
- (h) "Commercial Vehicle" means a motor vehicle as defined in the Act.
- (i) "Council" means the Council of the Village of Delia.
- (j) "Crosswalk" means:
 - i. that part of a roadway at an intersection included within the connection of the lateral lines of the sidewalks on the opposite sides 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 or elsewhere distinctly indicated for pedestrian crossing by lines or by other markings on the road surface.
- (k) "Curb" means the concrete or asphalt edge of a highway or the division point between the highway and a boulevard or sidewalk.
- (l) "Double Parking" or any words or any expressions of similar meaning or import means the parking of a vehicle on a highway parallel to a vehicle parked beside the curb or shall mean parking to the rear of any vehicle that is angle parked at the curb.
- (m) "Emergency Vehicle" means a motor vehicle used:
 - i. for police duty
 - ii. for municipal enforcement

- iii. by a fire service
 - iv. as an ambulance, or
 - v. for a purpose relating to maintenance of a public utility and designated as an emergency vehicle under Section 17.1 of the Act.
- (n) "Fire Lane" means an access route for fire department vehicles required by the Alberta Building Code for firefighting purposes and marked by signage as a fire lane.
- (o) "Handicap Loading Zone" means a portion of a highway set aside adjacent to a curb designated for the exclusive use of vehicles for the loading and unloading of handicapped passengers.
- (p) "Heavy Vehicle" is defined as a vehicle with or without a load, exceeding any of the following:
- i. three axles, or
 - ii. a designated gross vehicle weight of 5,500 kilograms.
- (q) "Highway" means any thoroughfare, street, road, avenue, parkway, driveway, viaduct, lane, alley, bridge, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles, and includes:
- i. if a ditch lies adjacent to and parallel with the road way, the ditch, and
 - ii. if a right of way is contained between fences or between a fence and one side of the highway, all the land between the fence and the edge of the highway, as the case may be
- But does not include a place declared by the Lieutenant Governor in Council not to be a highway.
- (r) "Loading Zone" includes a public loading zone, handicap loading zone, commercial loading zone and a passenger loading zone or any of them, as the context requires.
- (s) "Maximum Weight" means
- i. the maximum weight of a vehicle as recorded on the official registration certificate or interim registration certificate for such vehicle issued by the Government of the Province of Alberta, or
 - ii. if there is no such official registration certificate or interim registration certificate for the vehicle, then the combined weight of the vehicle and the heaviest load shall be in accordance with the Alberta Motor Transport Board Regulations.
- (t) "Mobile Unit" means any trailer, 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 or other use by one or more persons.

- (u) "Off-highway Vehicle", in accordance with Section 117 of the Act, means any motorized vehicle designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically for such travel,
 - i. 4-wheel drive or low pressure tire vehicle
 - ii. amphibious machines
 - iii. all terrain vehicles
 - iv. miniature motor vehicles
 - v. snow vehicles
 - vi. minibikes, and
 - vii. any other means of transportation that is propelled by any power other than muscular power or wind.
- (v) "Operator" means a person who drives or is in actual physical control of a vehicle.
- (w) "Owner" means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise the exclusive use of a vehicle for a period of more than 30 days.
- (x) "Parade" means a procession or march organized for the purpose of entertainment of spectators, display, inspection or promotion of a cause or purpose.
- (y) "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 or unloading passenger, or
 - ii. when standing in obedience to a peace officer or traffic control device.
- (z) "Peace Officer" means any member of the Royal Canadian Mounted Police, a member of a municipal police service, a special constable or a Bylaw Enforcement Officer.
- (aa) "Person" shall include an individual, partnership or corporation.
- (bb) "Public Building" means any church, chapel, college, school, convent, hospital, house, any apartment block, theatre, moving picture theatre, public library, concert hall, or any building used for public resort or entertainment.
- (cc) "Recreational Vehicle" means a boat, motor vehicle, recreational vehicle designed or used for travel, temporary living accommodation for vacations or camping purposes.

- (dd) "Roadway" means that part of the highway intended for the use by vehicular traffic.
- (ee) "Safety Zone" means a space designated by a marking or a device placed upon the surface of a highway dividing the highway for traffic moving in opposite directions and intended as a pedestrian area.
- (ff) "Sidewalk" means that part of a highway especially adapted to use of or ordinarily used by pedestrians, and includes that part of the highway between
 - i. the curb line, or
 - ii. where there is no curb line, the edge of the roadway, and the adjacent property line whether or not it is paved or improved.
- (gg) "Special Highway Event" means an event or competition, taking place in whole or in part on a highway involving walking, running, or the use of bicycles, motorcycles, cars or other vehicles.
- (hh) "Stop" means:
 - i. when required, a complete cessation of vehicular movement, and
 - ii. when prohibited, any halting, even momentarily, of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control device.
- (ii) "Traffic" means pedestrians, animals, or vehicles while using the highway for the purpose of travel.
- (jj) "Traffic Control Device" means a parking meter, a sign, a signal, a traffic island marking or a device marked or erected under the authority of the act or of this bylaw for the purpose of regulating, warning or guiding traffic.
- (kk) "Traffic Control Signal" means a traffic control device whether manually, electrically or mechanically operated by which traffic is directed to stop and to proceed.
- (ll) "Traffic Tag" means a municipal violation tag or a tag authorized by the Provincial Offences Procedures Act and issued pursuant to Section 2(a) of this bylaw.
- (mm) "Trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.

(nn) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway.

(oo) "Village" means the Village of Delia or its duly authorized representatives.

Highway Conditions

- 3 A Peace Officer may authorize such persons as deemed necessary to direct or regulate traffic.
- 4 The Council by power of resolution, is hereby delegated the power to prescribe where traffic control devices are to be located on highways in the Village.
- 5 The Council by power of resolution, is hereby delegated the power to prescribe, by the placement of traffic control devices, the location of school zones and playground zones.
- 6 The CAO shall keep a record of the location of all traffic control devices placed pursuant to this section and specified on the attached Schedule "A" & "B".
- 7 No person shall willfully remove, throw down, deface or alter, injure or destroy a traffic control device placed, marked or erected upon any highway in the Village.
- 8 No person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any traffic control device, unless approved in writing by the CAO.
- 9 No person shall crowd or jostle other pedestrians in such a manner as to create or cause discomfort, disturbance or confusion.
- 10 No pedestrian shall cross or loiter on any highway in such a manner as to obstruct traffic.
- 11 No off-highway vehicles shall be driven on any portion of any highway within the Village limits.
- 12 Speed limits shall be as follows:
 - a. except as otherwise authorized by this bylaw, no person shall drive at a speed greater than 30 kilometers per hour on any highway within the Village, and
 - b. no person shall drive at a speed greater than 20 kilometers per hour in any alley in the Village.
- 13 The CAO may authorize such spaces as he deems necessary on any highway or other village owned property for use as a parking space and cause the spaces so authorized, to be marked for this purpose.
- 14 Unless specifically permitted by the other provisions of this bylaw, no owner or operator shall park or

permit to be parked any vehicle on any highway or public place for any period longer than is permitted by the applicable traffic control device.

- 15 Unless the vehicle is placed in a portion of the highway where parking is allowed no owner or operator shall park or stand or permit to be parked or leave standing a vehicle.
- 16 Except in the case of breakdown or other emergency not allowing the vehicle to be moved the owner or operator of any vehicle shall not stand or park it on the highway for the purpose of servicing or repairing the vehicle.
- 17 No owner or operator of any self-propelled type of vehicle which:
 - a. is not registered or not licensed
 - b. is not equipped in accordance with the Act, or
 - c. is not in operable conditionshall cause or permit such vehicle not to be parked or left on any highway.
- 18 Section 16 does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken immediate action to arrange for the removal of the vehicle.
- 19 No person shall park any trailer (whether designated for occupancy by persons or for the carrying of goods or equipment) upon any highway in the Village unless it is attached to a vehicle by which it may be propelled or drawn; and when so attached, the trailer shall be deemed part of the vehicle.
- 20 No person shall occupy or suffer 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 or trailer court.
- 21 An owner or operator of a recreational vehicle shall not park the vehicle on any highway or on village property, with the exception of campgrounds or any other area as designated by council.
- 22 Parking on highways within the municipal limits of the Village shall be parallel parking except where signs may indicate that angle parking is permitted or required.
- 23 No owner or operator of a vehicle shall park or permit the parking of the vehicle on any private property without the prior permission of the owner or tenant, occupant or person in control of the private property.
- 24 Notwithstanding the provisions of Section 23, where in private property is used for a commercial or industrial purpose, or is property owned by the Government of Canada or Alberta or the Village, parking spaces or a parking area is provided for the parking of the vehicles of persons who are

customers or patrons of or who otherwise are doing business with the owner, tenant, or occupant or person in charge of the property and the space is clearly designated as being:

- a. private or government property, and
- b. set aside for parking only of vehicles:
 - i. of customers, patrons, or of persons doing immediate business with the owner, tenant, occupant, or person in charge of the property, or
 - ii. for persons immediately using a facility or service supplied by the owner, tenant, occupant, or person in charge of the property.

- 25 A person owning or occupying or in charge of private property who observes that any person is violating the provisions of any portion of Section 24 may report the violation to a peace officer giving:
 - a. the name and address of the person reporting the violation
 - b. the address of the land where the vehicle is parked, and
 - c. the license number of the illegally parked vehicle.
- 26 The CAO is hereby authorized to establish such parking zones as deemed necessary for the exclusive use of disabled persons who operate or travel by motor vehicles.
- 27 The owner, tenant, occupant or person in control of private property may designate any number of parking spaces for the exclusive use of disabled persons who operate or travel by motor vehicle by marking same with a sign or signs in a form approved by the CAO.
- 28 The owner or operator of a motor vehicle which is not identified by a handicap placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or permit the stopping of the vehicle in a parking space designated pursuant to Sections 26 and 27.
- 29 Where, pursuant to Section 28, the vehicle is identified by a handicap placard the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked.
- 30 No owner or operator shall park or stop or permit the parking or stopping of a vehicle in a commercial loading zone unless:
 - a. the vehicle bears a license plate identifying it as a commercial vehicle, and
 - b. the commercial vehicle is actively engaged in the loading or unloading of merchandise or other materials for a period of time not exceeding (20) minutes.
- 31 No owner or operator of a vehicle shall leave a vehicle in a passenger loading zone unless actively engaged in the loading or unloading of passengers for a period of time not exceeding (10) minutes.
- 32 The CAO is hereby authorized to temporarily close the whole or part of a highway at any time that a construction or maintenance project on or adjacent to the highway may create a hazard.

- 33 No person shall make use of any highway in a manner contrary to any restriction, prohibition or designation pursuant to Section 32.
- 34 No person shall park any heavy vehicle on any highway within the Village except on the Truck Route, unless authorization has been received from the CAO.
- 35 Notwithstanding Section 34, heavy vehicles that are actively delivering or collecting goods may be parked in areas not designated as the Truck Route.
- 36 No person shall operate a heavy vehicle on any highway in the village, except on a highway designated as a Truck Route as specified on the map attached hereto as Schedule "C".
- 37 Notwithstanding Section 36, the following heavy vehicles are authorized to operate on non truck routes:
- a. public passenger buses or school buses being operated for the purpose of receiving or delivering passengers
 - b. emergency vehicles being operated in the service of public interest or during an emergency
 - c. utility vehicles being operated for the purpose of installing, servicing or repairing public utilities
 - d. town vehicles being operated in the service of the town, or
 - e. commercial vehicles delivering or collecting goods, provided that the most direct route from a truck route, is used.
- 38 No person shall apply or engage engine retarder brakes on any truck in any part of the Village limits.
- 39 Alternately flashing lights and stop arms on school busses shall be operated when loading or unloading passengers within the Corporate Limits of the Village except when loading or unloading passengers at designated loading zones at the school or adjacent to the school.
- 40 Where an unprotected hose of any fire department has been laid down on a highway or a driveway no person shall drive a vehicle over such hose unless an official of the fire department at the scene has specifically allowed him to do so.
- 41 No person shall pass beyond a point designated by a member of the fire department near the location of a fire.
- 42 No person shall drive or haul on or over any highway within the Village, any vehicle or other type of equipment or thing(s), which damages or is likely to damage the highway.
- 43 No person shall allow any dirt, sand, gravel, cement or any other material to be deposited on a

highway, unless authorization has been received from the CAO.

- 44 No person shall place any goods or wares or merchandise or other articles of any kind upon any sidewalk or highway, or shall expose any goods, wares or merchandise or other articles outside any shop, warehouse or building which shall project over any part of the sidewalk or highway, unless authorization has been received from the CAO.
- 45 No person shall tear down, remove, or interfere with any signs, signals, barricades, flares or other things place in accordance with the provisions and regulations of the Act.
- 46 No person shall participate in any parade or special highway event on a highway unless permission for the event has been obtained from the CAO.
- 47 Notwithstanding anything elsewhere contained in this bylaw the provisions related to stopping or parking of vehicles do not apply to:
- a. emergency vehicles
 - b. service vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems
 - c. municipal and other government public works vehicles
 - d. funeral cars, or
 - e. towing services vehicles
- while any such vehicle is being used for work related reasons requiring that it be stopped or parked at that location.
- 48 Where the owner or operator of a vehicle stops, stands or parks pursuant to Section 46 contrary to other provisions of this bylaw, he shall take due precaution to indicate the presence of such vehicle on any highway while so parked or stopped.
- 49 Subject to conditions in this bylaw, council hereby authorizes the CAO to make provisions and regulations in times of emergencies and in areas where construction or repairs are being carried out upon or near highways, relating to the control and regulation of traffic, and without restricting the generality of the foregoing, may make provisions and regulations in order to temporarily close to traffic any highway or part thereof, and to suspend temporarily any parking privileges granted by this bylaw.
- 50 The CAO is hereby authorized to place on the highway, a sign warning persons of any regulations and provisions that are in effect, and may cause such additional signs and traffic control devices to be so placed and to cause to be placed such barricades, flares or other things as he deems necessary to implement the provisions and regulations so imposed.

Sidewalk Conditions

- 51 Unless he has first obtained written permission of the CAO, or unless otherwise permitted by bylaw, no person shall place or cause to be placed any electrical cord over a sidewalk, unless it is erected at least two and one half (2 1/2) meters over the sidewalk; and in no event shall an electrical cord be laid on the sidewalk so as to obstruct or endanger pedestrians or interfere with sidewalk cleaning.
- 52 A person shall not:
- a. drive, ride, lead or allow a hoofed animal to walk
 - b. drive, draw or push any motor vehicle
 - c. ride a bicycle, or
 - d. draw, push, propel or ride a wheeled vehicle of any description
- on or along a sidewalk in such a way as to interfere with the other pedestrians using the sidewalk.

Cyclist Conditions

- 53 Unless the context otherwise requires, a person operating a bicycle on a highway has all the same rights and is subject to all the rules that any vehicle operator has under this bylaw.
- 54 Where this bylaw permits a person to ride a bicycle or use in-line skates, scooters or skateboards on any sidewalk where pedestrians are also allowed, the person shall ride the bicycle, skateboard, scooter, or use in line skates only in such a way that is will not interfere with a pedestrian lawfully on or using such sidewalk.
- 55 A peace officer may seize and impound, for a period not exceeding 60 days any bicycle, scooter or skateboard used or operated in contravention of this bylaw.
- 56 Where a bicycle, scooter and or skateboard has been seized and impounded by a peace officer the owner or operator of such bicycle, scooter or skateboard shall, aside from any fine or penalty to which he may be subject, will be liable for all reasonable costs incidental to the seizure and impounding of the bicycle, scooter or skateboard.

Powers

- 57 A peace officer is hereby authorized to remove or cause to be removed any vehicles or trailer:
- a. operated or parked in contravention of any provision of this bylaw, or
 - b. where emergency conditions may require such removal from a highway. Such vehicle may be removed to a place designated by the peace officer.
- 58 Where a peace officer has reasonable grounds to believe a person has committed a breach of any of the sections of this bylaw, he may serve upon such person(s) a traffic tag.
- 59 Fines imposed for any breach of this bylaw are indicated in Schedule "D".

- 60 A traffic tag may be:
- a. personally served
 - b. attached to any vehicle in respect of which any offence is alleged to have been committed, or
 - c. mailed to the address of the registered owner of the vehicle or to the person in possession of said vehicle.
- 61 Upon payment in accordance with the terms specified in the traffic tag, an official receipt for the payment shall be issued.
- 62 Nothing in this section shall:
- a. prevent any person from exercising his right to defend any charge or committing a breach of any of the sections
 - b. prevent any peace officer, in lieu of serving a traffic tag, or any other person from laying information or a complaint against any other person for committing a breach of any of the sections
 - c. prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this bylaw or not.)
- 63 A person other than the owner or operator of a vehicle shall not remove any traffic tag or notice placed on or affixed to the vehicle by a peace officer in the course of his duties.
- 64 No person other than a peace officer or another person authorized by the Village or by this bylaw shall place a traffic tag on any vehicle.
- 65 If, by reason of contravention of any provision of this bylaw, the Village is authorized or required to move a motor vehicle from a place, where it is parked and impound the motor vehicle; then the amount of the expense so incurred shall be added to the amount of any fine or penalty which may be imposed by reason of the contravention.

Enactment

- 66 All traffic control devices that are in place on the effective date of this bylaw shall be deemed to be valid traffic control devices for the purposes of this bylaw.
- 67 All school zones, playground zones, loading zones and bus zones and truck routes in effect immediately prior to the coming into force of this bylaw shall continue in effect until removed.

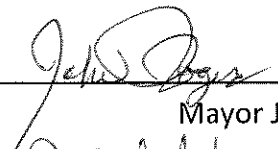
Repeal

- 68 Bylaw #586-11 is hereby repealed.

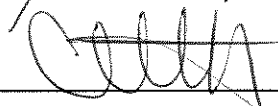
In Force

- 68 This by-law shall come into full force and effect on the day that it is finally passed by Council by giving it third and final reading and it is signed in accordance with the MGA.

READ A FIRST TIME THIS 23rd DAY OF SEPTEMBER, 2013.



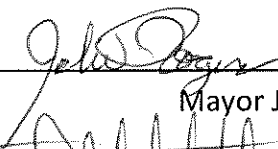
Mayor John Rogers



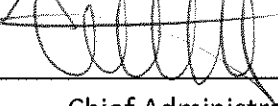
Chief Administrative Officer
Caroline Siverson

READ A SECOND TIME THIS 23rd DAY OF SEPTEMBER, 2013.

READ A THIRD AND FINAL TIME, THIS 23rd DAY OF SEPTEMBER, 2013.



Mayor John Rogers

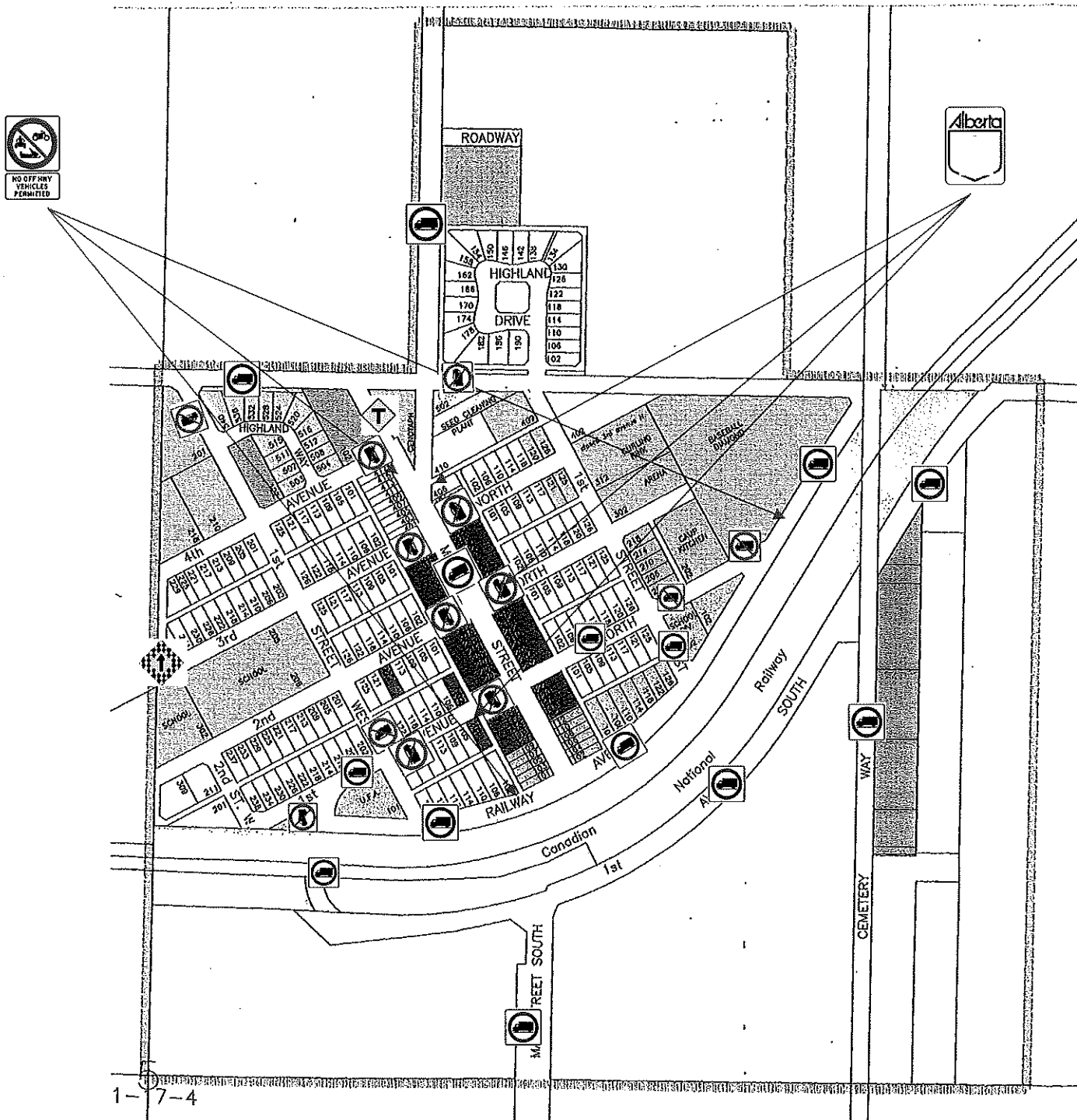


Chief Administrative Officer
Caroline Siverson

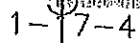
Regulatory & Parking



SCHEDULE "B"
Location of Traffic Control Devices
Warning Signs



Truck Route



SCHEDULE "D"

Penalties

If a Traffic Tag is issued, the penalties are as follows:

1 st Offence	\$25.00
2 nd Offence	\$50.00
3 rd Offence	\$100.00

These penalties do not include towing and impounding fees. These will be invoiced as to actual cost to the owner or operator of the vehicle as per Section 65.