

**BYLAW NO. 2019-005
OF THE VILLAGE OF ROCKYFORD
IN THE PROVINCE OF ALBERTA**

A BYLAW OF THE VILLAGE OF ROCKYFORD IN THE PROVINCE OF ALBERTA, TO CONTROL AND REGULATE THE USE OF HIGHWAYS WITHIN THE LIMITS OF THE VILLAGE OF ROCKYFORD

WHEREAS the *Municipal Government Act*, RSA 2000 Ch M-26 and the *Traffic Safety Act* RSA 2000, Ch T-6 provides that a municipality may enact Bylaws for the regulation and control of the use of highways in the municipality's control and governing the parking of vehicles on highways in the municipality's direction and control;

WHEREAS, the Council deems it expedient to regulate the speed and use of highway traffic on highways subject to its direction and control and;

WHEREAS the Council deems it expedient to regulate the parking of vehicles on the highways subject to its direction and control;

AND WHEREAS, the Council considers it desirable and expedient to authorize the placing, erecting or marking of traffic control devices at any location considered necessary for controlling highways within its direction, control and management including the erection of stop signs at railway crossings in the Village of Rockyford;

NOW, THEREFORE, the Council of the Village of Rockyford, in the Province of Alberta, hereby enacts as follows:

TITLE

101. This Bylaw shall be titled as the "Traffic Control Bylaw".

DEFINITIONS

201. In this By-law:

- (a) "alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- (b) "bicycle" means any device propelled by human power upon which any person may ride, regardless of the number of wheels it may have, excepting a wheelchair.
- (c) "boulevard" means that portion of highway that is not roadway, and is that part of the sidewalk that is not especially adapted for the use of, or ordinarily used by pedestrians
- (d) "driver" or "operator" means a person who drives or who is in actual physical control of a motor vehicle;
- (e) "emergency Vehicle" means a motor vehicle used for police duty, by a fire department , as an ambulance
- (f) "highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and subject to the direction, management and control of the Village of Rockyford and includes
 - (a) a sidewalk (including the boulevard portion of the sidewalk)
 - (b) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (c) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be,

- (g) “Peace Officer” means a member of the Royal Canadian Mounted Police, a member of a Municipal Police Force, a Special Constable, or Bylaw Enforcement Officer, or a member of the Patrol Division of the Department of the Solicitor General.
- (h) “motor vehicle” means
 - (a) a vehicle propelled by any power other than muscular power, or
 - (b) a moped, but does not include a bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only on rails;
- (i) “Municipality” means Village of Rockyford
- (j) “owner” includes any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days;
- (k) “recreation vehicle” means a vehicle other than a trailer used for recreation purposes, i.e. motor home;
- (l) “sidewalk” means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between the edge of the roadway, where there is no curb line and the adjacent property line, whether or not paved or improved;
- (m) “traffic control device” means any sign, signal, marking or device placed, marked or erected under the authority of the Highway Traffic Act, and its Regulations, as amended for the purpose of regulating, warning or guiding traffic;
- (n) “trailer” means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily; or an open-top cargo trailer used for hauling materials or recreational equipment (utility trailer) but does not include machinery or equipment used in the construction or maintenance of highways;
- (o) “truck” means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis-cab, crawler mounted vehicle, trailer, machinery or equipment used in the construction or maintenance of highways or an off-highway vehicle as defined in the Off-Highway Vehicle Act, Revised Statutes of Alberta, 2000;
- (p) “truck tractor” means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of the vehicle drawn, and includes a vehicle that is designed to accommodate a 5th wheel coupling, but does not include a crane equipment breakdown vehicle;
- (q) “urban service area” means areas within the municipality;
- (r) “vehicle” means a device in, on or by which a person or thing may be transported or drawn on a highway.

SPEED LIMITS

- 301. Unless otherwise hereinafter specifically provided, the maximum rate of speed at which a driver may operate a motor vehicle upon a highway within the urban service area shall be fifty (50) kilometers per hour.
- 302. The maximum rate of speed at which a driver may operate a motor vehicle in an alley located within the urban service area shall be twenty (20) kilometers per hour.

303. The maximum rate of speed at which a driver may operate a motor vehicle upon a highway located within all playground zones through the Village shall be thirty (30) kilometers per hour between the hours of 8:30 A.M. and one hour after sunset.

TRAFFIC CONTROL DEVICES

401. The Public Works person is hereby delegated the power to prescribe where traffic control devices are to be located upon any and all highways, including traffic control devices restricting the speed of vehicles, stop signs and yield signs and the Public Works person shall provide a record of all locations where traffic control devices have been erected which shall be open to the public for inspection during normal business hours.
402. The Public Works person is hereby delegated the power to fix a maximum speed in respect of any part of a highway under construction or repair or in a state of disrepair applicable to all motor vehicles or to any classes of motor vehicles while travelling on that part of the highway and the Public Works Person shall cause to be posted on the highway or part of the highway so designated, such traffic control devices as he deems necessary to indicate the maximum speed so fixed.

PARKING CONTROL

501. No person shall park any truck tractor, trailer, or recreational vehicle upon any highway within the Village of Rockyford, except where such parking is expressly permitted or except for the purposes of loading and/or unloading such vehicle.
502. No person shall park any trailer, upon any highway within the Village of Rockyford, 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.**
503. No person shall stand or park any vehicle, in any alley, within the Village of Rockyford, in such a manner as to obstruct the passage of other vehicles.
504. No person shall park any vehicle on any street for a period greater than seventy-two (72) consecutive hours.
505. No person shall park or stand any motor vehicle in such a manner as to interfere with the proper operation of any vehicle used by the fire department or other department of the Village of Rockyford;
506. No person shall park a vehicle on the roadway side of another properly parked vehicle;
507. No person shall park or stand any motor vehicle within five meters from a fire hydrant;
508. No person shall park or stand any motor vehicle at any place where signs or marks prohibit parking.

BICYCLES

601. In this section "cycle" shall mean a bicycle or motor cycle.
602. No person shall drive a cycle on any sidewalk, footpath, or boulevard except where expressly permitted to do so. Children with bicycles having a wheel diameter of less than 508 mm (20 inches) are excepted from this provision.
603. In addition to any penalty provided in this bylaw, any cycle used or operated in contravention of this bylaw may be impounded for a period not to exceed seven (7) days for the first offense, fourteen (14) days for the second offense and thirty (30) days for the third and subsequent offenses.

GENERAL REGULATIONS

701. No person shall play any games on any highway or lane;
702. No person shall,
1. throw any dangerous missiles, stones or snowballs on any street or lane;
 2. use any bow and arrow or catapult in any street;
 3. set off or throw any firecracker or thing of like nature on any street or sidewalk;
 4. set fire to any combustible material or light a bonfire on any road, boulevard or sidewalk;
703. No person shall climb any railing, fence or tree or any post, pole or structure, lawfully erected on municipally owned property, unless they have proper authority to do so;
704. No person shall pull down, deface or destroy any sign, board, flag or notice lawfully placed on any street;
705. No person shall deface any public or private property in or adjoining any street by cutting, breaking or daubing with paint and or any other substance or in any other manner injure same
706. No person shall attach any poster, handbill, etc. to any traffic control device, tree, pole, or to any building unless with consent of the owner.
707. No person shall break, injure, dig up or destroy the earth, and, or grass on any boulevard or other public place; or plant any plants other than grass without permission from the Village of Rockyford;
708. No person shall leave, store or deposit or permit to accumulate on any street or sidewalk any article or thing that may be dangerous or in any way interfere with the proper use of the street or sidewalk or interrupt the free flow of vehicular or pedestrian traffic, nor shall any waste, paper, debris, or things be thrown, dropped or left on any street, lane, highway, sidewalk, or public place in the Village of Rockyford.
709. Pedestrians shall take precedence on all sidewalks and will be granted the right of way.
710. No person shall ride a horse or any other animal upon a sidewalk or boulevard;
711. No person shall place any electric cord, hose, ropes, pipe or like obstruction across a sidewalk or boulevard either on or above the sidewalk or boulevard, in such a manner as to endanger or impede pedestrians.
712. All persons within the Village of Rockyford shall remove and clean away as soon as possible, and in any case within 72 (seventy-two) hours, all snow, ice, dirt or debris and other obstructions from the sidewalk adjoining the premises owned or occupied by them. The foregoing shall not be construed to relieve pedestrians from the duty of due care.
713. When the Village of Rockyford considers that an owner has failed to meet the requirements of Sections 701 to 713, then the owner shall be advised that failing immediate improvement of the sidewalk condition, the Village will undertake the necessary work and will charge the cost thereof to the owner of the abutting property; or will charge the cost thereof to the abutting property as a special assessment to be recovered in like manner as with other taxes.

OFF ROAD VEHICLES

801. Stunting, speeding or like offences on Streets and Avenues are strictly prohibited.

NOTICES

901. Where a Peace Officer believes that a person has committed a breach of any of the sections of this by-law, he may serve upon such person a notice as provided in the Provincial Offenses Procedures Act.

902. Service of such notice shall be deemed sufficient if it is personally served, served by ordinary mail, or attached to the vehicle in respect of which an offense is alleged to have been committed.
903. A person upon whom such notice has been served may avoid prosecution for the offence by paying the prescribed penalty, within seven (7) days to the Village Office according to Schedule "A"

PENALTIES

1001. Any person who contravenes any of the provisions of this By-law shall be guilty of an offence and liable on summary conviction to a fine as prescribed by regulation enacted by the Lieutenant Governor in Council made under the Provincial Offences Procedures Act, Revised statutes of Alberta, 1988, Chapter P 21.5, as amended, and the Traffic Safety Act, Revised Statutes of Alberta, 2000, Chapter T-6 as amended.
1002. Notwithstanding Section 1001, a judge sitting in provincial court may determine the penalty for any offence in this bylaw with a minimum \$100.00 or maximum \$2,000.00 fine.

REPEAL OF BY-LAWS

Bylaw 2-2007 is hereby repealed.

EFFECTIVE DATE OF BY-LAW

This bylaw shall come into force and effect as of the passing of the third and final reading and signing thereof.

Read a first Time this 8th day of January, 2020


Read a Second Time this 8th day of January, 2020

Received permission to proceed to third and final reading this 8th day of January, 2020

Read a Third Time and finally passed this 8th day of January, 2020.



Mayor



Administrator

SCHEDULE "A"

PENALTIES

Sections 501 to 508 inclusive.....	\$150.00 each
Sections 701 to 713 inclusive.....	\$150.00 each