

BYLAW No. 965/TR/2010

A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATION AND CONTROL OF TRAFFIC AND PARKING WITHIN THE CORPORATE LIMITS OF THE TOWN OF FAIRVIEW

WHEREAS Pursuant to the *Traffic Safety Act*, c. T-6, R.S.A. 2000, and subsequent amendments thereto (the “Traffic Safety Act”), a Council may make bylaws pertaining to the regulation and control of Vehicle traffic and the use of Highways under the direction, control and management of the municipality;

WHEREAS The Council of the Town of Fairview deems it proper to pass a bylaw to govern the use of Highways and regulate traffic within the Town of Fairview; and

NOW THEREFORE: The Council of the Town of Fairview in the Province of Alberta, pursuant to authority conferred upon it by the *Municipal Government Act*, c. M-26, R.S.A. 2000, enacts as follows:

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1. This Bylaw may be cited as the *Traffic Bylaw*

2. In this Bylaw:

- 2.1 Unless otherwise specifically defined or inconsistent with the context of the term, all definitions in the *Traffic Safety Act* shall apply to this bylaw.
- 2.2 “Curb” means the actual curb if there is one, and if there is no curb in existence shall mean the division of a Highway between the roadway and the sidewalk or boulevard;
- 2.3 “Commercial Vehicle” means a Commercial Vehicle as defined in the *Traffic Safety Act*;

- 2.4 “Commercial Waste Container” means a receptacle intended for the disposal of refuse, construction debris, recyclable materials, or other waste materials, commonly referred to as a *dumpster* or *garbage bin*;
- 2.5 “Dangerous Goods” means goods for which placards are required by the *Dangerous Goods Transportation and Handling Act, R.S.A. 2000*, Chapter D-4, and subsequent amendments;
- 2.6 “Dangerous Goods Route” means those Highways located within the Town and identified as acceptable for Dangerous Goods transport, as identified in Schedule ‘C’;
- 2.7 “Designated Heavy Vehicle Lot” means the parking area designated by Council for purposes of parking Heavy Vehicles, specifically, that parcel of land legally described as Lot 04 Block 01 Plan 032 4664, located adjacent to the intersection of 113<sup>th</sup> Street and 100<sup>th</sup> Avenue, in Fairview, Alberta;
- 2.8 “Disabled Parking Stall” means a parking stall, whether on public or private property, that is designated and posted as a reserved stall for persons with a disability or handicap;
- 2.9 “Heavy Vehicle” means a Vehicle with or without a load, which meets or exceeds the following provisions:
- 2.5.1 is eight (8) meters in length, or
- 2.5.2 has a Gross Vehicle Weight (GVW) of 4,500 kilograms;
- but does not include a Recreational Vehicle.
- 2.10 “Highway” means a Highway as defined in the *Traffic Safety Act*;
- 2.11 “Obstruction” means an encroachment, excavation, structure or other obstacle which interferes with, or prevents the vision, passage, maintenance or use of any public property by Vehicles or pedestrians;
- 2.12 “Occupant” means a Person who is in physical possession of a property, or a Person who has responsibility for, and control over, the condition of a property, the activities conducted on that property, and the Persons allowed to enter that property;
- 2.13 “Off-Highway Vehicle” means an Off-Highway Vehicle as defined in the

*Traffic Safety Act;*

- 2.14 “Owner” means in the case of land, any Person registered as the Owner of that land on a Certificate of Title issued pursuant to the *Land Titles Act* R.S.A. 2000, c. L-4, and subsequent amendments, or in the case of a Vehicle or Trailer, the Registered Owner of that Vehicle or Trailer.
- 2.15 “Parkland” means any land used as a playground, park and recreation area, sport field, trail, public utility lot, natural area, environmental reserve, municipal reserve or school ground within the Municipal Boundaries of the Town of Fairview;
- 2.16 “Peace Officer” means a member of the Royal Canadian Mounted Police, a Community Peace Officer or a Bylaw Enforcement Officer;
- 2.17 “Public Works Manager” means the Public Works Manager of the Town or his or her designate;
- 2.18 “Recreational Vehicle” means a Vehicle that is designed, constructed and equipped as a temporary dwelling place, living abode or sleeping place;
- 2.19 “Road Ban” means a weight limit for Commercial Vehicles implemented with respect to Highway under the direction, management and control of the Town, enacted pursuant to the Town’s authority under Section 152 of the *Traffic Safety Act*.
- 2.20 “Roadway” means that part of a Highway intended for use by vehicular traffic;
- 2.21 “Town” means the Town of Fairview;
- 2.22 “Track” means to allow, cause or permit any substance or material of any nature to become loose, detached, blown, dropped, or spilled from any Vehicle, appurtenances, or tires onto any Highway;
- 2.23 “Traffic” means pedestrians, animals, or Vehicles using a Highway or Sidewalk for the purpose of travel;
- 2.24 “Traffic Control Device” means any sign, signal, marking or device placed, marked or erected under the authority of this bylaw or the *Traffic Safety Act* for the purpose of regulating, warning or guiding Traffic;
- 2.25 “Travel Trailer” means a Trailer intended to provide accommodation for vacation use and licensed and equipped to travel on a Highway;

- 2.26 “Truck Route” means those Highways located within the Town and identified as a Truck Route in Schedule “B” to this bylaw;
- 2.27 “Violation Tag” means a municipal tag issued pursuant to the authority of Section 7 of the *Municipal Government Act*;
- 2.28 “Violation Ticket” means a violation ticket issued under Part II or III of the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34*

### **PART I - RULES FOR OPERATION OF VEHICLES**

#### **3. Damaging a Highway**

- 3.1 No Person shall operate a Vehicle having metal spikes, lugs, tracks, cleats, skids, or bands projecting from the surface of the wheel or tire of the Vehicle, upon a Highway, unless a permit to do so has been issued by the Public Works Manager.
- 3.2 No Person shall Track material onto a Highway within the municipal boundary.

#### **4. Use of Tarpaulins and Securing Loads**

- 4.1 No Person shall operate a Vehicle on a Highway, with or without a load, without removing any loose material from the top and outside of the Vehicle body, Vehicle box, hitch and/or Trailer box.
- 4.2 All loads of earth, sand, gravel, snow or other loose material shall be at least seven point five (7.5) centimetres (cm) below the top of the Vehicle box, sideboards, or Trailer box, or covered entirely by a tarpaulin or other covering device.
- 4.3 No Person shall drive a Vehicle with a load, or pull onto a Highway with a load, unless the load has been properly secured to prevent spilling or shifting.
- 4.4 In the event that any part of a Vehicle’s load becomes loose or detached or blows, drops, spills or falls from any Vehicle onto a Highway, the operator shall take all reasonable, and safe precautions to safeguard traffic and to remove any materials from the Highway, as soon as possible.

#### **5. Parkland**

- 5.1 No Person shall operate a Vehicle of any kind, including Off-Highway Vehicles, on any Parkland unless explicitly authorized by a Traffic Control Device.

## 7. Road Bans and Temporary Closures

- 7.1 The Public Works Manager may impose Road Bans or temporary closures, on any Highway under the Town's direction, control and management.
- 7.2 No Person shall operate a Commercial Vehicle on a Highway where a Road Ban has been imposed where the weight of that Commercial Vehicle is in excess of the limit prescribed by the Road Ban.
- 7.3 No Person shall operate a Vehicle on a Highway that has been designated as temporarily closed.

## 8. Speed

- 8.1 Unless otherwise posted, Vehicles may not exceed a driving speed of 50km/hr on all Roadways within town limits.
- 8.2 Unless otherwise posted, the speed limit for all Alleys is 20km/hr.

## **PART II - PARKING**

### 9. Parking-General

- 9.1 No Person shall make a left turn across the centre-line of a Highway for the purpose of parking on the opposing side of the Highway.
- 9.2 When commencing to move a parked Vehicle, the driver of such Vehicle shall not drive over the centre-line of any Highway between intersections.
- 9.3 No Person shall park any Vehicle on any Highway or other public property at the same location for a period of time exceeding seventy-two (72) consecutive hours.
- 9.4 Notwithstanding Section 9.4, no Person shall park a Vehicle on a Highway for a time period in excess of a limit posted on a Traffic Control Device.

## 10. Parking in an Alley

- 10.1 A Person shall not park a Vehicle in an Alley unless a Traffic Control Device permits such parking.
- 10.2 Notwithstanding Section 10.1, and provided that the Vehicle does not obstruct the Alley so as to prevent the safe passage of other Vehicles and pedestrians, an Alley may be used for unloading and loading.

## 11. Parking for Persons with Disabilities

- 11.1 No Person shall stop or park in a Disabled Parking Stall unless:
  - 11.1.1 their Vehicle displays a valid handicapped or disabled placard or specialized license plate issued by the Government of Alberta or other provincial or state government for purposes of indentifying the operator of the Vehicle as a handicapped or disabled Person; and
  - 11.2.2 the Vehicle is operated by, or is being used to transport, a Person with a handicap or disability.

## 12. Maintenance/Construction No Parking

- 12.1 Notwithstanding any other provision in this Bylaw, the Public Works Manager may cause No Parking signs to be placed on or near a Highway for maintenance or construction purposes, including snow clearing or street sweeping projects.

## 13. Trailers and Recreational Vehicles

- 13.1 No Person shall park a Recreational Vehicle, Travel Trailer, Vehicle and Trailer combination, or Recreational Vehicle and Trailer combination on a Highway unless it is:
  - 13.1.1 parked in such a manner as not to cause or create an obstruction or prevent the safe passage of Vehicles or pedestrians; and
  - 13.1.2 parked on the Highway for a period no longer than forty-eight (48) hours.
- 13.2 No Person shall place, or permit to be placed, a detached Trailer on a Highway.

- 13.3 Notwithstanding Sections 13.1 or 13.2, where parking a Trailer on a Highway is unavoidable due to mechanical failure, a Person shall not be in breach of those provisions provided that measures are taken to remove the Trailer from the Highway as soon as safely possible.

#### 14. Prohibited Parking

- 14.1 A Person shall not stop or park a Vehicle at any of the following locations:
- 14.1.1 on Curbs or boulevards, nor on school or municipal properties, except for the purpose of utility servicing, loading or unloading, or the delivery of goods, wares or merchandise and then only with the prior permission of the Town;
  - 14.1.2 in any place where the Vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the Highway;
  - 14.1.3 on a sidewalk;
  - 14.1.4 so as to obstruct or encroach on a sidewalk;
  - 14.1.5 within five (5) metres of a stop sign or yield sign;
  - 14.1.6 within five (5) metres of a marked crosswalk;
  - 14.1.7 within one and a half (1.5) metres of a Vehicle access to a garage, private road, driveway or electrical transformer;
  - 14.1.8 at any place where a Traffic Control Device prohibits stopping or parking;
  - 14.1.9 on any Parkland except where expressly authorized by a Traffic Control Device;
  - 14.1.10 within four point five (4.5) metres of an intersection;
  - 14.1.11 on a Highway as to face oncoming Traffic;
  - 14.1.12 within five (5) meters of a fire hydrant;
  - 14.1.13 in contravention of a Traffic Control Device.
- 14.2 No Person shall park or leave an inoperative Vehicle, or leave a Vehicle raised on blocks or a jack, upon a Highway.

## 15. Commercial Loading Zones

- 15.1 No operator or Owner shall park or stop or permit the parking or stopping of a Vehicle in a Commercial Loading Zone unless:
  - 15.1.1 The Vehicle bears a license plate identifying it as a Commercial Vehicle; and
  - 15.1.2 The Commercial Vehicle is actively engaged in the loading or unloading of merchandise or other materials for a period of time not exceeding twenty (20) minutes.
- 15.2 For the purpose of loading or unloading goods, wares or merchandise in the commercial zone, front street or avenue loading shall be prohibited where such loading and unloading facilities are provided at the rear.

## 16. Specified Exemptions

- 16.1 Notwithstanding anything elsewhere contained within this Bylaw, the provisions relating to parking or stopping of Vehicles do not apply to:
  - 16.1.1 emergency Vehicles;
  - 16.1.2 service Vehicles used in conjunction with the servicing of public utilities;
  - 16.1.3 municipal and other government public works Vehicles;
  - 16.1.4 funeral cars;
  - 16.1.5 towing services Vehicles.

## 17. Private Property

- 17.1 No Person shall park or otherwise leave a Vehicle on private property unless they have obtained permission from the Owner of that property.
- 17.2 The Owner or Occupant of lands or a business may post signage indicating that a particular parking lot or parking stall under their jurisdiction is reserved for customers of their business, specific individuals or employees, or is limited to parking for a maximum duration of time.
- 17.3 No Person shall park a Vehicle in contravention of signage posted under



the authority of Section 17.2.

- 17.4 Where an Owner or Occupant of lands or a business determines that a Vehicle is in contravention of signage posted pursuant to Section 17.2 above, the Owner or Occupant is authorized to file a complaint with the Town.
- 17.5 A complaint made pursuant to Section 17.4 shall include the license plate numbers of the contravening Vehicle, identifying details of the Vehicle, and all relevant particulars of the circumstances, and may include photographs of the posted signage and the contravening Vehicle.
- 17.6 On receiving a complaint of a contravention of Section 17.1 or 17.2, the Town may refer the complaint to a Peace Officer, who is authorized to issue a Violation Tag or Violation Ticket to the operator or Registered Owner of the Vehicle in contravention of the signage and/or have the contravening Vehicle towed from the private property.

### **PART III - SNOW AND ICE CLEARING**

#### 18. Snow Loading

- 18.1 No Person shall park a Vehicle on any Highway so as to obstruct snow ploughing, snow loading operations, or as to otherwise interfere with Traffic flow.

#### 19. Snow Placed on Road

- 19.1 No Person shall place, or permit to be placed, any snow, ice or other debris or material removed from private property onto a roadway, onto other public property or onto private property that is not his or her own.
- 19.2 A Person who contravenes Section 19.1 or 20.2 shall remove the offending snow, ice or other debris or material within twenty-four (24) hours of being given notice by the Bylaw Enforcement Officer to remove the snow, ice or other debris or material.
- 19.3 The Public Works Manager, after the expiry of the twenty-four (24) hours, or if deemed necessary at any time, may cause to remove and clear away any contravening snow, ice or other deposited material.
- 19.4 If removal of snow, ice, or other debris or materials occurs pursuant to Section 19.3 or 20.2 of this Bylaw, all costs of such removal, including reasonable administration fees, are a debt owing to the Town jointly and severally by the Person responsible for its placement and the Owner of the

lands from which the snow, ice, or other debris or material originated.

- 19.5 No employee or agent of the Town shall be liable for contravention of Section 19 when acting in the performance of his duties.

20. Snow on Roofs and Eaves

- 20.1 No Owner or Occupant of lands or a building shall permit the accumulation of snow or ice from roofs, eaves or downspouts so as to create a potential danger to Vehicles or pedestrians on a Highway.
- 20.2 Where such accumulation is deemed dangerous by the Public Works Manager, notice may be given pursuant to Section 19.2, or the Town may otherwise take whatever action is necessary to rectify the danger.

**PART IV - BICYCLES, SKATEBOARDS AND HORSES**

- 21.1 No Person shall ride a bicycle on any sidewalk, unless such bicycle is a children's bicycle or tricycle having a wheel diameter of 50cm or less.
- 21.2 No Person shall roller skate, roller blade or ride a skateboard in an unsafe manner on any sidewalk within the Town.
- 21.3 No Person shall ride a bicycle between sunset and sunrise unless the bicycle is equipped with front and rear reflectors, a bell and a light.
- 21.4 No pedestrian shall cross, or attempt to cross, any Highway unless at a marked crosswalk or at an intersection.
- 21.5 The driver or other Person in charge of any horse-drawn implement on a Highway shall remain upon such implement while it is in motion or shall walk beside the horse drawing such implement and ensure that the horse-drawn implement is compliant all Traffic rules.
- 21.6 The driver or other Person in charge of any horse shall cause any defecation to be removed immediately.

**PART V - SPECIAL HIGHWAY EVENTS**

22. Parade/Procession Events

- 22.1 Any Person that intends to hold a parade or procession (other than a funeral procession) within the Town shall make an application in writing to the Chief Administrative Officer for permission at least fourteen (14)

days prior to the planned event date. In such application, applicants must make known the following:

- 22.1.1 The name and address of the applicant, and if such applicant is an organization, the names, addresses of the individuals organizing the event;
- 22.1.2 The nature or objective of such parade or procession;
- 22.1.3 The day, date and hours during which the parade or procession will be held;
- 22.1.4 The intended route of the parade or procession;
- 22.2 The Chief Administrative Officer may issue a Parade or Procession Permit, with or without conditions, or refuse the Permit for any reasons that are determined to be appropriate concerns.
- 22.3 In the case of a refusal, an applicant for a Parade or Procession Permit may appeal to Council.
- 22.4 The Town's Public Works Manager may close all or portions of a Highway along the route for the anticipated time of the parade or special Highway event and for such additional time as necessary to again clear the Highway for normal traffic.

## **PART VI - GENERAL PROVISIONS**

### **23. Designated Authority**

- 23.1 The Chief Administrative Officer is authorized to prescribe locations for Traffic Control Devices and to direct a record of all such locations to be maintained and kept open for public inspection during normal business hours;

### **24. Off-Highway Vehicles**

- 24.1 No Person shall operate an Off-Highway Vehicle on a Highway or in any place, whether publicly or privately owned, to which the public ordinarily has access.
- 24.2 Notwithstanding Section 24.1, a Person is authorized to operate an Off-Highway Vehicle for the purpose of clearing snow from sidewalks or private property, but shall only do so:

24.2.1 during daylight hours, and

24.2.2 in compliance with all other provisions and requirements imposed by this Bylaw and the *Traffic Safety Act*.

## 25. Sidewalks

25.1 A Person shall not construct, or cause to be constructed, erect, or place any installation or device, which shall open over, obstruct, or in any way encroach upon a Sidewalk or Highway without permission from the Public Works Manager.

25.2 An Owner or Occupant of lands shall not allow trees, grass, hedges or bushes to encroach upon a Sidewalk from their lands.

## 26. Washing Vehicles/Obstructions and Debris on Highway

26.1 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 sidewalk or Highway.

26.2 No Person shall deposit grass clippings, dirt, gravel or mud onto a Roadway or sidewalk.

26.3 No Person shall allow or create an Obstruction to any Highway under the direction, management and control of the Town.

26.4 No Owner or Occupant of lands shall allow vegetation growing on their property to impede visibility and the safe passage of Vehicles or pedestrians.

26.5 No Owner or Occupant of lands shall allow smoke, debris, a structure, an encroachment, or any other material to create a Traffic Obstruction.

## 27. Commercial Waste Container

27.1 No Person shall place a Commercial Waste Container on a Highway under the direction, management and control of the Town, or on public property, without first applying for and obtaining a permit from the Chief Administrative Officer.

## 28. Posters

- 28.1 No Person shall post bills or affix posters to any street light pole, street furniture, municipal infrastructure or Traffic Control Device unless permission is first obtained from the Town's Public Works Manager.
- 28.2 The Public Works Manager may, without notice, remove any bills posted or posters affixed without permission to a street light pole, street furniture, municipal infrastructure, or a Traffic Control Device if the bill or poster could cause damage to the street light pole, street furniture, or municipal infrastructure, cause damage to or interfere with the operation or efficacy of the Traffic Control Device, or if otherwise deemed necessary by the Public Works Manager.

## 29. Manholes

- 29.1 No Person shall tamper with or remove a manhole cover or valve cover from its place without written permission from the Public Works Manager.

## **PART VII - TRUCK ROUTES/DANGEROUS GOODS**

## 30. Truck Routes

- 30.1 No Person shall park or operate a Heavy Vehicle on a Highway within the Town unless:
  - 30.1.1 the Heavy Vehicle is operated on the Truck Route, as specified in Schedule "B";
  - 30.1.2 the Heavy Vehicle is being used to deliver goods or merchandise to a *bona fide* customer located off the Truck Route, or is actively loading or unloading such goods or merchandise, and is operated on the most direct practicable route to and from the Truck Route;
  - 30.1.3 the Heavy Vehicle is used as an emergency response Vehicle, for utility repair or maintenance, or as a licensed school or passenger bus;
  - 30.1.4 the Heavy Vehicle is being used as part of an active construction project, and is operated on the shortest practicable route to and from the Truck Route
  - 30.1.4 the Heavy Vehicle is parked in the Town's Designated Heavy Vehicle Lot;

30.1.5 the operator of the Heavy Vehicle has obtained written permission from the Public Works Manager for the operation of a Heavy Vehicle off the Truck Route;

30.2 No Person operating a Heavy Vehicle shall use Engine Brakes within the Town boundaries;

### 31. Dangerous Goods Routes

31.1 No Person shall transport Dangerous Goods on any Highway in the Town other than a designated Dangerous Goods Route as specified in Schedule "C"

31.2 The Chief Administrative Officer has authority to designate and establish locations for Dangerous Goods signs to indicate a Dangerous Goods Route.

31.3 Notwithstanding Section 31.1, a Person transporting Dangerous Goods may leave the Dangerous Goods Route to deliver the Dangerous Goods, but shall use the most direct practicable route to and from the Dangerous Goods Route.

## **PART VIII - OFFENCES AND PENALTIES**

### 32. Authority to Enforce

32.1 All Peace Officers are hereby authorized to enforce this bylaw.

32.2 All Peace Officers are hereby authorized to remove or cause to be removed any equipment, Vehicles, Trailers, Commercial Vehicles, Travel Trailers, Recreational Vehicles, or Off-Highway Vehicles operated, parked, or placed in contravention of any provision of this bylaw, or where emergency conditions may require the removal from any public property.

32.3 Any equipment, Vehicles, Trailers, Commercial Vehicles, Travel Trailers, Recreational Vehicles, or Off-Highway Vehicles Vehicle may be removed, at the Owner's expense, to a place designated by a Peace Officer.

32.4 Any fees for the removal or impoundment of equipment, Vehicles, Trailers, Commercial Vehicles, Travel Trailers, Recreational Vehicles, or Off-Highway Vehicles are a debt owing to the Town by the Owner of that item

### 33. Chalking

- 33.1 In order to determine the time in which a Vehicle has been parked in a location where parking is restricted to a specific time, a Peace Officer is authorized to place a chalk mark on the tread face of the tire.

### 34. Registered Owner Responsibility

- 34.1 If a Vehicle or Trailer, including a Commercial Vehicle, Travel Trailer, Recreational Vehicle, or Off-Highway Vehicle, is involved in a contravention of this Bylaw, its Registered Owner shall be responsible for the contravention and is guilty of the corresponding offence, unless:

34.1.1 the Registered Owner was not the Person who parked, placed, or operated the Vehicle or Trailer; and

34.1.2 the Registered Owner did not, by express or implied consent, authorize the use or placement of the Vehicle or Trailer.

### 35. Violation Tags

- 35.1 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

- 35.2 A Violation Tag may be issued to such Person:

35.2.1 Personally;

35.2.2 by registered mail sent to the postal address of the Person, as shown on the Tax Assessment Toll or on the Certificate of Title for the property; or

35.2.3 by leaving it with a Person apparently over eighteen (18) years of age at the place of residency of the Person to whom the Violation Tag is addressed.

- 35.3 The Violation Tag shall be in a form approved by the Chief Administrative Officer and shall state:

- 35.3.1 the name of the Person to whom the Violation Tag is issued;
  - 35.3.2 a description of the offence and the applicable Bylaw Section;
  - 35.3.3 the appropriate penalty for the offence as specified in Schedule “A” of this Bylaw;
  - 35.3.4 that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag in order to avoid prosecution; and
  - 35.3.5 any other information as may be required by the Chief Administrative Officer.
- 35.4 Where a Violation Tag has been issued pursuant to this Bylaw, the Person to whom a Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Office the penalty specified on the Violation Tag.

### 36. Violation Tickets

- 36.1 In the event that a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket, pursuant to Part II or III of the *Provincial Offences Procedure Act*, to the Person whom the Violation Tag was issued.
- 36.2 Notwithstanding Section 36.1, a Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 36.3 A Violation Ticket issued with respect to a violation of this bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 36.4 The Person to whom the Violation Ticket has been issued may plead guilty by making voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided by Schedule “A” of this Bylaw.
- 36.5 When a clerk records in the Court records the receipt of a voluntary



payment pursuant to Section 36.4 and the *Provincial Offences and Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.

- 36.6 Notwithstanding Section 36.4 and 36.5 above, a Peace Officer may issue a Violation Ticket summons under Part II of the *Provincial Offences and Procedure Act*, without listing a specified penalty, and require that the Person charged make a mandatory court appearance.

37. Penalties

- 37.1 Any Person who contravenes a provision of this Bylaw is guilty of an offence.
- 37.2 The specified penalties for contraventions of this Bylaw are set out in Schedule “A” hereto.
- 37.2 Any Person issued an Order pursuant to Section 545 of the *Municipal Government Act* with respect to a contravention of this Bylaw who fails to comply with the requirements of that Order within the deadline imposed is guilty of an additional offence.
38. Bylaw No. 412 ‘Street Maintenance’ (1969), Bylaw No. 510 ‘Truck Routes’ (1976), Bylaw No. 513 amending ‘Truck Routes’ (1976) and Bylaw No. 695/T/87 ‘Traffic and Parking’ are hereby repealed.
39. This bylaw shall come into effect on the date of its final passing.

READ A FIRST TIME this 16<sup>th</sup> day of November, A.D. 2010

Signatures on original

Mayor Gordon MacLeod

Signatures on original

CAO Martin Taylor

READ A SECOND TIME this 5<sup>th</sup> day of January, A.D. 2011

**Signatures on original**

Mayor Gordon MacLeod

**Signatures on original**

CAO Martin Taylor

READ A THIRD TIME AND FINALLY PASSED this 15<sup>th</sup> day of February, A.D. 2011

**Signatures on original**

Mayor Gordon MacLeod

**Signatures on original**

CAO Martin Taylor

Approved by the Minister responsible for Alberta Transportation, or a delegated representative

this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_

**Signatures on original**

Deputy Minister, Alberta Transportation

SCHEDULE "A"  
of BYLAW No. 965/TR/2010

Town of Fairview

Specified Penalties

**Part 1 – OPERATION OF VEHICLES**

s.3	drive Vehicle damaging Highway	\$200.00 <i>plus cost of repair</i>
s.4.1, 4.2, 4.3	unsecured load	\$150.00
s.5	drive on parkland	\$200.00
s.7.2	Exceed weight limit for Road Ban	\$100.00
s. 7.3	Operate Vehicle on Closed Road	\$100.00
s.8	speeding	n/a

**Part 2 – PARKING**

s.9.1	left turn over centre line	\$50.00
s.9.2	reverse out of parking spot over centre line	\$50.00
s.9.3	vehicle parked for more than 72 hours	\$100.00
s. 9.4	park in contravention of Traffic Control Dev.	\$150.00
s.10	illegally park in alley	\$100.00
s.11	unlawfully parked in disabled parking stall	\$200.00
s.13.1	unlawfully parked trailer or RV	\$150.00
s.13.2	detached Trailer	\$100.00
All s. 14	unlawfully parked or stopped vehicle	\$100.00
s.15	unauthorized parking in a commercial zone	\$100.00

All s. 17 unlawfully parked on private property \$200.00

**Part 3 – SNOW**

s.18.1, s. 19.1 improper snow removal \$100.00

s. 20 excess snow on roof/eaves \$150.00

**Part 4 – BICYCLES, SKATEBOARDS & HORSES**

s. 21.1 bicycle on sidewalk \$50.00

s. 21.2 ride unsafely on sidewalk \$50.00

s. 21.3 improper equipment/riding at night \$100.00

s. 21.4 jaywalking \$50.00

s. 21.5 improper handling of horse-drawn implement \$100.00

s. 21.6 failure to remove defecation \$150.00

**Part 5 – SPECIAL EVENTS**

s.22 parade/procession without permit \$200.00

**Part 6 – GENERAL**

s.24.1, 24.2,	Off-Highway Vehicles	1 <sup>st</sup>	\$100.00
24.4		2 <sup>nd</sup>	\$200.00

s.25.1, 25.2 sidewalk encroachment \$100.00

s.26.1 washing vehicle to leave mud/ice/slush \$100.00

s. 26.2 deposit material on Roadway or Sidewalk \$150.00

s.26.3 create Obstruction to Highway \$150.00

s. 26.4	overgrown vegetation creating visibility hazard	\$150.00
s. 26.5	other visibility hazard	\$150.00
s. 27	unauthorized Commercial Waste Container	\$200.00
s. 28	post bill or affix poster without permission	\$ 50.00
s. 29	tamper with/remove manhole cover	\$100.00

**Part 7 – TRUCK ROUTES/ DANGEROUS GOODS**

s. 30.1	drive or park Heavy Vehicle off Truck Route	\$300.00
s. 30.2	engine brakes within Town limits	\$200.00
s. 31.1	transport Dangerous Goods off-route	\$300.00

**Part 8- OFFENCES AND PENALTIES**

s. 37.3	failure to comply with Order	\$200.00
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SCHEDULE "B"  
of BYLAW No. 965/TR/2010  
Town of Fairview

**Truck Routes**

The following Highways, or portions thereof, are designated as being the only Highways over which a bus or truck with capacity over one tonne may be operated:

91 Ave Industrial Park Roadways

100 Ave.	from East Town Limits to West Town Limits
102 Ave.	from 100 <sup>th</sup> St to East Town Limits
101 Ave.	from 118 <sup>th</sup> St to 100 <sup>th</sup> St
103 Ave.	from 103 <sup>rd</sup> St to 98 <sup>th</sup> St
105 Ave.	from 113 <sup>th</sup> St to 98 <sup>th</sup> St
108 Ave.	from 113 <sup>th</sup> St to East Town Limits
98 St.	from 105 <sup>th</sup> Ave to 102 <sup>nd</sup> Ave
100 St.	from Hwy #2 to 108 <sup>th</sup> Ave
103 St.	from 101 <sup>st</sup> Ave to 103 <sup>rd</sup> Ave
110 St	from Hwy #2 to 106A Ave
113 St.	from South Town Limits to North Town Limits
118 St.	from Hwy 64A to 101 <sup>st</sup> Ave

SCHEDULE "C"  
of BYLAW No. 965/TR/2010  
Town of Fairview

**Dangerous Goods Routes**

The following Highways, or portions thereof, are designated as being the only Highways over which a Vehicle transporting Dangerous Goods may be operated:

91<sup>st</sup> Ave Industrial Park Roadways

100 Ave.	from East Town Limits to West Town Limits
101 Ave.	from 113 <sup>th</sup> St to 100 <sup>th</sup> St
103 Ave.	from 103 <sup>rd</sup> St. to 98 <sup>th</sup> St
108 Ave.	from 113 <sup>th</sup> St to 100 <sup>th</sup> St
100 St.	from 108 <sup>th</sup> Ave to Hwy #2
103 St.	from 101 <sup>st</sup> Ave to 103 <sup>rd</sup> Ave
110 St.	from Hwy #2 to 106A Ave
113 St.	from South Town Limits to North Town Limits

**Note: from the above-designated Dangerous Goods Routes, commercial Vehicles hauling Dangerous Goods may follow the shortest route to their destination for loading or unloading only.**