

BYLAW NO. 794-11

**BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA
TO REGULATE TRAFFIC IN
MACKENZIE COUNTY**

WHEREAS the Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6 and all amendments and successors thereto, Section 13 and 14 empowers the Municipal council to pass bylaws dealing with the regulation, control and management of vehicle, animal and pedestrian traffic;

AND WHEREAS the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, gives a municipality certain powers in regard to transport and transport systems;

NOW THEREFORE, the Council of Mackenzie County, in the Province of Alberta, duly assembled, enacts a bylaw as follows:

PART 1 TITLE AND DEFINITIONS

1. This bylaw may be cited as the “Traffic Bylaw”.
2. In this bylaw, unless the content otherwise requires, the word, term, or expression:
 - a) **“ACT”** means the Municipal Government Act, RSA, 2000, Chapter M-26 and amendments thereto, the Provincial Offences Procedure Act, RSA 2000, Chapter P-34 and amendments thereto, the Traffic Safety Act, RSA 2000, Chapter T-6 and amendments thereto.
 - b) **“Alley”** shall mean a narrow passageway providing access to the rear of buildings and parcels of land including utility lanes.
 - c) **“Chief Administrative Officer”** shall mean the Chief Administrative Officer for Mackenzie County.
 - d) **“Council”** shall mean the Municipal Council of Mackenzie County.
 - e) **“County”** means Mackenzie County.
 - f) **“Crossing/Crosswalk”** means that areas used or constructed to provide access across the highway.

- g) **“Emergency Vehicle”** means a vehicle operated by a law enforcement agency, fire department, or ambulance.
- h) **“Heavy Vehicle”** shall mean a vehicle that is properly registered to operate on a highway in Alberta having a licensed maximum gross weight in accordance with the Traffic Safety Act of the Province of Alberta, as amended, of more than five thousand five hundred kilograms (5,500 kg) or exceeding ten meters (10.0 m) in length, excluding a recreational vehicle.
- i) **“Highway”** shall mean any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, 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
 - i) a sidewalk, (including the boulevard portion of the sidewalk),
 - ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - iii) if a highway right of way is contained 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 cause may be,

but

 - e.1) does not include a place declared by the Lieutenant Governor in council not to be a highway.
- j) **“Municipality”** shall mean Mackenzie County.
- k) **“Owner”** shall include any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days or the registered owner of the vehicle pursuant to the Traffic Safety Act of Alberta.
- l) **“Park”** shall mean to allow a vehicle (whether occupied or not) to remain standing in one place, except
 - i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or

- ii) when standing in obedience to a peace officer or traffic control device.
- m) **“Peace Officer”** shall mean a member of a Royal Canadian Mounted Police, a Bylaw Enforcement Officer appointed by the Municipality, or Special Constable appointed by Alberta Justice for Mackenzie County.
- n) **“Pedestrian”** shall mean a person afoot or a person in a wheel chair.
- o) **“Person”** shall mean any individual, corporation, society, association, partnership or firm.
- p) **“Roadway”** shall mean that part of a highway intended for use of vehicular traffic.
- q) **“Stop”** shall mean
 - i) when required, a complete cessation from vehicular movement, and
 - ii) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when in compliance with the directions of a Peace Officer or traffic control device.
- r) **“Street Furniture”** shall mean every curb, sidewalk, pole, traffic control device, waste receptacle, tree, plant, grass or any other property belonging to the Municipality.
- s) **“Tow Truck”** shall mean a vehicle designed or adapted for towing of other vehicles from place to place.
- t) **“Tracked Vehicle”** shall mean a vehicle having metal spikes, lugs or cleats or bands projecting from the surface of the wheel or tire of such wheel or any vehicle or trailer having skids or not using triple grouser or flat surface tracks.
- u) **“Trailer”** shall mean a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.

- v) **“Traffic Control Device”** shall mean any sign, signal, marking, or device placed, marked or erected for the purpose of regulating, warning or guiding traffic.
- w) Whenever **“time”** is referred to in this Bylaw, it shall mean either Mountain Standard Time or Mountain Daylight Saving Time, which ever is proclaimed to be in effect by the Province of Alberta.
- x) **“Vehicle”** shall mean a device in, upon or by which a person or thing may be transported or drawn upon a highway.

PART 2 PARKING

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| PROHIBITED
PARKING | 3. | (1) | No person or owner shall park or permit to be parked a vehicle for any period of time whatsoever at the following locations, namely: |
| EMERGENCY
DOOR | | | (a) where the vehicle may interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the highway. |
| ENTRANCE TO
EMERGENCY
SERVICE | | | (b) in the entrance way to any fire hall, police station, ambulance station or to any ambulance entrance to any hospital. |
| NO PARKING | 4. | (1) | No person or owner shall park or permit to be parked any vehicle upon any portion of a highway which is marked with a traffic control device as “No Parking”. |
| | | (2) | No person or owner shall park or permit to be parked any vehicle upon any portion of a highway which is marked with a traffic control device as “No Parking” during the time indicated on the traffic control device. |
| TEMPORARY
“NO PARKING” | 5. | (1) | Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer or his/her designate may cause “No Parking” traffic control devices to be placed on or near a roadway for roadway maintenance or construction purposes. |

- (2) After such traffic control devices are placed on or near a roadway, no person shall park on the portion of roadway contrary to provision of such traffic control devices.
 - (3) When roadway maintenance or construction commences, any vehicle parked on a roadway prohibited by a traffic control device may be removed pursuant to section 16 hereof.
- NO STOPPING 6. No person or owner shall stop or permit to be stopped any vehicle upon any portion of a highway which is marked with a traffic control device as "No Stopping".
- DISABLED
PERSONS
PARKING 7. (1) The Chief Administrative Officer or his/her designate is hereby delegated authority to establish parking places on property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Solicitor General.
- (2) No person or owner shall park or permit to be parked a vehicle in a parking place marked for the use of persons with disabilities, on public or private property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, unless:
 - (i) the vehicle displays a handicap placard or license plate that is issued or recognized by the Solicitor General, and
 - (ii) the vehicle is operated by, or being used to transport a disabled person.
- FIRE LANE 8. (1) The Chief Administrative Officer or his/her designate is hereby delegated authority to establish Fire lanes on property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, for the exclusive use of Emergency vehicles as defined in the Traffic Safety Act of Alberta.

- (2) No person or owner shall park or permit to be parked a vehicle in a designated Fire lane on property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, unless:
 - (i) the vehicle is a Emergency Traffic Safety Act of Alberta.

UNATTACHED TRAILER 9. No person or owner shall park or permit to be parked a trailer upon a highway unless the trailer is attached to a vehicle by which it may be drawn.

PARK IN ALLEY 10. No person or owner shall park or permit to be parked any vehicle in an alley except for the purpose of loading or unloading delivery of goods, wares, or merchandise.

PART 3 **RULES FOR OPERATION OF VEHICLES**

TRACKED VEHICLE 11. (1) Unless written authorization to do so has been issued by the Chief Administrative Officer or his/her designate, no person shall operate on a highway;

- (a) a vehicle or trailer having metal spikes, lugs or cleats or bands projecting from the surface of the wheel or tire of such vehicle, or
- (b) any vehicle or trailer having skids or not using triple grouser or flat surface tracks,

excluding a graveled highway.

(2) The Tracked Vehicle written authorization must be in the possession of the operator of the tracked vehicle being operated and shall be produced to a Peace Officer on demand.

MOVE LOAD 12. Any person moving a load or any portion of a Load shall comply with the Traffic Safety Act.

PART 4 **CONTROLLED OR RESTRICTED HIGHWAYS**

HEAVY
VEHICLE
TRAFFIC

13. (1) No operator or owner of a heavy vehicle shall travel or park within the Hamlets of Fort Vermilion and La Crete unless along the designated truck route of the municipality in Fort Vermilion Schedule "A" in La Crete Schedule "B" attached and forming part of this bylaw.
- (2) A vehicle shall not be deemed in contravention of section 13(1), if the vehicle was being operated on the most direct and most practical route between the premises or location concerned with the loading or unloading of his product of business.
- (3) Heavy vehicles may operate or park on a highway providing the vehicle complies with all weight and length restrictions as stipulated by traffic control devices.

PART 5 **MISCELLANEOUS**

FIRES

14. No person shall pass beyond a point designated by a Peace Officer or a member of the Municipal Fire Department near the location of a fire.

DAMAGE TO
STREET
FURNITURE OR
HIGHWAY

15. (1) No person shall damage, mark or deface any street furniture of the Municipality.
- (2) No person shall break, cut or otherwise damage a highway unless authorized by the municipality for maintenance purposes.
- (3) Any person found in contravention of section 15(1) or 15(2) shall be responsible for the repair or replacement costs of the damage, in addition to any fine or penalty imposed in respect to the violation.

PART 6 ENFORCEMENT

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| AUTHORITY TO ENFORCE | 16. | Any Peace Officer is hereby authorized to enforce this bylaw. |
| REMOVAL AND IMPOUNDMENT OF VEHICLE | 17. | <ul style="list-style-type: none">(1) Any Peace Officer is hereby authorized to remove or cause to be removed any vehicle;<ul style="list-style-type: none">(a) Parked in contravention of a provision of the bylaw; or(b) Where emergency conditions may require such removal from a highway.
(2) <ul style="list-style-type: none">(a) Any vehicle may be removed under section 17(1) by a regular towing service with an impound yard by a tow truck, where it will remain impounded until claimed by the owner.
(b) No impounded vehicle shall be released to its owner until towing and storage charges have been paid; such charges shall be in addition to any fine or penalty imposed in respect of the said violation. |

PART 7 PENALTIES

- 18. Penalties shall be applicable as per the Mackenzie County Fee Schedule Bylaw in place at the time of the offence.

- 19. A Peace Officer may serve a summons or offence notice in the form of a violation ticket or long information for a contravention of this bylaw, pursuant to the Provincial Offences Procedure Act. A Peace Officer may serve upon such a person a violation ticket allowing a payment of a specified penalty in the amount prescribed in the Fee Schedule Bylaw, in lieu of prosecution for the offence.

PART 8 EFFECTIVE DATE AND REPEAL OF BYLAW

- 20. This bylaw repeals Bylaw 192/99 and any amendments thereto.

- 21. This bylaw shall come into effect upon third reading thereof.

First Reading given on the 08th day of February, 2011.

Second Reading given on the 08th day of February, 2011.

Third Reading and Assent given on the 08th day of February, 2011.

(original signed)

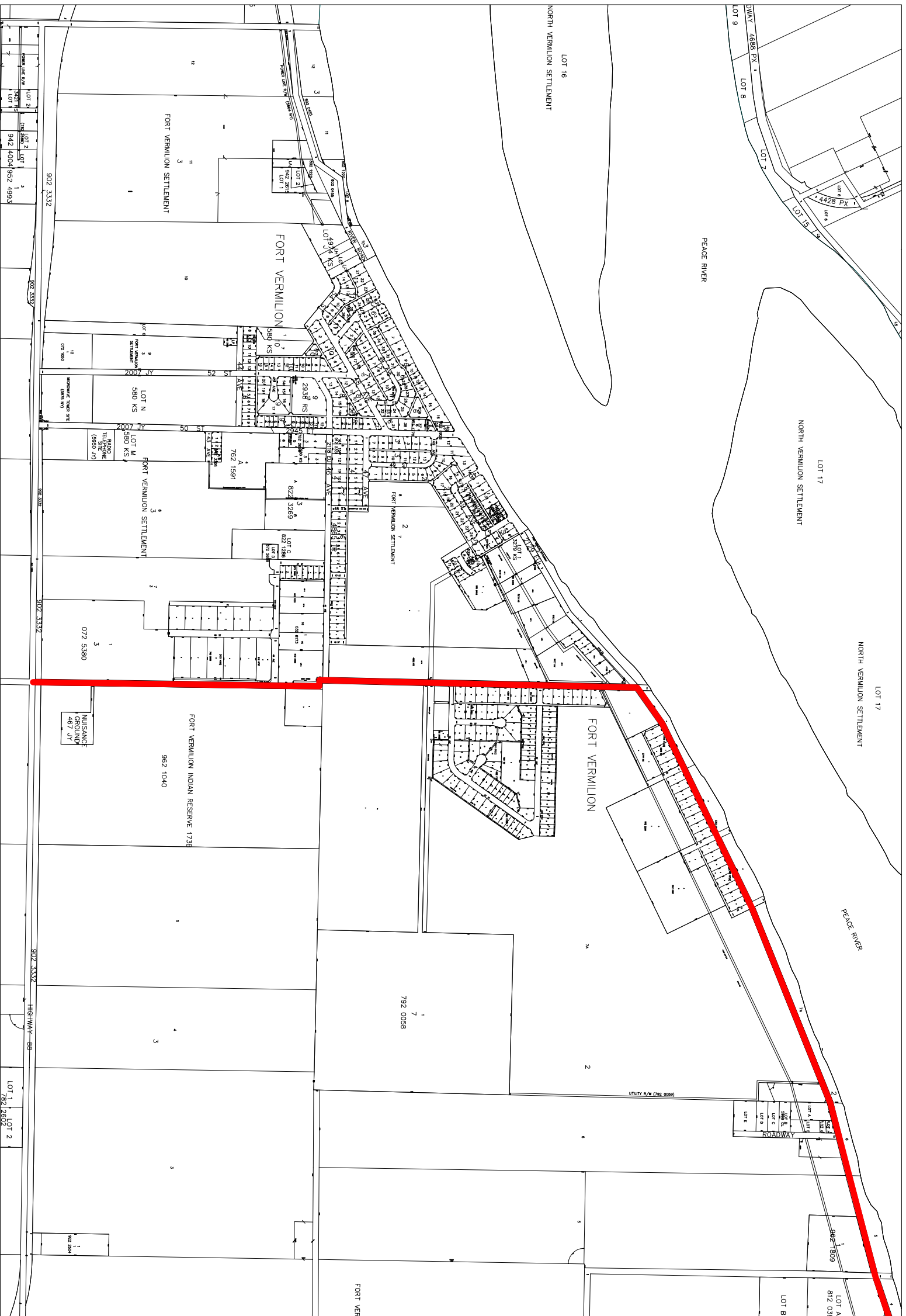
Bill Neufeld
Reeve

(original signed)

William Kostiw
Chief Administrative Officer

BYLAW NO. 794-11
Schedule "A"

HAMLET OF FORT VERMILION
TRUCK ROUTE



Bylaw No. 794-11
Schedule A
Hamlet of Fort
Vermilion
Designated
Truck Route

Legend:
 **Truck Route**

**BYLAW NO. 794-11
Schedule "B"**

**HAMLET OF LA CRETE
TRUCK ROUTE**

Bylaw No. 794-11
Schedule B
Hamlet of La Crete
Designated
Truck Route

Legend:
 **Truck Route**

