

BY-LAW NO. 717

of the

VILLAGE OF FOREMOST

IN THE PROVINCE OF ALBERTA

A BYLAW OF THE VILLAGE OF FOREMOST IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL TRAFFIC WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE OF FOREMOST.

WHEREAS the *Traffic Safety Act*, RSA 2000, c T-6, and amendments thereto, authorizes a municipal council to pass bylaws pertaining to highways under its direction, control and management including the authority to establish maximum speed limits for highways under its control;

AND WHEREAS the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto, authorizes a municipal council to pass bylaw providing for the health, safety and wellness of people;

AND WHEREAS the Council of the Village of Foremost deems it desirable in the best interest of community safety to control and regulate the movement of traffic and within the boundaries of the Village of Foremost;

NOW THEREFORE the Council of the Village of Foremost in the Province of Alberta, in duly assembled, enacts as follows:

1. TITLE

1.1. This Bylaw may be cited as the “Traffic Bylaw”.

2. DEFINITIONS

2.1. The following definitions apply in this Bylaw, unless the context otherwise requires:

- (a) “Act” means the *Traffic Safety Act*, RSA 2000, c T-6.
- (b) “Chief Administrative Officer” or “CAO” means the person or persons appointed by Council as the Chief Administrative Officer of the Village from time to time, or his or her delegate.
- (c) “Council” means the Council of the Village of Foremost.
- (d) “Highway” has the meaning provided for in the Act.
- (e) “Notice of Violation” means a notice issued by the Village with respect to a contravention of this Bylaw allowing for voluntarily payment of a specified penalty in lieu of prosecution.
- (f) “Off-Highway Vehicle” has the meaning provided for in the Act.
- (g) “Park” means allowing a vehicle to remain statutory in one place except:
 - (i) while actually engaged in loading or unloading passengers, or
 - (ii) when complying with a direction given by a peace officer or traffic control deviceand parking has the corresponding meaning.

(h) “Peace Officer” means any sworn member of the Royal Canadian Mounted Police, a Peace Officer appointed under the *Peace Officer Act*, SA 2006, c. P-3.5, and any person employed or appointed by the Village as a Bylaw Enforcement Officer.

(i) “Traffic Control Device” has the meaning provided for in the Act.

(j) “Vehicle” has the meaning provided for in the Act.

(k) “Village” means the Village of Foremost.

(l) “Village Foreman” means the person employed by the Village as in the position of Foreman or his/her delegate.

3. DELEGATION OF AUTHORITY

3.1. The CAO and Public Works Committee established by the Council of the Village are hereby delegated the authority to prescribe where Traffic Control Devices, either permanent or temporary, are to be placed, marked or located within the Village including Traffic Control Devices restricting the speed of Vehicles.

3.2. The CAO shall keep a record of the location of Traffic Control Devices in the Village which shall be available for inspection by the public during normal business hours.

4. DISCRETION OF VILLAGE FOREMAN

4.1. Where this Bylaw requires the issuance of a permit or the prior written consent of the Village Foreman, the decision whether or not to issue a permit or give consent shall be made by the Village Foreman in his or her sole and unfettered discretion.

4.2. The Village Foreman shall have the discretion to refuse to issue a permit or give consent, and to impose terms and conditions on any permit or consent, if in the opinion of the Village Foreman it is reasonable to do so.

4.3. The Village Foreman may suspend or cancel any consent or permit given or issued pursuant to this Bylaw at any time if, in the opinion of the Village Foreman, it is reasonable to do so.

4.4. Decisions made by the Village Foreman pursuant to this Bylaw shall be final and not subject to appeal or review.

5. DAMAGE TO ROAD SURFACE BY VEHICLES

5.1. No person shall cause damage to any Highway within the Village.

5.2. Without limitation to the generality of Section 5.1 of this Bylaw:

(a) No person shall operate or move over any Highway any traction engine or public service or commercial vehicle having cleats or other devices attached to its shells or made a part thereof which may injure the said Highway;

(b) No person shall operate or move upon, or over any Highway that is surfaced with asphalt or concrete, or is prepared with a base suitable, for asphalt or concrete surfacing, any motor vehicle, tractor, traction engine or any other Vehicle equipped to run on tracks and running on tracks except with the prior written consent of the Village Foreman.

6. OBSTRUCTING USE OF ROAD

- 6.1. No person shall dump, place, abandon, unload or push any dirt, ice, snow or any other deleterious matter onto any Highway which in the opinion of the Village Foreman in any manner obstructs or impedes traffic, or drainage, unless a permit is first obtained authorizing a temporary obstruction for a specified time. Such permits may be obtained from the Village Foreman.
- 6.2. The Village Foreman may remove or cause to be removed any such obstruction or impediment and the cost of such removal shall be charged to owner or person making delivery thereof.
- 6.3. No person shall use an extension cord across any sidewalk to plug in a block heater or other device on any motor vehicle.

7. SPEED LIMITS

- 7.1. The maximum speed on Highways within the Village of Foremost, and within school and playground zones in the Village of Foremost, is as prescribed in the Act.
- 7.2. Notwithstanding Section 7.1 of this Bylaw no person shall drive any Vehicle at a speed greater than 25 kilometers per hour in any alley located in the Village.

8. CROSSING CURBS

- 8.1. The operator of a motor vehicle shall not cross a curb or boulevard excepting where driveways or laneways are provided.
- 8.2. Notwithstanding Section 8.1 of this Bylaw permission is hereby granted for the crossing of curbs and sidewalks by private passenger vehicles or recreational vehicles for the purpose of parking on private property

9. RESTRICTIONS ON CARRYING OF CERTAIN MATERIALS:

- 9.1. The driver of any Vehicle conveying explosive materials, livestock, or any material which emits an offensive odor, shall not park within 500 (five hundred) feet of any occupied building.
- 9.2. Except as provided in Section 10 of this Bylaw the driver of a motor vehicle used for the conveyance of crude oil, fuel oil, gasoline or other explosive material or any Vehicle used for hauling sand, gravel, dirt, and manure is prohibited from parking on the Highway in the Village designated as Centre Street.

10. TRUCK ROUTES

- 10.1. Truck routes as designated on attached Schedule "A" must be used by trucks over one (1) ton and all machinery and equipment, except for loading and unloading in which case the shortest distance to and from a truck route must be used.

11. PARKING

- 11.1.1. Only cars, bicycles, motorcycles, and trucks of a maximum one-ton size, and private passenger vehicles shall be allowed to park on any municipal paved parking lot unless designated otherwise, and no person shall park any such vehicle on the said paved lots for a period longer than 48 (forty-eight) hours.
- 11.2. A person shall not park a Vehicle on a highway between the hours of 6:00 a.m. and 12:00 p.m. (noon) when snow removal or street grading or cleaning signs have been erected at least 12 (twelve) hours prior to such time as such removal, grading or cleaning is to take place.
- 11.3. Any Vehicle parked in violation of this Part 11 may be towed away and the owner required to pay the towing charge before the Vehicle is released. If the Vehicle is towed to a private lot, towing charges may be paid to the owner of the lot.
- 11.4. No person shall park any Vehicle or portion of any Vehicle in or over an alley unless such person is actually loading or unloading goods from that Vehicle and unless the person parks the Vehicle so as to leave ten (10) feet of alley for free movement of vehicular traffic.
- 11.5. The occupier of residential property shall not occupy parking space other than the frontage and/or flankage of the said property.
- 11.6. No person shall angle park any Vehicle over one (1) ton capacity anywhere in the Village.
- 11.7. The CAO is hereby authorized to designate parallel parking on any Highway in the Village and to cause the same to be marked.
- 11.8. The following applies to all parking of Vehicles on the portion of Highway 61 located in the Village of Foremost and known as Main Street, and in any location where a Traffic Control Device indicates that parallel parking is required:
 - (a) The driver shall park their Vehicle with the sides thereof parallel to the curb or edge of the roadway with the right-hand wheels thereof no more than 500 millimetres from the right-hand curb or edge of the roadway.
 - (b) Where a Vehicle parking space for parallel parking upon a highway is marked or designated, an operator using same shall park such Vehicle wholly within the limits of the space provided.

12. RESTRICTION ON IDLING ENGINES

- 12.1. No driver shall leave the engine of any Vehicle running between the hours of 10:00 p.m. and 7:00 a.m. on any Highway within the residential areas of the Village.

13. ROAD BAN ORDERS

- 13.1. The CAO shall have the authority to declare a road ban order.
- 13.2. A road ban order, when in effect, shall mean that all Vehicles on Highways within the Village shall be allowed a percentage of their maximum gross weight, as established by their permissible highway loading, unless exempted under Section 13.3 of this Bylaw.
- 13.3. The following shall be exempted from the road ban order as listed
 - (a) trucks, either empty or loaded, the actual weight of which does not exceed 2,268 (twenty-two hundred sixty-eight) kilograms;

- (b) school buses when actively transporting school children to and from school;
 - (c) rubber-tired farm tractors without trailers, restricted to designated truck routes as identified in Schedule "A" to this Bylaw;
 - (d) passenger cars and light trucks towing light trailers the actual combined weight of which does not exceed 4,536 (forty-five hundred thirty-six) kilograms;
 - (e) two-axle trucks transporting provisions only to those areas where no other form of transportation is available will be permitted eighty (80%) percent of certificate weight;
 - (f) trucks and trailers transporting mail on behalf of Canada Post Corporation or propane fuel will be permitted eighty (80%) percent of certificate weight.
- 13.4. Special overload permits may be authorized by the Village Foreman for specified routes for specified periods.
- 13.5. A road ban order shall be advertised by posting of such signs and notices as the Village Foreman or CAO deems necessary to notify the public of the road ban order.

14. OFF-HIGHWAY VEHICLES

- 14.1. No person shall operate an Off-Highway Vehicle on any Highway, or public place owned or under the direction, control and management of the Village, within the Village except as provided for in Section 14.2 herein.
- 14.2. Notwithstanding Section 14.1 of this Bylaw it shall be lawful to operate:
- (a) Snow vehicles;
 - (b) 3 or 4 wheeled low pressure tire vehicles commonly referred to as "trikes" or "quads";
 - (c) Motorcycles and related 2-wheel vehicles; and
 - (d) Golf Carts, only going from home to Golf Course and from Golf Course to home.
- in accordance with the requirements of Section 14.3 of this Bylaw.
- 14.3. The vehicles identified in Section 14.2 of this Bylaw may be operated on Highways within the Village, but only for the purpose of proceeding from the point of origin to the nearest point outside of the municipal boundaries of the Village by the most direct route, or for the purpose of returning to the point of origin by the most direct route from the nearest point outside the municipal boundaries of the Village.
- 14.4. No person shall operate a vehicle identified in Section 14.2 of the Bylaw:
- (a) on a public place other than a Highway, or on private property without the permission of the owner of the property or person with the possession or control of the property;
 - (b) between the hours of 11:00 p.m. and 7:00 a.m., or;
 - (c) at rate of speed greater than 30 kilometers per hour on any street or avenue or at a rate of speed greater than 20 kilometers per hour in any alley.

15. OFFENCES AND ENFORCEMENT

- 15.1. All Peace Officers are hereby authorized to enforce this Bylaw.
- 15.2. A Peace Officer may carry out the removal and impoundment of any Vehicle found to be in contravention of this Bylaw in accordance with the provisions of the Act.
- 15.3. A Peace Officer may seize and detain any Off-Highway Vehicle in accordance with the provisions of the Act.
- 15.4. Any Peace Officer is hereby authorized to, for the purpose of enforcing this Bylaw:
 - (a) place temporary and removable markings or notices and place notices, tickets or other documents on any Vehicle in relation to a contravention of this Bylaw;
 - (b) remove, or cause to be removed any Vehicle parked in contravention of a provision of this Bylaw, or where emergency conditions may require such removal from a Highway.
- 15.5. Any Person who contravenes any provisions of this Bylaw is guilty of an offence and liable upon conviction to a maximum penalty pursuant in accordance with the *Provincial Offences Procedures Act*, RSA 2000, c. P-34. An offence will be classified as a second, third or subsequent offence if the same offender has been charged with the same offence in the preceding 12-month period.
- 15.6. When a Vehicle is parked in contravention of any provision of this Bylaw, the owner of the Vehicle shall be deemed to have committed the corresponding offence.
- 15.7. Where a Peace Officer believes that any person has committed a breach of this Bylaw, he may serve upon such person a Notice of Violation, which shall be deemed to be sufficiently served:
 - (a) if served personally on the accused;
 - (b) if sent by ordinary mail to the registered owner at his last known address shown by the records of Registrar of Motor Vehicles;
 - (c) if sent by ordinary mail to the address of the person concerned; or
 - (d) if attached to, left in, or upon the Vehicle in respect of which the offence is alleged to have been committed.
- 15.8. A Peace Officer may at any time issue a violation ticket pursuant to the *Provincial Offences Procedures Act* to any person who has contravened any provision of this Bylaw.

16. SPECIFIED PENALTIES

- 16.1. The specified penalties set out in Schedule "B" to this Bylaw are hereby established as specified penalties for the purpose of this Bylaw.

17. SEVERABILITY

- 17.1. Every provision of this Bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions shall be severed and the remainder of the Bylaw shall remain valid and enforceable.

18. REPEAL AND EFFECTIVE DATE

18.1. This Bylaw repeals and replaces Bylaw No. 394 of the Village of Foremost in the Province of Alberta to regulate and control vehicle, animal and pedestrian traffic within the corporate limits of the Village of Foremost, and amendments thereto.

18.2. This Bylaw shall into force on the date it receives third reading and is signed in accordance with the requirements of the *Municipal Government Act*.

READ A FIRST TIME THE ____ DAY OF ____, 2023.

READ A SECOND TIME THE ____ DAY OF ____, 2023.

READ A THIRD TIME THE ____ DAY OF ____, 2023.

SIGNED THE ____ DAY OF ____, 2023.



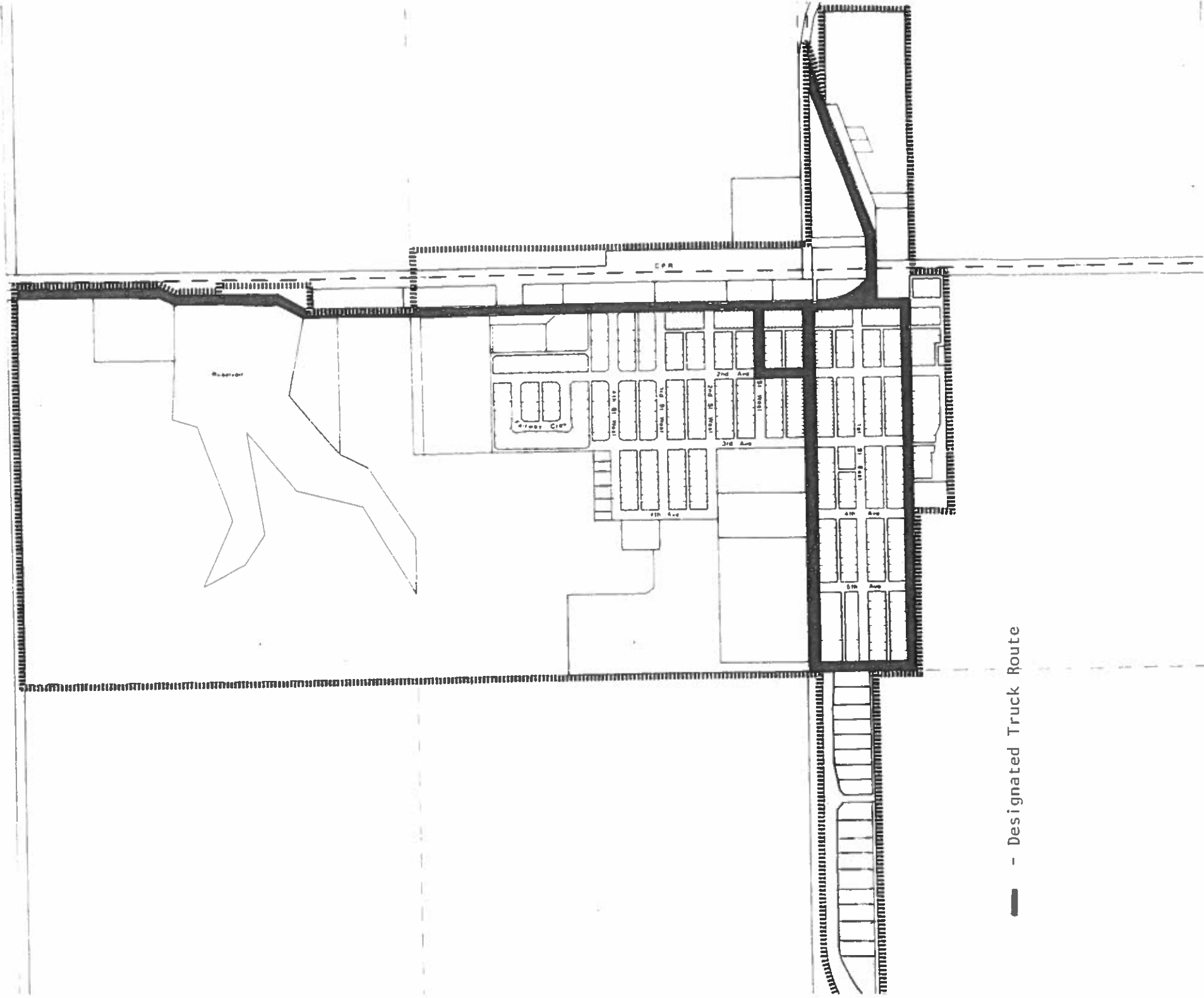
Mayor



Chief Administrative Officer

SCHEDULE "A"
VILLAGE OF FOREST TRAFFIC BYLAW
BY-LAW NO. 717/23

TRUCK ROUTES



— - Designated Truck Route

SCHEDULE "B"
VILLAGE OF FOREST TRAFFIC BYLAW
BY-LAW NO. 717/23

SPECIFIED PENALTIES

	Description	Penalty
Part 8	Crossing Curbs	\$50.00
Part 10	Truck Routes	\$100.00
Part 11	Parking	\$25.00
Part 12	Idling Engines	\$25.00

The specified penalty for all other offences not provided for above shall be in the amount of \$500.00.