

# The Summer Village of Sundance Beach

## Bylaw Number A-40 Traffic Bylaw

BEING A BYLAW OF THE SUMMER VILLAGE OF SUNDANCE BEACH IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE THE USE OF HIGHWAYS WITHIN THE SUMMER VILLAGE, THE TRAFFIC AND PEDESTRIANS MOVING THEREON, AND THE PARKING OF VEHICLES THEREON.

**WHEREAS**, the Council of the Summer Village of Sundance Beach deems it necessary to regulate traffic within the Summer Village;

**AND WHEREAS**, the Traffic Safety Act R.S.A. 2000 c. T-6 and the Municipal Government Act R.S.A. 2000 c. M-26 provide authority for the Summer Village to regulate such matters;

**NOW THEREFORE**, the council of the Summer Village, in the Province of Alberta hereby enacts as follows:

### 1. TITLE

1.1 This Bylaw may be cited as the “Traffic Bylaw.”

### 2. DEFINITIONS

Except as otherwise defined in this Bylaw, all words in this Bylaw shall have the same meaning as the Traffic Safety Act, R.S.A. 2000, c.T-86.

2.1 “Act” means the Traffic Safety Act R.S.A. 2000 Chapter T-6.

2.2 “Park” means to allow a vehicle (whether occupied or not) to remain standing in one place, except:

- (a) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
- (b) when standing in obedience to a peace officer or traffic control device.

2.3 “Person” shall include corporation firm or partnership.

2.4 “Peace Officer” means a Peace Officer as set out in the Traffic Safety Act, R.S.A. 2000 Chapter T-6.

2.5 “Public Place” means any highway, parkland, public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not, including any open space owned by or under the direction control and management of the Summer Village;

2.6 “Stop” means:

- (a) when required a complete cessation from vehicular movement, and
- (b) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or traffic control device;

2.7 “Traffic” means pedestrians, animals or vehicles while using a Street for the purpose of travel.

2.8 “Summer Village” means the Summer Village of Sundance Beach.

### 3. GENERAL

3.1 Every person shall obey the instructions of all Traffic Control Devices authorized under this or any other bylaw, unless otherwise directed by a Peace Officer.

3.2 The power to decide the necessity and location of Traffic Control Devices within the Summer Village is hereby delegated to the Chief Administrative Officer or his or her designate.

#### **4. PARKING**

4.1 No Person shall Park or permit a Vehicle to be Parked on a Highway contrary to a Traffic Control Device or in a manner that impedes the flow of traffic.

4.2 No Person shall Park or permit to be parked, a Vehicle on the roadway side of a Vehicle already parked at the Curb or edge of a Highway.

4.3 No person shall park any motor vehicle:

- (a) on any Highway for a period of more than 72 hours or such other amount of time as specified by traffic control device;
- (b) so as to obstruct the use of a crossing or driveway to reach private property;
- (c) within five meters of any intersection, except where otherwise permitted;
- (d) in such a manner as to interfere with the proper operation of any vehicle used by the fire department or other department of the Summer Village;
- (e) at any place where traffic control devices or marks prohibit parking;
- (f) within 5 meters a stop or yield sign;
- (g) on the opposite side of a Highway contrary to traffic flow.

4.4 No person shall leave a vehicle unattended on the Highway or private driveway if the vehicle has been placed on a jack or a similar device and:

- (a) one or more wheels have been removed from the vehicle; and
- (b) part of the vehicle is raised off the ground.

4.5 When a vehicle is parked on any Highway, parking lot or public place in violation of a provision of this Bylaw that vehicle may be removed and impounded and the cost thereof charged against the owner and/or operator of the vehicle.

#### **5. PARKING ON PRIVATE LAND**

5.1 No person shall park a vehicle on private land which has been clearly marked as such by a sign erected by the owner or occupant unless such person has obtained the permission of the owner or occupant.

5.2 An owner or occupant may report to a Peace Officer the license number and location of a vehicle parked on private land in contravention of this Bylaw. A person making such a report to a Peace Officer shall provide their name and address to the Peace Officer.

5.3 No person shall pull down, deface or destroy any traffic control device, sign, board, or notice lawfully placed on any street.

5.4 No person shall deface any public or private property in or adjoining any street by cutting, breaking, painting or in any other way causing damage to that property.

5.5 No person shall attach any poster, handbill or sticker to any traffic control device, sign, tree, or to any building except with the consent of the owner or Summer Village.

#### **6. SPEED LIMITS**

6.1 The maximum rate of speed within the Summer Village shall not exceed 20 km/hr unless a Traffic Control Device indicates otherwise.

6.2 Regardless of any other section in this Bylaw, no driver shall travel at any rate of speed that is unreasonable having regard to all the circumstances including but not limited to:

- (a) the nature, condition and use of the Highway;
  - (b) the weather or other conditions that might affect the visibility of the driver or the control of the vehicle;
  - (c) the amount of traffic on the Highway; and
  - (d) the mechanical condition of the vehicle or any equipment of the vehicle.
- 6.3 Temporary Traffic Control Devices may be posted along a Highway setting a temporary maximum speed limit in respect of any part of the Highway under construction or repair or in a state of disrepair.

## **7. CONSTRUCTION, EXCAVATING, BUILDING**

- 7.1 No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface or make excavation in or under any sidewalk or street, for the purpose of building or otherwise, without first having obtained permission from the Summer Village to do so and, such permission being granted, the work shall be carried out in accordance with the directions of the Summer Village or its designate. Such work shall be carried out as expediently as possible and without unnecessary delay.
- 7.2 The Summer Village is entitled to inspect all such work and upon termination of the work the person who created the damage shall replace all materials and repair any damages to the Highway.
- 7.3 Any person or party to whom permission has been granted to carry out any work by the Summer Village, shall be liable for any injury or loss to persons or property by reason of their work, and shall keep and maintain such lights, barricades or watchman or other precautions to safeguard and protect persons or property from injury or loss and shall be responsible for all costs therein.

## **8. AUTHORITY OF PEACE OFFICER**

- 8.1 A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.
- 8.2 In the case of fire or other emergency, or in order to expedite traffic or safeguard pedestrians, Peace Officers are hereby authorized to direct traffic in such a manner as they deem necessary, whether or not in conformity with the provisions of this Bylaw.
- 8.3 In the case of fire or other emergency, if no Peace Officer is present, officers of the fire department are hereby authorized to direct traffic in such a manner as they deem necessary, or authorize other individuals as they see fit whether or not in conformity with the provisions of this Bylaw.
- 8.4 Any Peace Officer is, and is deemed to be, duly authorized to impound and remove from the Highway or parking lot or other public place, a vehicle in violation of provisions of this Bylaw and all costs incurred being the responsibility of the vehicle owner.

## **9. ENFORCEMENT AND PENALTIES**

- 9.1 A person who violates any section of this Bylaw is guilty of an offence and liable to a fine as set out in the schedules to this Bylaw.
- 9.2 Where any Peace Officer believes that any person has committed a breach of any of the sections of this Bylaw set out in Table "A" hereto, he may serve upon such person a notice or tag as provided herein.

- 9.3 Notice or tag shall be in such form as provided for in the regulations pursuant to the Provincial Offences Procedure Act and service of any such notice tag shall be sufficient if it is:
- (a) personally served;
  - (b) served by registered mail;
  - (c) attached to the vehicle in respect of which the offence is alleged to have been committed.
- 9.4 If the person upon whom any such notice or tag is served fails to pay the said sum within the allotted time, the person may be prosecuted pursuant to the provisions of the Provincial Offences Procedure Act.
- 9.5 No person other than the owner or driver of the vehicle shall remove any notice placed on or fixed to such vehicle by a Peace Officer in the course of his duties.

## **10. ENACTMENT**

- 10.1 his Bylaw shall come into full force and effect upon third and final reading thereof  
Should any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining Bylaw shall remain valid and enforceable.  
The Schedules to this Bylaw may be amended by resolution of Council of the Summer Village of Sundance Beach.

READ A FIRST TIME THIS 24<sup>th</sup> DAY OF April 2007

READ A SECOND TIME THIS 24<sup>th</sup> DAY OF April 2007

MOVED by Mayor Turgeon to give consideration to third reading

READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>th</sup> DAY OF April 2007

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Mayor

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Administrator

SCHEDULE "A"

TO BYLAW 204

Where no fine is suggested for a particular section of the bylaw the minimum amount of the fine shall be \$50.00.

<u>Section No.</u>	<u>Offence</u>	<u>Penalty</u>
3.1	Fail to obey Traffic control device	172.00
4.1	Park vehicle contrary to Traf. Ctr. Dev.	57.00
4.2	Double park	57.00
4.3(a) to (g)	All offences	57.00
4.4	Leave veh. On Highway on jacks	57.00
5.1	Park on Private property	57.00
5.3	Wilfully destroy sign	200.00
5.4	Deface public/private property	200.00
5.5	Attach poster to post, sign post	57.00
6.1	Speeding	As per Traffic Safety Act
6.2	Unreasonable speed as per road conditions	172.00