

## TOWN OF MUNDARE

### BYLAW NO 798/09

The council of the Town of Mundare, duly assembled, hereby enacts

1. This bylaw may be cited as the "Traffic Bylaw"

#### DEFINITIONS

2. In this bylaw:
  - a. "commercial" shall mean the area normally used for the operation of commercial businesses;
  - b. "curb" means the actual curb or division point between that portion of the street intended for the use of vehicles and that portion intended for the use of pedestrians;
  - c. "heavy vehicle" means a vehicle or a vehicle with a trailer, with or without a load, weighing five thousand (5,000) kilograms or exceeding five (5) meters in length and includes a truck tractor;
  - d. "holiday" means:
    - i. all statutory holidays
    - ii. Sunday
    - iii. any other days designated as a holiday by Council;
  - e. "laned street" means a street divided into two or more lanes for vehicle traffic;
  - f. "parade or procession" means
    - i. any group of pedestrians marching or walking on any street and numbering twenty-five (25) or more except members of the Armed Forces
    - ii. vehicles numbering seven (7) or more and proceeding under common leadership (except funeral processions and military parades)
    - iii. or any combination thereof;
  - g. "peace officer" means
    - i) a member of the Royal Canadian Mounted Police
    - ii) a member of a municipal police service
    - iii) a community peace officer
    - iv) a bylaw enforcement officer;



- h. "road" means any road, thoroughfare, street, highway, 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 and includes
  - (i) a sidewalk, including a boulevard adjacent to the sidewalk,
  - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
  - (iii) if a road 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,
  
- i. "truck tractor" means a truck that is designed primarily for drawing another vehicle, and is not designed to carry any load other than part of the weight of the vehicle drawn, and includes a vehicle that is designed to accommodate a 5<sup>th</sup> wheel coupling, but does not include a crane equipment breakdown device;

**AUTHORITIES**

- 3. Council may, by resolution, exempt any class of vehicle from any section of this bylaw under any conditions deemed appropriate as set out in schedule C.
  
- 4. Council may establish truck routes to be used by heavy vehicles as set out in Schedule A.
  
- 5. Council may establish designated parking areas for heavy vehicles, as set out in Schedule B.
  
- 6. The Chief Administrative Officer is delegated the authority to regulate and control the use of all roads, sidewalks and public places.
  
- 7. The Chief Administrative Officer is delegated the authority to authorize the placing of traffic control devices and traffic control signals.
  
- 8. The Chief Administrative Officer is delegated the authority to temporarily close any existing road, median, or divide opening on any road.
  
- 9. A peace officer is authorized to remove or impound any vehicle which is parked or abandoned in contravention of this bylaw, or where emergency conditions require such removal from a road.
  
- 10. Members of the fire department are authorized to remove any vehicle where emergency conditions require such removal from a road without impounding the vehicle.



11. The Chief Administrative Officer is authorized to remove or impound any vehicle to carry out snow removal, garbage collection, road cleaning operations, or to facilitate parades and processions without impounding the vehicle.
12. A peace officer or the Chief Administrative Officer may remove any unauthorized structures or objects that project onto, or obstruct the use of any road.
13. Despite any other penalty that may be provided by this bylaw, a peace officer is authorized to impound any bicycle or skateboard operated in contravention of this bylaw for a period not to exceed fourteen (14) days.
14. A peace officer can place a chalk mark on the road face of the tire of a parked vehicle.
15. In an emergency condition, a fire department member may designate a point beyond which no person shall pass.
16. The CAO is authorized to delegate any authorities or responsibilities under this bylaw to any person deemed appropriate.
17. Emergency vehicles, Town vehicles and utility company vehicles are exempt from the regulations of this bylaw while carrying out their business.

#### **IMPOUND/REMOVAL**

18. The Town, peace officers, town employees, fire department personnel or any agent of the Town are not liable for any damage sustained by a vehicle or property during removal or storage as per sections 9, 10, 11, 12, 13 or 14.
19. Any impounded vehicle or property shall be released to the owner upon payment to The Town or its agent, any costs incurred for towing, transportation or storage.
20. Any cost incurred by the Town for the removal or storage of any property or vehicle will be in addition to any fines levied and become a debt owing to the Town.
21. Any costs incurred by the Town for the removal or storage of any property or vehicle may be recovered by distress upon the goods and chattels of the owner or by placing the costs on the tax roll.
22. If an impounded vehicle has not been claimed by its owner, or person in charge, within one hundred and twenty (120) hours of the time of removal, a notice may be served to the last know address of the registered owner of the vehicle stating that if the vehicle has not been claimed and all costs paid within thirty (30) days from the date the notice, the vehicle may be sold and the proceeds of such sale shall form part of the revenue of the Town.



23. Despite section 22, if the owner of a vehicle is unknown, a notice may be placed in a local newspaper once a week for two consecutive weeks. If the vehicle has not been claimed and all costs paid within thirty days (30) days of the date of last publication of the notice, the vehicle may be sold as per section 22.
24. For any property removed by the Town that is not claimed within 14 days of removal, the Town may sell or dispose of the property. The proceeds of any sale shall form part of the revenue of the Town.

### PEDESTRIANS

25. No person shall obstruct or prevent other persons from using a road or sidewalk.
26. Section 25 does not apply to persons watching a parade or procession.

### PARKING

27. No person shall park a heavy vehicle or a vehicle carrying dangerous goods on any road, backalley, or street in any residential or commercial area.
28. Despite section 27, heavy vehicles, except those carrying dangerous goods, may park in a designated parking area.
29. Despite section 27, heavy vehicles or a vehicle carrying dangerous goods may park on a residential or commercial road under the following conditions:
  - i. a recreational vehicle for a period not to exceed 48 hours;
  - ii. when needed for a construction or excavation project on the adjacent parcel;
  - iii. when unloading or loading goods for an adjacent parcel.
30. No person shall service or repair a vehicle on a road except for emergency repairs.
31. No person shall wash any vehicle or trailer on any road in such a manner as to constitute a nuisance or hazard.
32. No person shall permit oil, gasoline or grease arising from the washing, repairing or servicing of any vehicle to be deposited on or run onto any road.
33. No person shall park any motor vehicle with motor running in such a manner and such location to cause a nuisance.
34. No person shall park or stop a vehicle to interfere with the operations of any emergency vehicles, Town vehicles, or public utility vehicles.



35. No person shall park a vehicle in a lane; however, lanes may be used for:
- i. the loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes, or
  - ii. the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes;

provided that the vehicle does not obstruct the lane as to prevent the free passage of other vehicles.

36. No person shall drive or park a vehicle on a boulevard or on land used as a park except for those areas designated as a road.
37. No recreational vehicle, motor vehicle, or trailer may be parked in the front yard unless parked on a driveway.
38. No person shall leave any vehicle on any road which has been cleared, or is about to be cleared, for a parade.
39. No person shall park, or leave parked, a vehicle on a road after the expiration of twenty four (24) hours from the time a portable no parking sign or signs have been placed until the signs are removed.

#### **OPERATION OF VEHICLES**

40. No Person shall operate a Heavy Vehicle on any road, backalley or street other than a designated truck route.
41. Despite section 40, Heavy Vehicles may drive on a residential road under the following conditions:
- i. a recreational vehicle,
  - ii. when needed for a construction or excavation project on a residential property,
  - iii. when delivering or picking up goods from a residential property:
42. The use of engine retarder brakes is prohibited within the Town limits. Such limits shall include those portions of Highway 15 and Highway 855 within Town limits.
43. No person shall drive any vehicle over any unprotected hose being used by the fire department except with the consent of a peace officer or the fire department.
44. No person shall drive any vehicle at a rate of speed more than 25 km per hour:
- i. on any backalley



## ii. in turning a corner

45. No person shall permit the load, or any part of the load on a vehicle to be spilled or discharged on a road. If the load or any part of the load does spill, the person shall take immediate measures to clean the material from the road. Where the driver fails to clean the road, the Town may clean the spill and all costs incurred shall be charged to the driver.
46. No person shall tow a motor vehicle on any street with a connection so arranged that the towing vehicle and the vehicle being towed are separated by a distance greater than two and a half (2.5) meters, and no vehicle shall tow in line more than three (3) trailers, nor shall the total length of the string exceed twenty (20) meters without a permit of a peace officer.
47. No person shall drive or haul any vehicle or equipment which may damage the road beyond normal wear and tear.
48. No person shall drive a heavy truck over curb, gutter or sidewalk without suitably reinforcing the curb, gutter or sidewalk with timbers and/or planks to ensure that no damage occurs.

**BICYCLES, MOTORCYCLES, OFF ROAD VEHICLES**

49. No person shall ride a cycle on any sidewalk except where permitted by this bylaw.
50. Children's bicycles or tri-cycles having a wheel diameter of less than fifty (50) centimeters are exempt from this sections 52 to 55.
51. No person shall operate or park an off-road vehicle on land owned or leased by the Town within or outside the corporate limits of the Town.
52. Despite section 52, a resident may operate a off-road vehicle down a back lane as long as the resident is going directly out of Town by the shortest route possible from their house. The operator must slowly travel down the land and not cause any undue noise.

**General**

53. No person shall, without authorization from the Town, deposit any earth, rocks, trees, snow or other substances on any road, sidewalk or boulevard within the Town, and if such deposits have been made without authorization and the Town removes same, the expenses therefore shall be chargeable to the person responsible, in addition to any fine or penalty imposed, or to any payment made in lieu of prosecution under this Bylaw.



54. No person shall remove, damage or interfere with any barricade, notice, mark, sign, flare pot or other road devices installed by employees of the municipality, utility companies, emergency responders or those used to notify people of a vehicle in need of repair.

### OFFENSES AND PENALTIES

55. Any person who contravenes a section of this bylaw is guilty of an offence and is liable to a penalty as set out in Schedule D.
56. Despite section 56, any person who commits a second or subsequent offence under this bylaw within one (1) year of committing the first offence is liable to a fine as set out in Schedule D.
57. Any person who is guilty of an offence for which a penalty is not provided is liable to a fine as set out in Schedule D.
58. In addition to any other remedy for non compliance with this bylaw, the Town may correct the violation and the costs incurred shall be paid to the Town.
59. A peace officer is authorized to issue a violation ticket to any person who the peace officer has reasonable and probable grounds to believe has contravened any section of this bylaw.
60. Where a contravention of this bylaw is of a continuing nature, further violation tickets may be issued by the peace officer, however, no more than one violation tag will be issued for each day that the contravention continues.
61. Where a violation ticket is issued the person to whom the violation ticket is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the violation ticket.

### GENERAL

62. Any animals that are brought into Town shall be suitably tethered/restrained/contained.
63. Nothing in this bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against the person or persons responsible.
64. Nothing in this bylaw will operate to relieve any person from complying with any Federal, Provincial or other Town law, order, regulation or bylaw.
65. Should any provision of this bylaw be deemed invalid, then such invalid provision may be severed and the remaining bylaw shall be maintained.



66. That bylaw 769/06 amended be hereby repealed.

READ a first time on January 20, 2009

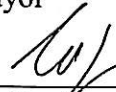
READ a second time on January 20, 2009 .

READ a third time with unanimous consent on January 20, 2009 .

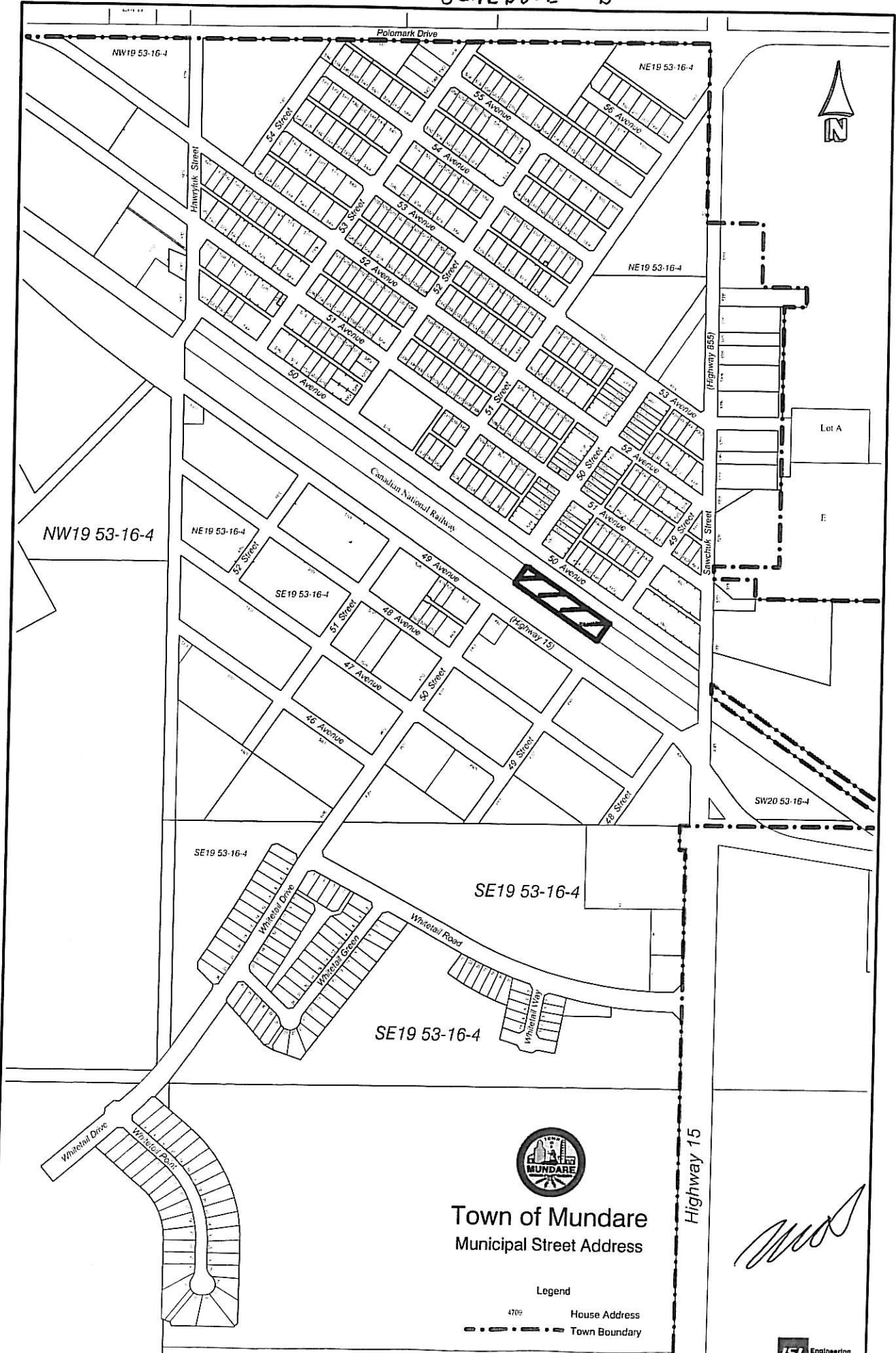
Feb 2/09  
Date

Feb 2/09  
Date

  
Mayor

  
CAO



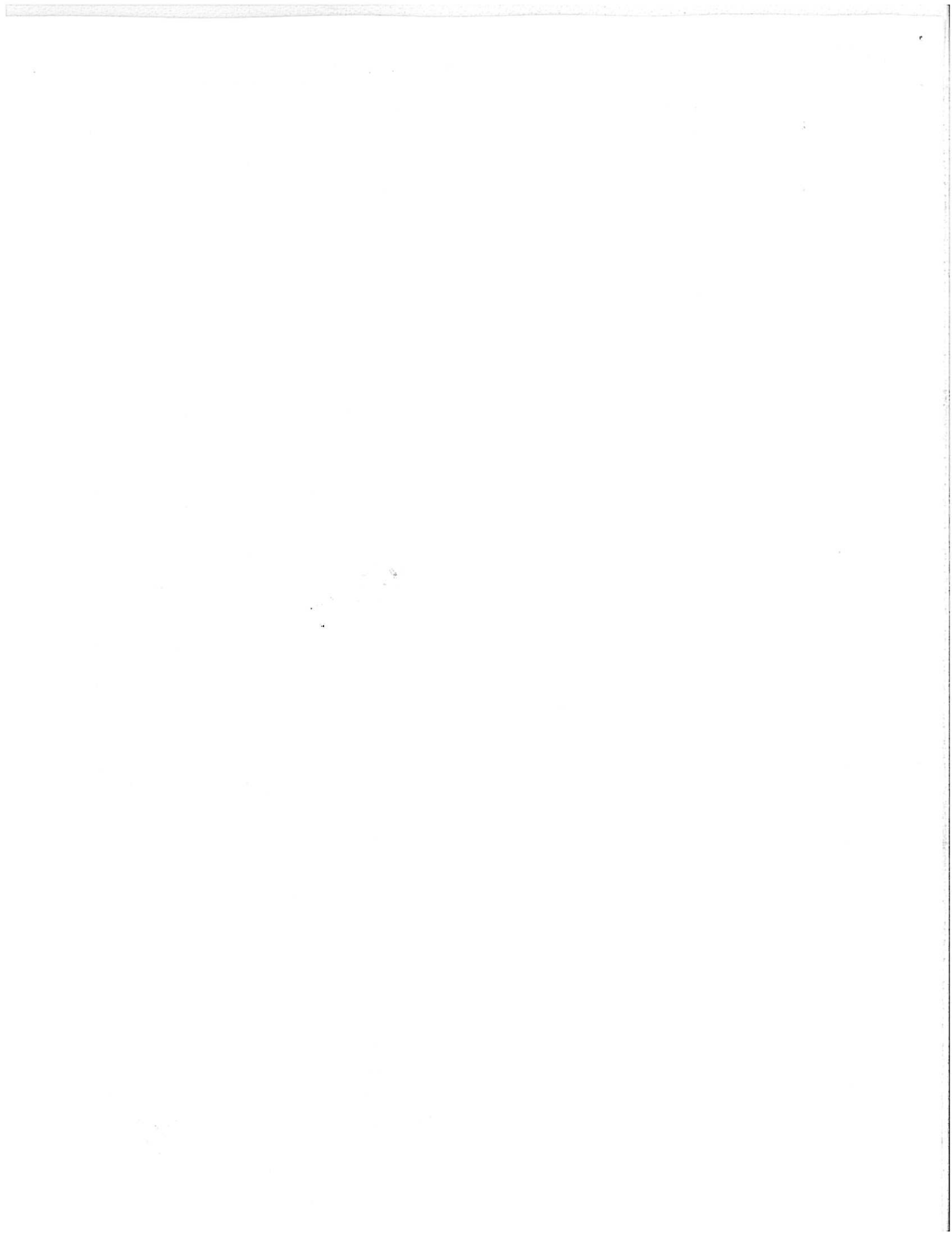


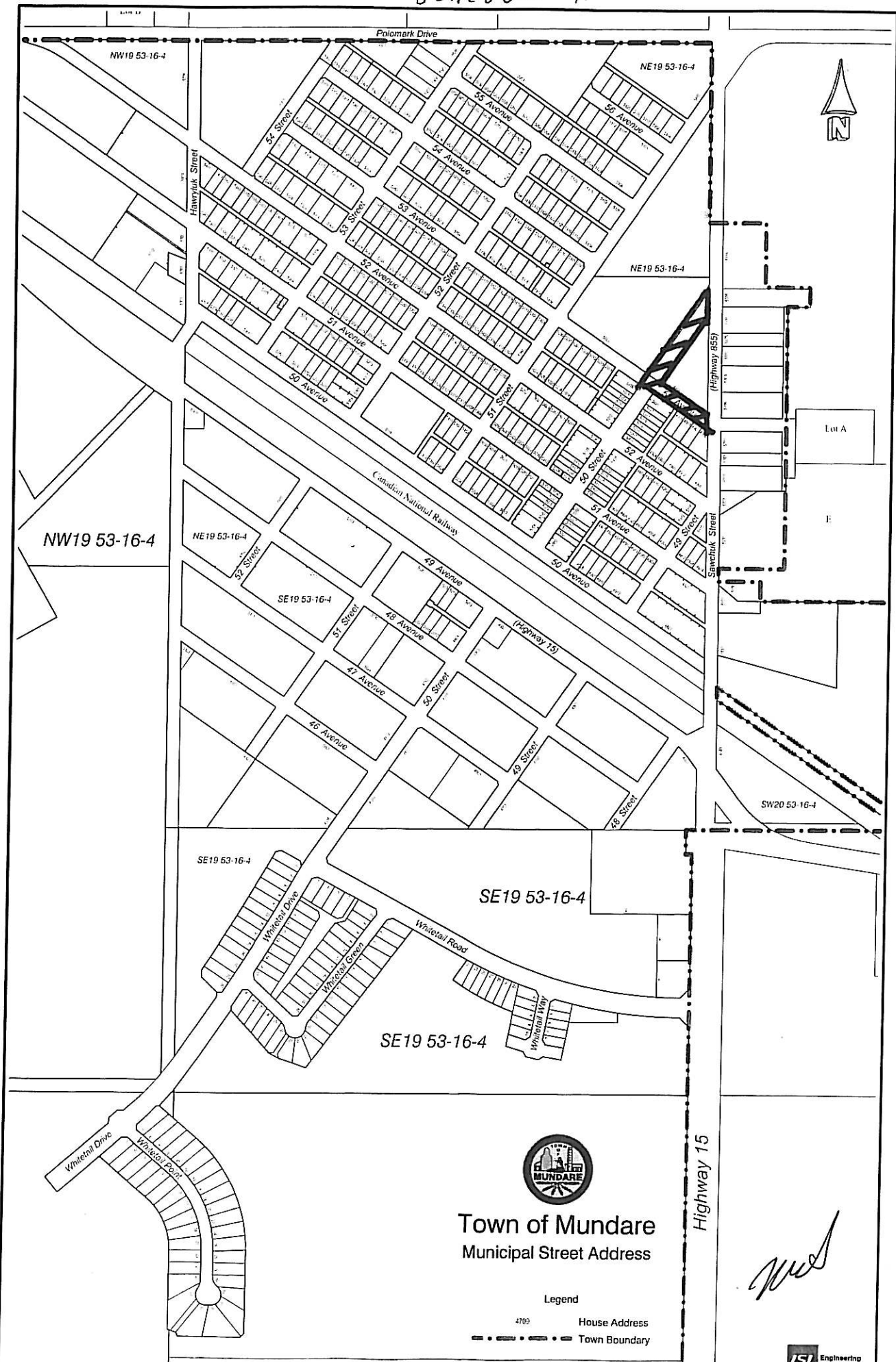
**Town of Mundare**  
Municipal Street Address



Legend

- 4709 House Address
- Town Boundary

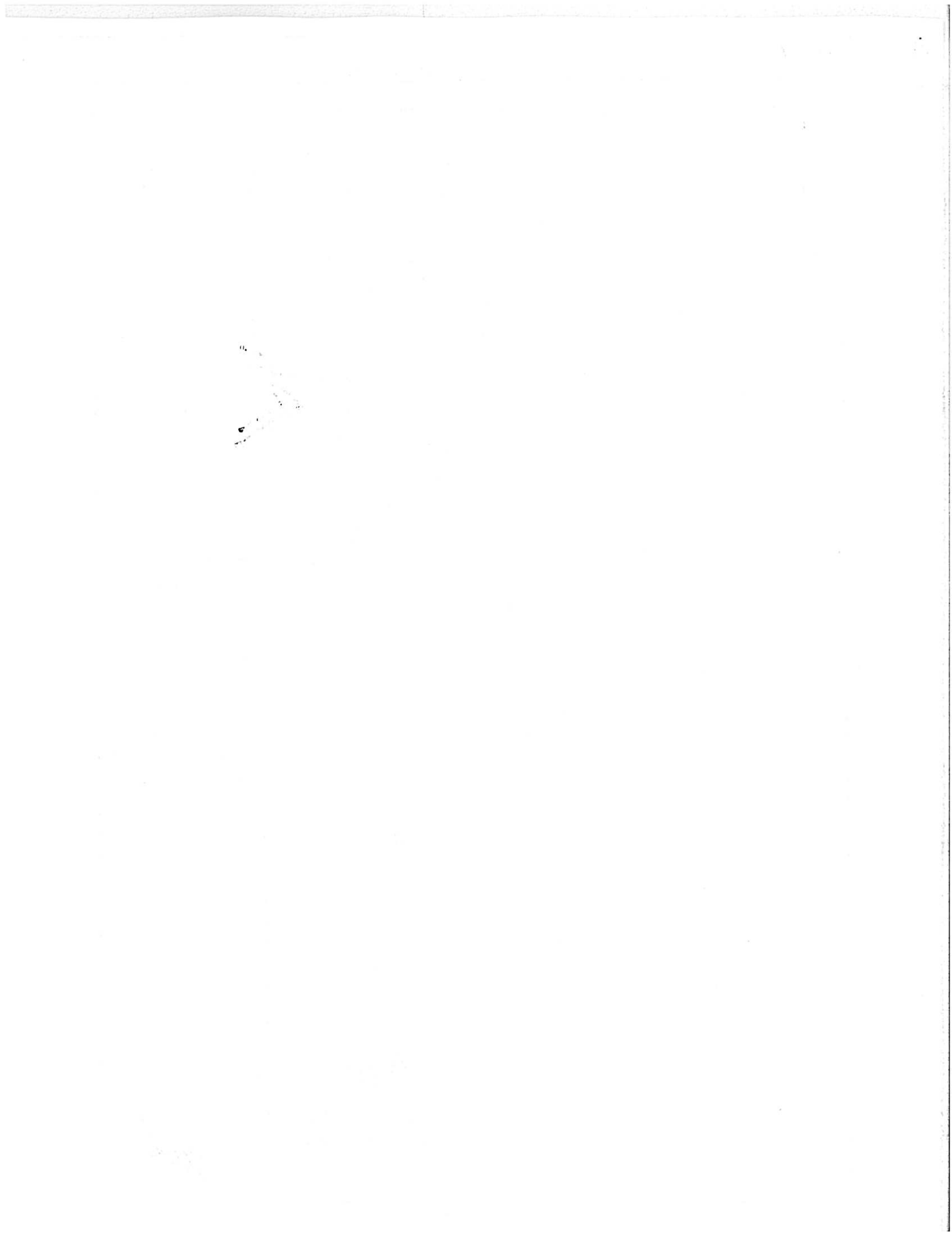




**Town of Mundare**  
Municipal Street Address

**Legend**  
 4709 House Address  
 - - - - - Town Boundary

*Mud*



Schedule C

1. Tidy tanks located on  $\frac{1}{2}$  or  $\frac{3}{4}$  ton trucks are not considered as a vehicle carrying dangerous goods.
2. A Heavy Vehicle or a vehicle carrying dangerous goods may park in a commercial area that is operating as a truck stop.

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## Schedule D

Fines

<u>Section</u>		<u>Amount</u>
25	Obstruction of use of road	\$100
27	Prohibited vehicle parking on a road	500
30	Repairing vehicle on a road	100
31	Washing creating a nuisance or hazard	100
32	Depositing oil, fuel or grease on a road	250
33	Vehicle running creating a nuisance	250
34	Interfering with the operation of vehicles	500
35	Parking in a lane	100
36	Parking on Town property	250
38	Recreational vehicle in the front yard	100
39	Parking on a road closed for a parade	100
40	Parking on road after no parking signs displayed	100
41	Driving a heavy vehicle on a road other than one designated	500
43	Using engine retarder brakes	100
44	Driving on unprotected hose	250
45	Speeding	100
46	Load spilling on road	500
47	Incorrect towing	100
48	Damage to road	500
49	Failure to reinforce curb	250



Schedule D continued

50	Bicycle on sidewalk	100
51	Skateboard on sidewalk	100
52	Off road vehicle on Town property	500
54	Deposit of items on town property	250
55	Interference with a barricade	100
63	Untethered animals	100



