

The Summer Village of Ma-Me-O Beach

Traffic Safety Bylaw

BYLAW NO. 331

BEING A BYLAW OF THE SUMMER VILLAGE OF MA-ME-O BEACH TO CONTROL AND REGULATE THE USE OF HIGHWAYS AND PUBLIC PLACES WITHIN THE URBAN SERVICE AREAS OF THE SUMMER VILLAGE OF MA-ME-O BEACH, THE TRAFFIC AND PEDESTRIANS MOVING THEREON AND THE PARKING OF VEHICLES ON THE HIGHWAYS.

WHEREAS the Municipal Government Act, R.S.A. 2000, Chapter M-26, Part 2, Section 7 and 9 and amendments hereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people, property and transportation systems, and;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended authorizes a Council to make bylaws to regulate and control Vehicle, animal and pedestrian traffic;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended, provides that a municipality may regulate the operation of Off-Highway Vehicles along Highways within the municipality's care and control;

AND WHEREAS Sec. 13 and 14 of the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended, provides that a local authority may make bylaws with respect to Highways under its direction, control and management, designating the route and time of travel of Vehicles transporting dangerous goods, prohibiting the carriage of dangerous goods, and specifying restrictions or conditions to ensure the safe transportation in or by a means of transport, safe storage and controls necessary for public safety;

AND WHEREAS the Minister of Transportation and Utilities (now referred to as the "Minister of Transportation"), pursuant to the Chapter T-6 Section 3 of the Public Highways Development Act R.S.A. 2000 chapter P-38, may by order, designate any existing Highway as a primary Highway, and has the direction, control and management of all primary Highways;

NOW THEREFORE, the Council of the Summer Village of Ma-Me-O Beach, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This Bylaw may be cited as the Summer Village of Ma-Me-O Beach "**Traffic Safety Bylaw**"

APPLICATION

2. This Bylaw shall not apply to:

- (a) Primary Highways

DEFINITIONS

3. In this Bylaw all words shall have the same meaning as the Traffic Safety Act, R.S.A. 2000, Chapter T-6, as amended, except as otherwise defined;
 - (a) "**Act**" means the Traffic Safety Act, R.S.A. 2000, Chapter T-6, and regulations thereto as amended;
 - (b) "**Administration**" means the general operations of the Municipality, including all personnel, financial and other related resources, as permitted by the Municipal Government Act, RSA 2000, C. M-26, as amended, and any successor legislation.
 - (c) "**Chief Administrative Officer**" means the Chief Administrative Officer or designate for the Municipality and whatever subsequent title may be conferred on that officer by Council resolution or statute.
 - (d) "**Council**" shall mean the Council of the Summer Village of Ma-Me-O Beach;
 - (e) "**Peace Officer**" means a peace officer as defined in the Traffic Safety Act and includes a Bylaw Enforcement Officer as appointed by Council from time to time;
 - (f) "**Violation Tag**" means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, as amended;

- (g) **"Violation Ticket"** means a ticket issued pursuant to Part II or Part III of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended and the regulations there under;

OPERATION OF VEHICLES

- 4.1 No person shall operate a motorized vehicle without authorization, the proof of which lies upon that person on the public beach, public parks, in the lake and reserves from May 1st to September 30th.
- 4.2 Operation of off highway vehicles is permitted on village roadways provided that the operator of the off highway vehicle is in full compliance with the Act and regulations. Off highway vehicles shall not be operated within the village during the hours of 10:00 PM and 8:00 AM.
- 4.3 No person shall operate an off highway vehicle in contravention of this bylaw or the Act and regulations. Maintenance personnel employed by the village and emergency vehicles are exempted.

SPEED

- 5.1 No person shall operate a vehicle greater than thirty (30) kilometers per hour on any roadway unless otherwise authorized in this Bylaw.
- 5.2 No person shall operate a vehicle within a playground zone at any rate of speed greater than thirty (30) kilometers per hour between the hours of 08:30 to one hour after sunset.
- 5.3 No person shall operate a vehicle in excess of the posted maximum speed within the Municipality.
- 5.4 Council of the Municipality may direct that traffic-calming measures such as speed bumps be implemented at any location within the Municipality.

PARKING

- 7.1 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.
- 7.2 Unless required or permitted by the Act, this Bylaw or by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park a vehicle:
- (a). at an intersection nearer than five (5) meters to the projection of the curb line immediately ahead or immediately to the rear;
 - (b). within five (5) meters on the approach to a stop sign or yield signs;
 - (c). within five (5) meters of any fire hydrant, or when the hydrant is not located at the curb, within five (5) meters of the point on the edge of the roadway nearest the hydrant;
 - (d). within five (5) meters of the approach to a crosswalk;
- 7.3 Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer or delegate is hereby authorized to cause moveable signs to be posted on or near a highway to indicate "No Parking", or "Street Maintenance" and when so posted, such signs shall take precedence over all other traffic control devices.
- 7.4 No person shall park or permit to be parked a vehicle on a highway from the time signs referred to in Section 7.3 have been posted, until such signs have been removed.
- 7.5 No person shall park or permit to be parked, a vehicle on the posted portion of such highway during the ninety-six (96) hour period following the time the traffic control devices were posted where the vehicle was parked prior to the posting of the traffic control devices as described in Section 7.3.
- 7.6 No person shall park or operate a vehicle in contravention of any sign or traffic control device posted in accordance with Sections 7.3.

- 7.7 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 roadway.
- 7.8 No person shall park or permit to be parked, a vehicle in such a manner that it obstructs the access to a private driveway, unless that person is the owner of the property or has permission from the owner of the property to park in such a manner.
- 7.9 No person shall park a vehicle or permit a vehicle to be parked in any parking lot owned by the Municipality in contravention of a traffic control device posted in the said parking lot.
- 7.10 No person shall park or permit to be parked a vehicle on any highway or on private land, in space posted for disabled persons parking unless such vehicle is designated as a disabled person's vehicle.

SPECIAL CLASSES OF VEHICLES

- 8.1 No person shall operate a vehicle in respect of which an overload or over-dimensional permit is issued pursuant to the Traffic Safety Act on a highway under the direction, control and management of the Municipality unless:
- (a) the Chief Administrative Officer or delegate has given approval;
 - (b) the owner, operator, driver or mover of the vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and
 - (c) if requested by the Chief Administrative Officer or delegate, the owner, operator, driver, or mover of the vehicle posts a bond sufficient to cover the cost of repairing possible damages to the highway, landscaping and street furniture in an amount satisfactory to the Municipality.
- 8.2 In case of any dispute arising as to the weight of any vehicle, the same shall be weighed upon a certified scale and the weighing of the vehicle shall be deemed to be conclusive.
- 8.3 Unless a permit to do so has been issued by the Chief Administrative Officer or delegate, no person shall operate on a highway:
- (a) A vehicle or trailer having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire on such vehicle;
 - (b) Any vehicle or trailer having skids or tracks.
- 8.4 No person shall engage a vehicle's engine retarder brakes where posted in the Municipality.

TRUCK ROUTES

- 9.1 A person who holds a permit shall be responsible for all costs and expenses incurred by the Municipality for the repair of any curb stops, valves, hydrants, sidewalks, curbs, pavement, landscaping and any other such appurtenances to highways resulting from hauls made pursuant to any permits issued under this Bylaw.
- 9.2 The Chief Administrative Officer or delegate may, at their discretion, cancel or suspend a permit without notice, and may consider factors including, but not limited to weather, environmental hazards, and vehicular traffic.
- 9.3 The Chief Administrative Officer or delegate has authority to:
- (a) Prohibit the use on a highway by a heavy vehicle, or by a class or classes thereof, for a period or periods that the Chief Administrative Officer or delegate determines;
 - (b) Limit or restrict the speed of a heavy vehicle, or of a class or classes thereof, using a highway for a period or periods that the Chief Administrative Officer or delegate determines; and
 - (c) Increase, limit or restrict the maximum gross weight that may be borne by a heavy vehicle or combination of vehicles on a highway for a period or periods that the Chief Administrative Officer or delegate determines.

PARADES AND PROCESSIONS

- 10.1 No person shall hold, join, march or participate in any parade or procession unless a permit has been obtained from the Mayor or Council.
- 10.2 The Mayor or Council may issue a parade permit to a person under this part where the person has complied with the requirements of Section 10.2 below.
- 10.3 Any person desiring to hold a parade or procession within the Municipality shall, at least two (2) weeks prior to the time he desires to hold the parade or procession, make an application in writing to the Mayor or Council containing the following information:
- (a). The name and address of the person wishing to sponsor a parade or procession and, if the person is an organization, then the name and address of the contact person;
 - (b). The day, date, and times during which the parade or procession will be held;
 - (c). The route of the parade or procession;
 - (d). The nature and object of the parade or procession; and
 - (h). Proof of liability insurance.
- 10.4 The Mayor or Council may unconditionally approve, approve with conditions or refuse an application for a Parade Permit.
- 10.5 Where a Parade Permit is granted allowing floats, vehicles, or animals to be placed in or on the route of a parade or procession, the person or persons sponsoring the parade or procession shall indemnify and save harmless the Municipality from and against any and all claims for injury to any person or persons and damage to any real or personal property arising by reasons of or in any way connected with the entry, placing, or operation of the vehicles, floats, or animals in the parade or procession, and whether arising out of, directly or indirectly caused by any act or omission, of the Municipality its authorities or agents.

PUBLIC PLACES

11. The Chief Administrative Officer or delegate may order the person who left, or allowed to be left or placed litter or load, to remove same within a period of twenty-four (24) hours and, in default, the Chief Administrative Officer or delegate shall cause the litter to be removed. In cases where an immediate public hazard is created, in the opinion of the Municipality or its duly authorized representative, notice as provided for above is not required.

OFFENCES AND POWERS OF PEACE OFFICERS

- 12.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a minimum and specified fine as set out in Schedule A attached hereto and forming part of this Bylaw. If there is no specific fine is listed in Schedule A for a particular offence, the minimum specified fine shall be \$200.00.
- 12.2 A peace officer is hereby authorized to remove or cause to be removed, any vehicle or trailer:
- (a). parked in contravention of a provision of this Bylaw; or
 - (b). where emergency conditions require that the vehicle or trailer be removed.
- 12.3 Any vehicle or trailer removed pursuant to Section 13.1 above may be moved to:
- (a). a nearby highway; or
 - (b). a place designated by the Peace Officer until claimed by the owner.
- 12.4 No impounded vehicle or trailer shall be released to its owner or their agent until the removal and impounding charges have been paid.
- 12.5 A peace officer is hereby authorized and empowered to issue a violation tag to any person, who the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 12.6 In those cases where a violation tag has been issued and if the minimum specified penalty on the violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized and required

to issue a violation ticket pursuant to Part II or Part III of the Provincial Offences Procedure Act, to any person who the peace officer has reasonable grounds to believe has contravened any provision of the Bylaw.

12.7 A Peace Officer authorized to enforce this Bylaw under Section 7 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where the tag is not paid by the offender, a Part 2 violation tag may be issued to that person under the Provincial Offences Procedures Act, R.S.A. Chapter 2000, P-34 and amendments thereto.

MINIMUM AND SPECIFIED PENALTIES

13. The minimum and specified penalties for a violation of any provision of this Bylaw are shown in Schedule A of this Bylaw.

SEVERABILITY

14. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw. The Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

STRICT LIABILITY OFFENCE

15. It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability.

EFFECTIVE DATE

16. This Bylaw comes into effect upon the date of its third and final reading.

REPEAL OF PREVIOUS


17. This Bylaw rescinds Bylaw 321 upon the date of the third reading.

READING BY COUNCIL

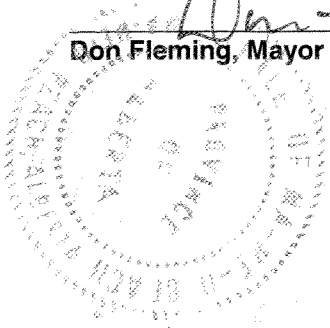
Read a first time this 30th day of April, 2011.
Read a second time this 30th day of April, 2011.
Given unanimous consent to proceed to third reading this 30th day of April, 2011.
Read a third and final time this 30th day of April, 2011.



Don Fleming, Mayor



Sylvia Roy, Chief Administrative Officer



SCHEDULE A

PENALTIES AND FINES

SECTION NO.	OFFENSE FINE (\$)
4 – All of section 4 offenses	\$250.00
5 – Speed violations as per Traffic Safety Act schedule 1	
7 – All section 7 offenses	\$ 200.00