

BYLAW NO. 1185/2023

Being a Bylaw of the Village of Delburne, in the Province of Alberta, to regulate the Transportation of Dangerous Goods

WHEREAS, the Council of the Village of Delburne, duly assembled, deems it advisable to set forth the terms and conditions to regulate the transportation of dangerous goods in and through the Village of Delburne;

NOW THEREFORE, the Municipal Council of the Village of Delburne, in the Province of Alberta, in Council assembled, under the authority vested in it by Section 17 of the Dangerous Goods Transportation and Handling Act, hereby enacts as follows:

DEFINITIONS:

1. This bylaw may be cited as the "Transportation of Dangerous Goods Routing Bylaw".
2. Definitions in the *Dangerous Goods Transportation and Handling Act* and its Regulations, as applicable; and the definitions in the *Traffic Safety Act* and its Regulations, as applicable; are adopted for the purposes of the interpretation and the application of this bylaw.
 - a) "Placardable Quantities" means:
 - i. a consignment of dangerous goods in a quantity that requires placard(s) pursuant to the *Transportation of Dangerous Goods Regulations*; or
 - ii. an intermediate bulk container displaying labels pursuant to Section 4.15.3(c) of the *Transportation of Dangerous Goods Regulations*, SOR/2001-286, as amended.
3. No person shall transport within the corporate limits of the Village of Delburne, any Dangerous goods for which placards are required (as set out by the "Placardable Quantities" definition above) by the *Dangerous Goods Transportation and Handling Act* and its Regulations in or on any vehicle other than on an approved Dangerous Goods Route as shown on the map in Schedule "A", attached to and forming part of the bylaw, and as identified by such signs, as shall be posted, set out in Schedule "B", attached to and forming part of this bylaw, unless the said person is:
 - a) obtaining dangerous goods from or delivering dangerous goods to a location in the Village of Delburne by the most direct route between Dangerous Goods Routes; or
4. Notwithstanding Section 3, where a person is required to transport dangerous goods off a designated Dangerous Goods Route, a permit may be obtained from the Village by telephoning or writing to:
 - a) Village of Delburne: 403-749-3606 and village@delburne.ca or:
5. No person transporting dangerous goods for which placards are required (as set out by the "Placardable Quantities" definition above), shall not stop within the Village except:
 - a) to load or unload;
 - b) in compliance with a Peace Officer, an Inspector or a traffic control device;
 - c) to repair or refuel the vehicle; or
 - d) in compliance with a valid permit.

6. a) A person shall, when requested by a Peace Officer, produce for the Officer's inspection any shipping document, any permit issued under this bylaw, or any other document showing the origin of all shipments in evidence without proof of the signature or official capacity of the person signing the document. Shipping documents are required unless exempted by the TDGR (Transportation of Dangerous Goods Regulations).
- b) Particulars obtained by a Peace Officer under this Section and tendered by the Officer as evidence in Court shall be a prima facie proof of the particulars thereon submitted in evidence without proof of the signature or official capacity of the person signing the document.
7. a) A notice or form commonly called a violation ticket may be issued by a Peace Officer to any person alleged to have breached any provision of this bylaw, and that notice may require the payment in an amount, not to exceed \$500.00 as specified in Schedule "C", attached to and forming part of the bylaw, for that particular breach of the bylaw;
- b) A violation ticket shall be deemed to be sufficiently served when it is:
- i) served personally on the accused;
 - ii) mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
 - iii) attached to or left upon the vehicle allegedly involved in the offence.
- c) Nothing in this bylaw shall prevent any person from defending a charge of committing a breach of the provisions of the bylaw.
- d) Any person who commits a breach of any of the provisions of this bylaw shall, on conviction for such breach, be liable to a penalty not exceeding \$500.00, exclusive of costs, or to imprisonment, in the case of non-payment, for a term not exceeding six months, or to both fine and imprisonment.

BYLAW EFFECTIVE DATE

8. This By-law shall come into force on the date of its approval by the Minister of Transportation and Economic Corridors or delegated representative.

FIRST READING of Bylaw 1185/2023 granted this 27th day of March, 2023.

Approved by the Minister of Transportation and Economic Corridors, or delegated representative this 27 Day of April, 2023



(Signature)

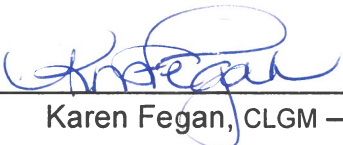


SECOND READING of Bylaw 1185/2023 granted this 11th day of April, 2023.

THIRD AND FINAL READING of Bylaw 1185/2023 granted this 11th day of April, 2023.



Tim Wilson, Mayor

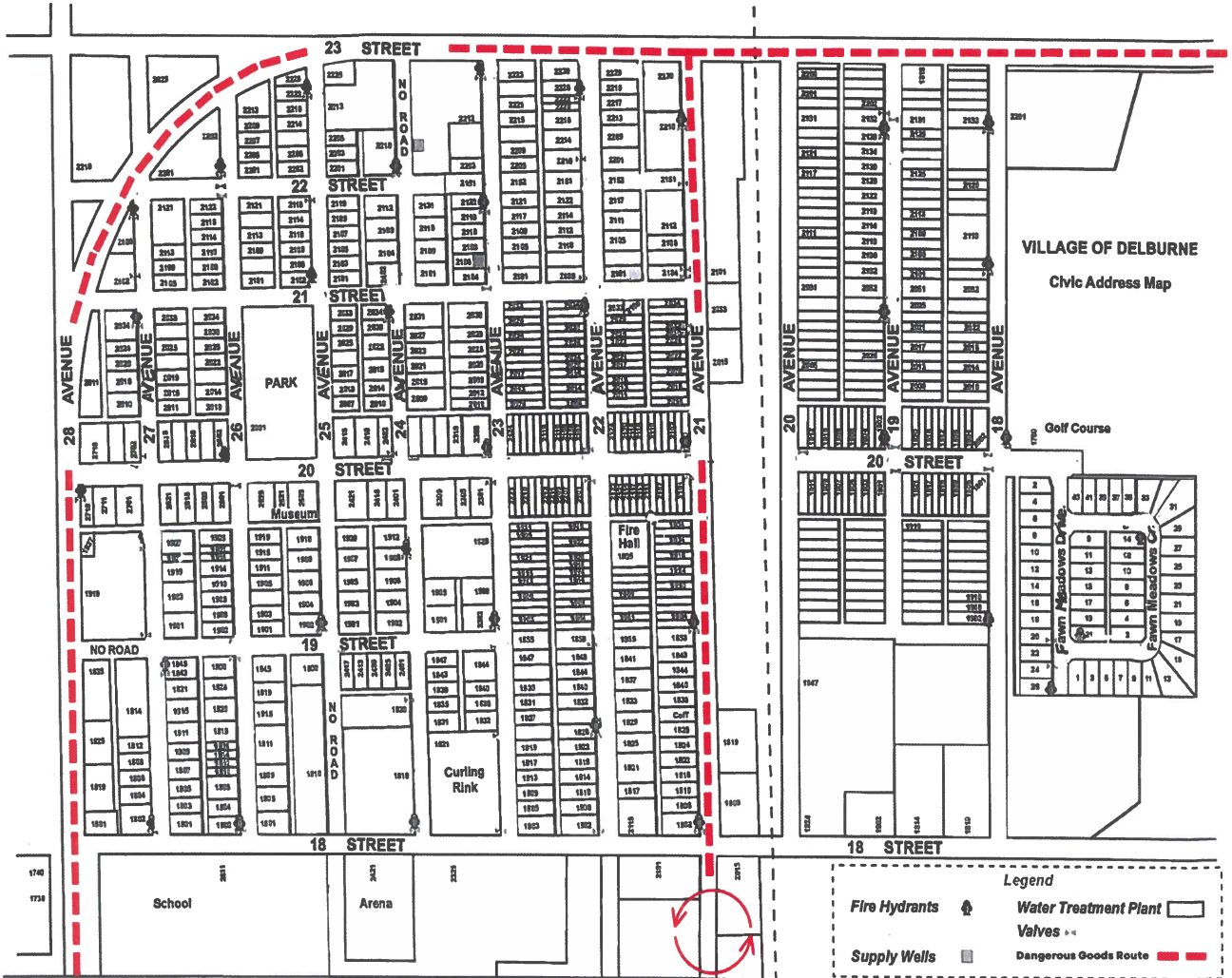


Karen Fegan, CLGM – CAO



Schedule "A"

Dangerous Goods Route Map

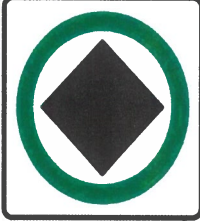





Handwritten signature in blue ink.

Schedule "B"

Dangerous Goods Route Signs

Dangerous Goods Route and Dangerous Goods Carriers Prohibited signs can be used to indicate designated dangerous goods route as set out in the dangerous goods route bylaw.

<p align="center">Dangerous Goods Route (RB-69)</p>	 <p align="center">RB-69 60 x 60 cm</p>
<p align="center">Dangerous Goods Route (tab) (RB-69-T)</p>	 <p align="center">RB-69-T 60 x 30 cm</p>
<p align="center">Dangerous Goods Carriers Prohibited (RB-70)</p>	 <p align="center">RB-70 60 x 60 cm</p>
<p align="center">Dangerous Goods Carriers Prohibited (tab) (RB-70-T)</p>	 <p align="center">RB-70-T 60 x 30 cm</p>

The *Alberta Guide and Information Sign Manual* provides guidelines and standards to for highway signs in Alberta. For information on road sign specifications, please contact Alberta Transportation at (780)415-1050 (toll free in Alberta dial 310-0000).



Schedule "C"

Schedule of Fines

- | | |
|---|----------|
| 1. Drive vehicle carrying dangerous goods, contrary to the bylaw. | \$500.00 |
| 2. Stop vehicle carrying dangerous goods, contrary to the bylaw. | \$500.00 |
| 3. Fail to produce documents which identify origin of trip and a description of the load, contrary to the bylaw. Shipping documents are required, unless exempted by the Transportation of Dangerous Goods Regulation (TDGR). | \$500.00 |

