

**SUMMER VILLAGE OF SOUTH VIEW
By-Law 130**

**A BY-LAW OF THE SUMMER VILLAGE OF SOUTH VIEW TO REGULATE PEDESTRIAN
AND VEHICLE TRAFFIC WITHIN THE CORPORATE LIMITS OF THE SUMMER VILLAGE
OF SOUTH VIEW.**

WHEREAS, pursuant to Section 7 of the Municipal Government Act, being Chapter M-26 of Revised Status of Alberta, 2000, Council may pass bylaws for municipal purposes respecting transport and transportation systems; and

WHEREAS, the Highway Traffic Act Chapter H-7 of the 1997 Revised Section 16(1) and Section 16(2) Statutes of Alberta, empowers the Council to pass by-laws for the regulation and control of vehicle, animal, and pedestrian traffic;

WHEREAS, Council deems it proper and expedient to regulate and control vehicle, animal and pedestrian traffic;

NOW THEREFORE, the Municipal Council of the Summer Village of South View in the Province of Alberta, duly assembled, hereby enacts as follows:

I. DEFINITIONS

1. "Alley" means a narrow highway providing access to the rear of buildings and parcels of land.
2. "Bicycle" includes any cycle propelled by human power upon which a person may ride, regardless of the number of wheels it may have.
3. "Boulevard" means, in an urban area, that part of a highway that
 - a. is not roadway, and
 - b. is that part of the sidewalk that is not especially adapted to the use of, or ordinarily used by, pedestrians.
4. "Centre line" means the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway.
5. "Council" means the Council of the Summer Village of South View.
6. "Driver" or "Operator" means a person who drives or is in actual physical control of a vehicle.
7. "Highway" means a highway as defined in Section (g) of the Highway Traffic Act.
8. "Motor Vehicle" means motor vehicle as defined in Section 1(k) of the Highway Traffic Act.
9. "Municipal Administrator" means the Chief Administrative Officer as appointed by Council.
10. "Owner" includes any person renting a motor vehicle or having the exclusive use thereof under a lease or otherwise for a period of more than 30 days.
11. "Park" when prohibited, means allowing a vehicle (whether occupied or not) to remain standing in one place, except:
 - a. when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
 - b. when standing in obedience to a peace officer or traffic control device.

12. "Peace Officer" means a member of the Royal Canadian Mounted Police, a By-law Enforcement Officer, or a Special Constable appointed pursuant to Chapter P12 of the Revised Statutes of Alberta 1980.
13. "Pedestrian" means a person afoot or a person in a wheel chair.
14. "Roadway" means that part of a highway intended for use by vehicular traffic.
15. "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected under the authority of this By-law for the purpose of regulating, warning or guiding traffic.
16. "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway. This shall include but not be limited to a vehicle so designed that it may be attached to or drawn by a motor vehicle to be moved from one point to another and which may provide living accommodation for or otherwise be used by one or more persons.

II. SPEED

Unless otherwise posted by Approved Traffic Control Devices no person:

1. Shall drive a vehicle at a speed in excess of 30 km per hour on any highway within the municipality.
2. Shall drive a vehicle in any lane, or alley in the municipality at a speed in excess of 15 km per hour.
3. Shall drive a vehicle in a playground zone on any highway in excess of 30 km per hour.

III. PARKING

1. No person shall permit a vehicle to stand unattended upon any grade or slope without first having:
 - a. effectively set the vehicle's brakes, and
 - b. turned the front wheels to the nearest edge of roadway in such a manner as to impede any movement of the vehicle.
2. No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or a similar device and
 - a. one or more wheels have been removed from the vehicle, or
 - b. part of the vehicle is raised.
3. Unless required or permitted by a Traffic Control Device or in compliance with direction of a Peace Officer or to avoid conflict with other traffic, a person shall not park his vehicle:
 - a. on a sidewalk or boulevard, or
 - b. on a crosswalk or any part of a crosswalk, or
 - c. within an intersection other than immediately next to the curb of a "T" intersection, or
 - d. at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately to the rear, except when his vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted, or
 - e. within 5 meters upon the approach to any stop or any yield sign
 - f. within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossways over a sidewalk, or
 - g. within 5 meters of the nearest side of a marked crosswalk, or
 - h. alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic, or on any bridge or on the approach

- thereto, or
 - i. at any other place where a traffic control device prohibits stopping or parking during such times as stopping or parking is so prohibited, or
 - j. on a roadway side of a vehicle parked or stopped at the curb or edge of the roadway.
4. Where a person parks his vehicle contrary to any of the aforementioned provision and said contravention is hazardous to life, limb or property, or it interferes with repair or maintenance of highways, a Peace Officer may require the vehicle to be removed and stored. The owner of said vehicle shall be required to pay in addition to the fine, towing and storage fees before his vehicle is recovered.
 5. No person shall drive, park, or stop any vehicle upon any highway in such a manner as to block, obstruct, impede or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure of the vehicle, the operator will not be in breach of this section provided the operator promptly takes measures to clear the vehicle from the highway.
 6. Where a vehicle parking space is marked or designated upon a highway, every driver of a vehicle using the same shall park such vehicle wholly within the limits of the same.
 7. No person shall park in front of or adjacent to any building in course of erection, demolition, alteration, or repair when such parking will impede or obstruct traffic.
 8. No person shall park his or her vehicle so it will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building fronting or abutting the highway, or any private property where signs are displayed. Where a person parks a vehicle contrary to any of the aforementioned provisions a Peace Officer may require the vehicle to be removed from that doorway and left nearby to minimize inconvenience and expense to its owner or operator.
 9. No person shall park a vehicle at a place or area where the traffic control device indicates parking there is restricted to a certain class of vehicle only, and his or her vehicle does not apply.
 10. Notwithstanding any other provisions in this By-law the Municipal Administrator or designated employee may cause movable signs to be placed on or near a highway prohibiting parking for emergency purposes or street cleaning work.
 - a. After such signs are placed on or near a roadway, no person shall park or leave a vehicle on the signed portion of roadway for any part of the twenty four hour period following the location of the sign thereon.
 - b. Any vehicle that is on such roadway when such signs are placed thereon shall be removed promptly by the owner of operator.
 - c. When any emergency snow removal, street cleaning, or street repair commences on a signed roadway, then the owner of the vehicle thereon shall be charged with unlawfully parking and the vehicle may be removed pursuant to Section III.9 hereof.
 - d. When it is practical, the vehicle being removed from the roadway being maintained will be left nearby to minimize inconvenience and expense to its owner or operator.
 11. Except when actually taking or discharging passengers, no person shall park a vehicle at the following locations:
 - a. in a passenger loading or unloading space marked with a sign
 - b. on any portion of a highway marked by a sign as "No Parking"
 12. No parking in lanes shall be permitted unless a sign directs otherwise but lanes may be used for:
 - a. loading or unloading of goods from a commercial vehicles for a period of not exceeding thirty minutes, or
 - b. the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five minutes, provided that the

vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the lane as to prevent other vehicles or persons from passing along such lanes while the loading or unloading of passengers is taking place.

13. No person shall park any vehicle upon any land owned by the Summer Village which the said Summer Village uses or permits to be used as a playground, recreation area, public park or for utility purposes except on such areas that the Municipal Administrator or designated employee may designate by a Traffic Control Device for vehicle parking.
14. Notwithstanding anything else contained here to the contrary, the Summer Village may permit a person to park a mobile unit (whether designated for occupancy by persons or for carrying goods) upon a highway, in a residential area, without being attached to a vehicle by which it may be propelled or drawn if that person satisfied the following conditions:
 - a. that the person ensures that the mobile unit is well blocked to ensure the stability of the unit when not attached to the vehicle by which it may be propelled.
 - b. The unit shall be allowed to park for no more than three (3) days at which time it must be moved and be absent from parking on the municipality's highways for a period of no less than twelve (12) hours.
 - c. If the said parked vehicle would be located either in front of or across from or on the blank side of residential zoned property, the owner of the unit must have the permission of the owner of the residence before parking the unit for longer than 1 hour.
15. No person shall angle park any vehicle or trailer which singly or together exceed 5.8 meters in overall length upon any highway except at such locations as have been designated by the Municipal Administrator or a designated employee by erection of official Traffic Control Devices.
16. No person shall park a truck trailer unit on any highway in the municipality whether a trailer unit is attached to it or not.
17. No person shall park a vehicle upon any private road or land providing emergency vehicle access to a multiple unit development. Emergency vehicles are excluded in this regard.
18. A) No person shall park on a highway a vehicle or a trailer used for the conveyance of flammable liquid or explosive material.

B) No person shall park on a highway a vehicle or trailer used for the conveyance of flammable liquid or explosive or other contents dangerous to human safety nearer than 22.2 meters to a substantial building likely to contain persons or valuable goods, and it shall have a warning notice clearly displayed.
19. Council may, at its discretion, impose and lift a ban for vehicles exceeding a load weight of 910 kilograms.
20. Council is hereby authorized to designate angle and parallel parking on any highway and to cause the same to be marked accordingly.
21. No person shall park or stand any motor vehicle on any highway for a period of more than seventy two (72) hours after which it may be considered to be abandoned.

V. Horse Drawn Vehicles

1. The driver or any other person in charge of any horse drawn vehicle on a highway shall remain upon such vehicle while it is in motion, or shall walk beside the horse drawing such a vehicle.

VI. Pedestrians

1. No person shall stand, sit, or lie on any highway in such a manner as to obstruct vehicular or pedestrian traffic or as to annoy or inconvenience any other person lawfully upon the highway.

VII. Vehicle Traffic

1. The Council is hereby authorized to cause the installation of any traffic control device to govern and direct traffic within the Municipality.
2. No vehicle operator shall drive or stand a vehicle upon any highway in such a manner as to block, obstruct, impede or hinder traffic thereon; where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the highway.
3. No person shall operate a vehicle in a residential area of the Municipality between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to unduly disturb the residents of any such area.

VIII. General Provisions

1. No person shall allow himself to be drawn by a moving vehicle while he is riding upon a sled, toboggan, bicycle, skis or other conveyance except a trailer upon a highway.
2. Unless a permit to do so has been issued by the Municipality, no person shall operate on a highway
 - a. a vehicle or trailer having metal spikes, lugs or cleats or bands projecting from the surface of the wheel or tire of vehicle, or
 - b. any vehicle or trailer having skids or not using rubber tires.

Permit fee in this Section shall be \$25.00.

XI. Penalties

1. A traffic tag shall be deemed to be sufficiently served:
 - a. if served personally on the accused, or
 - b. if mailed to the address of the registered owner of the vehicle concerned; or to the person concerned, or
 - c. if attached to or left upon the vehicle in respect of which the offense is alleged to have been committed.
2. Each Peace Officer and Bylaw Enforcement Officer is hereby charged with the duty of enforcing the provisions of this Bylaw.
3. Any person who commits a breach of any of the provisions of this Bylaw shall, upon summary conviction before a judge, be liable to a fine not exceeding \$2500.00 exclusive of costs and in case of non-payment of the fine and cost imposed, to imprisonment of a period not exceeding six months.
4. Notwithstanding Sections VIII.3, any person contravening this By-law may avoid summary conviction by the voluntary payment of a specified penalty as outlined in Schedule "A" of this By-law within the time stated thereon.

This By-law for the Summer Village of South View and shall come into full force and effect on the date of its final passing.

READ A FIRST TIME THIS 15TH DAY OF AUGUST, 2002.

READ A SECOND TIME THIS 26th DAY OF SEPTEMBER, 2002

READ A THIRD AND FINAL TIME THIS 26TH DAY OF SEPTEMBER, 2002

Mayor

Municipal Administrator

Schedule A

Section II - Speed

1- 3	As defined by The Highway Traffic Act		
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Section III - Parking

1. a.b	30.00	50.00	
2. a.b	30.00	50.00	
3.a.b.	40.00	60.00	
3.c-k	30.00	50.00	
4	50.00	100.00	Plus costs
5.	50.00	100.00	
6.	30.00	50.00	
7	30.00	50.00	Plus costs
8.	50.00	100.00	Plus costs
9.	50.00	100.00	Plus costs
10. a-d	50.00	100.00	Plus costs
11. a.b	50.00	100.00	Plus costs
12. a.b.	30.00	50.00	Plus costs
13.	30.00	50.00	
14. a.b.c.	30.00	50.00	
15.	40.00	60.00	
16	40.00	60.00	
17	40.00	60.00	
18.a.b.	40.00	60.00	
22	30.00	50.00	

Section IV. Horse Drawn Vehicles

1.	25.00	50.00	
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Section V. Pedestrians

1.	30.00	50.00	
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Section VI. Vehicle Traffic

2.	30.00	50.00	
3.	30.00	50.00	

Section VIII. General Provisions

1.	30.00	50.00	
2. a.b	30.00	50.00	Plus costs