

**TOWN OF NANTON**

**BYLAW NO. 1150/04**

**A BYLAW OF THE TOWN OF NANTON, 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 Nanton, in the Province of Alberta, enacts as follows:

**2. INTERPRETATION:**

- 2.1 This Bylaw may be cited as the “Nanton Traffic Bylaw”
- 2.2 “Act” means the Traffic Safety Act, R.S.A 2000, Chapter 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 “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 kilometres per hour on level ground within a distance of 2 kilometres from a standing start.
- 2.5 “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.
- 2.6 “Boulevard” means, that part of a highway in an urban area that:
  - 2.6.1 is not a roadway, and
  - 2.6.2 is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- 2.7 “Business Section” means all areas designated as central business highway commercial, light industrial and general industrial as defined in the Town of Nanton Land Use Bylaw.
- 2.8 “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”.
- 2.9 “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.
- 2.10 “Commercial Vehicle” means a motor vehicle as defined in the Traffic Safety Act.
- 2.11 “Council” means the Council of the Town of Nanton.
- 2.12 “Crosswalk” means:
  - 2.12.1 That part of a roadway at an intersection included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
  - 2.12.2 any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or by other markings on the road surface.

- 2.13 "Curb" means the concrete or asphalt edge of a highway or the division point between the highway and a boulevard or sidewalk.
- 2.14 "Director of Public Works" means a person hired by the Town of Nanton as outlined in the Town's Non-Union Personnel Policy manual.
- 2.15 "Double Parking" or any words or any expressions of similar meaning or impart means the parking of a vehicle on a highway parallel to a vehicle parked beside the curb or shall mean parking to the rear of any vehicle that is angle parked at the curb.
- 2.16 "Downtown Core" means any road, highway, thoroughfare or sidewalk as outlined on the map (Schedule G) which is attached to and forms part of this bylaw.
- 2.17 "Emergency Vehicle" means a motor vehicle used:
- 2.17.1 For Police Duty;
  - 2.17.2 For Municipal Enforcement
  - 2.17.3 By a Fire Service;
  - 2.17.4 As an Ambulance; or
  - 2.17.5 For purpose relating to maintenance of a public utility and designated as an emergency vehicle under S. 17.1 of the Act.
- 2.18 "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.
- 2.19 "Handicap Loading Zone" means a portion of a highway set aside adjacent to a curb designated for the exclusive use of vehicles for the loading and unloading of handicapped passengers and are designated as such.
- 2.20 "He" means he/she as applicable.
- 2.21 "Heavy Vehicle" is defined as follows: a vehicle with or without a load, exceeding any of the following:
- 2.21.1 Three axles
  - 2.21.2 A designed gross vehicle weight of 5,500 kilograms.
- 2.22 "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, 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
- Includes;
- 2.22.1 A sidewalk (including the boulevard portion of the sidewalk),
  - 2.22.2 If a ditch lies adjacent to and parallel with the road way, the ditch, and
  - 2.22.3 If a highway right of way is contained between fences or between a fence and one side of the highway, all the land between the fence and the edge of the highway, as the case may be;
- But does not include;
- 2.22.4 a place declared by the Lieutenant Governor in Council not to be a highway.
- 2.23 "His" means his/hers as applicable.
- 2.24 "Holiday" means a Holiday as defined in the Interpretation Act and includes a day or portion of a day proclaimed by the Mayor of the Town or by Council as a Civic Holiday;
- 2.25 "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.
- 2.26 "Maximum Weight" means:
- 2.26.1 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
  - 2.26.2 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.

- 2.27 "Objectionable Noise" is a noise which in the opinion of a peace officer is
- 2.27.1 a loud noise or,  
2.27.2 an unnecessary noise which annoys, disturbs or endangers the comfort, repose, health, peace or safety of others.
- 2.28 "Off-highway vehicle" means any motorized vehicle designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when designed for such travel,
- 2.28.1 4-wheel drive or low pressure tire vehicles;  
2.28.2 motor cycles and related 2-wheel vehicles,  
2.28.3 amphibious machines,  
2.28.4 all terrain vehicles,  
2.28.5 miniature motor vehicles,  
2.28.6 snow vehicles,  
2.28.7 minibikes, and  
2.28.8 any other means of transportation that is propelled by any power other than muscular power or wind,
- but does not include;
- 2.28.9 motor boats, or  
2.28.10 any other vehicle exempted from all of the provisions of the Off-Highway Vehicle Act RSA by the regulations;
- 2.29 "Operator" means a person who drives or is in actual physical control of a vehicle.
- 2.30 "Owner" means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days.
- 2.31 "Parade" means a procession or march organized for the purpose of entertainment of spectators, display, inspection or promotion of a cause or purpose.
- 2.32 "Park" means to allow a vehicle (whether occupied or not) to remain standing in one place except:
- 2.32.1 When standing temporarily for the purpose of and while actually engaged in loading or unloading passenger; or  
2.32.2 When standing in obedience to a Peace Officer or traffic control device.
- 2.33 "Parking meter" means a device for the computation of time that a vehicle may be parked in a metered space.
- 2.34 "Peace Officer" means any member of the Royal Canadian Mounted Police, a member of a municipal police service, a Special Constable.
- 2.35 "Person" shall include an individual, partnership or corporation.
- 2.36 "Public Building" means any church, chapel, college, school, convent, hospital, house, any apartment block, theatre, moving picture theatre, public library, concert hall, or any building used for public resort or entertainment.
- 2.37 "Recreational vehicle" means a boat, motor vehicle, recreational vehicle designed or used for travel with temporary living accommodation for vacations or camping purposes;
- 2.38 "Roadway" means that part of the highway intended for the use by vehicular traffic.
- 2.39 "Safety Zone" means a space designated by a marking or a device placed upon the surface of a highway dividing the highway for traffic moving in opposite directions and intended as a pedestrian area.
- 2.40 "Sidewalk" means that part of a highway especially adapted to use of or ordinarily used by pedestrians, and includes that part of the highway between
- 2.40.1 the curb line, or  
2.40.2 where there is no curb line, the edge of the roadway, and the adjacent property line whether or not it is paved or improved.
- 2.41 "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.

- 2.42 "Stop" means:
- 2.42.1 When required, a complete cessation of vehicular movement; and
  - 2.42.2 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 direction of a Peace Officer or a traffic control device.
- 2.43 "Town" means the Town of Nanton.
- 2.44 "Traffic" means pedestrians, animals, or vehicles while using the highway for the purpose of travel.
- 2.45 "Traffic control device" means a parking meter, a sign, a signal, a traffic island, marking or a device marked or erected under the authority of the Act or of this Bylaw for the purpose of regulating, warning or guiding traffic.
- 2.46 "Traffic control signal" means a traffic control device whether manually, electricity or mechanically operated by which traffic is directed to stop and to proceed.
- 2.47 "Traffic tag" means:
- 2.47.1 A parking tag referred to in clause (w) of Subsection (1) of section 16 of the Act; or
  - 2.47.2 A tag authorized by the Provincial Offences Procedures Act and issued pursuant to Section 2.2 of this Bylaw.
- 2.48 "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, but does not include machinery or equipment used in the construction or maintenance of highways.
- 2.49 "Vehicle" means a device in, on or by which a person or thing may transported or drawn on a highway.

### **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 while on duty on any mall, 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 Director 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 Nanton 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.
- 5.5 No person shall crowd or jostle other pedestrians in such manner as to create or cause discomfort, disturbance or confusion.

## **6. PARKING OR STANDING ON HIGHWAYS**

- 6.1 The Director of Public Works may:
  - 6.1.1 Authorize such other or additional parking spaces as he 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 Traffic Tag 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 traffic tag 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 Nanton 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 any self-propelled type of vehicle which:
  - 6.8.1 Is not equipped in accordance with the Act; or,
  - 6.8.2 Is not in operable condition shall cause or permit such vehicle to be parked or left on any highway.
- 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 A person being in charge or control of a new or used car dealership, garage, service station, radio shop, or other premises where vehicles are sold or repairs or installations are made to vehicles for compensation shall not leave or cause or suffer or permit to be left on any highway a vehicle which is left in his possession for carrying out of repairs or making installations or for any other purpose whatsoever.
- 6.11 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.
- 6.12 An owner or operator of a recreation vehicle shall not park the vehicle on any highway or on Town property with the exception of campgrounds, or any other area as designated by Council, within the Town of Nanton.

- 6.13 No person shall operate or park any vehicle upon any land owned by the Town of Nanton 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 Nanton shall be parallel parking except where sign indicates that angle parking is permitted or required.
- 6.15 No person shall park any vehicle in any 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 metres 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 metre 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 on an alley such that any part of the vehicle is within three metres of an electrical transformer.

## **8. UNAUTHORIZED PARKING**

- 8.1 No owner or operator of a vehicle shall park or permit the parking of the 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 a commercial or industrial purpose or property owned by the Government of Canada or Alberta or the Town of Nanton, parking space or spaces or a parking area is provided for the parking of the vehicles of persons who are customers or patrons of 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, as being,
  - 8.2.1 private or government property; and
  - 8.2.2 set aside for parking only of vehicles:
    - 8.2.2.1 of customers, patrons, of 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 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 that any person is violating the provisions of Subsection 8.1 or 8.2 may report the violation to a peace officer giving:
  - 8.3.1 the name and address of the person reporting the violation;
  - 8.3.2 the address of the land where the vehicle is parked; and
  - 8.3.3 the license number of the illegally parked vehicle.
- 8.4 A Peace Officer may cause any vehicle parked contrary to Subsection 8.1 or 8.2 to be removed there from and to be impounded in a pound 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 traffic tag 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 being 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. DISABLED PARKING**

- 10.1 The Director of Public Works is hereby authorized to establish such parking zones as he deems necessary for the exclusive use of disabled persons who operate or travel by motor vehicles.
- 10.2 The owner, tenant, occupant or person in control of private property may designate any number of parking spaces for the exclusive use of disabled persons who operate or travel by motor vehicle by marking same with a sign or signs in a form similar to that approved by the Director of Public Works on the private property.
- 10.3 The owner or operator of a motor vehicle which is not identified by a handicap placard or license plate that is issued or recognized by the Solicitor General for persons with disabilities shall not stop or park or permit the stopping of the vehicle in a parking space designated pursuant to Sections 10.1 and 10.2.
- 10.4 Where, pursuant to Subsection 10.3, the vehicle is identified by a handicap placard the owner or operator shall have such placard visibly displayed while the vehicle is stopped or parked.

**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.

**12. TEMPORARY CLOSURES**

- 12.1 The Director 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 vehicle bearing the sign "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 Nanton 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 Director of Public Works or Special Constable(s) 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 Director 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 Special Constable(s), (at the owner's expense) shall remove said vehicle and have it impounded or relocated at the discretion of the Special Constable(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 15.1, 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 proceeding by on the said sidewalk, footpath, or boulevard.
- 15.3 Notwithstanding Subsection 15.2, the Director of Public Works may designate those portions of sidewalks, boulevards where other persons who are not carriers of newspapers delivering copies thereof may ride bicycles.
- 15.4 Where this bylaw permits a person to ride a bicycle or use in-line skates, scooters, skateboards on any sidewalk, where pedestrians are also allowed, the person shall ride the bicycle, skateboard, scooter, or use in line skates only in such a way that it will not interfere with a pedestrian lawfully on or using such sidewalk.
- 15.5 A Peace Officer may seize and impound for a period not exceeding 60 days any bicycle, scooter, skateboard used or operated in contravention of this bylaw.
- 15.6 Where a bicycle, scooter, and or skateboard, has been seized and impounded by a Peace Officer as provided for in Subsection 15.5, the owner or operator of such bicycle, scooter, skateboard shall, aside from any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle, scooter or skateboard.

#### **16. USE OF SIDEWALKS**

- 16.1 Except as otherwise provided in Section 16.2, a person shall not, on or along a sidewalk or boulevard:
- 16.1.1 Drive, lead or allow a hooped animal to walk;
- 16.1.2 Drive, draw or push any motor vehicle;
- 16.1.3 Ride a bicycle;
- 16.1.4 Ride a horse; or
- 16.1.5 Draw, push, propel or ride a wheeled vehicle of any description.
- 16.2 Notwithstanding the provisions of Subsection 16.1, a person may draw, push, or propel:
- 16.2.1 A two wheeled cart or other personal grocery carrier;
- 16.2.2 A baby carriage, a wheeled device for carrying a child or invalid;
- 16.2.3 A child's tricycle;
- 16.2.4 A wheel chair, or motorized scooter for the disabled.

On or along a sidewalk in such a way as to not interfere with the other pedestrians using the sidewalk.

- 16.3 Subject to Subsection 15.4, a person may use in-line skates or a skateboard or scooter on a sidewalk, except on sidewalks in the downtown core which is 20<sup>th</sup> Street between 20<sup>th</sup> Ave. & 22 Ave. and 19<sup>th</sup> Street between 20 & 21 Avenue.

## **17. Truck Routes**

- 17.1 No person shall park heavy vehicles within the municipal boundaries of the town in areas designated in the Land Use Bylaw as residential or public.
- 17.2 Notwithstanding subsection 6.2., heavy vehicles that are actively delivering or collecting goods may be parked in areas designated in the Land Use Bylaw as residential or public.
- 17.3 No person shall operate a heavy vehicle on any highway in the Town, except on a highway designated as a truck route as specified in Schedule 'A'.
- 17.4 Notwithstanding Subsections 6.2., the following heavy vehicles are authorized to operate on non truck routes
- 17.4.1 public passenger buses or school buses being operated for the purpose of receiving or delivering passengers,
- 17.4.2 emergency vehicles being operated in the service of public interest or during an emergency,
- 17.4.3 utility vehicles being operated for the purpose of installing, servicing or repairing public utilities,
- 17.4.4 town vehicles being operated in the service of the Town, or
- 17.4.5 commercial vehicles delivering or collecting goods, provided that the most direct route, from a truck route, is used and such deliveries or collections are made between the hours of 7:00 a.m. and 11:00 p.m. on any one day.

## **18. SNOW AND ICE REMOVAL**

- 18.1 All persons owning or occupying premises in Town, shall clear away and remove all snow, ice, dirt, and other obstructions from the sidewalk situated on land adjoining the property owned or occupied by them within 24 hours of the time that such snow, ice, dirt or other obstructions was deposited thereon.
- 18.2 The Town may after the expiration of the 24 hours aforesaid, remove and clear away all snow, ice, dirt and other obstructions required to be removed by subsection (1) of Section 17, and charge the expenses thereof to the owner or occupant. In the event of non-payment within (30) days, of the expenses, such expenses shall be charged against the property as a special assessment to be recovered in a like manner as other taxes.
- 18.3 Notwithstanding any other provisions of this bylaw, the Director of Public Works, may cause moveable signs to be placed on or near a highway.
- 18.4 Notwithstanding anything herein contained, in snow removal or highway cleaning operations carried on by the Town Maintenance crew and their contractors, the Town may tow or remove or impound vehicles from the highway being cleaned or from which snow is being removed, when notice has been given.

## **19. SUNDRY RESTRICTIONS**

- 19.1 Where an unprotected hose of the Town of Nanton Fire Department has been laid down on a highway or a driveway no person shall drive a vehicle over such hose unless an official of the Town of Nanton Fire Department at the scene has specifically allowed him to do so.
- 19.2 No person shall apply or engage engine retarder brakes on any truck in any part of the Town of Nanton.
- 19.3 No person shall drive a vehicle in or along an alley in the Town at a speed greater than 15 kilometers per hour.

- 19.5 No person shall pass beyond a point designated by a Peace Officer or a member of the Fire Department near the location of a fire.
- 19.6 No person shall drive or haul on or over any highway within the Town, any vehicle or other type of equipment or thing(s) which damages or is likely to damage the highway.
- 19.7 No person shall allow any dirt, sand, gravel, cement or any other material to be deposited on a highway.
- 19.8 No person shall tear down, remove, or interfere with any signs, signals, barricades, flares or other things placed in accordance with the provisions and regulations of the Act.
- 19.9 No person shall cast or throw stones, balls of snow or ice, or any object on any of the highways within the Town.
- 19.10 No person shall cast or throw any golf balls on or from any Town property or highway located within the Town.
- 19.11 No person shall place any goods or wares or merchandise or other articles of any kind upon any sidewalk or highway, or shall expose any goods, wares or merchandise or other articles outside any shop, warehouse or building which shall project over any part of the sidewalk or highway, unless written permission is obtained from the Town.
- 19.12 No person shall lay or place an extension cord for any reason, across a sidewalk or boulevard so as to obstruct or endanger pedestrians or interfere with sidewalk cleaning.
- 19.13 No person shall operate an off-highway vehicle within the Town of Nanton.

## **20. OBSTRUCTIONS TO VISION**

- 20.1 No person shall permit any hedge, tree, or shrub, whenever planted, on property owned or occupied by him located within the triangle formed on a corner site by the two curb lines adjoining an intersection, including a lane intersection and two points located 7.5 meters where the curb lines meet, herein referred to as the "corner visibility triangle", to grow or remain at a height greater than 1.2 meters.
- 20.2 If a person is directed by a Peace Officer to reduce any hedge, tree or shrub located in a corner visibility triangle to a height not in excess of 1.2 meters, and fails to carry out such direction within 7 days of receipt of such direction, the Town may remove any such hedge, tree, or shrub or reduce it to the required height, and if the cost of such work is not paid on demand by the owner or occupant of the property in question, the Town may recover the expenses of such work, with costs, by action in any Court of competent jurisdiction, or may charge the expense of the work as taxes against such property.
- 20.4 No person shall continue the existence of a fence, wall or other object on private property so that the visibility for safe traffic is interfered with.
- 20.5 The maximum height provided in Subsections 20.1, 20.2, 20.3 and 20.4 shall be measured from the top of the curb where there is a sidewalk or from the level of the crown of the highway where there is no sidewalk.

## **21. AUTHORITY OF COUNCIL**

- 21.1 Subject to conditions in this bylaw, Council hereby authorizes the Director of Public Works to make provisions and regulations in times of emergencies and in areas where construction or repairs are being carried out upon or near highways, relating to the control and regulation of traffic, and without restricting the generality of the foregoing, may make provisions and regulations in order to temporarily close to traffic any highway or part thereof, and to suspend temporarily any parking privileges granted by this bylaw. The Director of Public Works is hereby authorized to place on the highway, a sign warning persons of any regulations and provisions that are in effect, and may cause such additional signs and traffic control devices to be so placed and to cause to be placed such barricades, flares or other things as he deems necessary to implement the provisions and regulations so imposed.

## **22. POWERS OF A PEACE OFFICER**

- 22.1. Any Peace Officer is hereby authorized to remove or cause to be removed any vehicles or trailer:
  - 22.1.1 Operated or parked in contravention of any provision of this bylaw, or
  - 22.1.2 Where emergency conditions may require such removal from a highway.

Such vehicle may be removed to a place designated by the Peace Officer where it will remain until cleared by the owner thereof or his agent.

- 22.2. No impounded vehicle shall be released to its owner or his agent until the impound charges and removal charges on the vehicle have been paid to the Authorized Agent; such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as herein after provided. The Town of Nanton is not responsible for "Towing Charges."
- 22.3. Where a Peace Officer has reasonable grounds to believe a person has committed a breach of any of the sections of this bylaw listed in Schedules "A", "B", "C", "D", "E", "F" hereunto annexed and made part of this bylaw, he may serve upon such person(s) a "Traffic Tag" allowing the payment of a penalty to The Town of Nanton which shall be accepted by the Town of Nanton in lieu of prosecution for the offence.
- 22.4. A Traffic Tag may be:
- 22.4.1 Personally served; or
  - 22.4.2 Attached to any vehicle in respect of which any offence is alleged to have been committed; or
  - 22.4.3 Mailed to the address of the registered owner of the vehicle or to the person in possession of said vehicle.
- 22.5. Penalties as per schedules A, B, C, D, E & F may be accepted in lieu of prosecution for a contravention of this Bylaw.
- Upon payment in accordance with the terms specified in the Traffic Tag, an official receipt for the payment shall be issued and, pursuant to the provisions of Subsections 22.7 and 22.8 such payment shall be accepted in lieu of prosecution.
- 22.6. If after the date of expiration for payment of a Traffic Tag a person tenders payment therefore in accordance to Subsection 22.5, such payment shall be accepted in lieu of prosecution provided that payment is tendered three days preceding the appearance date specified in any violation ticket subsequently issued for the same offence.
- 22.7. If the person upon whom the Traffic Tag is served fails to pay the required sum within the time specified, the Provisions of this Section for acceptance of payment in lieu of prosecution do not apply.
- 22.8. Nothing in this Section shall:
- 22.8.1 Prevent any person from exercising his right to defend any charge of committing a breach of any of the Sections referred to in Schedules "A", "B", "C", "D", "E", "F" to this Bylaw;
  - 22.8.2 Prevent any Peace Officer, in lieu of serving a Traffic Tag, or any other person from laying information or a complaint against any other person for committing a breach of any of the Sections listed in the said Schedules; or
  - 22.8.3 Prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this Bylaw or not) for a breach of any of the Sections listed in the said Schedules.
- 22.9. A person other than the owner or operator of a vehicle shall not remove any Traffic Tag or notice placed on or affixed to the vehicle by a Peace Officer in the course of his duties.
- 22.10. No person other than a Peace Officer or another person authorized by the Town of Nanton or by this Bylaw shall place a Traffic Tag on any vehicle.

### **23. COST INCURRED BY THE TOWN**

- 23.1. If a person is in default in doing any matter or thing which this Bylaw directs that he should do, the matter or thing may be done by the Town of Nanton at the expense of the person in default and if the person in default does not pay such expense promptly upon being invoiced, the Town may recover the expenses thereof with costs by action in any Court of competent jurisdiction.
- 23.2. If, by reason of contravention of any provision of this Bylaw, the Town of Nanton is authorized or required to move a motor vehicle from a place where it is parked and impound the motor vehicle; then the amount of the expense so incurred shall be:

- 23.2.1 added to the amount of any fine or penalty which may be imposed by reason of the contravention; or
- 23.2.2 added to the amount of payment to be made in lieu of prosecution as provided in Section 22.5.

**24. PENALTIES**

- 24.1 Subject to the provisions of Subsection 22.5, a person contravening a provision of this Bylaw and any other person liable or responsible for such contravention shall upon Summary Conviction before a Court of competent jurisdiction be liable to a fine not exceeding Twenty-five Hundred Dollars (\$2500.00) exclusive of costs, or, in event of non-payment of the fine and costs, to imprisonment for a period not exceeding Sixty (60) Days unless such fine and costs including the cost of committal are sooner paid.
- 24.2 Notwithstanding Subsection 23.1, no person convicted of an offence by reason of contravention of a provision of this Bylaw shall be liable to imprisonment for non-payment of a fine and costs imposed upon Summary Conviction therefore unless he was the person actually driving the motor vehicle at the time the contravention of the Bylaw occurred.

**25. TRANSITION SECTION**

- 25.1 All traffic control devices which are in place on the effective date of this Bylaw shall be deemed to be valid traffic control devices for the purposes of this Bylaw.
- 25.2 All School Zones, Playground Zones, Loading Zones, Bus Zones in effect immediately prior to the coming into force of this Bylaw shall continue in effect until removed.

This Bylaw comes into full force and effect upon third and final Reading.

Bylaw No. 1017/95 and all amendments being Bylaw 1050 and Bylaw 1128 thereto are hereby repealed.

Bylaw No. 869 is hereby repealed.

Bylaw No. 587 is hereby repealed.

**READ A FIRST TIME** this 5th day of July, 2004

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**READ A SECOND TIME** this 7th day of September, 2004

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**READ A THIRD AND FINAL TIME** this 7th day of September, 2004

\_\_\_\_\_  
CHIEF ELECTED OFFICIAL

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"**

(\$25.00 Penalties)

- S. 5.1 Solicit Rides on a Highway
- S. 5.3 Board or Alight from a Moving Vehicle
- S. 5.4 Pick up Person Soliciting a Ride
- S. 5.5 Crowd or Jostle Pedestrian

**SCHEDULE "B"**

(\$30.00 Penalties)

- S. 8.1 Parking on Private Property without prior permission
- S. 8.2 Unauthorized Parking in Space Reserved for Customer Parking
- S. 12.2 Operate Vehicle on Closed Highway
- S. 15.4 Interfere with pedestrian while operating a Bicycle, Skateboard, Scooter on sidewalk.
- S. 16.1.1 No Person Shall Drive, Lead or Allow a Hoofed Animal to Walk on a Sidewalk
- S. 16.1.2 No Person Shall Drive, Draw or Push any Motor Vehicle on a Sidewalk.
- S. 16.1.3 No Person Shall Ride, a Bicycle, Skateboard, Scooter, on a Sidewalk
- S.16.1.4 No Person Shall Ride a Horse; or
- S. 16.1.5 Draw, Push, Propel or Ride a Wheeled vehicle of any description on or along a sidewalk or boulevard
- S. 19.9 Throw Stones, Snowballs or Ice on any of the highways within the Town.
- S. 19.10 Cast, Throw Golf Balls on or from Town Property or Highway located within the Town.

**SCHEDULE "C"**

(\$50.00 Penalties)

- S. 6.2 Overtime Parking
- S. 6.5 Removing Chalk Mark on Tire
- S. 6.6 Failing to Park in Manner Required
- S. 6.7 Repair or Servicing Vehicle on Highway
- S. 6.9 Vehicle Parked on Highway Incapable of Moving
- S. 6.10 Parking of Vehicles by Commercial Vehicle Related Businesses
- S. 6.11 Park Detached Trailer or Camper on Highway
- S. 6.12 Have Recreational Vehicle Parked on Highway / Town Property
- S. 6.13 Park Vehicle On Town Property
- S. 6.14 Improper Parking where Angle Parking is Indicated
- S. 6.15 Park vehicle in Bus Stop or Zone marked No Parking
- S. 7.1 Stopped or Parked Vehicle within one and half metres of Driveway, Alley, Garage Entrance
- S. 7.2 Stopped or Parked Vehicle as to Obstruct Alley
- S. 7.3 Stopped or Parked Vehicle as to Block Refuse Container or Storage Area
- S. 7.6 Stopped or parked Vehicle in an Alley within three metres of an Electrical Transformer
- S. 11.1 Prohibited or Overtime Parking in Commercial Loading Zone
- S. 11.2 Unoccupied Vehicle Parked or Stopped in Passenger Loading Zone.
- S. 13.1 Fail to operate Flashing Lights in a School, Playground Zone
- S. 18.1 Fail to Remove Snow, Ice, Dirt, From Sidewalk
- S. 19.3 Exceed 15 km/h In Alley

**SCHEDULE "D"**

(\$100.00 Penalties)

- S. 7.4 Parked or Stopped in Marked Fire Lane
- S. 7.5 Stopped or Parked Blocking Marked Fire Exit
- S. 14.1 Parade or Special Highway Event Without a Permit
- S. 19.1 Drive Vehicle over Fire Hose
- S. 19.5 Fail to Obey direction of Peace Officer or Fire Officer
- S. 19.7 Dump Materials on highway
- S. 20.1 Allow tree, hedge or shrub to obstruct visibility of traffic
- S. 20.4 Allow fence, wall or other object to obstruct visibility of traffic

**SCHEDULE "E"**

(\$150.00 Penalties)

- S. 8.2 Unauthorized Truck Parking
- S. 10.3 Unauthorized Parking in a Disabled Parking Space; Failure to display Placard
- S. 10.4 Unauthorized Vehicle Parked in Handicap Loading Zone
- S. 19.2 Apply Engine Retarder Brakes
- S. 22.1 Interfere with a Peace Officer
- S. 22.9 Person(s) Remove Traffic Tag Placed on or Affixed to a Vehicle

**SCHEDULE "F"**

(\$200.00 Penalties)

- S. 17.1 Park Heavy Vehicle off of truck route
- S. 17.3 Drive Heavy Vehicle off of Truck Route
- S. 19.6 Cause Damage to Highway
- S. 19.8 Tamper with Signs