

TOWN OF VIKING

ByLaw Number 2005-575

A BY-LAW OF THE TOWN OF VIKING, IN THE PROVINCE OF ALBERTA, TO REGULATE THE TRAFFIC WITHIN THE TOWN OF VIKING.

WHEREAS, the Council deems it necessary to regulate traffic within the Town;

AND WHEREAS, the Traffic Safety Act R.S.A. 2000 c. T-6 and the Municipal Government Act R.S.A. 2000 c. M-26 provide authority for the Municipality to regulate such matters;

NOW THEREFORE, the Council of the Town of Viking, in the province of Alberta, duly assembled, hereby enacts as follows:

Part I – DEFINITIONS

1. This By-law may be cited as the "Traffic By-law".
2. (a) Except wherein this By-law or in a context otherwise required by this By-law, definitions shall have the same meaning as is ascribed to them in the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta 2000 and the amendments and Regulations thereto.

(b) "Alley" means a narrow highway providing access to the rear of buildings and parcels of land;

(c) "CAO" shall mean the Chief Administrative Officer;

(d) "Council" shall mean the Council of the Town of Viking.

(e) "Parade or Procession" shall mean any group of pedestrians numbering more than twenty (20) and marching or walking on the street or any group of vehicles numbering ten (10) or more.

(f) "Peace Officer" shall mean any member of the RCMP, Special Constable or By-law Enforcement Officer.

(g) "Town" shall mean the Town of Viking.

(h) "Traffic Control Device" means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement, whether of a permanent or temporary nature, and includes a school crossing guard or patrol;

(i) "Truck Route" shall mean the highways within the town that have been posted with signs indicating Truck Route.

Part II – AUTHORITIES

3. The power to prescribe the necessity and location of Traffic Control Devices within the Town is hereby delegated to the CAO. The CAO shall cause a record to be kept of the location of all Traffic Control Devices, and such record shall be open to public inspection during normal business hours.
4. The Council may, by resolution, designate any highway to be a Truck Route or part of a Truck Route. A record of such Truck Routes approved by the Council shall be kept by the CAO.

5. (a) Temporary Traffic Control Devices may be placed on a highway by road maintenance personnel in the course of their duties.

(b) Town employees may remove or cause to be removed vehicles from any town highway when maintaining or repairing same.
6. (a) No person shall place or cause to be placed any unauthorized structure or object which projects into or obstructs the use of any roadway, sidewalk or boulevard.

(b) Town employees may remove or cause to be removed any unauthorized structure or other object in subsection (a) and the charges for removal and storage of any such structure or other object shall be paid by the owner or other person responsible and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this Section.

Part III - RULES FOR THE OPERATION OF VEHICLES

7. Every person operating a motor vehicle, a bicycle, a tractor, an implement of husbandry or other type of vehicle upon a highway in the Town shall insofar as they are applicable, obey the rules of the road as set out in Regulation AR 304/2002 of the Traffic Safety Act RSA 2000 c. T-6 as amended.
8. Every person operating a motor vehicle, a bicycle, a tractor, and implement of husbandry or any other type of vehicle upon a highway in the town shall not exceed a speed of 40 km/hr, with the following exceptions:
 - (a) Highways posted with a speed other than 40 km/hr;
 - (b) An Alley, where the speed shall not be in excess of 20 km/hr.
9. On any day on which school is held, no driver shall drive within a school zone at any rate of speed greater than 30 km/hr between the hours of 8:00 a.m. – 9:30 a.m., 11:30a.m. – 1:30 p.m. and 3:00 p.m.-4:30 p.m.

Part IV - RIGHTS AND DUTIES OF PEDESTRIANS

10. (a) Every person shall, insofar as they are applicable, obey the rules for pedestrians as set out in Part 3 of the Use of Highway and Rules of the Road Regulation AR 304/2002 of the Traffic Safety Act RSA 2000 c. T-6 as amended.

(b) No pedestrian, except as permitted by this Bylaw, shall cross any highway at any point other than a crosswalk. The driver of a vehicle is not relieved from exercising due care.

(c) No person shall cross at an intersection if a Traffic Control Device thereat prohibits the crossing.

Part V – PARKING

11. (a) Every person parking a motor vehicle, a tractor, an implement of husbandry or any other type of vehicle upon a highway in the town shall insofar as they are applicable, obey the parking regulations as Traffic Safety Act RSA 2000 c. T-6 as amended and the regulations thereunder.

(b) No person shall park a vehicle at any place where a Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.

- (c) No person shall park a vehicle at any place where a temporary Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.
12. No person shall park a vehicle in an Alley unless a sign directs otherwise, but Alleys may be used for such period of time as may be reasonably necessary for loading or unloading of passengers or goods, provided the vehicle concerned does not obstruct the Alley as to prevent other vehicles or persons from passing along the Alley.
13. (a) No person shall park a vehicle on private land which has been clearly marked as such by a sign erected by the owner, tenant or their agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.
- (b) An owner, tenant, occupant or person in charge of private land, if satisfied that any person is violating the prohibition set forth in sub-section (a) of this Section may report to a Peace Officer the license number and location of the illegally parked vehicle; any person making such a report to a Peace Officer shall give his own name and address.
14. No person shall park in an area designated by a sign as a parking place for persons with disabilities unless that person displays a disabled placard or licence plate issued or recognized by the Registrar of Motor Vehicle Services.
15. No person shall park any vehicle upon any land owned by the Town except on such part thereof as the CAO may designate by a sign or signs for vehicular parking.
16. No person shall park any trailer (whether designated for occupancy by persons or for carrying of equipment or goods) upon any highway for more than 48 consecutive hours.

Part VI - SPECIAL CLASSES OF VEHICLES

17. For the purpose of Part VI - Special Classes of Vehicles, a "Heavy Vehicle" is defined as a vehicle which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with trailer which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with or without a trailer that exceeds 7 meters in total length but does not include a recreational vehicle.
18. (a) No person shall park a heavy vehicle upon any highway except on a Truck Route, unless otherwise posted.
- (b) The restriction in (a) shall not apply so as to prohibit such vehicles being parked on a highway for the purpose of unloading or loading goods to or from premises abutting such highway, provided that if the loading or unloading is taking place during a period of restricted visibility, then the vehicles and its trailer shall have all front and rear parking lights illuminated.
19. (a) No person shall operate a heavy vehicle on a Highway other than a Truck Route except as authorized in sub-section (b).
- (b) A person operating a heavy vehicle shall, for the purposes of obtaining goods from or delivering goods to a location off a designated Truck Route, take the most direct route between the delivery or collection point and a designated Truck Route.
20. (a) No vehicle or trailer having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire, or having caterpillar tracks or skids, may be operated on any highway.

- (b) The forgoing restriction shall not apply to studded tires on passenger vehicles.
21. Part VI of this By-law shall not apply to Town vehicles or vehicles under hire by the Town for snow removal, road building or maintenance, or maintenance of Town property.
22. No person shall drive a heavy vehicle or other industrial vehicle over or upon any curb, gutter or sidewalk so as to cause damage to the curb, gutter or sidewalk.

Part VII - RULES FOR PARADES AND PROCESSIONS

23. No person shall hold or take part in Parade or Procession without first having obtained a permit from the Town.
24. (a) Any person desiring to hold a Parade or Procession within the Town shall, at least ten (10) calendar days before the time they desire to hold the same, make application in writing to the Town furnishing the following information:
- i) the name and address of the applicant and, if such applicant is an organization, the names and addresses of the executives thereof;
 - ii) the nature and object of such Parade and Procession;
 - iii) the day, date and hours during which same will be held;
 - iv) the intended route thereof;
 - v) the approximate number of persons who will take part therein; and
 - vi) the approximate size, number and nature of flags, banners, placards or such similar things carried therein and particulars of signs and such written application shall bear the signature(s) and address(es) of the person(s) who will be in control of such Parade or Procession and who undertake to be responsible for the good order and conduct thereof.
- (b) The CAO may specify the hours and route of the Parade or Procession and give such directions to the applicants in regard to such Parade or Procession as in his opinion will prevent any unnecessary or unreasonable obstruction to the highway or tend to prevent a breach of the peace.
- (c) During such Parade or Procession, all pedestrians not taking part therein shall be restricted to the use of the sidewalk.
- (d) No Parade or Procession shall move at a slower speed than 5 km/hr or obstruct any highway for a longer period than is reasonably necessary.

Part VIII - SKATEBOARDS, ROLLERSKATES, ROLLERBLADES, BICYCLES AND HORSEDRAWN VEHICLES

25. The driver or 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 vehicle.
26. No person shall operate a bicycle having a wheel diameter in excess of fifty (50) cm on any sidewalk, except where permitted to do so by a Traffic Control Device.
27. No person shall ride a bicycle, roller skate, in-line skate, skateboard or ride a scooter upon a sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian traffic that is or might reasonably be expected to be on the sidewalk.

28. Every person roller skating, in-line skating, skateboarding or riding a scooter upon a sidewalk shall:
- (a) yield the right-of-way to pedestrians,
 - (b) when passing a pedestrian, or other person on a sidewalk, use care and control required to ensure the safety of the pedestrian or other person,
 - (c) stay at a reasonable distance from other persons using the sidewalk, and
 - (d) give an audible signal before overtaking a pedestrian, which signal will be produced a reasonable time prior to overtaking, by voice, bell or other warning device, which is audible to the pedestrian.
28. Notwithstanding any penalty specified, any person who operates a bicycle or skateboard within the corporate limits of the town in contravention of any of the provisions of this By-law or any other Bylaw of the Town, or any Act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days.

Part IX - POWER OF PEACE OFFICER

29. Any Peace Officer is hereby authorized to control and regulate vehicles and highway traffic on all highways.
30. (a) A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.
- (b) i) A Peace Officer is authorized to remove or cause to be removed any vehicle or trailer operated or parked in contravention of any provision of this By-law, or where emergency conditions may require such removal from a highway.
 - ii) Such vehicle may be seized and removed to a suitable place where it will remain until claimed by the owner thereof or his agent.
 - iii) No seized vehicle shall be released to its owner or his agent until the storage and removal charges on the vehicle have been paid; 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 provided. The Town is not responsible for towing or storage charges.
31. (a) Any Peace Officer or any member of the Fire Department may, in case of fire or other emergency, designate a point beyond which no person shall pass.
- (b) No pedestrian or person operating a vehicle shall stand or park so as to prevent or impede access to the zone of a fire or other emergency, or pass beyond a point designated by a Peace Officer or member of the fire department.

Part X – MISCELLANEOUS

33. (a) No person shall allow trees, hedges or shrubs on private property within 4.5 meters of a highway intersection as measured from the curb or edge of the roadway, whether planted before or after the date of the passing of this By-law, to grow to such a height that good visibility for safe traffic flow is thereby interfered with.
- (b) i) No person shall erect or cause to be erected, built or place a fence, wall or other object on private property within 4.5 meters of a highway intersection so that good visibility for safe traffic flow is thereby interfered

with.

ii) No person shall continue the existence of a fence, wall or other barrier on private property within 4.5 meters of an intersection after the passing of this By-law so that good visibility for safe traffic flow is thereby interfered with.

iii) Where a person is required to remove or reduce in height pursuant to paragraph (b) ii) a fence, wall or other object, then he/she may be reimbursed by the Town for the cost of so doing.

33. No person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided on the premises to which the goods are being delivered or from which they are being taken.
34. No unauthorized person shall place upon any highway or upon any structure abutting a highway any sign, mark or notice relating to the use of the highway.
35. No person other than a Town employee in the normal course of his/her duties shall mark any curb and/or street and/or sidewalk with paint or any other substance.
36. No person shall stand or park any vehicle on any highway for the purpose of maintaining or repairing such vehicle except for emergency repairs.
37. No person shall wash or drain any vehicle or article in such a manner as to result in mud, grease, oil, ice or any item being placed upon a highway, boulevard or sidewalk.
38. Every person shall comply with any traffic signal or direction of a School Patrol.
39. (a) The owner of a vehicle which is involved in any contravention of this By-law is guilty of an offence unless he proves to the satisfaction of the judge that, at the time of the offence, the vehicle was not being driven or was not parked or left by him or by any other person with his consent, expressed or implied.

(b) "owner" as used in this section means the person named on the Certificate of Registration.
40. Any person violating a provision of this By-law is guilty of an offence and is liable to pay the amount as set out in the Town General Penalties – Appendix A of this By-law.
41. A Municipal Tag may be issued in respect of a bylaw offence:
 - (a) Where a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify the fine amount established by the bylaw for the offence;
 - (b) A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by the bylaw for the offence and if the amount is paid on or before the required date the person will not be prosecuted for the offence.
42. A Violation Ticket pursuant to the Provincial Offences Procedure Act R.S.A. 2000 c. P 34 may issued in respect of an offence. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - (a) specify the fine amount established by the bylaw for the offence;
 - (b) require a person to appear in court without the alternative of making a voluntary payment.

43. A person who commits an offence may:
- (a) If a Violation Ticket is issued in respect of the offence; and
 - (b) If the Violation Ticket specifies the fine amount established by the bylaw for the offence;
- make a voluntary payment equal to the specified fine.
44. It is the intention of the Town Council that each separate provision of this By-law shall be deemed independent of all other provisions, and it is further the intention that if any provision of this By-law be declared invalid, all other provisions shall remain valid and enforceable.

THIS BY-LAW WILL COME INTO EFFECT ON THE DAY ON WHICH IT IS FINALLY PASSED.

READ A FIRST TIME IN COUNCIL THIS 17th DAY OF October, 2005.

READ A SECOND TIME IN COUNCIL THIS 17th DAY OF October, 2005.

READ A THIRD TIME IN COUNCIL AND PASSED THIS 17th DAY OF October, 2005.

..... **MAYOR**

..... **CAO**

TOWN OF VIKING
By-Law Number 2005-575
Appendix "A"
Specified Penalties For Traffic By-Law

Section 6(a) Place Unauthorized Structure obstructing Roadway/Sidewalk/Boulevard	\$ 50.00
Section 8(b) Speed in Alley	\$ 75.00
Section 12 Park in Alley.....	\$ 30.00
Section 13(a) Park on Private Land (posted)	\$ 30.00
Section 14 Park in Handicapped Stall.....	\$ 30.00
Section 15 Park on Town Land.....	\$ 30.00
Section 16 Park Trailer	\$ 30.00
Section 18(a) Park a Heavy Vehicle on Highway	\$ 50.00
Section 19(a) Operate a Heavy Vehicle off Truck Route.....	\$ 50.00
Section 20 Operate a Vehicle with lugs or spikes on Highway.....	\$100.00
Section 22 Fail to Reinforce Curb or Sidewalk.....	\$ 100.00
Section 23 Fail to obtain Parade Permit.....	\$ 30.00
Section 24 Fail to abide by Parade Permit.....	\$ 30.00
Section 25 Person in charge of Horse drawn Vehicle Fail to remain upon or beside Such Vehicle	\$ 30.00
Section 26 Operate a bicycle on a Sidewalk (excess of 50 cm diameter) ..	\$ 30.00
Section 27(a) Fail to use Consideration of Others while Roller-skating/Rollerblading/Skateboarding on Sidewalk	\$ 30.00
Section 31(b) Pedestrian or Vehicle impedes access to Emergency Zone ..	\$ 50.00
Section 32(a) Allow trees/shrubs/hedges to grow within 4.5 m of intersection.....	\$ 50.00
Section 33 Load/Unload across Sidewalk	\$ 30.00
Section 34 Unauthorized person erect Traffic Sign	\$ 30.00
Section 35 Unauthorized person mark Curb.....	\$ 30.00
Section 36 Repair a Vehicle on Highway.....	\$ 30.00
Section 37 Wash vehicle/article, placing mud/grease/oil/ice on highway/boulevard/sidewalk.....	\$ 30.00
Section 38 Fail to comply with Direction of School Patrol	\$50.00

Form of Municipal Tag