

BY-LAW NO. 1726

OF THE TOWN OF FORT MACLEOD IN THE PROVINCE OF ALBERTA

Being a By-Law of the Town of Fort Macleod in the Province of Alberta, to Control and Regulate Vehicle, Animal and Pedestrian Traffic.

1. ENACTMENT:

WHEREAS the Traffic Safety Act authorizes a municipality to regulate and control vehicle, animal and pedestrian traffic and parking on the highways and on other property within the municipality;

AND WHEREAS the Municipal Government Act allows a municipality to pass bylaws and delegate authority with respect to highways under its direction, control and management and transport thereon;

NOW THEREFORE, the Council of the Town of Fort Macleod, in the Province of Alberta, enacts as follows:

2. DEFINITIONS:

2.1 This Bylaw may be cited as the “**Fort Macleod Traffic Bylaw**”

2.2 “**Act**” means the Traffic Safety Act, R.S.A 2000, c. T-6, as amended or substituted from time to time;

2.3 “**Alley**” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land and is a highway for the purposes of this bylaw;

2.4 “**Authorized Agent**” means business acting on behalf of the Town for the purpose of collection of this bylaw;

2.5 “**Bicycle**” means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:

2.4.1 may be propelled by muscular or mechanical power;

2.4.2 is fitted with pedals that are continually operable to propel it;

2.4.3 weighs not more than 35 kilograms;

2.4.4 has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters;

2.4.5 has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and

2.4.6 does not have sufficient power to enable it to obtain a speed greater than 35 kilometers per hour on level ground within a distance of 2 kilometers from a standing start.

2.4.7 Surrey class bicycle;

2.6 “**Block**” means that portion of a highway, which lies between two other highways, neither of which is an alley nor which both intersect the first named highway;

2.7 “**Boulevard**” means a boulevard as defined in the Act;

2.8 “**Business Section**” means all areas designated as central business highway commercial, light industrial and general industrial as defined in the Town of Fort Macleod Land Use Bylaw;

2.9 “**Bylaw Officer**” means an Enforcement Officer appointed or employed by the Town with respect to the enforcement of Bylaws of the Town of Fort Macleod;

2.10 “**Chief Administrative Officer**” is the person appointed by Council in accordance with Section 205 of the Municipal Government Act and is referred to throughout this bylaw as “**CAO**”;

2.11 “**Commercial Loading Zone**” means a portion of a highway set aside adjacent to a curb designated for the exclusive use of commercial vehicles for the loading or unloading of materials and includes an area designated as such;

2.12 “**Commercial Vehicle**” means a commercial vehicle as defined in the Act;

2.13 “**Council**” means the Council of the Town of Fort Macleod;

2.14 “**Curb**” means the concrete or asphalt edge of a highway or the division point between the highway and a boulevard or sidewalk;

2.15 “**Foreman of Public Works**” means the foreman of public works for the Town of Fort Macleod and includes any person who, on the directions of the foreman of public works is working on behalf of the foreman of public works;

- 2.16 “Development Officer”** means the development officer for the Town of Fort Macleod and includes any person who, on the directions of the development officer is working on behalf of the development officer;
- 2.17 “Dangerous Goods”** means dangerous goods as defined in the Dangerous Goods Transportation and Handling Act R.S.A. 2000, c. D-4;
- 2.18 “Down Town Core”** means any road, highway, thoroughfare or sidewalk as outlined on the map (Schedule I) which is attached to and forms part of this bylaw;
- 2.19 “Emergency Vehicle”** means emergency vehicles as defined in the Act;
- 2.20 “Fire Lane”** means an access route for fire department vehicles required by the Alberta Building Code for fire fighting purposes and marked by signage as a fire lane;
- 2.21 “He”** means he/she as applicable;
- 2.22 “Heavy Vehicle”** is defined as follows: a vehicle with or without a load, exceeding any of the following:
 2.25.1 Three (3) or more axles
 2.25.2 A registered gross vehicle weight of 4,500 kilograms or more;
- 2.23 “Highway”** means a highway as defined in the Act;
- 2.24 “His”** means his/hers as applicable;
- 2.25 “Holiday”** means a Holiday as defined in the Interpretation Act R.S.A. 2000, c. I-8, and includes a day or portion of a day proclaimed by the Mayor of the Town or by Council as a Civic Holiday;
- 2.26 “Holiday Trailer”** means a trailer that is designated, constructed or equipped as a permanent or temporary dwelling or sleeping place, or is intended or capable of being loaded on or carried by a motor vehicle or trailer;
- 2.27 “Loading Zone”** includes a public loading zone, handicap loading zone, commercial loading zone, and a passenger loading zone or any of them, as the context requires.
- 2.28 “Maximum Weight”** means:
 2.30.1 The maximum weight of a vehicle as recorded on the Official Registration Certificate or interim Registration Certificate for such vehicle issued by the Government of the Province of Alberta; or
 2.30.2 If there is no such Official Registration Certificate or Interim Registration Certificate for the vehicle, then the combined weight of the vehicle and the heaviest load shall be in accordance with the Alberta Motor Transport Board Regulations;
- 2.29 “Off-highway Vehicle”** means an off-highway vehicle as defined in the Act;
- 2.30 “Operator”** means a person who drives or is in actual physical control of a vehicle;
- 2.31 “Owner”** means owner as defined in the Act;
- 2.32 “Parade”** means a procession or march organized for the purpose of entertainment of spectators, display, inspection or promotion of a cause or purpose;
- 2.33 “Park”** means to allow a vehicle (whether occupied or not) to remain standing in one place except:
 2.36.1 When standing temporarily for the purpose of and while actually engaged in loading or unloading passenger; or
 2.36.2 When standing in obedience to a Peace Officer or traffic control device;
- 2.34 “Peace Officer”** means any member of the Royal Canadian Mounted Police, a sworn member of a municipal police service, or a person appointed under the Peace Officer Act;
- 2.35 “Person”** shall include an individual, partnership or corporation;
- 2.36 “Recreation Vehicle”** means a boat, motor home type vehicle, recreational travel trailer type vehicle designed or used for travel with temporary living accommodation for vacations, temporary accommodations or camping purposes;
- 2.37 “Roadway”** means a roadway as defined in the Act;
- 2.38 “Sidewalk”** means a sidewalk as defined in the Act;

- 2.39 “Special Highway Event”** means an event or competition, taking place in whole or in part on a highway involving walking, running, or the use of bicycles, motorcycles, cars or other vehicles;
- 2.40 “Town”** means the Town of Fort Macleod;
- 2.41 “Traffic”** means pedestrians, animals, or vehicles while using the highway for the purpose of travel;
- 2.42 “Traffic Control Device”** means a traffic control device as defined in the Act;
- 2.43 “Traffic Violation Notice”** means a document authorized by the Provincial Offences Procedures Act R.S.A. 2000, c.P- 34, and issued pursuant to Section 23 of this Bylaw;
- 2.44 “Trailer”** means a trailer as defined in the Act;
- 2.45 “UOHRORR”** means the Use of Highways Rules of the Road Regulation;
- 2.46 “Vehicle”** means a vehicle as defined in the Act;
- 2.47 “Violation Ticket”** means a document authorized by the Town of Fort Macleod and issued pursuant to section 23 of this Bylaw.

3. TRAFFIC CONTROL

- 3.1** A Peace Officer may authorize such persons as deemed necessary to direct or regulate traffic.
- 3.2** Notwithstanding anything to the contrary contained in this or any Bylaw a Peace Officer may operate a bicycle within the lawful execution of his duty on any sidewalk, footpath, walkway, boulevard or other public place where the use of bicycles by the general public is prohibited or restricted.

4. TRAFFIC CONTROL DEVICES

- 4.1** The CAO is hereby delegated the power to prescribe where traffic control devices are to be located on highways in the Town.
- 4.2** Unless otherwise posted the maximum speed limit is 50 kilometers per hour.
- 4.3** The CAO is hereby delegated the power to prescribe, by the placement of traffic control devices, the location of School Zones and Playground Zones.
- 4.4** The Foreman of Public Works shall keep a record of the location of all traffic control devices placed pursuant to this Section.
- 4.5** Traffic control devices located in the Town of Fort Macleod pursuant to this section shall be deemed to have been placed in accordance with this Bylaw.
- 4.6** No person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any traffic control device, unless approved in writing by the CAO.

5. PEDESTRIANS

- 5.1** Except as provided in Subsection 5.2, no person shall stand on a highway for the purpose of soliciting a ride from the operator of any vehicle.
- 5.2** A person may stand on the sidewalk or boulevard for the purpose of soliciting a ride from the operator of a bus or taxicab.
- 5.3** No person shall board or alight from any vehicle that is in motion.
- 5.4** No person shall stop or park a vehicle other than a taxicab or bus on any highway for the purpose of offering a ride to any pedestrian who, at the time in question, is standing on the highway or the adjacent sidewalk or boulevard for the purpose of soliciting a ride from the operators of vehicles operating on the said highway.

6. PARKING OR STANDING ON HIGHWAYS

- 6.1** The Town Council may:
- 6.1.1 Authorize such other or additional parking spaces as it deems necessary on any highway or other Town owned property for use as a parking space;
 - 6.1.2 Cause the spaces so authorized to be marked for this purpose.
- 6.2** Unless specifically permitted by the other provisions of this Bylaw, no operator or owner shall park or permit to be parked any vehicle on any highway or public place for any period longer than is permitted by the applicable traffic control device.

- 6.3** After the issue of a Violation Ticket or Traffic Violation Notice concerning a vehicle for the first violation of Subsection 6.2 hereof and a vehicle remaining parked in excess of the time permitted on the sign for a further period, then a second offence shall be deemed to have occurred and a further Violation Ticket or Traffic Violation Notice may be issued for such second offence.
- 6.4** In order to determine the time which a vehicle has been parked in a location where parking has been restricted to a specific time, a Peace Officer or other person charged with the enforcement of parking prohibitions and restrictions may place an erasable chalk mark on the tread face of the tire of the parked or stopped vehicle without such Peace Officer or other person of the Town of Fort Macleod incurring any liability for doing so.
- 6.5** No person shall remove an erasable chalk mark placed under Subsection 6.4 while the vehicle remains parked in the location where it was marked.
- 6.6** Unless the vehicle is placed in a portion of the highway where parking is allowed no operator or owner shall park or stand or permit to be parked or leave standing a vehicle.
- 6.7** Except in the case of breakdown or other emergency not allowing the vehicle to be moved the owner or operator of any vehicle shall not stand or park it on the highway for the purpose of servicing or repairing the vehicle.
- 6.8** No owner or operator of a vehicle shall cause or permit such vehicle to be parked or left on any highway if it is not in operable condition.
- 6.9** Subsection 6.8 does not apply to a vehicle, which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken immediate action to arrange for the removal of the vehicle forthwith.
- 6.10** No person shall park any trailer (whether designated for occupancy by person or for the carrying of goods or equipment or poultry or domestic or wild animals) upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles throughout this bylaw.
- 6.11** No person shall park a recreation vehicle or any trailer on any highway or on Town property at the same location in excess of 72 continuous hours in any one week period, with the exception of campgrounds, or any other area as designated by Council, within the Town of Fort Macleod.
- 6.12** For the purpose of subsection 6.11 a trailer or recreation vehicle shall be deemed to be continuously parked in a location unless it has been moved at least one block from that location or off of public property.
- 6.13** No person shall operate or park any vehicle upon any land owned by the Town of Fort Macleod which the Town uses or permits to be used as a playground, boulevard, recreation or public park, except on such part thereof as the Council may designate by a sign or signs for vehicular parking.
- 6.14** Parking on highways within the corporate limits of the Town of Fort Macleod shall be parallel parking except where a sign indicates that angle parking is permitted or required.
- 6.15** No person shall park any vehicle at a bus stop or zone so designated by a sign.

7. PARKING ON ALLEY

- 7.1** No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley.
- 7.2.** No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner, location or circumstances that it blocks an alley and impedes the use of the alley by another vehicle.
- 7.3** No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner that the vehicle is in front of or within one meter of the side of any refuse container or storage area located adjacent to any alley.
- 7.4** No operator or owner of a vehicle shall stop or park or permit the stopping or parking, of the vehicle in any marked fire lane.
- 7.5** No operator or owner of a vehicle shall stop or permit the stopping or parking of the vehicle in a manner where the vehicle may interfere with the use of a doorway marked on the exterior as a fire or emergency exit from any building.
- 7.6.** No owner or operator shall park or permit any vehicle to be parked in an alley such that any part of the vehicle is within three meters of an electrical transformer.

8. UNAUTHORIZED PARKING

- 8.1** No owner or operator of a vehicle shall park or permit the parking of a vehicle on any private property without the prior permission of the owner or tenant, occupant or person in control of the private property.

- 8.2** Notwithstanding the provisions of Subsection 8.1, where, on private property used for commercial or industrial purpose or property owned by the Town of Fort Macleod with land designated for parking space or spaces or a parking area that is provided for the parking of the vehicles of persons who are customers or patrons or who are otherwise doing business with the owner, tenant, or occupant or person in charge of the property and the space is clearly designated by permanent posted signage, as being,
- 8.2.1 private property; and
 - 8.2.2 set aside for the parking only of vehicles:
 - 8.2.2.1 for customers, patrons, or persons doing immediate business with the owner, tenant, occupant, or person in charge of the property; or
 - 8.2.2.2 for persons immediately using a facility or service supplied by the owner, tenant, occupant, or person in charge of the property;
 - 8.2.2.3 an owner or operator of a vehicle who is not subject to 8.2.2.1 or 8.2.2.2. shall not park or leave his or her vehicle on the parking space, spaces or area so designated.
- 8.3** A person owning or occupying or in charge of private property who observes any person or persons violating the provisions of Subsection 8.1 or 8.2 has the right to remove the vehicle from said property as long as proper signage is in place warning owner or operator of said vehicle can be towed at his or her expense and that the name and contact number of tow company is clearly visible on the signage. Upon removal of such said vehicle the local RCMP detachment must be advised of the vehicles removal.
- 8.4** A Peace Officer may cause any vehicle parked contrary to Subsection 8.1 or 8.2 to be removed from the site and to be impounded at a storage facility as chosen by the Peace Officer for this purpose.
- 8.5** In addition to impounding the vehicle, a complaint may be laid against the owner or person in charge of the illegally parked vehicle for the violation of the provisions of this Section.
- 8.6** In lieu of, or in addition to, the removal and impounding of the vehicle a Peace Officer for this purpose may place a Violation Ticket or Traffic Violation Notice upon the vehicle parked in contravention of this Section.

9. EXEMPTIONS FROM PARKING PROVISIONS

- 9.1** Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or parking of vehicles do not apply to:
- 9.1.1 Emergency Vehicles;
 - 9.1.2 Service vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems;
 - 9.1.3 Municipal and other Government Public Works vehicles;
 - 9.1.4 Funeral Cars; or
 - 9.1.5 Towing Services Vehicles.
- While any such vehicle is used for work related reasons requiring that it be stopped or parked at that location.
- 9.2** Where the owner or operator of a vehicle stops, stands or parks pursuant to Subsection 9.1 contrary to other provisions of this Bylaw he shall take due precaution to indicate the presence of such vehicle on any highway while so parked or stopped.

10 PARKING FOR PERSONS WITH DISABILITIES

- 10.1** In this Section,
- 10.1.1 "permit" means a valid handicap placard or licence plate that is issued or recognized by the Solicitor General;
 - 10.1.2 "public property" means public property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles; and
 - 10.1.3 "private property" means private property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- 10.2.** Council is hereby authorized to designate parking places on public property for the exclusive use of persons with disabilities who display a permit on their vehicles.
- 10.3** The Foreman of Public Works shall cause any parking place designated pursuant to subsection 10.2 to be marked with a sign or other marking approved by the Foreman of Public Works.
- 10.4** The owner, tenant, occupant or person in control of private property may designate any number of parking places on the property for the exclusive use of persons with disabilities who display a permit on their vehicles.

- 10.5** An owner, tenant, occupant or person in control of private property who designates a parking place pursuant to subsection 10.4 shall cause the parking place to be marked with a sign or other marking approved by the Foreman of Public Works or similar to that approved by the Foreman of Public Works.
- 10.6** A parking place that prior to the coming into force of this Section has been marked by a sign or other marking as being a parking place for the exclusive use of persons with disabilities who display a permit on their vehicles shall be deemed to be a parking place designated pursuant to subsection 10.2 or 10.4, provided that the sign or other marking is in a form approved by the Foreman of Public Works or similar to that approved by the Foreman of Public Works.
- 10.7** No person shall stop or park a vehicle in a parking place designated pursuant to this Section unless:
- 10.7.1 a permit is displayed on the vehicle, and
 - 10.7.2 the vehicle is operated by, or is being used to transport, a person with a disability.
- 11. LOADING ZONES**
- 11.1** No operator or owner shall park or stop or permit the parking or stopping of a vehicle in a Commercial Loading Zone unless:
- 11.1.1 The vehicle bears a license plate identifying it as a commercial vehicle, or
 - 11.1.2 The commercial vehicle is actively engaged in the loading or unloading of merchandise or other materials for a period of time not exceeding (20) minutes.
- 11.2** No owner or operator of a vehicle shall leave a vehicle in a Passenger Loading Zone unless actively engaged in the loading or unloading a passenger for a period of time not exceeding (10) minutes.
- 11.3** No owner or operator of a vehicle shall park or stop in a Passenger Loading Zone designated for Greyhound Bus Lines.

12. TEMPORARY CLOSURES

- 12.1** The Foreman of Public Works is hereby authorized to temporarily close the whole or part of a highway at any time that a construction or maintenance project on or adjacent to the highway may create a hazard.
- 12.2** No person shall make use of any highway in a manner contrary to any, restriction, prohibition or designation pursuant to Subsections 12.1.

13. SCHOOL BUSES

- 13.1** The operator of a school bus shall activate the alternately flashing red or yellow lights on the vehicle while loading or unloading passengers in a designated school zone, or playground zone.

14. PARADES / SPECIAL HIGHWAY EVENTS

- 14.1** No person shall participate in any parade or special highway event on a highway unless permission for the event has been obtained from the Council of the Town of Fort Macleod and Alberta Transportation in the case of a parade or special event on a highway.
- 14.2** When permission has been obtained for a parade or special highway event:
- 14.2.1 Notwithstanding any provisions of this bylaw, a person or persons may congregate on the sidewalks in order to view the parade or procession,
 - 14.2.2 The Town's Foreman of Public Works or Peace Officer 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, and
 - 14.2.3 The Foreman of Public Works may temporarily suspend parking and loading privileges on all or a portion of a highway on the proposed route by posting no parking signs.
 - 14.2.4 In the event vehicle(s) are parked on the designated route the Town's Peace Officer(s), (at the owner's expense) shall remove said vehicle and have it impounded or relocated at the discretion of the Peace Officer (s).

15. CYCLIST

- 15.1** Unless the context otherwise requires, a person operating a bicycle on a highway has all the same rights and is subject to all the rules that any vehicle operator has under this bylaw.
- 15.2** Notwithstanding Subsection 16.1, a carrier of a newspaper may ride a bicycle on a sidewalk, or boulevard:
- 15.2.1 If he is delivering copies of the newspaper at the time; and
 - 15.2.2 If the bicycle does not interfere with other persons traveling on the said sidewalk, footpath, or boulevard.