



Cardston County

By-Law No. 623.2011

Being a By-Law of Cardston County in the Province of Alberta for the purpose of regulating and controlling traffic within the Municipality.

WHEREAS: the Traffic Safety Act, R.S.A. 2000, c. T-6 as amended or repealed and replaced from time to time, authorizes a Municipal Council to pass By-Laws not inconsistent with the Traffic Safety Act, respecting Highways under its direction, control and management, for the regulation and control of traffic within the boundaries of Cardston County; and

WHEREAS: the Council for the Municipality deems it to be in the best interest of the public to regulate traffic within Cardston County,

THEREFORE: the Council of Cardston County, duly assembled, enacts as follows:

Part 1 – Short Title

1.1 The By-Law may be cited as the Cardston County "Traffic By-Law"

Part 2 – Definitions

- 2.1 "Alley" means a narrow Highway intended chiefly to give access to the rear of Building and parcels of land
- 2.2 "County" means Cardston County, in the Province of Alberta.
- 2.3 "County Manager" means the Chief Administrative Office (C.A.O.) of Cardston County
- 2.4 "Council" means the Municipal Council of Cardston County.
- 2.5 "Curb" means the actual curb, if there is one, and if there is no curb in existence, shall mean the division of a Highway between the roadway and the sidewalk.
- 2.6 "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
 - a. A sidewalk, including the boulevard portion of the sidewalk;
 - b. If a ditch lies adjacent to and parallel with the roadway, the ditch; and
 - c. 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.
- 2.7 "Municipal Government Act" means the Municipal Government act, R.S.A., 2000, c. M-26, as amended or repealed and replaced from time to time.
- 2.8 "Peace Officer" means a By-Law Enforcement Officer, Community Peace Officer as appointed and authorized by the County or a member of the Royal Canadian Mounted Police.
- 2.9 "Provincial Offences Procedure Act" means the Provincial Offences Procedure Act, R.S.A., 2000, c. P-34, as amended or repealed and replaced from time to time.

- 2.10 "Recreational 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 and any bus or truck converted for use as a recreational vehicle.
- 2.11 "Traffic Control Device" means any sign, signal, marker or device placed marked or erected under the authority of this By-Law, whether on permanent or temporary basis, for the purposes of regulating, warning or guiding traffic.
- 2.12 "Traffic Safety Act" means the Traffic Safety Act, R.S.A. 2000, c. T-6, as amended or repealed and replaced from time to time.
- 2.13 "Trailer" means a vehicle so designed that it may be attached or drawn by a motor vehicle and intended to transport property, persons or animals.
- 2.14 "Truck" means a truck with a short chassis and no body used in combination with a trailer for the hauling of freight on a highway.
- 2.15 "Violation Ticket" means a ticket issued pursuant to Part 2 or Part 3 of the Provincial Offences Procedure Act, as applicable, and the Regulations thereunder.
- 2.16 "Vehicle" means a vehicle propelled by any power other than muscular power but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a vehicle that runs only on rails.

Section 3 – Traffic Control Devices

- 3.1 Every person shall obey the instructions of all Traffic Control Devices authorized under this or any other By-Law, unless otherwise directed by a Peace Officer.
- 3.2 The power to decide the necessity and location of Traffic Control Devices within the County is delegated to the County Manager or his designate. Such power includes, but is not limited to:
 - a. Prescribing the location and placement of every Traffic Control Devices within the County and keeping a record of such locations and placements and such records shall be available to the public for inspection during regular business hours.
 - b. Designating crosswalks upon any Highway and to cause the same to be marked with signs, lines painted on the Highway surface of both.
 - c. Designating any Highway intersections or other place on a Highway as a place at which left hand turns, right hand turns, or turning generally, is prohibited, and directing the placement of signs, barricades or other devices at such locations to indicate the nature of the prohibition;
 - d. Designating "School Zones" and "Playground Zones" and causing such zones to be marked by signs posted along the Highway, by markings on the Highway surface or both;
 - e. Designating any boulevard as a location upon which parking is permitted and causing signs permitting parking to be erected thereon; and
 - f. Directing the placement of temporary Traffic Control Devices along a portion of a Highway for the purpose of setting a temporary maximum speed limit due to construction, maintenance or a state of disrepair.
- 3.3 The County Manager may cause moveable signs to be placed on or near a Highway to indicate "No Parking", "Emergency Repairs", "Snow Removal" or such other temporary moveable signs deemed necessary.
- 3.4 No person shall park a vehicle on a Highway in a manner contrary to the directions set out on a moveable sign, as described at Section 3.3 when such a sign has been placed on or near the Highway.
- 3.5 Where a person has parked a vehicle on a Highway prior to the placement of a moveable sign as set out in Section 3.3, the person shall move the vehicle as soon as reasonably possible but in any event within TWENTY-FOUR (24) hours of the moveable sign being placed on or near the Highway.

Section 4 – Parking

- 4.1 No person shall park a vehicle on a Highway contrary to a Traffic Control Device.
- 4.2 Every person who parks a vehicle upon a Highway, where parking spaces are marked out by reference lines for angle, parallel or perpendicular parking, shall park wholly within the confines of the parking space as marked by the reference lines.
- 4.3 Unless required or permitted by this By-Law, the Traffic Safety Act, by a Traffic Control Device, in compliance with the directions of a Peace Officer or other authority, 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.
 - b. On the roadway side of a vehicle already parked at the curb or edge of a Highway.
 - c. On a sidewalk or boulevard
 - d. On a crosswalk or any part of a crosswalk or so as to obstruct the use of the crosswalk
 - e. In any driveway designated for use by emergency vehicles
 - f. Where such vehicle will obstruct, or in any way interfere with the use of any doorway intended and marked as an emergency exit from any building abutting the Highway
 - g. Within FIVE (5) meters of any intersection, except where otherwise permitted as evidenced by a Traffic Control Device.
 - h. Within FIVE (5) meters of any fire hydrant
 - i. In such a manner as to obstruct access to a garage, private road or driveway
 - j. Alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic.
 - k. Within FIFTEEN (15) meters of stop or yield sign
 - l. In an area designated by a Traffic Control Device or marked as a parking place for person with disabilities unless that person displays a disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services, or
 - m. On the opposite side of a Highway contrary to traffic flow.
- 4.4 No person shall park a truck unit on any Highway in an areas zoned residential within the County, whether or not a trailer is attached to the truck, except where such parking is expressly permitted or except for the purpose of loading or unloading such vehicle.
- 4.5 No person shall park a vehicle in an alley except where actively loading or unloading goods or passengers from the vehicle, and provided that the vehicle does not obstruct the alley as to prevent passage of other vehicles.
- 4.6 No person shall occupy a recreational vehicle parked on any Highway.
- 4.7 No person shall park a recreational vehicle on a Highway for a period greater than FORTY EIGHT (48) consecutive hours.
- 4.8 No person shall park a recreational vehicle on any Highway so that it wholly or partially blocking any access to private or public property.
- 4.9 No person shall park a vehicle on private land, unless such person has obtained the permission of the owner or occupant of the land.
- 4.10 An owner or occupant may report to a Peace Officer, the make, model, license number and location of a vehicle parked on private land in contraction of this By-Law. A person making such a report to a Peace Officer shall provide their name and contract information to the Peace office at the time of making the report.
- 4.11 No person shall:
 - a. Abandon a vehicle on a Highway
 - b. 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.

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- 4.12 A vehicle left at a location referred to in Section 4.11, for more the SEVENTY TWO (72) consecutive hours shall be deemed to have been abandoned.
- 4.13 Where the abandonment or obstruction is unavoidable due to mechanical failure the operator of the vehicle will not be in breach of Section 4.11 provided he promptly takes measures to clear the faulty vehicle from the Highway.
- 4.14 Nothing in this Section shall be construed as to allow parking contrary to other provisions of this By-Law.
- 4.15 No person shall park or drive any vehicle upon any land owned by the County which the County 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 County Manager.

Section 5 – General Prohibitions

- 5.1 No person shall load or unload any goods, wares or merchandise across a sidewalk or boulevard where dedicated loading and unloading facilities are available.
- 5.2 No person shall mark any curb, gutter, boulevard, roadway or Highway with paint or any other substance excepting our County employees.
- 5.3 Except in the event of an emergency, no persons shall stop or park any vehicle on any Highway for the purpose of performing maintenance or repairs.
- 5.4 The owner of a vehicle, including recreational vehicles and truck-trailers, shall ensure that the vehicle is operated, at all times, in a manner consistent with this By-Law, when that vehicle is being operated by a third party with the permission of the owner.
- 5.5 No person shall willfully remove, throw down, deface or alter, damage or destroy a Traffic Control Device placed, marked or erected on a highway.
- 5.6 No vehicle or truck having metal spikes, lugs, cleats or band projecting from the surface of the wheel or tire, or having caterpillar tracks or skids, may be operated on any Highway except for studded tires on passenger vehicles.

**Section 6 – Land adjacent to a Highway, undeveloped Road Plans
And Road Right-of-Ways**

- 6.1 No person shall park any vehicle, farm implement, farm equipment or agricultural machinery, including but not limited to a tractor, combine, grain truck, or plough on any:
 - a. Municipal land including that forms part of an undeveloped municipal road plan, or
 - b. A municipal road right-of-way
- 6.2 No person shall operate any vehicle, farm implement, farm equipment or agricultural machinery, including but not limited to a tractor, combine, grain truck or plough, for direct purpose of cultivating, harvesting or a related farming activity on any:
 - a. Municipal land including land that forms part of an undeveloped municipal road right-of-way
 - b. A municipal road right-of-way

excepting out where such operation is a result of a person crossing the municipal land or municipal right of way to access their own land or a public roadway from their own land. This exception is only applicable when the shortest distance possible between the person's land and the public roadway is taken

- 6.3 Notwithstanding Section 6.2 above, the County reserves the right to (on a temporary or permanent basis) prohibit or limit access to any municipal land, including a municipal road right-of-way. Further, no person shall operate any vehicle, farm implement, farm equipment or agricultural machinery, including but not limited to a tractor, combine, grain truck or plough, on any:
- a. Municipal land including land that forms part of an undeveloped municipal road plan; or
 - b. A municipal road right-of-way
- 6.4 A person who has entered into an agreement or received written permission from the County which allows the person to undertake certain specified activities on specific:
- a. Municipal land including land that forms part of an undeveloped municipal road plan; or
 - b. A municipal road right-of-way

Section 7 – Exemptions

- 7.1 The provisions of this By-Law do not apply to the following vehicles, while being operated pursuant to the ordinary course of business:
- a. Emergency vehicles
 - b. Vehicles owned or within the lawful possession of the County
 - c. Vehicles engaged in maintenance or repair of a public utility, as defined pursuant to the *Municipal Government Act*;
 - d. Vehicles operated by a federal, provincial or municipal government, or with the approval of a federal, provincial or municipal government, for the purpose of constructing or maintaining a highway; and
 - e. School buses when authorized or transport buses for people with physical or mental impediments, while transporting, loading or unloading passengers

Section 8 – Authority of Peace Officer

- 8.1 A Peace Officer is hereby authorized to enforce the provisions of this By-law
- 8.2 In the case of fire or other emergency, or in order to expedite traffic or safeguard pedestrians, Peace Officers are hereby authorized to direct traffic in such a manner as determined to be necessary, in the Peace Officer's sole determination, whether or no such directions are in conformity with the provisions of this By-law.
- 8.3 A Peace Officer is authorized to place an erasable chalk mark on the tread face of the tire of any parked or stopped vehicle for the purpose of enforcement of the parking provisions of this By-Law.
- 8.4 A Peace Officer is hereby authorized to remove and impound or cause to be removed and impounded any vehicle, recreational vehicle, truck, farm machinery, farm implement or agricultural machinery;
- a. Parking in contravention of this By-Law
 - b. Where, in the opinion of a Peace Officer, emergency conditions require that the vehicle, recreational vehicle, truck, farm machinery, farm implement or agricultural machinery, be removed or
 - c. Where the vehicle, recreational vehicle, truck farm machinery, farm implement or agricultural machinery, is interfering with snow removal or other public works being carried out by the County, and the location in which the vehicle, recreational vehicle, truck, farm machinery, farm implement or agricultural machinery, is parked has previously been marked for snow removal by a permanent Traffic Control Device, or a temporary sign.

- 8.5 No impounded vehicle, recreational vehicle, truck, farm machinery, farm implement or agricultural machinery, shall be released to its owner or his or her agent until the removal and impoundment charges have been paid.

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Section 9 – Offenses & Penalties

- 9.1 Any person who contravenes any provision of this By-Law is guilty of an offence and is liable upon summary conviction, to the specified penalty for that offence as set out in Schedule "A" to this By-Law.
- 9.2 In the event that the identity of the person responsible for operating or parking a vehicle, recreational vehicle, truck, farm machinery, farm implement or agricultural machinery, in a manner contrary to this By-Law is unknown to the Peace Officer, the registered owner shall be deemed to be the person responsible for the contravention.
- 9.3 Notwithstanding Section 9.1 of this By-Law, any person who commits a second or subsequent offence under this By-Law within one (1) year of committing a first offence under this By-Law, is liable on summary conviction to double the fine set out in Schedule "A" to this By-Law, for that offence.
- 9.4 Under no circumstances shall a person contravening any provision of this By-Law be subject to the penalty of imprisonment.

Section 10 – Violation Tickets

- 10.1 A Peace Officer is authorized and empowered to issue a Violation Ticket to any person who the Peace Officer had reasonable grounds to believe has contravened any provision of this By-Law.
- 10.2 A Violation Ticket issued with respect to a contravention of this By-Law shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 10.3 The person to whom the Violate Ticket has been issued may, in the case of a Violation Ticket issued pursuant to Part 3 of the *Provincial Offences Procedures Act* plead guilty by making a voluntary payment in respect of the Summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided for in Schedule "A" to this By-Law.
- 10.4 When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to Section 10.3 and the *Provincial Offences Procedures Act*, the act of recording constitutes acceptance of a guilty plea and also constitutes a conviction and the imposition of fine in the amount of the specified penalty.

Section 11 – Severability

- 11.1 Should any provision of this By-Law be found invalid, the invalid provision shall be severed and the remaining By-Law shall be maintained.

Section 12 – Repeal

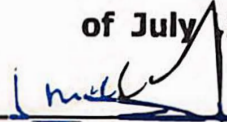
- 12.1 By-Law No. is hereby repealed in its entirety.

Section 13 – Effective Date

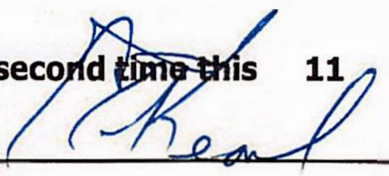
13.1 This By-Law shall come into force upon receipt of its third and final reading.

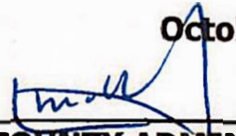
Read a first time this 11 day of July, 2011.


REEVE

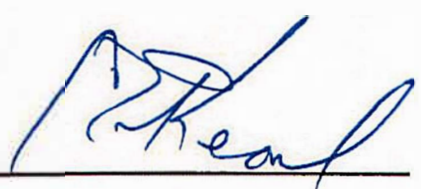

COUNTY ADMIN ATOR

Read a second time this 11 day of October, 2011.


REEVE


COUNTY ADMINISTRATOR

Read a third time & finally passed this 11 day of October, 2011.


REEVE


COUNTY ADMINISTRATOR

Schedule "A"
Fees and Penalties

OFFENCE:	SPECIFIED PENALTY
Contravention of any Provision of this Bylaw Unless specifically set out below	\$200.00
Second or subsequent offence within one year	\$400.00
Section 6.3: using lands that are part of an developed Road Way, Undeveloped Road Plan, Fair Weather Road, or Road Right of Way	\$500.00
Second to subsequent Offence within one year	\$1000.00

Schedule "B"
Speed Limit Exceptions

1. The maximum speed limit on the portion of Township Road 64 between Highway 5 and Range Road 215 is Fifty (50) Kilometers per hour.
2. The maximum speed limit on the portion of Range Road 275 between Highway 5 and Township Road 24 is Fifty (50) Kilometers per hour.
3. The maximum speed limit on the portion of Range Road 292 between Highway 5 and Township Road 22 is Fifty (50) Kilometers per hour.
4. The maximum speed limit on the portion of Range Road 293 between Highway 5 and Township Road 24 is Fifty (50) Kilometers per hour.
5. The maximum speed limit on the roads within the Creckle Creek residential subdivision is Thirty (30) Kilometers per hour.
6. The maximum speed limit on the roads within the Aspen Ridge residential subdivision is Thirty (30) Kilometers per hour.
7. The maximum speed limit on the roads within the Diamond Willow Ranchland residential subdivision is Thirty (30) Kilometers per hour.
8. The maximum speed limit on Range Road 293 within the Garner residential subdivision is Fifty (50) Kilometers per hour.
9. The maximum speed limit on Township Road 13A east of Range Road 270 within township 1-27 is Sixty (60) Kilometers per hour.
10. The maximum speed limit on Range Road 271, North of Highway 505 to the Village of Glenwood, be set to Fifty (50) Kilometers per hour.
11. Within the Hamlet of Mountain View, speed limits are reduced to 30 KM per hour on school days during the following times unless otherwise posted.
 - 7:30 a.m. to 8:30 a.m.
 - 11:30 a.m. to 1:50 p.m.
 - 3:00 p.m. to 4:50 p.m.