

Bylaw No. 869.23

BEING A BYLAW OF LAMONT COUNTY IN THE PROVINCE OF ALBERTA TO CONTROL THE USE OF HIGHWAYS, ROADWAYS AND STREETS WITHIN LAMONT COUNTY THE TRAFFIC AND PEDESTRIANS MOVING THEREON AND PARKING OF VEHICLES ON THE SAID HIGHWAYS, ROADWAYS AND STREETS.

WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a municipality has the direction, control and management of all roads within the municipality;

AND WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property of the people, activities and things in, on or near a public place or place that is open to the public;

AND WHEREAS the Dangerous Goods Transportation and Handling Act, RSA 2000,

c. D-4 provides that Council may, by Bylaw, regulate the transportation of dangerous goods on highways under its direction, control and management:

AND WHEREAS, by virtue of the authority vested in the County Council of Lamont County and by virtue of the Traffic Safety Act Revised statutes of Alberta 2000 Chapter T-6, and amendments thereto, which made provision for the enactment of bylaws relating to the regulation of vehicle and highway traffic.

AND WHEREAS, as Section 13 of the-Traffic Safety Act reads as follows: "with respect to highways under its direction, control and management, the Council of a municipality may make bylaws, not inconsistent with this Act, and on matters for which no provision is made in this Act, for the regulation and control of vehicle, animal and pedestrian traffic."

NOW THEREFORE, the Council of Lamont County hereby enacts a bylaw to regulate traffic in Lamont County.

SECTION 1

SHORT TITLE

1. This bylaw may be cited as "Lamont County Traffic Bylaw".

SECTION 2

DEFINITIONS

In this bylaw, including this section, the terms used in the Act were used or referred to in this Bylaw shall have the same meaning as used or defined in the Act unless they have been otherwise defined in Section (2) or unless the context expressly requires otherwise.

- 2.1 "Act" means Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6 and amendments thereto.
- (a) a truck, trailer or semi-trailer or transit vehicle or any class of vehicle that by the regulations or by any order of the Alberta Transportation Safety Board is exempted from being classified as a commercial vehicle; and includes:
- (b) a vehicle from which sales are made of goods, wares, merchandise or commodity, and

Bylaw No. 869.23

- 2.2 a Vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof. "Council" means the Council of Lamont County duly assembled and acting as such.
- 2.3 "County" means Lamont County.
- 2.4 "Crossing agreement" means a permit approved by Director, PW, from time to time that contains one or more provisions for the granting of consent to a person to do work in rights-of-way upon compliance by such person with all other applicable municipal requirements.
- 2.5 "Crosswalk" means:
- (a) that part of a roadway at an intersection included within the connection of the lateral line 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
 - (b) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by other markings on the road surface.
- 2.6 "Curbs" means the actual curb, if there is one, and if there is no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians.
- 2.7 "Daytime" means the period commencing one hour before sunrise and ending one hour after the following sunset.
- 2.8 "Dangerous goods" means any product, substance or organism specified in the regulations or included by its nature in any of the classes listed in the regulations under the Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4 as amended.
- 2.9 "Dangerous goods routes" means all or any portion of those Highways under the direction, control or management of the County designated for the transportation of dangerous goods as described on Schedule "B" and which is attached to and form part of this Bylaw.
- 2.10 "Dangerous goods route signs" means signs identified in Schedule "D" attached to and forming part of this Bylaw.
- 2.11 "Director, PW" means the County's Director of Public Works and includes his or her designate.
- 2.12 "Director, PCS" means the County's Director of Planning and Community Services and includes his or her designate.
- 2.13 "Driver" or "operator" means a person who drives or is in actual physical care and control of a vehicle.

Bylaw No. 869.23

- 2.14 "Driveway aids" means any material placed on the roadway right-of-way to assist access to a driveway including but not limited to rubber ramps, metal grates, wood ramps, and concrete blocks.
- 2.15 "Driving" or "drive" includes having care and control of a vehicle.
- 2.16 "Emergency services" means the County's Emergency Services Department.
- 2.17 "Emergency services coordinator" for Lamont County who performs the duties and responsibilities of a Fire Chief and includes his or her designate.
- 2.18 "Emergency vehicle" means a motor vehicle used:
- (a) for police duty;
 - (b) for firefighting or other type of Vehicle operated by the fire protection service of the County;
 - (c) as an ambulance operated by a person or organization providing ambulance services to the County;
 - (d) for purposes relating to maintenance of public utility and designated as an emergency vehicle by the CAO of Lamont County; or
 - (e) for Peace Officer duty, or
 - (f) a vehicle operated for either an electrical or as a gas disconnection unit of a public utility.
- 2.19 "Emergency Work" means the installation, maintenance, repair or replacement of Equipment in Rights-of-Way where health, safety or the provision of essential services is endangered.
- 2.20 "Equipment" means any pole, cables, pipes, conduits, pedestals, antennas, vaults, support structures or similar facilities or structures.
- 2.21 "Fees and Charges Bylaw" means a Bylaw approved by Council that sets the fees and charges, which is updated and replaced from time to time.
- 2.22 "Fire or Emergency Lane" means all that portion of a highway used to provide access to buildings, and so marked by signs stating fire or emergency lane.
- 2.23 "Fire Hydrant" means any privately-owned fire hydrant within the County, and any fire hydrant controlled and managed by the County.
- 2.24 "Foreign Matter" means snow, ice, dirt, debris, or other such material.
- 2.25 "Gross weight of a single axle" means the total weight a single axle transmits to a highway.
- 2.26 "Gross weight of a tandem axle" means the total weight a tandem axle transmits to the highway.
- 2.27 "Gross weight of an axle group" means the sum of the weights transmitted to the highway by all axles within the axle group.
- 2.28 "Gross weight of an axles" means the sum of the weights transmitted to the highway by:

Bylaw No. 869.23

- (a) all the axles of a vehicle, or
 - (b) all the axles of a combination of vehicles
- 2.29 "Hamlet" means a small rural unincorporated community and includes those lands located within the Hamlets of Hilliard, Star, St. Michael, Whitford, and Wostok as defined in Bylaw 675/07, as amended or replaced from time to time.
- 2.30 "Heavy Vehicle" means a vehicle, with or without load, exceeding any one of the following:
- (a) Two axles;
 - (b) Twelve point five (12.5) metres in length; or
 - (c) A maximum allowable weight of five thousand five hundred (5,500) kilograms; BUT
 - (d) Does not include Recreational Vehicles.
- 2.31 "Highway" or "roadway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether public or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and
- (a) includes:
 - (i) a sidewalk (including the boulevard portion of the sidewalk),
 - (ii) where a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (ii) where 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 fence and the edge of the roadway, as the case may be.
 - (b) does not include a place declared by the Lieutenant Governor in Council not to be a Highway.
- 2.32 "Highway Right-of-Way" means all of the land between the property line on one side of the Highway and the property line on the other side of the Highway for the length of the Highway.
- 2.33 "Holiday" means a Sunday, a public holiday as defined in the Interpretation Act (Alberta) and a day or portion of a day proclaimed by the Council as a Civic Holiday.
- 2.34 "Identification Placard" means a placard issued by the Motor Vehicles Branch of the Department of Justice to identify a vehicle operated or used by a disabled person.
- 2.35 "Implement of husbandry" means a vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations.
- 2.36 "Intersection" means the area embraced within the prolongation or connection of:
- (a) the lateral curb lines; or if none
 - (b) the exterior edges of the roadways, or two or more highways which join one another at an angle whether or not one highway crosses the other.
- 2.37 "Judge" means a commissioner, magistrate, judge, or a person appointed by Alberta Justice in such a capacity (Justice of the Peace).

Bylaw No. 869.23

- 2.38 "Landowner" means any person having a legal or equitable interest in any land or building and includes any resident, tenant or occupier of such land or building.
- 2.39 "Lane" means all that portion of a Highway used to provide access to lands, in addition to the access provided by the street in front of the said lands.
- 2.40 "Licensed weight" means the gross weight of all axles for which a public vehicle is licensed.
- 2.41 "Local Road" means any road within the rural areas of Lamont County.
- 2.42 "Maximum allowable weight" means the weight that may be borne by an axle, an axle group or all axles of a vehicle or combination of vehicles.
- 2.43 "Motorcycle" means a motor vehicle mounted on two or three wheels and includes those motor vehicles known to the trade as motorcycles, scooters and power bicycles but does not include an off-highway vehicle as defined in the Off-highway Vehicle Act.
- 2.44 "Motor vehicle" means every vehicle propelled by any power, other than muscular power, except aircraft, tractors, whether equipped with rubber tires or not, implements or husbandry and such motor vehicles as run only upon rails.
- 2.45 "Municipality" means Lamont County
- 2.46 "Nighttime" means the period commencing one hour after sunset and one hour before the following sunrise.
- 2.47 "Off-Highway Vehicle" means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain.
- 2.48 "Operator" means a person responsible for the operation of a vehicle.
- 2.49 "Operator's license" means a license to operate a motor vehicle issued pursuant to the Motor Vehicle Administration Act.
- 2.50 "Over-dimensional vehicle" means a vehicle, including any load that is carried on the vehicle, which exceeds the dimensions prescribed by regulation;
- 2.51 "Owner" is the registered owner and includes any person renting a motor vehicle or having the exclusive use thereof under a lease or otherwise for a period of more than 30 days.

Bylaw No. 869.23

- 2.52 "Park" when prohibited, means allowing a vehicle (whether occupied or not) to remain standing in one place, except
- (a) when standing temporarily for the purpose of and while actually engaged in loading and unloading of passengers
 - (b) when standing in obedience to a peace officer or traffic control device.
- 2.53 "Parking lane" means that portion of a primary highway between
- (a) the edge of the roadway to the right of the direction of traffic, and
 - (b) the nearest solid white line (not being the centre line) marked on the roadway.
- 2.54 "Passenger loading or unloading space" shall mean a space on the vehicle portion of a highway marked with an authorized sign permitting parking therein for the period necessary to load or unload passengers, provided such period is five (5) minutes parking may be allowed and the sign shall indicate the time or times when the space is restricted to these purposes.
- 2.55 "Peace officer" means a member of the Royal Canadian Mounted Police, an inspector of the Inspection Service Branch or the Department of the Attorney General or a Community Peace Officer appointed by the Solicitor General's Office.
- 2.56 "Pedestrian" means a person on foot or a person in a wheelchair.
- 2.57 "Percentage axle weight" means the percentage that is applied to the maximum allowable weights of carrying axles to determine the weight that may bear on a highway.
- 2.58 "Permit" means any one of the permits required pursuant to this Bylaw together with any corresponding applications.
- 2.59 "Person" includes one or more individuals, partnerships, corporate or unincorporated organizations, government bodies or agencies, trustees, executors, administrators or other legal representatives, other than the municipality or its legal representatives, and specifically includes the applicant and the owner of the work or equipment being done or located within the rights-of-way together with the owner's agents, contractors, invitees or legal representatives.
- 2.60 "Private Property" means any property within the County not owned by or occupied by the Government of Canada, Government of Alberta or by the County, unless otherwise outlined in Section 8.
- 2.61 "Public Place" means any place to which the public has access as of right or by invitation, express or implied, and without restricting the foregoing, to constitute a public place it is not necessary that all segments of the public have a right of access thereto.
- 2.62 "Public Property" means any property owned by or under the control and management of the Government of Canada, Government of Alberta, or by the County.

Bylaw No. 869.23

- 2.63 "Primary highway" means a highway designed as a primary highway pursuant to the Highways Development and Protection Act.
- 2.64 "Public service vehicle" means:
- (a) a motor vehicle, trailer or semi-trailer operated on a highway by or on behalf of a person, firm, association, or corporation for compensation, whether such operation is regular or only occasional or for a single trip, and
 - (b) includes a motor vehicle kept by a person, firm, or corporation for the purpose, subject to the regulations of being rented without a driver, but
 - (c) does not include a motor vehicle used solely as an ambulance or hearse.
- 2.65 "Recreational vehicle" means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation, or recreational use and includes duly licensed travel trailers, motorized homes, slide-in campers, chassis-mounted campers, boats, all-terrain vehicles, snowmobiles and tent trailers.
- 2.66 "Rights-of-way" means the highways, roads, road allowances, streets, lanes, road diversions, bridges, public utility lots, public space, public water, or other public places within the jurisdiction of the municipality, excluding:
- (a) reserve property;
 - (b) tax recovery property;
 - (c) easements, leases or licenses;
 - (d) fee simple titled property; or
 - (e) any other property designated by the Director, PCS.
- 2.67 "Road" means land
- (a) shown on a plan of survey that has been filed or registered in a land titles office, or
 - (b) used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road.
- 2.68 "Road authority" in the case of a highway that is under the direction, control and management of a county, the council of the County;
- 2.69 " **ROAD BAN**", as defined in the Traffic Safety Act, means the maximum allowable weight that may be borne on a Highway by a Commercial Vehicle pursuant to a regulation made under Sections 151 and 152 of the Traffic Safety Act.
- 2.70 "Road Use Agreement" or "RUA" means an agreement entered into with the County for the purpose of ensuring that the highway or highways affected are protected.
- 2.71 "Roadway" means that part of a highway intended for use by vehicular traffic.
- 2.72 "Rural Rights-of-Way" shall mean all rights-of-way located within the boundaries of Lamont County that are not located within any of the hamlet boundaries.

Bylaw No. 869.23

- 2.73 "Rural area" means any area other than a city, town, or village.
- 2.74 "Semi-trailer" means a vehicle designed for carrying persons or property and drawn by a truck tractor on which part of its weight and load rests.
- 2.75 "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a highway between the curb line thereof (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved.
- 2.76 "Special Roadway Event" means:
- (a) any procession or march organized primarily for the purpose of entertainment of spectators, and includes display, inspection or promotion of a cause or purpose; or
 - (b) an event or competition involving walking, running, or the use of bicycles, motorcycles, cars or other Vehicles taking place in whole or in part, on a Highway and which blocks, obstructs, impedes, hinders or otherwise interferes with or which may block, obstruct, impede, hinder or otherwise interfere with, pedestrians or vehicular traffic on a Highway and which consists of an organized group of:
 - (i) more than fifty (50) pedestrians; or
 - (ii) more than ten (10) Vehicles; or
 - (iii) any combination of pedestrians and Vehicles which together exceed fifty (50) in number;
 - (c) but does not include:
 - (i) a military, police, or emergency services parade, or
 - (ii) a funeral procession.
- 2.77 "Single axle" means an "axle" as defined in the Act.
- 2.78 "Steering axle" means the articulated axle or axle group at the front of a motor vehicle which can be controlled by the driver for the purpose of steering the motor vehicle.
- 2.79 "Stop" means:
- (a) when required, a complete cessation from vehicular movement, and
 - (b) 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 directions of a peace officer or traffic control device.
- 2.80 "'Tandem axle" means any two or more consecutive axles whose centers are more than 1.0 meters but not more than 2.4 meters apart and are individually attached to or articulated from a common attachment to the vehicle including a connecting mechanism that equalizes the load between the axles.

Bylaw No. 869.23

- 2.81 "Temporary Traffic Control Permit" means a permit, issued under the Act or under this Bylaw, authorizing the temporary control of traffic:
- (a) to minimize traffic disruption around a worksite;
 - (b) to protect equipment; and
 - (c) to ensure the safety of motorists and pedestrians and employees within a work site.
- 2.82 "Terms and Conditions" shall mean those terms and conditions outlined in a permit.
- 2.83 "Traffic control device" means any sign, signal, marking or device placed, marked or erected for the purpose of regulating warning or guiding of traffic.
- 2.84 "Traffic control signal" means a traffic control device, whether manually, electrically, or mechanically operated, by which traffic is directed to stop or proceed.
- 2.85 "Traffic lane" means:
- (a) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and
 - (b) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles, whether or not lines on the road indicate the division surface.
- 2.86 "Trailer" means a vehicle designed or carrying a load and drawn by a motor vehicle, which carries no part of the weight and load of the trailer on its own wheels.
- 2.87 "Transportation" means transportation in or by means of a vehicle.
- 2.88 "Tridem Axle Certificate" or "TAC" means a permit, issued under the Act or under this Bylaw, authorizing the operation of a commercial vehicle, with any three consecutive axles on a vehicle, on a highway.
- 2.89 "Truck" means a motor vehicle designed, used, or maintained primarily for carrying a load.
- 2.90 "Truck Loading Zone" means an area reserved expressly for commercial vehicle loading and unloading and signed accordingly.
- 2.91 "Truck Route" means a highway listed from time to time by the Director, PW and meant to facilitate heavy truck traffic as issued in a Road Use Agreement.
- 2.92 "Truck or Semi-Trailer" means a motor vehicle designed for drawing other vehicles, but not for carrying a load other than a part of the weight of the vehicle and load drawn.
- 2.93 "Urban area" means all hamlet streets within Lamont County.
- 2.94 "Vehicle" means a device in, upon, or by, which a person or thing may be transported or drawn upon a highway.

Bylaw No. 869.23

- 2.95 "Vehicle Storage Location" means a storage location for vehicles which is:
- (a) at least twenty-five (25) metres away from the nearest residential, institutional or assembly occupancy;
 - (b) not located under electrical transmission lines;
- 2.96 "Violation Tag" means a ticket or similar document issued by the County pursuant to the Municipal Government Act, RSA 2000, c. M-26.
- 2.97 "Violation Ticket" means a ticket issued pursuant to Part II or Part III of the Provincial Offenses Procedure Act, RSA 2000 c. P-34 and the regulations thereunder.
- 2.98 "Warning devices" means advance warning triangles, flares, reflectors, and red flags are approved if they comply with the specifications established by the Society of Automotive Engineers, or the Canadian Standards Association. A public vehicle shall carry approved;
- (a) flags and reflectors
 - (b) flares, or
 - (c) advance warning triangles
- 2.99 "Warning notice" means a sign or similar device to show that "this property (by way of sign) has dangerous goods on site".
- 2.100 "Work" means the installation, maintenance, repair, replacement, extension or operation of any Equipment in rights-of-way, excluding emergency work.

SECTION 3 RULES FOR OPERATION OF VEHICLES

- 3.1 No person, when driving a vehicle on a bridge, having not more than two lanes for traffic, shall drive or attempt to drive such vehicle past any other vehicle proceeding in the same direction.
- 3.2 When a vehicle is engaged in such roadway or highway construction, repairs or alterations within an area controlled by a flagman, the provisions of this bylaw relating to backing, turning, stopping, crossing the center line and making other movements, shall not apply to such vehicle.

SECTION 4 **SPEED**

- 4.1 The rate of speed for motor vehicles day or night on county roads in Lamont County shall not exceed 80 kilometers per hour in the county and 50 kilometers per hour in the hamlet unless otherwise posted.
- 4.2 Notwithstanding the provisions of subsection (4.1), no person shall drive at a greater rate of speed than the maximum rate designated by signs erected along any road or highway within Lamont County.

Bylaw No. 869.23

- 4.3 Where a speed limit is prescribed pursuant to this section the speed limit applies to all that part of the highway between the point where the first sign indicating the prescribed speed limit is posted and the point where a sign is posted indicating a greater or lesser speed or indicating that the prescribed speed limit has ceased to apply.
- 4.4 Notwithstanding the provisions of subsection (4b) above, the rate of speed for all motor vehicles on the highways and roadways within hamlets, shall not exceed 50 kilometers per hour at any time day or night, unless otherwise posted.

SECTION 5 WEIGHT RESTRICTIONS AND ROAD BANS

- 5.1 No person shall operate a vehicle in excess of the load limits, or the size limits, or in contravention of any prohibitions as stated in the Act and its regulations this bylaw or any other County bylaw without first obtaining from the County a permit to do so, subject to such conditions as specified in the permit.
- 5.2 The Director of Public Works or a Peace Officer of Lamont County is hereby appointed officers of the County to issue permits on behalf of the County under this part.
- 5.3 Upon enacting or cancelling a Road Ban, signage shall be placed on or removed from the respective Highway(s), identifying the allowable weight of Commercial Vehicles.
- 5.4 Where a sign indicates the maximum load permitted on a bridge no person shall operate a vehicle weighing with or without load in excess of the load limit so designated and marked upon the said bridge.
 - (a) If the maximum weight of the vehicle and load carried by said vehicle in respect of which an offense against this section is committed, a Summons shall be issued and any person convicted of such an offense is liable to a penalty as prescribed in the Act and Regulations thereunder as amended from time to time.
 - (b) In case of any dispute arising as to the right of any vehicle, the same shall be weighed upon scales designated by a Peace Officer of the County, and the certificate of the person weighing the vehicle shall be deemed conclusive.
- 5.5 Maximum sizes of vehicles allowed as regulated by the *Traffic Safety Act*.
- 5.6 The maximum axle weight or any combination of axles, including load, if any, as regulated by the *Traffic Safety Act*.
 - (a) Notwithstanding the provisions of subsection (5.5) where otherwise posted, the maximum axle weights of vehicles or any combination of vehicles or axles, including load, if any, shall not exceed the maximum weights indicated on the signs posted.

Bylaw No. 869.23

- (b) Notwithstanding the provisions of subsections (a) and (b) no person shall operate a vehicle or combination of vehicles on any highway within Lamont County when the weight being borne by an axle group of the vehicle or combination of vehicles is in excess of the allowable axle weight percentage indicated on the sign posted.
 - (c) No person shall operate a vehicle or combination of vehicles over or on any highway within Lamont County when the vehicle or combination of vehicles is in excess of the maximum allowable weight set out by the Act and/or regulations, without first obtaining authorization from Lamont County
 - (d) No persons shall operate a vehicle or combination of vehicles on any highway within Lamont County when the weight of the vehicle or combination of vehicles is in excess of the weight specified on the registration certificate, provincial permit or County permit.
- 5.7 The Director, PW, in his or her sole discretion, may make a determination that the use of a highway by a commercial vehicle or commercial vehicles may or will likely cause damage to a highway due to:
- (a) the weight of the commercial vehicle or commercial vehicles; or
 - (b) the frequency of use of the highway by commercial vehicles or commercial vehicles.
- 5.8 The Director, PW, in exercising his discretion under Section 5.6, shall have consideration for the following:
- (a) highway surface classification;
 - (b) daily vehicular traffic count; and
 - (c) number of occupied driveways adjacent to the highway.
- 5.9 Where the determination is made that the use may or will likely cause damage to a Highway under Section 5.6, the Director, PW, is authorized to require any operator to enter into a Road Use Agreement prior to operating a commercial vehicle upon a highway.
- 5.10 An operator entering into an RUA shall at all times ensure that the terms and conditions contained within the RUA are complied with.
- 5.11 Where an operator has entered into an RUA, failure to comply with this Bylaw may result in the cancellation of that RUA.

Bylaw No. 869.23

- 5.12 Prior to operation of a commercial vehicle on a highway, a commercial vehicle for which a TAC has been issued in accordance with the provisions of the Act must also have a TAC issued by the Director, PW, pursuant to this Bylaw.
- 5.13 Notwithstanding Section 5.11, an operator shall comply with all other provisions of the Act and this Bylaw, and without limiting the generality of the foregoing, shall obey all prohibitions, limitations, increases, or restrictions imposed by an RUA.
- 5.14 The CAO, is hereby authorized to impose road bans from time to time to define:
- (a) load limits upon highways;
 - (b) highway locations with percentage axle weights for those highways; and
 - (c) bridge locations with the maximum weights posted on those bridges.
- 5.15 Where the CAO, imposes a road ban with respect to a highway, he shall cause signs to be erected along the highway as he considers necessary to notify operators using commercial vehicles on the highway of the road ban order.
- 5.16 Exemptions to this section are:
- (a) snow removal and ice control equipment, motor graders or highway construction equipment operated or hauled by or on behalf of the County;
 - (b) commercial vehicles or combinations of commercial vehicles required by the county to transport materials needed for maintenance and repair of highways; or
 - (c) The movement of equipment to a natural or man-made disaster such as a fire, flood, train derailment or pipeline spill, provided that the Director, PW is immediately notified of the occurrence of such disaster.

SECTION 6

PARKING

- 6.1 Notwithstanding any other provision in this bylaw, the Council or their authorized representatives may cause movable traffic control devices to be placed on or near a roadway or highway for any reasonable purpose:
- (a) After such signs are placed on or near a roadway, or highway, no unauthorized person shall park or leave a vehicle on the portion so prohibited to parking for so long as the traffic control device remains.
 - (b) Any non-authorized vehicle that is on such roadway or highway when such traffic control devices are placed shall be removed promptly by its owner or operator.
 - (c) When any emergency snow removal or highway clearing commences on the designated roadway or highway, then the owner shall be charged with unlawful parking and the vehicle may be removed.
 - (d) When it is practicable the vehicle, on removal from the highway or roadway being cleared, will be left nearby to minimize inconvenience and expense to the owner or operator.

SECTION 7

SPECIAL CLASSES OF VEHICLES

- 7.1 No person, except with permission of the County, shall operate or move upon or over any paved or graveled highway any vehicle or traction engine having cleats, tracks or other devices attached to its wheels or made a part thereof, which may injure the highway.
- 7.2 No person, except with the permission of the County, shall operate or move upon or over any County Highway any vehicle, load, building, machine, contrivance or things which may obstruct traffic, or which would exceed the maximum weight limitations or any other object or thing which in the opinion of the County might have some adverse effect on the highway.
- 7.3 Before granting permission to move the load, object or thing over any highway is prescribed in Section 8.3, the County may, if in their opinion deem necessary, direct the applicant as to conditions under which such load, object or thing may be moved.
- 7.4 The County may issue a permit in special cases for the operation of a particular type of vehicle, load, or movement of any other class of traffic otherwise prohibited by this bylaw.
- 7.5 The County. may require the owner, operator, driver or mover or such vehicle and/or load, or any of them as a condition precedent to obtaining such a permit, to agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of such vehicle and/or load upon the highway, and the County may, as a condition precedent to the granting of such permit, require a bond sufficient to cover the cost of repairing such possible injury or damage to the highway. Failure on the part of the holder of the permit, the owner, or the operator, driver or mover of the vehicle and/or load, to comply with the condition set out in such permit shall constitute a breach of this bylaw.
- 7.6 Nothing in this bylaw shall be construed as to require the entering into of an agreement by the County.

SECTION 8

AUTHORITY OF THE CAO

- 8.1 The Council hereby delegates to the CAO the power to prescribe where traffic control devices and traffic control signals are to be located. Without restricting the generality of the foregoing, traffic control devices and traffic control signals shall be deemed to mean and include all stop signs, yield signs, speed limit signs, weight signs and other signs regulating the use of any roadway or highway located within the boundaries of Lamont County and falling within the jurisdiction of the said County.
- 8.2 The Council hereby directs that a record shall be kept which shall be open to public inspection during normal business hours.
- 8.3 Without restricting the generality of the foregoing section, the CAO is hereby authorized to designate any highway for through traffic purposes. Such highway shall be properly marked if stop signs or yield signs are erected at all intersections of such highway.

Bylaw No. 869.23

- 8.4 The CAO is hereby authorized to designate safety zones and cause the same to be marked.
- 8.5 The CAO is hereby authorized to designate crosswalks upon any highway and to mark the same.
- 8.6 The CAO is hereby authorized to designate any highway intersection or other place on a highway as a place at which no left hand or right hand turn or both shall be made and cause the said place to be marked with appropriate traffic control devices.
- 8.7 The CAO is hereby authorized to designate any intersection or place on a highway, including a place where a railway right-of-way crosses a highway, as a place where U-turns are prohibited and shall cause the same to be marked with an appropriate traffic control device.
- 8.8 When the Council has approved of any highway or part of a highway being designated for one way traffic, then the CAO shall cause the same to be marked with traffic control devices.
- 8.9 The CAO is hereby authorized to designate:
- (a) Any highway as one which is closed temporarily in whole or in part of traffic.
 - (b) Any area as one in which parking privileges are temporarily suspended.
 - (c) And shall cause such highway or area to be marked with appropriate traffic control devices.
- 8.10 The CAO is hereby authorized to designate any highway or roadway as one to be divided into traffic lanes of such number as then consider proper.
- 8.11 The CAO is hereby authorized to designate "school zones" and "playground zones". Such zones shall be marked by traffic control devices and traffic control signals posted along the highway, or by markings on the pavement or by lights posted or suspended over the highway. A record of the locations of such zones shall be kept by the CAO and shall be open to inspection during normal business hours.
- 8.12 The CAO shall consult with Council prior to designating vehicle speed on any highway or portion of a highway and shall cause the same to be so designated by traffic control devices, unless otherwise designated by this bylaw or any other bylaw passed by Council.
- 8.13 The CAO is hereby authorized to designate any boulevard upon which parking is permitted and shall cause traffic control devices to be erected so designating.
- 8.14 The CAO is hereby authorized to designate passenger or truck loading spaces and shall cause the same to be marked by traffic control devices.
- 8.15 The CAO is hereby authorized to designate "bus stops", including "school bus stops" and shall cause the said areas to be marked by traffic control devices.

Bylaw No. 869.23

8.16 The CAO is hereby authorized to designate:

- (a) distance from any intersection within which no parking is permitted;
- (b) portion of a highway where parking is limited to a period of time;
- (c) parking areas for county employees;
- (d) areas for angle parking on any highway; and
- (e) shall cause the appropriate traffic control devices to be erected.

8.17 The CAO is hereby authorized to prohibit or restrict by traffic control devices the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

8.18 The CAO is hereby authorized to designate:

- (a) In case of unfavorable road conditions, reduced vehicle and/or load weights as prescribed in Section 5.
- (b) Maximum vehicle weight restrictions on bridges and cause the same to be indicated by placing appropriate traffic control devices.

SECTION 9

POWERS OF PEACE OFFICER

9.1 Pursuant to the provisions of the Provincial Offences Procedure Act, and the Municipal Government Act, the Council of a municipality may by bylaw provide for the payment of traffic tickets or summons out of court.

9.2 A notice or form (commonly called a traffic tag or a violation ticket) may be issued by a peace officer or by special constables appointed by the County Council to any person charged with a breach of any of the provisions of this bylaw and the hereto mentioned Acts shall apply in regards to the payment.

9.3 A person found guilty of an offense against this Bylaw of Lamont County where no penalty has been specifically provided is liable on summary conviction to a fine not exceeding Twenty-five Hundred dollars (\$2,500.00) exclusive of costs and in default of payment to imprisonment for a period not exceeding six months.

9.4 All sections not covered by the specified penalties noted will be issued a Provincial summons with a mandatory court appearance.

9.5 Each peace officer is hereby charged with the duty of enforcing the provision of this bylaw.

SECTION 10 ROAD PROTECTION AND TRAFFIC SAFETY

10.1 No person shall do any act that is likely to cause or does damage to one or more of the following:

- (a) a highway,
- (b) a culvert,
- (c) a bridge,
- (d) any public property, situated within a highway or road allowance, or
- (e) any private property permitted by the County to be situated within a highway or road allowance.

10.2 No person shall do any act that is likely to cause or does cause an obstruction to be on or within one or more of the following:

- (a) a highway,
- (b) a culvert,
- (c) a bridge,
- (d) any public property, situated within a highway or road allowance, or
- (e) any private property permitted by the County to be situated within a highway or road allowance.'

10.3 No person shall use any implement of husbandry or machine to cultivate or harrow or in any way disturb or damage the Side slope or "Back slope" portion of a highway without permission to do so from the County

10.4 No person shall remove from a highway any gravel, asphalt, pavement or other material used to surface a roadway.

10.5 No person shall cause or do any act that causes seed, grass, hay or straw clippings or stalks to be deposited on the roadway portion of a highway.

10.6 No person shall deposit or dispose of rocks, brush, roots, twigs, branches or any other rubbish refuse or debris in a ditch or on any portion of a highway without permission to do so from the County.

10.7 The person responsible where rocks, brush or other debris is located shall be responsible for removing the rocks, brush or debris.

10.8 No person shall cause or allow oil or any chemical or any liquid to be placed on a highway without obtaining permission to do so from the County.

10.9 No person shall cause or allow to be deposited or disposed of on a highway any substance or object which may be or is hazardous to a person or vehicle.

10.10 No person shall construct an access onto or within a highway right of way or road allowance without approval or permission to do so from the County.

10.11 A peace officer is hereby authorized to take any action deemed reasonable and necessary to prevent continuation of any act prohibited by this section 11 and may, but is not restricted to the following:

- (a) Order the vehicle and cargo, equipment, implement of husbandry machine, or object to be removed from a highway;
- (b) Detour any vehicle and cargo, equipment, implement of husbandry or machine;
- (c) Order a person to cease any act which constitutes a breach of this section.

Bylaw No. 869.23

- 10.12 Notwithstanding anything in this Section 11, no person shall cause, allow or do any act that is liable to or does create an unsafe condition or a traffic hazard to exist on a highway without permission to do so from the County.
- 10.13 If in the opinion of a peace officer, a condition exists on a highway which is considered to be unsafe or a traffic hazard, a peace officer may close the highway, detour traffic or take any action deemed reasonable and necessary to remove or prevent such a condition from being on a highway.
- 10.14 A person responsible for causing an unsafe condition or traffic hazard to exist on a highway shall report the condition to a peace officer and take action forthwith to render the highway safe.
- 10.15 No person shall place or cause to be placed any handbill, advertising material or poster on a traffic control signal or traffic control device located on a highway.
- 10.16 No person shall occupy any recreation vehicle or holiday trailer as a dwelling or sleeping place at any time while it is parked on a highway.

SECTION 11

SPECIAL ROADWAY EVENTS

- 11.1 Any Person desiring to hold a Special Roadway Event within the County shall, at least two weeks prior to the time desired to hold the same, make application in writing to the Director, PW and in such application shall furnish information with respect to the following:
- (a) the name and address of the applicant;
 - (b) the nature and object of such Special Roadway Event;
 - (c) the day, dates and hours during which the same will be held;
 - (d) the intended route thereof;
 - (e) the approximate number of Persons and/or Vehicles taking part therein;
 - (f) the nature of signs, flags, banners, placards or such similar things to be carried therein and particulars of inscriptions and wording to be exhibited thereon;
 - (g) the proposed use of public address systems or loudspeakers; and
 - (h) the signatures and addresses of the Persons who will be in control of such Special Roadway Event and who undertake to be responsible for the good order and conduct thereof; and
 - (i) any other information that might be requested by the Director, PW.
- 11.2 The Director, PW, may issue a Permit, refuse a Permit, or may issue the Permit subject to such conditions as are deemed necessary in the circumstances, including the requirement for fees or bonds.
- 11.3 Where an application for a permit has been refused under 16.2, the Applicant may request a review by the CAO.
- 11.4 Failure to submit any information required by the Director, PW, or evidence of previous mismanagement of prior Special Roadway Events authorized by a Permit shall be good and sufficient reason for the Director, PW to refuse issuance of a Permit.

Bylaw No. 869.23

- 11.5 Upon a Permit being granted under this Bylaw, the Director, PW is hereby authorized, to the extent he deems necessary, to temporarily close or restrict the use of any Highway, subway, bridge or overpass or any part of any Highway, subway, bridge or overpass within the County, either as to the full width of it or as to part of the width of it and with respect to any class or any classes of Vehicles or with respect to pedestrians, and may provide for the proper enforcement of any such closing either by way of erection of barricades or by the adoption of any other means considered necessary or expedient.
- 11.6 No Person shall hold, conduct, manage, organize, or take part in any Special Roadway Event unless and until a Permit for the Special Roadway Event has been issued by the Director, PW or as expressly permitted by resolution of Council.
- 11.7 A non-refundable fee as set out in the Fees and Charges Bylaw shall accompany each application for a Permit under this Section.
- 11.8 No Person shall install or use a loudspeaker system or other device for the amplification of sound in any Public Place except as authorized by a Permit.
- 11.9 Section 11.8 does not apply to the use of sound amplification devices by ambulance, police, firefighting, or other Emergency Services.

SECTION 12

MISCELLANEOUS

- 12.1 No person shall erect or cause to be erected, built, or placed, a fence, wall, or other object on private property within fifteen (15) meters of a highway right-of-way boundary, so that good visibility for safe traffic flow is thereby interfered with.
- 12.2 No person shall continue the existence of a fence, wall, or other object on private property within fifteen (15) meters of a right-of-way boundary after the passing of this bylaw so that good visibility for safe traffic is thereby interfered with.
- 12.3 Nothing contained in this section shall affect the liability of any person to prosecution for breach of this section.
- 12.4 No person shall load or unload goods or merchandise across a sidewalk or a 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.
- 12.5 No person shall pass beyond a point designated by a peace officer or a member of a fire department near the location of a fire.
- 12.6 No person shall allow himself to be drawn by a moving vehicle while he is riding upon a sled, toboggan, skis, bicycle, skateboard, trailer, or other conveyance, upon a highway pursuant to TSA.



**LAMONT COUNTY
IN THE PROVINCE OF ALBERTA**

Bylaw No. 869.23

SECTION 14

REPEAL OF BYLAWS

This Bylaw repeals the following Bylaws:

861.23 - Road Bans Bylaw,

754.15 – Traffic Bylaw

READ A FIRST TIME IN COUNCIL THIS 12th DAY OF DECEMBER 2023.

READ A SECOND TIME IN COUNCIL THIS 9th DAY OF JANUARY 2024.

READ A THIRD TIME IN COUNCIL THIS 9th DAY OF JANUARY 2024.

[REDACTED]
Reeve David Diduck

[REDACTED]
Chief Administrative Officer [REDACTED]

FOIP Act Section 17(1)



**LAMONT COUNTY
IN THE PROVINCE OF ALBERTA**

Bylaw No. 869.23

SCHEDULES

SCHEDULE "A"	SPECIFIED PENALTIES
SCHEDULE "B"	GUIDELINES FOR APPLICATIONS AND APPROVAL FOR USE OF HIGHWAYS FOR OFF-HIGHWAY VEHICLE EVENTS
SCHEDULE "C"	STATUTORY DECLARATION FOR OFF-HIGHWAY VEHICLE EVENTS
SCHEDULE "D"	RELEASE, WAIVER AND INDEMNITY AGREEMENT FOR OFF- HIGHWAY VEHICLE EVENTS



**LAMONT COUNTY
IN THE PROVINCE OF ALBERTA**

Bylaw No. 869.23

**SCHEDULE "D"
RELEASE, WAIVER AND INDEMNITY AGREEMENT FOR OFF HIGHWAY
VEHICLE EVENTS**

Group Members Lamont
County Traffic Bylaw

This is to certify that we the members of the _____
of _____ in the Province of Alberta who have attached our signatures
hereto intend to participate, at our own risk, in the even or ride being the _____
held by the _____ on the date(s) of _____,
20____ and in consideration of using Lamont County's Highways or a portion of Highways as authorized
for the said event or ride and further good and valuable consideration, the receipt whereof being hereby
acknowledged, I do hereby freely and voluntarily release Lamont County, the Council of Lamont County,
and Councilors' of Lamont County, past, present, or future, its officers, employees, servants, independent
contractors and agents (hereinafter collectively referred to as "Lamont County") from all liability and do
hereby waive as against Lamont County all recourses, claims, causes of action and demands of any
kind whatsoever, which I, my heirs, executors, and assigns might have against Lamont County, and I do
hereby agree to indemnify and hold harmless Lamont County from any and all claims, demands, causes
of action of any kind whatsoever, including those involving negligence on the part of the said Lamont
County, that may be made against Lamont County, arising out of or connected with my preparation or
participation in any of the programs or activities referred to above.

In confirmation of the above, we have attached our signatures hereto.

Dated at _____, in the Province of Alberta, this _____
day of _____, 20____.



LAMONT COUNTY
IN THE PROVINCE OF ALBERTA

Bylaw No. 869.23

SCHEDULE "C"
STATUTORY DECLARATION FOR OFF HIGHWAY VEHICLE EVENTS

CANADA

TO WIT: PROVINCE OF ALBERTA

}

In the Matter of

I, _____
of _____ in the Province of Alberta, do
solemnly declare that I have on behalf of the _____
checked Lamont County Highways or portion of the Highways to be used for _____
_____, which will be held by the _____
_____, on the dates of _____
to _____, and have satisfied myself that the Highways or
portions of the Highways to be used for the said even or ride are satisfactory and safe for the intended
use but the members or participants of such even or ride.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the
same force and effect as if made under oath.

DECLARED before me at the _____ of _____
in the Province of Alberta, this _____ day of _____ A.D., 20____.

A commissioner for Oaths or Notary Public in and for the Province of Alberta

Bylaw No. 869.23

SCHEDULE "B"

GUIDELINES FOR APPLICATIONS AND APPROVAL FOR USE OF HIGHWAYS
FOR OFF-HIGHWAY VEHICLE EVENTS

1. Written application will be received for specific rides or events from groups, organizations, societies or clubs which:
 - i. intend to raise funds for a "Charitable Purpose" as defined in the Public Contributions Act, R.S.A. 1992, C. P-26, as amended, and who meet the requirements of the said Act; or
 - ii. wish to hold a recreational ride or event to encourage or promote their membership or group activities.
2. A group, organization, society or club shall be allowed only two rides or events, as set out in (1) above, per month.
3. A Statutory Declaration (Schedule "F") shall be provided certifying that a responsible Person within the group, organization or club has:
 - i. determined that all members or participants who take part in the ride or event hold a current financial responsibility card for liability insurance which indicates that it remains in force during the ride or event, and all Off-Highway Vehicles are properly licensed as per Motor Vehicles Administration Act, R.S.A. 1980, C. M-22, as amended.
 - ii. checked the Highways or portion of the Highways to be used and is satisfied themselves that the ditches and Highway sides to be used are satisfactory and, in his opinion, safe for the intended purpose.
4. A Waiver or Release, Schedule "G" signed by each member or participant involved in the ride or event shall be provided and shall release the County of any responsibility which may arise from the use of the Highways or portions of Highways for the intended purpose.
5. The application shall be submitted to the Director, PW at least three (3) weeks prior to the time of the proposed ride or event and shall include the date and times of the ride or event together with the name, address and telephone number of a contact Person.
6. Upon application, the Director, PW shall be authorized by Council to allow, if he deems it necessary, a pre-ride or pre-event run by representatives of the group, organization, society or club to certify the safety of the route or to mark the route or any hazards in relation to the Highways or portions of Highways as specified for use in the applications.
7. Prior to the placing of markers for the route or for hazards along the proposed route approval must be obtained from the Director, PW.
8. All signs or markings which have been placed along the route shall be removed within twenty-four (24) hours following the completion of the ride or event.
9. Failure to comply with any of the requirements of the Bylaw, the attached Schedules or any conditions of the approval, as granted, may result in cancellation of the approval and the refusal of future applications.



**LAMONT COUNTY
IN THE PROVINCE OF ALBERTA**

Bylaw No. 869.23

SCHEDULE "A" SPECIFIED PENALTIES

****ALL PENALTIES APPLIED WILL BE THE FROM THE TRAFFIC SAFETY ACT****

ONLY IN SPECIFIC CIRCUMSTANCES WILL THE TRAFFIC BYLAW APPLY

Breach of Conditions Road Use Agreement:		
First Offence	1 day suspension of the RUA +	\$ 1,000
Second Offence	1 week Suspension of the RUA +	\$ 2,500
Third Offence	Cancellation of the RUA	\$ 5,000



**LAMONT COUNTY
IN THE PROVINCE OF ALBERTA**

Bylaw No. 869.23

**SCHEDULE "D"
PAGE 2**

SIGNATURES OF MEMBERS

Please Print Name

Signature

Print name of Witness:

Signature of Witness:

Address of Witness:
