

VILLAGE OF SPRING LAKE

BYLAW # 345

**BEING A BYLAW OF THE VILLAGE OF SPRING LAKE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF
REGULATING AND CONTROLLING TRAFFIC**

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

NOW THEREFORE, the Council of the Village of Spring Lake in the Province of Alberta, duly assembled, hereby enacts the following bylaw to regulate vehicle and pedestrian traffic in the Village of Spring Lake:

1. This Bylaw may be cited as "Village of Spring Lake General Traffic Bylaw".

PART ONE – INTERPRETATION

2. (1) In this bylaw, including this Section, unless contrary context otherwise requires:
 - (a) "ACT" means Traffic Safety Act, R.S.A. 2000, Chapter T-6 and amendments thereto.
 - (b) "ALLEY" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
 - (c) "BOULEVARD" means that part of a highway in an urban area that:
 - i) is not roadway, and
 - ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
 - (d) "CENTRE LINE" means:
 - i) the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway.
 - (e) "COMMERCIAL VEHICLE" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle.
 - (f) "CAO" means the person appointed as the Chief Administrative Officer of the Village of Spring Lake.
 - (g) "COUNCIL" means the Village of Spring Lake duly assembled and acting as such.
 - (h) "CYCLE" means a bicycle, power bicycle, motor cycle or moped.
 - (i) "DAYTIME" means the period commencing one hour before sunrise and ending one hour after the following sunset.
 - (j) "DRIVER" or "OPERATOR" means a person who drives or is in actual physical control of a vehicle.
 - (k) "EMERGENCY VEHICLE" means
 - i) a vehicle operated by a police service as defined in the Police Act;
 - ii) a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
 - iii) an ambulance operated by a person or organization providing ambulance services;
 - iv) a vehicle operated as a gas disconnection unit of a public utility;

- v) a vehicle designated by regulation as an emergency response unit.
- (l) "HIGHWAY" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles in the Village, and includes
 - i) a sidewalk, including a boulevard adjacent to the sidewalk;
 - ii) where a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - iii) 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 the fence and the edge of the roadway, as the case may be, but does not include a place declared by the regulation not to be a Highway.
- (m) "HOLIDAY" means a Saturday, Sunday and a statutory holiday as defined in the Interpretation Act (Alberta) or a day or portion of a day proclaimed by the Council as a Civic Holiday.
- (n) "MAXIMUM ALLOWABLE WEIGHT" means the weight that may be borne by a commercial vehicle.
- (o) "MOBILITY AID" means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability;
- (p) "MOTOR CYCLE" means a motor vehicle, other than a moped, that is mounted on two or three wheels and includes those motor vehicles known in the automotive trade as motor cycles and scooters.
- (q) "MOTOR VEHICLE" means:
 - i) a vehicle propelled by any power other than muscular power, or
 - ii) a moped,

but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.
- (r) "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 having the exclusive use of a vehicle for a period of more than 30 days.
- (s) "PEACE OFFICER" has the same meaning as in the Provincial Offences Act.
- (t) "PEDESTRIAN" means
 - i) a person on foot, or
 - ii) a person in or on a mobility aid,

and includes those persons designated by regulation as pedestrians.
- (u) "PRIMARY HIGHWAY" means a highway designated as a primary highway pursuant to the Public Highways Development Act.
- (v) "ROADWAY" means the part of a highway intended for use by vehicular traffic.
- (w) "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:
 - 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.

- (x) "TRAFFIC CONTROL DEVICE" means any sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding of traffic.
- (y) "TRAFFIC CONTROL SIGNAL" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.
- (z) "TRAFFIC LANE" means
 - i) 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
 - ii) 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 the division is indicated by lines on the road surface.
- (aa) "TRAILER" means a vehicle so designed that it
 - i) may be attached to or drawn by a motor vehicle or tractor, and
 - ii) is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.
- (bb) "URBAN AREA" means a city, town, village, hamlet or an urban service area within a specialized municipality.
- (cc) "VEHICLE" means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.
- (dd) "VILLAGE" means the Village of Spring Lake.
- (2) Words which have been defined in the Act have the same meaning when they are used in the Bylaw, unless they have been otherwise defined in subsection (1) or unless the context expressly requires otherwise.
- (3) Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.
- (4) Words importing the singular shall include the plural or vice versa whenever the context so requires.

PART TWO – AUTHORITY

- 3. The Traffic Safety Act (Alberta), as amended, is adopted for use in the regulating and control of traffic in the Village.
- 4. Council hereby delegates to the CAO the authority to regulate and control the use of all Highways and Sidewalks in the Village as defined in this Bylaw or the Act, as amended.
- 5. Prosecutions and fines shall be determined pursuant to the provisions of the Act, as amended, and the Provincial Offenses Procedure Act (Alberta), as amended, unless a contrary prosecution or fine is prescribed by this Bylaw.
- 6. Notwithstanding any other provision in this Bylaw, 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.

7. (1) The CAO is hereby delegated the authority to prescribe speed limits in respect of any Highway over which the Village has direction, control and management, and the CAO may delegate this duty to a designated officer or employee of the County.
- (2) The CAO is hereby delegated the authority to prescribe where Traffic Control Devices, either permanent or temporary, are to be located including Traffic Control Devices restricting the speed of Vehicles.
- (3) Such Traffic Control Devices located by the CAO as delegated pursuant to Section 7(1) hereof shall be deemed to have been made by bylaw of the Village and such Person is to maintain a record of all such locations which shall be open to public inspection during normal business hours.
8. The CAO is hereby authorized to designate Crosswalks upon any Highway and cause the same to be marked.
9. The CAO is hereby authorized to designate:
 - (1) Any Highway as one which is closed temporarily in whole or in part to traffic if the road is hazardous;
 - (2) Any area as one in which parking privileges are temporarily suspended; and shall cause such Highway or area to be marked with appropriate Traffic Control Devices.
10. The CAO is hereby authorized to designate a Highway intersection or other place on a Highway as a place at which no left-hand turn or no right-hand turn or both shall be made, and shall cause the place to be signed, barricaded or otherwise restricted.
11. The CAO is hereby authorized to designate any Roadway as one to be divided into traffic lanes in such numbers as he considers proper.
12. The CAO is hereby authorized to designate "School Zones" and "Playground Zones" and shall cause such zones to be marked by Traffic Control Devices.
13. The CAO is hereby authorized to exercise the authority given to Council as a road authority under s. 108 of the Act.
14. The CAO is hereby authorized to designate distances from any intersection within which no parking is permitted and shall cause Traffic Control Devices to be erected indicating "No Parking". This provision shall not apply to Vehicles stopped in compliance with any provision of this Bylaw.
15. The CAO is hereby authorized to designate portions of a Highway where parking is limited to a period of time and shall cause Traffic Control Devices to be erected indicating such parking limitations.
16. The CAO is hereby authorized, in case of unfavorable road conditions, to establish and post load limits upon Highways.
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.
18. The CAO is hereby authorized to temporarily close any existing median or divider opening on any Highway.
19. The CAO is hereby authorized to further delegate any power given to the Village Commissioner pursuant to this Part.

PART THREE – POWERS OF PEACE OFFICERS & BYLAW ENFORCEMENT OFFICERS

20. (1) Any Peace Officer or Bylaw Enforcement Officer is hereby authorized to remove or cause to be removed any Vehicle or Trailer:
- (a) parked or left at a standstill in contravention of this Bylaw, or
 - (b) where emergency conditions may require such removal from a Highway, and such Vehicle may be removed to a place designated by the CAO or his designate, where it will remain impounded until claimed by the Owner thereof or his authorized agent.
- (2) No impounded Vehicle shall be released to its Owner or his or her agent until the impounding charge sufficient to meet the reasonable storage and removal charges on the Vehicle have been paid to the Village, or its agent for that purpose; such charge shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution.
21. Any Peace Officer or Bylaw Enforcement Officer, or the Fire Department may, in case of fire, designate a point beyond which no Person shall pass which point is proximate to such fire.

PART FOUR – OPERATION OF VEHICLES

22. All Persons owning or operating Vehicles shall comply with all Traffic Control Devices authorized under this or any other Bylaw of the Village. The penalties for breaches of this Bylaw shall be the amounts set out in Schedule "A", unless specified otherwise in this Bylaw, any other Bylaw or the Act, as amended.
- (1) No Owner or Operator of a Vehicle shall stop a Vehicle or permit a Vehicle to be left upon any Highway in such a manner as to obstruct traffic thereon;
 - (2) When the obstruction is unavoidable due to mechanical failure of the Vehicle, the Owner or Operator thereof will not be in breach of Subsection (1) hereof provided he or she promptly takes measures to remove such Vehicle from the Highway.
23. No person shall at any time operate or park a Vehicle on any Highway which has been closed by Council or closed pursuant to authority granted by Council. This section shall not apply to a Vehicle owned or operated by the Village or to a Vehicle owned or operated by a third party in the course of carrying out work authorized by Council.

PART FIVE – SPEED

24. (1) Council may pass bylaws prescribing speed limits.
- (2) The rate of speed for all Motor Vehicles on the Highways and Roadways within the Village of Spring Lake shall not exceed 30 kilometers per hour at any time of the day or night except upon Range Road 20 which all motor vehicles shall not exceed 50 kilometers per hour at any time of the day or night.

PART SIX – PARKING

25. (1) (a) No person shall park a Vehicle at a place or area where a Traffic Control Device indicates that parking there is restricted to a certain class of vehicles only, unless the Vehicle falls within the designated class of Vehicle for the place or area.
- (2) (a) No person shall park a Vehicle on any Roadway or Highway between the hours of 8:00am and 4:30pm, Monday through Friday, excluding holidays.
 - (b) No person shall park a Vehicle on any Roadway or Highway or in any place or area during such hours of the day during which parking is prohibited as designated by a Traffic Control Device.

- (3) After such Traffic Control Devices 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 a Traffic Control Device remains.
 - (a) 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.
 - (b) When any snow removal, highway clearing or grass cutting commences on the thusly designated Roadway or Highway, then the Owner shall be charged with unlawful parking and the Vehicle may be removed.
 - (c) 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.
- 26. (1) No person shall park any Vehicle upon any land owned or maintained by the Village, which the Village uses or permits to be used as a playground or recreation area or a public park or greenspace. This section shall not apply to a Vehicle owned or operated by the Village or to a Vehicle owned or operated by a third party in the course of carrying out work authorized by Council.
- (2) No person shall park any Vehicle or Trailer on a Roadway or in any place or area where a Traffic Control Device prohibits such parking.
- 27. Unless required or permitted by this Bylaw or by a Traffic Control Device, or in compliance with the directions of a Peace Officer, or to avoid conflict with other traffic, an Operator or Owner shall not stop or park or permit his or her Vehicle to be stopped or parked;
 - (1) on a Sidewalk or Boulevard,
 - (2) on a crosswalk or on any part of a crosswalk,
 - (3) within an intersection other than immediately next to the curb in a "T" intersection,
 - (4) at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately to the rear, except when his or her Vehicle is parked in the space where a Traffic Control Device indicates parking is permitted,
 - (5) within 5 meters on the approach to a stop sign or a yield sign,
 - (6) within 1.5 meters of an access to a garage, private road or driveway or a Vehicle crossway over a Sidewalk,
 - (7) within 5 meters of the near side of a marked crosswalk,
 - (8) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic,
 - (9) at any other place where a Traffic Control Device prohibits stopping or parking, during the time stopping or parking is so prohibited,
 - (10) on the Roadway side of the Vehicle parked or stopped at the curb or edge of the Roadway,
 - (11) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder Peace Officers, members of the Fire Department, ambulance drivers, rescue officers or any of their assistants,
 - (12) on a Highway where traffic is designated as two-way, in the opposite direction of the Vehicle traffic,
 - (13) in excess of 72 consecutive hours on any Highway where parking is permitted, or

- (14) in a parking lot in any area other than that wholly within the limits of a parking space designated by lines painted or marked upon the surface of the parking lot.
- 28. Any parking required on any roadway, boulevard, or highway within the Village due to construction, renovation and moving or for parking otherwise prohibited by this bylaw, authorization must be obtained from the CAO or his designate.
 - (1) Application must be made and submitted for such approval to the CAO or his designate.
 - (2) The Village, may if in its opinion deems necessary, direct the applicant as to the conditions under which such parking may take place including safety requirements, number of vehicles permitted to park, times which parking is allowed and any other condition the CAO or his designate deems necessary.
 - (3) The CAO or his designate is authorized to revoke authorization at any time.

PART SEVEN – SPECIAL CLASSES OF VEHICLES

- 29. No person shall park any Trailer (either designed for occupancy by person or for the carrying of goods or equipment) whether attached or unattached upon any Highway except at such locations as designated by the Village by a Traffic Control Device.
- 30. No person shall park a Vehicle or Trailer used for the conveyance of flammable liquid or an explosive material:
 - (1) Upon a Highway at any time.
 - (2) This section shall not apply where a Vehicle or Trailer is obliged to be parked while making deliveries in the course of its ordinary business and having a warning notice clearly displayed.
- 31.
 - (1) No person shall operate a Vehicle in excess of the load limits or the size limits as legislated in the most recent Commercial Vehicle Dimension and Weight Regulation, or in contravention of any prohibitions as stated in this or any other Village Bylaw.
 - (2) No person shall operate a Vehicle or combination of Vehicles over or on any Highway within the Village when the Vehicle or combination of Vehicles is in excess of the allowable weight without first obtaining authorization from the Village.
 - (3) The CAO or his designates are hereby appointed to issue authorization on behalf of the Village under this part.
 - (4) No person shall operate a truck over and on any Highway within the Village where Traffic Control Devices have been erected indicating that truck traffic is prohibited.
- 32.
 - (1) No person, except with permission of the CAO, 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 damage the Highway.
 - (2) No person, except with the permission of the CAO, shall operate or move upon or over any Village Highway any Vehicle, load, building, machine, contrivance or things which may obstruct traffic, or which would exceed the maximum weight limitations set out in Section 34(1) herein or any other object or thing which in the opinion of the Village might have some adverse effect on the Highway.

- (3) Before granting permission to move the load, object or thing over any Highway as prescribed in subsection (2), the Village may, if in its opinion deems necessary, direct the applicant as to conditions under which such load, object or thing may be moved.
33. (1) The CAO or his designate may issue authorization in special cases for the operation of a particular type of Vehicle otherwise prohibited by this Bylaw.
- (2) The CAO or his designate may require the Owner, Operator, Driver or mover of 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 any such Vehicle and/or load upon the Highway, and the Village may, as a condition precedent to the granting of such permit, require an irrevocable letter of credit 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 such constitute a breach of this Bylaw.
- (3) The CAO or his designate may, in writing, alter, suspend or revoke authorization whenever it is determined that:
- (a) the authorization was issued in error;
 - (b) the authorization was issued on incorrect information supplied; and
 - (c) the authorization is in violation of any Village bylaw or resolution.
- (4) Nothing in this Bylaw shall be construed to require the Village to enter into any agreement.
34. (1) The CAO or his designate shall be at liberty to require any person whose use of a Highway by a Vehicle or Vehicles may or will likely cause damage to a Highway due to the weight of the Vehicle or Vehicles or the frequency of use of the Highway by the Vehicle or Vehicles to obtain authorization to haul on the Highway and to enter into an agreement for the purposes of ensuring that the Highway or Highways affected are protected.
- (2) The application for authorization shall be in such a form as may be approved by the CAO or his designate and shall contain such information with respect to the goods and materials being hauled, the Vehicles which will be used to haul the goods and materials and the frequency of the hauls taking place.
- (3) Assuming that all of the other bylaws and requirements of the Village have been met, the CAO or his designate upon the receipt of a completed application pursuant to section 37(2) of this Bylaw shall issue authorization containing such conditions as the CAO or his designate shall deem necessary to protect the Highways being used from damage.
- (4) The CAO or his designate shall be at liberty to require any person desiring to haul goods and materials on a Highway to enter into a haul agreement, in a form approved by Council, and to provide such security to the Village to ensure compliance with the terms of the haul agreement as the CAO or his designate shall deem necessary.
- (5) Any person shall be at liberty to appeal to Council within fourteen (14) days any term or condition attached by the CAO or his designate to an authorization or any decision made by the CAO or his designate under this section 37.
- (6) No person shall haul any goods or materials on a Highway in a situation to which this Bylaw would apply without first having obtained authorization under this Bylaw and having satisfied the conditions attached to any such permit including the entering into of an agreement and the provision of security.
- (7) Any person obtaining authorization under this Bylaw shall at all times ensure that the conditions attached to any such authorization are complied with.

- (8) Any person who fails to comply with the terms of this section 37, authorization or an Agreement entered into pursuant to this section 37, is guilty of an offence and is liable on summary conviction to the penalties set out in Schedule "A" of this Bylaw.
- 35. Except for a Vehicle authorized by a highway authority to transport materials needed for emergency maintenance of a Highway, no person shall at any time operate a Vehicle on any Highway while the Vehicle is carrying gravel, sand or any material that could shift, slip, blow off or fall off the Vehicle, unless the gravel, sand or material is placed inside a container or covered so as to prevent it from blowing, slipping or falling off the Vehicle while being transported.

PART EIGHT – OBSTRUCTIONS & ENCROACHMENTS

- 36. (1) No Person shall make or place an obstruction of any kind, in, upon or above any of the Highways of the Village or place any building or structure of any nature in a manner that encroaches upon any portion of a Highway unless permission has been granted by the CAO and upon such terms and conditions as the CAO by authorization or agreement allows.
- (2) Every Person who fails to obtain permission or comply with the conditions attached thereto shall be guilty of an offence and shall, in addition to any other penalty, cause the removal of the obstruction or encroachment within 24 hours after being notified to do so by the CAO. After the expiration of the said 24 hours, the CAO may cause the removal of the obstruction or encroachment and such removal shall be at the expense of the Person causing, placing or permitting the obstruction or encroachment on the Highway.
- (3) Where an obstruction or encroachment of any kind exists in, upon or above any Highway in the opinion of the CAO creates an unsafe condition, the CAO shall be entitled to take such measures as are required for the protection of life or property.
- 37. (1) No Person shall, unless he has first obtained authorization from the CAO perform construction and maintenance work on any Highway if the work involves excavation of Roadways, Sidewalks, or Boulevards.
- (2) Pursuant to Subsection (1), the CAO may revoke the said authorization and require the Highway to be made passable to the satisfaction of the CAO.
- (3) All work performed without authorization is subject to immediate stoppage and, in addition to the specified penalty, includes payment of all costs incurred in making the Highway passable.
- (4) The CAO is hereby authorized to further delegate any power given to the CAO pursuant to this Part.
- 38. Council may grant a license or permit for the temporary occupation or use of a road allowance, public highway, or portion of a road allowance or highway when it is not required for public use.
- (1) Any person wishing to occupy or use a road allowance, public highway, or a portion thereof is required to make application, in writing either depositing therewith a plan(s) or describing by legal description the location of the road allowance, public highway, or a portion thereof, desired for occupation or use and such application shall include information to satisfactorily outline or describe the use intended.
- (2) Council may, by resolution:
 - (a) disallow the application, or

- (b) grant a license or permit for the temporary occupation or use of a road allowance, public highway, or portion thereof in accordance with the terms, conditions and provisions it considers appropriate.

- (3) A license or permit granted hereby shall be terminable on thirty (30) days' notice in writing.

PART NINE – PEDESTRIANS

- 39. (1) No person shall stand, sit or lie on any Highway in such a manner as to obstruct vehicular or pedestrian traffic or so as to annoy, inconvenience or interfere with any other person lawfully upon the Highway.
- (2) Nothing in subsection (1) of this Section shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or procession duly authorized Council.
- (3) Nothing in the subsection (1) of this Section shall be construed as prohibiting the congregation or assembling of individuals to attend and listen to street preaching or public speaking so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the Highway to allow free movement of the ordinary traffic; but should any Highway at or near such assembly become in consequence thereof so obstructed as to impede such ordinary traffic, the persons so obstructing or impeding shall forthwith move away upon being requested to do so by any Peace Officer or Bylaw Enforcement Officer. Any person failing to do so shall be in breach of this Bylaw.

PART TEN – BICYCLES

- 40. (1) Unless the context otherwise requires, a Person operating a Bicycle on a Highway has all of the rights and is subject to all of the duties that any Vehicle Operator has under this Bylaw.
- (2) A Peace Officer or Bylaw Enforcement Officer may seize and impound for a period of not exceeding 45 days a bicycle:
 - (a) used or operated in contravention of this Bylaw;
 - (b) deemed by a Peace Officer or Bylaw Enforcement Officer to be lost or abandoned.
- (3) Where a Bicycle has been seized and impounded by a Peace Officer or Bylaw Enforcement Officer as provided for in subsection (2) hereof, the Owner or Operator of such Bicycle shall, in addition to any fine or penalty to which he or she may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the Bicycle.

PART ELEVEN – MISCELLANEOUS

- 41. (1) No person shall allow himself to be drawn by a moving Vehicle while he or she is riding upon a sled, toboggan, skis, Trailer (except for Village sanctioned events) or other conveyance, upon a Roadway or Highway.
- (2) No person shall coast on a sled, toboggan, skis, Trailer or other conveyance, except a Cycle, upon a Roadway or Highway.
- (3) No person shall ice skate upon a Roadway or Highway.
- 42. (1) No person shall wash a Vehicle upon a Highway or so near a Highway as to result in depositing mud or creating slush or ice upon a Highway.

- (2) No person operating a business premises to which entry or exit for Vehicles is made by a crossing located between the highway curb and the private property line shall allow water or mud, slush or ice or icy or frozen snow to remain on the public Sidewalk or Roadway portion of such crossing, but will keep the same clean and clear of all such matter, liquids or substances as may be or become a hazard to Pedestrians.
- (3) No person owning or occupying any lands which are adjacent to a Highway and to which entry or exit for Pedestrians or Vehicles is made onto or from the Highway, shall permit any materials including soil, mud, snow, slush or ice to be pushed onto or across the Highway from the said lands or the entry or exit to or from the said lands to or from such Highway or let such materials remain on the Highway if the presence of such materials will likely constitute a danger for those using the Highway.
- 43. (1) No Person shall climb or interfere with any Traffic Control Device, protection system or any other utility system or work of the Village.
- (2) No Person shall deface or make any advertisement, legend or sign of any kind on any Highway Traffic Control Device, or street furniture unless authorized to do so by the CAO.
- 44. (1) No Person shall place or permit to be placed any sign, substance or thing upon a Highway unless authorized by the CAO to do so.
- (2) No Person shall place or permit to be placed any sign upon privately-held property indicating that no parking is permitted on a Highway adjacent to such property.
- 45. No Person shall pass beyond a point designated by a Peace Officer or Bylaw Enforcement Officer, or the Fire Department near the location of a fire.
- 46. The CAO is hereby authorized to further delegate any power given to the CAO pursuant to this Part.

PART TWELVE – PROSECUTIONS

- 47. Any Person who contravenes this Bylaw is guilty of an offence.
- 48. Persons contravening certain sections of this Bylaw shall be liable for the penalties set out in such section or set out opposite such section number in Schedule "A" hereto.
- 49. A notice of form commonly called an Offence Ticket or Traffic Tag having printed wording approved by the Community and Protective Services Department, may be issued by a Peace Officer or Bylaw Enforcement Officer to any Person alleged to have breached any provision of this Bylaw, and the said notice shall require the payment to such official in the amount specified in this Bylaw or the Act, as amended or the regulations pursuant to the Provincial Offences Procedure Act (Alberta), as amended.
- 50. (1) A notice or form commonly called a Traffic Tag may be issued by a Peace Officer or Bylaw Enforcement Officer to any person alleged to have breached any provisions of this Bylaw, and such notice shall require the payment, of the amount specified for that particular breach of this Bylaw.
- (2) If a Person has been prosecuted for the offence named in the Traffic Tag and has been convicted of such offence, then the fine imposed shall not be less than the original amount indicated on the said Traffic Tag plus court costs.
- (3) Nothing in this Section shall prevent any Person from defending a charge of committing a breach of this Bylaw.

- (4) When a Vehicle is driven, used, parked or left, in contravention of any provision of this Bylaw, the owner of the Vehicle is responsible for the contravention and liable for the penalty provided herein, unless he or she proves to the satisfaction of the court officer trying the case that at the time of contravention the Vehicle was not driven, used, parked or left, by him or her or by any other Person with his consent, expressed or implied.

51. A Traffic Tag shall be deemed to be sufficiently served:

- (1) If serviced personally on the accused, or
- (2) If mailed to the address of the registered Owner of the Vehicle concerned or to the Person concerned, or
- (3) If attached to or left securely and visibly upon the Vehicle in respect of which the offence is alleged to have been committed.

52. (1) Excepting where subsection (2) herein applies, all costs for removal and storage of the Motor Vehicle, Vehicle, load, building, machine, contrivance or thing, are a lien upon the same which may be enforced in a manner provided by the Possessory Liens Act.

- (2) If proceedings are not taken under this bylaw within 10 days after a Motor Vehicle, Vehicle, load, building, machine, contrivance or thing, is seized and detained pursuant to Part Three herein, the Motor Vehicle, Vehicle, load, building, machine, contrivance or thing shall forthwith be returned to the Owner thereof.

- (3) Notwithstanding anything in this Section, where a Motor Vehicle, Vehicle, load, building, machine, contrivance or thing is seized, a Judge having jurisdiction in the place where the offence is suspected of having been committed, may, in his or her discretion release the Motor Vehicle, Vehicle, load, building, machine, contrivance or thing, pending the disposition of any proceedings that may be taken under this Bylaw, if security is given therefore in the sum which shall not exceed \$500.00.

53. Except as otherwise provide in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than \$100.00 and not more than \$2,500.00 and in default of payment, is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.

PART THIRTEEN – TRANSITION

54. Bylaw #328 is repealed upon this Bylaw coming into effect.

PART FOURTEEN – SEVERABILITY

55. If at any time, any provision of this Bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this Bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid or ultra vires provision.

This Bylaw comes into effect on the date of final passing.

FIRST READING this day of , 2014.

SECOND READING this day of, 2014.

THIRD AND FINAL READING this day of , 2014.

VILLAGE OF SPRING LAKE


MAYOR


CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

WHEREAS, under the provisions of Section 44 of the Provincial Offences Procedure Act, being the Revised Statutes of Alberta c. P-34 and amendments thereto and under the provisions of Section 7 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, the Council of a municipality may by bylaw provide for the payment of traffic tickets or summons out of Court.

A notice or form (commonly called a traffic tag or a violation ticket) may be issued by members of the Village Patrol Department, a Peace Officer or Bylaw Enforcement Officer or by special constables appointed by the Village 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.

Part 4	Closed Highway Section 23	\$100.00
Part 6	Parking - restricted vehicle class Section 25 (1) (a)	\$57.00
Part 6	No Parking Zone (Hours) Section 25 (2) (a) & (b)	\$57.00
Part 6	Parking - snow removal/grass cutting Section 25 (3) (b) &(c)	\$57.00
Part 6	Parking - Village owned or maintained playground, public park or recreation area Section 26 (1)	\$57.00
Part 6	Parking – Roadway Section 26 (2)	\$57.00
Part 6	Parking – no stopping or parking Section 27 (1) through (14)	\$57.00
Part 6	Parking – Authorization Section 28	\$57.00
Part 7	Parking of trailer Section 29	\$57.00
Part 7	Parking vehicle with hazardous load Section 30	\$100.00
Part 7	Load Permit - Village permission Section 31 (1) & (2)	\$200.00
Part 7	Prohibited Truck Route Section 31 (4)	\$100.00
Part 7	Cleated Vehicle Section 32 (1)	\$500.00
Part 7	Hauling Agreement Section 34	\$250.00

Part 7	Hauling sand, gravel, material Section 35	
	First Offence	\$250.00
	Second Offence	\$500.00
Part 8	Obstruction on highway Section 36 (2)	\$200.00
Part 8	Excavation of Roadway, Sidewalk, or Boulevard Section 37	\$200.00
Part 11	Towing behind vehicle Section 41 (1)	\$57.00
Part 11	Coasting on roadway Section 41 (2)	\$57.00
Part 11	Skating on roadway Section 41 (3)	\$57.00
Part 11	Washing vehicles Section 42 (1) & (2)	\$57.00
Part 11	Depositing snow, soil, mud, slush, ice, or water on road Section 42 (3) & (4)	\$57.00
Part 11	Traffic Control Device Section 43 (1) & (2)	\$57.00
Part 11	Signs Section 44 (1) & (2)	\$57.00
Part 11	Passing beyond a point near a fire Section 45	\$250.00

Except as otherwise provide in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than \$100.00 and not more than \$2,500.00 and in default of payment, is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.