

P7 - Bylaw No. 168

The Summer Village of Sundance Beach

A Bylaw to Regulate and Control Vehicle Traffic
and the use of Highways in the
Summer Village of Sundance Beach



WHEREAS the Municipal Government Act, Chapter M-26.1 and the Traffic Safety Act and amendments thereto provide that a council of a municipality may make bylaws for the regulation and control of vehicle traffic and to authorize persons to operate off-highway vehicles on any highway under the control and management of the Summer Village of Sundance Beach.

AND WHEREAS the Council deems it expedient to pass a bylaw to control and regulate vehicle traffic, parking and the use of highways under its control and management;

NOW THEREORE, the Council of the Summer Village of Sundance Beach in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1: Title

This bylaw shall be known as the Parking and Traffic Control Bylaw.

SECTION 2: Definitions

In this bylaw, except where otherwise stated:

1. "emergency vehicle" means an emergency vehicle as defined in the Traffic Safety Act.
2. "highway" means a highway as defined in the Traffic Safety Act.
3. "off-highway vehicle" means an off-highway vehicle as defined in the Traffic Safety Act.
4. "violation ticket" means any summons, ticket or notice to appear that shall be written or issued because of a violation of this bylaw.
5. "peace officer" means a member of the Royal Canadian Mounted Police or a duly authorized special constable.
6. "Summer Village" means the Summer Village of Sundance Beach.
7. "traffic control device" means any sign, signal, marking or device place, marked or erected for the purpose of regulating, warning or guiding traffic.
8. "trailer" means a trailer as defined in the Traffic Safety Act.
9. "traveled portion" means that portion of any highway constructed for use by vehicular traffic.
10. "vehicle" means a vehicle or motor vehicle as defined in the Traffic Safety Act.

SECTION 3: Speed Limits

The maximum speed limit on all developed highways in the Summer Village is set at 20 kilometres per hour.

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SECTION 4: Off-highway vehicles

1. Subject to any other restrictions that may be contained in this bylaw, there shall be no limitation as to the time of day or night during which off-highway vehicles may be operated in the Summer Village.
2. An operator of an off-highway vehicle may operate same on any property owned or under the control and management of the Summer Village that is a highway.
3. Operations of off-highway vehicles using highways in the Summer Village do so at their own risk and the Summer Village does not warrant such areas as being suitable for travel by off-highway vehicles.
4. Any operator of an off-highway vehicle using any highway in the Summer Village shall operate the off-highway vehicle in accordance with the Traffic Safety Act and Regulations.

SECTION 5: Parking

1. No person shall park any motor vehicle, trailer, or off-highway vehicle within 18 meters of the barriers or barricades located on the road municipally described as Lakeshore Drive.
2. No person shall park any motor vehicle, trailer, or off-highway vehicle on the south side or lake side of Lakeshore Drive between May 1 and October 31.
3. No person shall park any motor vehicle, trailer, or off-highway vehicle on Park Road.
4. When parking is not prohibited by this or any other bylaw, all motor vehicles, trailers, motor cycles, or off-highway vehicles shall park parallel on any highway.
5. No person in charge of any vehicle shall park any motor vehicle, trailer, motor cycle, or off-highway vehicle in front of any private driveway without the consent of the owner, tenant or person in charge or control of the private property.

SECTION 6: Protection of Highways

1. No person shall drive, propel or move on any highway in the Summer Village any vehicle having metal spikes, lugs, cleats or bands projecting from the wheel or tire of such vehicle, or any vehicle having a caterpillar tread without the express consent of the Summer Village.
2. No person shall break, tear up or remove any planking, macadamizing or other road surface or make any excavation in, on or under any highway for any purpose whatsoever without first having obtained permission from the Summer Village, and such permission having been granted, the work shall be carried out under the direction of the official or person appointed by the Summer Village.
3. The official or person appointed by the Summer Village shall inspect all work being done in 2 above, and upon termination of the work, all materials shall be replaced and any damages made good by the persons concerned. Such work shall be carried out as expeditiously as possible without delay and any person or persons who have been given permission by the Summer Village to carry out such works shall be responsible for any damage to persons and/or property howsoever caused.
4. No vehicle or combination thereof whose maximum allowable weight exceeds 5,000 kilograms is permitted to travel over any highway in the Summer Village. An exemption, by way of a special permit from this Section, may be authorized by any peace officer if, in the opinion of the peace officer, an emergency situation or pressing requirement exists. The special permit shall be in the form prescribed in Schedule A of this bylaw and no special permit shall be issued unless the applicant agrees in writing to pay for any and all damages which may result to highways or other municipal property.

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SECTION 7: Temporary Closing of Highways

1. In any case where by reason of emergency or special circumstance, which in the opinion of the Summer Village or its appointed officials or any peace officer, may exist which is necessary and in the public interest and safety to do so, may
 - (a) temporarily close off any area or highway in whole or in part to traffic, or
 - (b) temporarily suspend in any area of the Summer Village, parking privileges granted by this or any other bylaw, and
 - (c) may place barricades and post notices on or near the highway concerned for the purposes of safeguarding or closing the highway or portion thereof.
 - (d) no person shall traverse, drive, walk or pass along any highway in contravention of any sign, notice or barricade placed thereon under this Section.
 - (e) in the case of fire, any peace officer or member of the Thorsby Rural Fire Protection Association Ltd., may designate any line or lines near the location of a fire, beyond which no member of the public shall pass, and no unauthorized person, whether on foot or in a vehicle shall cross such lines and no vehicle shall be driven or pass over any fire hose.
 - (f) the Fire Chief member of the Thorsby Rural Fire Protection Association Ltd., and any person acting under his direction shall have the right to move or cause to be moved, any vehicle in order to carry out the fighting of any fire.

SECTION 8: Location of Traffic Devices

1. The power to prescribe where traffic control devices are to be located is designated by Council to the Municipal Administrator.
2. The prescribing of such locations by the Municipal Administrator shall be deemed to have been made by bylaw of the Summer Village.
3. The Municipal Administrator shall keep records of all such locations of traffic control devices which shall be open to public inspection during normal business hours of the Summer Village.

SECTION 9: Impounding of Vehicles

1. Any peace officer is hereby authorized to remove or cause to be removed any vehicle that has contravened the provisions of this bylaw.
2. No impounded vehicle shall be released to its owner or agent until the impounding and removal charges against the vehicle have been paid.
3. The impounding and removal charges shall be in addition to any fines or penalties imposed under this bylaw.
4. Where a vehicle is impounded or stored pursuant to this Section and is not claimed within 30 days of its removal, it may be disposed of in accordance with the Motor Vehicles Administration Act, Chapter M-22 R.S.A., 1980 and its amendments thereto.

SECTION 10: Exemptions

1. All emergency vehicles are exempt from the provisions of this bylaw.
2. Highway construction and maintenance equipment is exempt from the provisions of Sections 5, 6, and 7 of this bylaw.

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3. School buses, waste removal and recreational vehicles are exempt from the provisions of Sections 6.4 of this bylaw.

SECTION 11: Violation Ticket

1. A violation ticket may be issued by a peace officer to any person alleged to have breached the provisions of this bylaw.
2. A violation ticket may be issued as an alternative to the issuing of a summons and the voluntary payment outlined in Schedule B of this bylaw may be accepted in lieu of prosecution.

SECTION 12: Offences and Penalties

1. Any person who contravenes any of the provisions of this bylaw is guilty of an offence and is liable upon conviction to a fine as prescribed in Schedule B of this bylaw.
2. Any person who removes, damages, or interferes with in any way, any sign, notice, barricade or traffic control device lawfully erected or placed under the provisions of this bylaw is guilty of an offence and is liable upon conviction to a fine as prescribed in Schedule B of this bylaw.
3. A person may avoid prosecution for any offence under this bylaw by paying the amount shown on Schedule B of this bylaw within the prescribed time limit as shown on the violation ticket. If the voluntary fine is not paid, then prosecution may be commenced under the provisions of the Provincial Offences Procedures Act, Chapter P21.5, R.S.A., 1980 and amendments thereto.
4. The amounts of voluntary penalties shown in Schedule B of this bylaw may be amended by resolution of Council.

SECTION 13: Repeal of Bylaw

Upon passing of this bylaw, Bylaw No. 141 is hereby repealed.

READ a first time this 12th day of August, A.D. 1999

READ a second time this 16th day of September, A.D., 1999

READ a third time and finally passed this 16th day of September, A.D., 1999

Douglas Boswell, Mayor

J. B. Ludwig, Municipal Administrator