

# BYLAW NO. 1125/2016

**Being a Bylaw of the Village of Delburne, in the Province of Alberta, to regulate vehicle traffic and to authorize the placing, erecting or marking of traffic control devices.**

WHEREAS, Part 1, Division 3 of the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta, and amendments thereto, provides that the Council of a Municipality may with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the Act governing the establishment and use of parking places that are for the exclusive use of persons with disabilities who display on their vehicles a disable placard or license plate that is issued or recognized by the Registrar; and

WHEREAS, Chapter H-7 including the Table of Contents and Sections 113 and 114 of the Highway Traffic Act of the Revised Statutes of Alberta, and amendments thereto, provides that the Council of a Municipality may, with respect to a highway under its direction, control and management, make Bylaws for the purpose of vehicular parking within the area of its jurisdiction; and

WHEREAS, Part 5, Division 1 of the Traffic Safety Act, provides that the council of a Municipality may pass bylaws for the purpose of regulating speed limits within the areas of its jurisdiction, and authorizing the placing, erecting or marking of traffic control devices; and

WHEREAS, Council of the Village of Delburne deems it proper and expedient to erect traffic control devices and regulate and control vehicle, animal and pedestrian traffic;

NOW THEREFORE, the Municipal Council of the Village of Delburne, in the Province of Alberta, in Council assembled, enacts as follows:

## **DEFINITIONS:**

1 The following words and terms are defined as follows:

- a) the word "Act" shall mean the Traffic Safety Act of the Province of Alberta and/or the Highway Traffic Act of the Province of Alberta
- b) "Village" shall mean the Village of Delburne
- c) "Council" shall mean the Council of the Village of Delburne
- d) any word, expression or term used in this By-law shall have the same meaning as in the Acts as referred to above
- e) "Boulevard" means a part of a highway that is not a roadway or part of a sidewalk used by pedestrians
- f) "Highway" means a thoroughfare, street, road, trail, avenue, parkway, driveway, land or alley whether publicly or privately owned any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes a sidewalk (including the boulevard portion of the sidewalk), if a ditch lies adjacent to and parallel with the roadway
- g) "Parking lane" means that portion of a primary highway between the edge of the roadway to the right of the direction of traffic and the nearest solid white line (not the center line) marked on the roadway
- h) "Roadway" means the part of a highway intended for use by vehicular traffic

-  i) "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

(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

j) “Urban area” means a city, town or village

## **POWERS OF VILLAGE OFFICIALS**

2 The Powers of the Village Officials shall be as follows:

- a) Council is hereby authorized to prescribe where traffic control devices are to be located.
- b) Council is hereby authorized to designate where and how vehicular parking is permitted.
- c) Council, may, from time to time, by resolution, in council assembled, prescribe where traffic control devices are to be located and may amend and/or change the locations of previously established locations.
- d) The Municipal Administrator shall keep a record of such locations, which shall be attached to this By-law as an appendix and which shall be open to public inspection during normal business hours.
- e) The powers delegated to Council in this section are subject to the express provisions of this By-law, any other By-law regulating or controlling traffic and the Acts referred to.

## **DAMAGE TO ROAD SURFACE BY VEHICLES**

3 No person shall:

- a) operate or move over any highway, any traction engine or public service or commercial vehicle having cleats or other devices attached to its shells or made a part thereof which will damage the said highway.
- b) operate or move upon, or over any highway that is surfaced with asphalt or concrete or is prepared with a base suitable, for asphalt or concrete surfacing, any motor vehicle, tractor or traction engine or any other vehicle equipped to run on tracks.

## **OBSTRUCTING THE USE OF ROADS**

4 No person shall:

- a) dump, place, abandon, unload or push any dirt, ice, snow or any other deleterious matter onto any highway which in the opinion of the Council, Municipal Administrator, and/or Public Works Foreman in any matter obstructs or impedes traffic, or drainage, unless permission is first obtained authorizing a temporary obstruction for a specified time.
  - i) The Public Works Foreman may remove or cause to be removed any such obstruction or impediment and the cost of such removal shall be charged to the owner or person making delivery thereof, and the Village Solicitor is hereby empowered and authorized to institute proceedings in any court of competent jurisdiction to recover such costs.



- b) except for loading or unloading, park any vehicle upon any highway in such a manner so as to cause an obstruction in the flow of traffic according to the Highway Traffic Act.
- c) park a vehicle on or within five (5) meters of any Stop or Yield sign.
- d) park a vehicle within five (5) meters of any fire hydrant.
- e) park a vehicle in such a way that it obstructs access to any garage, private road, or driveway.

### **RECREATIONAL VEHICLES**

- 5 a. No recreational vehicle, boat or unattached trailer can be stored in a public lane if not connected to a vehicle.
- b. A recreational vehicle, boat, or hitched trailer may only be parked on a public street, lane, or front yard, for a maximum of 48 consecutive hours, for such purposes as loading or unloading.
- c. If a recreational vehicle is used for employment and is required to be plugged in for any length of time, a permit may be obtained at the Village Office to allow the recreational vehicle to be parked on the boulevard for a maximum of 30 days.

### **SPEED LIMITS**

- 6 Maximum speed limits shall be set according to the Traffic Safety Act.

### **ENFORCEMENT AND PENALTIES**

- 7 Any Peace Officer, as defined in Part 1, Section 1 of the Traffic Safety Act, is authorized and empowered to enforce this By-law.
  - a. Any person who contravenes this By-law is guilty of an offence.
  - b. Any person convicted of an offence is subject to prosecution and penalty as set out in the Traffic Safety Act.

### **BYLAW EFFECTIVE DATE**

- 8 This By-law shall come into effect on the date of the final passing thereof.
- 9 This By-law shall rescind By-laws 1112/2015 and 1116/2015.

*RR* FIRST READING of Bylaw 1125/2016 granted this 8<sup>th</sup> day of November, 2016.

SECOND READING of Bylaw 1125/2016 granted this 8<sup>th</sup> day of November, 2016.

Moved and passed unanimously that Bylaw 1125/2016 be presented for third and final reading.

THIRD AND FINAL READING of Bylaw 1125/2016 granted this 8<sup>th</sup> day of November, 2016.

  
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Ray Reckseidler, Mayor

  
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Karen Fegan, CLGM - Administrator