



**TOWN OF BASHAW
BYLAW # 754-2014**

BEING A BYLAW OF THE TOWN OF BASHAW, IN THE PROVINCE OF ALBERTA, TO REGULATE PEDESTRIAN AND VEHICULAR TRAFFIC WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF BASHAW

WHEREAS, the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended from time to time, AND the Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6, as amended from time to time, empower Municipal Councils to enact Bylaws which are not inconsistent with those ACTS, and

WHEREAS, the Municipal Council of the Town of Bashaw deems it appropriate and expedient to consolidate Municipal Bylaws regulating Pedestrian and Vehicular Traffic into one document

NOW, THEREFORE, the Municipal Council of the Town of Bashaw hereby enacts a Bylaw to regulate Pedestrian and Vehicular Traffic in the Town of Bashaw as follows:

1. TITLE: This Bylaw may be may be cited and known as the "Traffic Bylaw".

SECTION ONE - INTERPRETATIONS: The definitions contained in Section 1 of the Traffic Safety Act, R.S.A. 2000, c.T-6 and regulations thereunder shall apply to this Bylaw unless a contrary intention is specifically stated in this Bylaw. In this Bylaw, the following terms shall have the meanings shown:

Act	refers to the <i>Traffic Safety Act</i> ;
Alley	as defined in the <i>Traffic Safety Act</i> ;
Approved Helmet	a safety helmet that is approved under the current Vehicle Equipment Regulations;
Boulevard	as defined in the <i>Traffic Safety Act</i> ;
Bylaw Enforcement Officer	RCMP Member, Peace Officer or as delegated and/or by the CAO with the authority to enforce Bylaws of this Town;
Carrier	any vehicle that is transporting any amount of Dangerous Goods into, through or out of the Town;
Centre Line	as defined in the <i>Traffic Safety Act</i> ;
Chief Administrative Officer	Town of Bashaw Authority (CAO)
Commercial Vehicle	as defined in the <i>Traffic Safety Act</i> ;
Commercial Loading Zone	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;
Council	the duly elected Council of the Town of Bashaw;
Crossing	a curb, sidewalk or boulevard crossing constructed for the purpose of vehicle access;
Crosswalk	as defined in the <i>Traffic Safety Act</i> ;
Curb	the actual curb, if there is one, and if there is no curb in existence, shall mean the division of highway between that part intended for the use of vehicles and that part intended for the use of pedestrians;
Designated Officer	as appointed by the Chief Administrative Officer to enforce and action in accordance to this Traffic Bylaw;

Driver	as defined in the <i>Traffic Safety Act</i> ;
Emergency Access	a route or lane so designated to provide Emergency Vehicles with unencumbered access to adjacent or nearby areas;
Emergency Vehicle	as defined in the <i>Traffic Safety Act</i> ;
Fire Lane	an access route for fire department vehicles required by the Alberta Safety Codes for firefighting purposes and marked by signage as a fire lane;
Heavy Vehicle	a vehicle with or without a load weighing 5000 kgs or more, or exceeding 11 metres in length, or a vehicle with a trailer with or without a load weighing 5000 kgs or more in total weight or 11 metres in length, or a vehicle licensed to transport a load of 900 kgs or more; but does not include the type of vehicle commonly known as a “recreation vehicle”;
Highway	as defined in the <i>Traffic Safety Act</i> and includes roadway, streets, alleyways, avenues, etc.
Implements of Husbandry	a vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations
Inoperable Vehicle	a vehicle that, in the opinion of the Bylaw Enforcement Officer, is incapable of moving without repair;
Holiday Trailer	mobile unit designated, constructed, and equipped as a temporary dwelling or sleeping place or any structure that is designated, constructed and equipped as a temporary dwelling or sleeping place and intended or capable of being loaded on to, carried upon, self-propelled or pulled by another vehicle;
Land Use Bylaw	Land Use Bylaw #675:2004 of the Town of Bashaw and all amendments thereto;
Loading Zone	a portion of a Highway adjacent to the curb designated for the exclusive use of vehicles loading or unloading passengers or materials;
Mobility Aid	as defined in the <i>Traffic Safety Act</i> ;
Motor Vehicle	as defined in the <i>Traffic Safety Act</i> ;
Municipality	Town of Bashaw;
Obstruction	an encroachment, excavation, structure, or other obstacle, including a tree, shrub or hedge, that interferes with or prevent the vision, passage, maintenance or use of Public Places by vehicles or pedestrians;
Off-Highway Vehicle	as defined in the <i>Traffic Safety Act</i> ;
Operator	includes a person who drives or operates a vehicle as the owner thereof or as an agent or employee of the owner;
Operator License	as defined in the <i>Traffic Safety Act</i> ;
Owner	as defined in the <i>Traffic Safety Act</i> ;
Park	as defined in the <i>Traffic Safety Act</i> ;
Parking Stall	a portion of the street or designated area indicated by marking space or lines or traffic control devices;
Peace Officer	as defined in the <i>Traffic Safety Act</i> ;
Pedestrian	as defined in the <i>Traffic Safety Act</i> ;
Permit	as defined in the <i>Traffic Safety Act</i> ;
Playground Zone	that portion of a highway identified as a playground zone by a traffic control device;
Private Property	owned by a business, company, private person or the like;
Public Property	owned by the Town of Bashaw;
Recreation Vehicle	a vehicle or combination of vehicle and trailer designed for vacation, camping, or similar recreation purposes;
Roadway	as defined in the <i>Traffic Safety Act</i> ;
School Zone	that portion of highway identified as a school zone by a traffic control device or sign;

Traffic Control Device	sign, signal, marking, or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding as defined in the <i>Traffic Safety Act</i> ;
Trailer	as defined in the <i>Traffic Safety Act</i> ;
Vehicle	as defined in the <i>Traffic Safety Act</i> ;
Violation Tag or Ticket	a violation ticket issued pursuant to the current Provincial Offences Act, R.S.A. 2000, c.P-34 and regulations thereunder as amended or replaced and repealed from time to time;

SECTION TWO – AUTHORITIES:

AUTHORITY OF COUNCIL

1. Notwithstanding any other provisions of this Bylaw, Council may by resolution
 - A. exempt any class of vehicle from such provision of this Bylaw relating to parking and stopping as Council may deem fit AND under such conditions as the Council may impose, shall provide for the identification of the vehicle so exempted;
 - B. prescribe where traffic signs for controlling and regulating traffic in public places are to be located;
 - C. prescribe a highway as one to be divided into traffic lanes.

AUTHORITY OF CHIEF ADMINISTRATIVE OFFICER

1. The Chief Administrative Officer is hereby delegated with the authority to manage the operations of pedestrian and vehicular traffic within the Town of Bashaw not inconsistent with this Bylaw, the Traffic Safety Act, and other applicable government legislation and designate any duties or responsibilities therein as and when required including the enforcement of this Bylaw.
2. Thereby, The Chief Administrative Officer is hereby authorized to:
 - A. Crosswalks:
 - i. to designate the location of cross-walks upon highways;
 - B. Turns:
 - i. designate any intersection, highway, or place on a highway, including a place where a railway right-of-way crosses a highway, as a place where U-turns are prohibited;
 - ii. designate a highway intersection or other place on a highway as a place at which no left hand turn or no right hand turn or both shall be made
 - C. Parking:
 - i. designate the distance from any intersection within which no parking is permitted;
 - ii. designate portions of highways where parking is limited to a period of time;
 - iii. designate any area as one which parking privileges are temporarily suspended and shall cause such area to be so marked;
 - iv. designate the location of parking stalls or sites on any highway;
 - D. Traffic Control Devices:
 - i. designate the placing, marking or erecting of Traffic Control Devices at any location considered necessary for controlling highways subject to its direction, control and management in accordance to Section 110 of the Traffic Safety Act;
 - ii. cause moveable signs to be placed on or near a roadway designating parking restrictions for an emergency, street cleaning, snow clearing, etc.;
 - E. Private Driveway Prohibition Signs:
 - i. prohibit or restrict the movement of vehicles from a private driveway onto a highway or from a highway to private driveway by Traffic Control Devices where such prohibition or restrictions is deemed advisable in the public interest and the better regulation of traffic;
 - F. Road Closure:
 - i. direct temporary closure of highways, parking lots, or any other Town property during a Special Event where, in the sole discretion of the Chief

- Administrative Officer, such temporary closure is desirable for the public safety;
- ii. designate any highway as one which is closed temporarily in whole or part to traffic and shall cause such streets to be so marked;
- G. School and Playground Zones:
 - i. Designate school zones and playground zones within the municipality and cause such zones to be marked by traffic control devices.

OVERREACHING AUTHORITY

1. Notwithstanding anything in this Bylaw, no person shall
 - A. act in contravention of the directions of a delegated Bylaw Enforcement Officer while acting in the course of his or her duties;
 - B. obstruct the Bylaw Enforcement Officer while carrying out their duties in relation to investigating or enforcing any Municipal Bylaw and/or other government legislation.
2. Notwithstanding anything in this Bylaw, any such person who contravenes the aforementioned subsection may be subject to arrest by an RCMP Member or Peace Officer.
3. No person other than an RCMP Member or Peace Officer shall attempt to direct or regulate traffic or place anything resembling a traffic control device other than with the permission of, and in accordance with any conditions imposed by, the Chief Administrative Officer.

SECTION THREE – OPERATION OF VEHICLE:

1. All operations of a vehicle shall be in compliance with the Alberta Traffic Safety Act and all other applicable government legislation and regulations.
2. No operator of a moving vehicle shall, under any circumstance, allow a person to attach themselves or cling to said vehicle.

SECTION FOUR – SPEED:

1. Unless otherwise provided for in this Bylaw or posted at the location, no operator shall drive a vehicle within the jurisdiction of the Town of Bashaw in excess of the following speed limits:
 - A. **GENERAL:** fifty (50) kilometers per hour;
 - B. **LANES:** twenty (20) kilometers per hour;
 - C. **RECREATION GROUNDS:** twenty (20) kilometers per hour on any land which is part of the Ag Society Grounds, Bashaw Campground, Heritage Park and/or the Arena/Curling Rink grounds;
 - D. **SCHOOL ZONES AND PLAYGROUND ZONES:** thirty (30) kilometers per hour in designated school zones and playground zones;
 - E. **PRIMARY HIGHWAY:** fifty (50) kilometers per hour on the portion of Highway 53 within the Town boundaries;
2. The Chief Administrative Officer shall have the authority to temporarily suspend the existing speed limit and restrict the speed of vehicles by installing a temporary traffic control device.

SECTION FIVE – PARKING

1. All vehicles parking in the Town shall be in accordance to the traffic control devices posted and/or as indicated at the parking stall.
2. Unless otherwise permitted or required by this Bylaw, a traffic control device, the *Traffic Safety Act* OR in compliance with the directions of a Bylaw Enforcement Officer OR to avoid conflict with other traffic, **a driver shall not stop, park or leave their vehicle:**
 - A. at any place for a time longer than that stated on the traffic control devices providing for parking for a specified time;
 - B. on the wrong side of a highway against the flow of traffic;
 - C. in a construction zone unless the vehicle is employed in the maintenance or construction work;
 - D. alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - E. in a commercial or public loading zone unless the operator is actively engaged in loading or unloading the vehicle and it is not stopped or parked for a period of

- time exceeding thirty (30) minutes for commercial and ten (10) minutes for public;
- F. at an emergency door exit where the vehicle will in any way interfere with the use of a doorway intended as a fire or emergency exit from any building abutting the street;
 - G. at the access bays to fire hall or other emergency service station;
 - H. 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;
 - I. on any portion of a highway marked as an Emergency Access Route or fire lane;
 - J. on a sidewalk or boulevard or crosswalk;
 - K. within an intersection other than immediately next to the curb in a "t" intersection;
 - L. within five (5) metres of the near side of a marked crosswalk;
 - M. within five (5) metres of the approach to a stop sign or yield sign;
 - N. within five (5) metres of any fire hydrant or, when the hydrant is not located at the curb, within five (5) meters of the point on the curb nearest the hydrant;
 - O. within one and one-half (1.5) metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
 - P. at any place restricted to a special class of vehicle, except if that vehicle qualifies as a member of such authorized special class of vehicle;
 - Q. on the roadway side of a vehicle parked or stopped at the curb edge of the roadway;
 - R. in such a manner as to obstruct the access to or exit from any hall, arena or other building being used for public gatherings;
 - S. in an alley in such a manner, location or circumstance that it blocks the alley and/or impedes the use of the alley by another vehicle or in an alley within one (1) meter of the side of any refuse container or storage area;
 - T. on any land owned by the Town unless designated as a parking space by the Designated Officer or with a traffic control device;
 - U. such that the vehicle impedes or obstructs the orderly flow of vehicle or pedestrian traffic.
3. Where a person parks their vehicle, contrary to any of the aforementioned provisions, and said contravention is hazardous to life, limb or property, or it interferes with the repair and/or maintenance of highways, the Designated Officer may require the vehicle to be removed and/or impounded. The owner of said vehicle shall be required to pay, in addition to fine, all towing and storage fees before his vehicle is recovered.
 4. No person shall place or leave on, cross, or hang above any part of a sidewalk, highway, boulevard or any other Town property a cord or cable that may transmit electrical energy or hose that may transfer gas or water from a private property to any part of aforementioned property where a vehicle may park.
 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 if the operator promptly takes measures to clear the vehicle from the highway.

SECTION SIX PARADES AND PROCESSIONS:

1. Any person or organization or community group desiring to hold a parade or procession within the Town of Bashaw shall complete and submit an application to the office at least forty eight (48) hours prior to the time of the event for approval.
2. The Town of Bashaw approves the following: in accordance to Section 113.2.b of the *Traffic Safety Act*, and amendments thereto, a Municipal Council has the authority to pass a Bylaw to permit a vehicle, in a funeral procession, during daylight hours, other than the lead car, to enter an intersection without stopping if its headlights are on and if the vehicle is immediately behind the vehicle in front of it to form a continuous line and the passage into the intersection can be made in safety; thereby, with the passing of this Bylaw Council duly permits this action. Other vehicle operators shall make every effort to not interfere or interrupt a funeral procession.

SECTION SEVEN – PEDESTRIAN TRAFFIC:

1. Sidewalks and boulevards shall be limited to pedestrian traffic only with the exception of
 - A. young children’s tricycles or bicycles with a wheel diameter of less than .04 meters (16) inches)
 - B. mobility aids including scooters and walkers used by persons with a disability
 - C. temporary approval of permit application from the Village for an event or occasion
6. Any event or activity requiring the use of a Highway for the purpose of a race, relay, horse traffic or other similar activity necessitating pedestrians to utilize a highway for foot traffic requires the approval from the Town at least seven (7) days prior to the scheduled day of the event.
7. No pedestrian is permitted to obstruct, impede, impose, annoy, inconvenience or hinder the flow of traffic by hitchhiking, erecting signage, throwing objects or missiles at traffic, pushing another pedestrian on the highway, assembling on the highway, walking on the highway, selling goods from a vehicle parked on the highway, and other similar prohibited activity without an approved permit from the Town.
8. Pedestrians shall cross the highway where designated and obey the traffic rules.
9. The assembly of pedestrians for the purpose of watching a parade, procession, street event, or other similar permitted activity authorized by the Chief Administrative Officer shall not be considered as a contravention of this Bylaw.
10. No person shall obstruct, impede or inconvenience vehicular or pedestrian traffic of a permitted Special Event.

SECTION EIGHT – GENERAL

1. Nothing in this Bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks, or any other emergency vehicle as well as vehicles engaged in highway repair, maintenance, or inspection from being parked on the roadway by their operators in the performance of their duties.
2. The property owner of any residential and/or business premise(s) within the Town of Bashaw shall be held responsible for removing all snow, ice, dirt, and other obstructions or debris from the municipal sidewalk(s) adjacent to the property within forty eight (48) hours (excluding Sundays and Holidays).
3. No person shall cause damage to any sidewalk by pounding, hammering, picking, striking, cutting or chiseling, or depositing any chemical or other substance thereon, whether or not such person is engaged in removing snow, ice, hail, dirt or any other obstruction from such sidewalk.
4. Sweeping, shoveling, or pushing of snow or any other material from private property or the adjacent sidewalk on to the municipal highway, in to the culverts or drainage system or up against a fire hydrant is strictly forbidden.
5. The Town of Bashaw shall not be required to clear snow from any trail system within the municipality.
6. No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.
7. Obstructions to vision must be removed or trimmed back. In addition to the Land Use Bylaw Regulations, an owner of private property shall ensure that trees or shrubs on their property and on adjacent boulevards between the property line and curb
 - A. do not project over a sidewalk at an elevation of less than 225 cm (7.5 ft.) or over a roadway or alley at an elevation of less than 412 cm (13.5 ft.)
 - B. maintain the “corner visibility triangle” vegetation by minimizing growth to a height not greater than one (1) meter.
8. Any damage to or removal of Town vegetation, wilfully or neglectfully, without the written consent of the Chief Administrative Officer may result in recovery charges or replacement costs being levied to the property owner.
9. No pedestrian or operator shall drive beyond a check point designated by a Bylaw Enforcement Officer or a member of the Fire Department near the location of a fire or step over or drive on a fire hose.
10. No pedestrian or operator 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.

11. Unless permitted by the Town, no person shall do any of the following on a highway or boulevard:
 - A. display any goods for sale;
 - B. offer any goods for sale;
 - C. sell any goods;
 - D. park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises

SECTION NINE - COMMERCIAL AND HEAVY VEHICLE ROUTES:

1. Schedule A of this Bylaw, which is attached and hereby incorporated into and made a part of this Bylaw, provides the establishment of truck routes and parking in areas for the Town of Bashaw.
2. The Town Council may by resolution, or the Chief Administrative Officer may for the safety of the public amend Schedule A when and where it is deemed advisable to do so.
3. No person shall operate or allow to be operated a vehicle within the Town in excess of the weight or size limits established by the government agencies regulating such activity and all required documentation and permits shall be in the possession of the operator who shall provide copies on demand.
4. Any vehicle operator causing damage to the municipal highway(s) due to overweight or oversized vehicles or by having metal spikes, lugs or cleats projecting from the wheel or tire or having skids, etc. may be required to pay for any damages in addition to the violation tag fine.
5. No person shall operate a motor vehicle hauling explosives without prior approval from the Town.
6. No engine of any heavy vehicle shall be left running, on any highway, other than a Town designated area for use of said vehicle except when loading or unloading.
7. No person shall engage engine retarder brakes within the Town limits.

SECTION TEN – OPERATION OF OFF-HIGHWAY VEHICLES WITHIN TOWN LIMITS:

1. All operators of off-highway vehicles must comply with the regulations set out in the Alberta Traffic Safety Act for both operators of a vehicle and off-highway vehicles.
2. All operators of off-highway vehicles must proceed from their residence to a permitted area and back to their residence by the most direct route possible through the alley and those routes designated on the map attached to and forming part of this Bylaw as Schedule B.
3. Maximum Speed Limit for off- highway vehicles is 20/km per hour
4. No off-highway vehicle shall be operated within the Town between 11:00 pm and 8:00 am.
5. Operators of off-highway vehicles use permitted areas and highways in the Town at their own risk and the Town does not warrant such areas as being suitable for the use of off-highway vehicles.

SECTION ELEVEN – RECREATIONAL VEHICLE OR HOLIDAY TRAILER:

1. No person shall park a recreation vehicle or holiday trailer
 - A. upon a municipal highway or public property (with the exception of campground) unless it is attached to a motor vehicle by which it is carried, drawn or propelled and removed within forty eight (48) hours;
 - B. in the front yard of a residential site between the months of 1 October and 30 April
 - C. in the front or side yard of a residential site between 1 May and 30 September if it is closer than 4.5 meters (15 feet) from the public sidewalk or roadway
 - D. in the front or side yard of a property within 4.5 meters (15 feet) from an intersection
 - E. in the front yard of any property for a period exceeding seventy-two (72) hours if it is being used as a living or sleeping accommodation;
2. No property owner shall offer, either temporarily or otherwise, the use of their private property for camping purposes without obtaining prior approval from the Town.

SECTION TWELVE – ENFORCEMENT:

1. Any person who contravenes this Traffic Bylaw may be subject to a Provincial Violation Ticket or a Municipal Ticket.
2. Any person who is issued a Municipal Ticket shall be subject to a penalty as listed in Schedule A of the Town of Bashaw Master Rates and Schedules Bylaw, as amended from time to time.
3. Any person who is issued a Provincial Violation Ticket shall be subject to a penalty as listed in the Alberta Traffic Safety Act.

SECTION THIRTEEN – SEVERABILITY:

1. If any provision herein is found to be invalid for any reason that provision shall be severed from the remainder of this Bylaw and all other provision of this Bylaw shall remain valid and enforceable.

SECTION FOURTEEN VALIDITY:

1. This Bylaw shall come into force and effect on the date of passing the Third and Final Reading.
2. Bylaws 644:2000, 656:2002, 670:2004, 672:2004, and 740:2012 are hereby repealed.

READ A FIRST TIME this 1 day of APRIL 2014.

READ A SECOND TIME this 6 day of MAY 2014.

READ A THIRD TIME this 6 day of MAY 2014.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

BYLAW 754:2014
SCHEDULE "A"
TOWN OF BASHAW
Commercial and Heavy Vehicle Routes



