A BYLAW OF THE SUMMER VILLAGE OF ISLAND LAKE, IN THE PROVINCE OF ALBERTA, FOR MATTERS RELATED TO THE CONTROL OF VEHICLE, ANIMAL & PEDESTRIAN TRAFFIC

WHEREAS under the Authority of the Municipal Government Act RSA 2000 Chapter M26, Section 7 (d) and (i) and Section 9 authorize Council to pass bylaws respecting transport and transportation systems; and

WHEREAS the Traffic Safety Act R.S.A. 2000 c T-6, as amended, Part 1 Division 3 Section 13 (1) and 13 (2) provides that the Council of a Municipality may pass bylaws for the regulation and control of vehicle, animal, and pedestrian traffic;

AND WHEREAS the intent of this Bylaw is to regulate and control vehicle, animal and pedestrian traffic, to be compatible with the normal activities of urban life while recognizing the recreational nature of the municipality,

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

# 1. BYLAW TITLE

This Bylaw may be cited as "Control of Vehicle, Animal and Pedestrian Traffic Bylaw".

# 2. DEFINITIONS

Any word, expression or term used in this Bylaw shall have the same meaning as in the respective Act referenced above; and for the purpose of this Bylaw, unless the context otherwise requires:

2.1 “Act” means the Municipal Government Act. RSA 2000, c M-26 and amendments thereto;

2.2 “Alley” means a narrow highway providing access to the rear of buildings and parcels of land;

2.3 “Bicycle” includes any cycle propelled by human power or electric power (e-bike) upon which a person may ride, regardless of the number of wheels it may have;

2.4 “Boulevard” means, in an urban area, that part of a highway that is not roadway, and is that part of the sidewalk that is not especially adapted to the use of, or ordinarily used by pedestrians;

2.5 “Centerline” means:

(i) the center of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway

(ii) in the case of a highway

(a) that is an offset centre highway as designated by a traffic control device, or;

(b) that is a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times as designated by a traffic control device;

(c) the line dividing the lanes for traffic moving in opposite directions, or

(iii) in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in the opposite directions;

2.6 “Chief Administrative Officer” means a person appointed to a position under Section 205 of the Municipal Government Act;

2.7 “Council” means the Municipal Council for the Summer Village, including the Chief Elected Official;

2.8 “Driver” or “Operator” means a person who drives or is in actual physical control of a vehicle;

2.9 “Highway” means any thoroughfare, street, road, trail, avenue, parkway, right of way, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, typically publicly owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

(i) a sidewalk, including a boulevard adjacent to the sidewalk;

(ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and;

(iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be,

But does not include a place declared by regulation not to be a highway;

2.10 “Owner” means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle for a period of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days;

2.11 “Park” or “Parking” means when prohibited, means allowing a vehicle (whether occupied or not) to remain standing in one place, except:

2.11.1 when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or,

2.11.2 when standing to obedience to a Peace Officer or traffic control device

2.12 “Passenger Vehicle” means a vehicle used primarily for personal transportation of a driver or operator with or without passengers. A passenger vehicle includes vehicles classed as cars, SUV’s, vans and light duty trucks (i.e. half ton to one ton) but does not include any Recreation Vehicles or Trailers.

2.13 “Peace Officer” means a member of the Royal Canadian Mounted Police, a Peace Officer appointed pursuant to the Alberta Peace Officer Act, or a Municipal Bylaw Enforcement Officer appointed by the Summer Village of Island Lake;

2.14 “Pedestrian” means a person on foot or a person in a wheel chair or on a mobility aid,

2.15 “Recreation Vehicle” means a vehicular type unit primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own motor power or is mounted or drawn by another vehicle. A recreational vehicle may be, but is not limited to: a tent trailer, travel trailer, a fifth wheel trailer, park model trailer, truck camper or motor home.

2.16 “Roadway” means the part of a highway intended for use by vehicular traffic and generally comprising the travel lanes of a highway.

2.17 “Traffic Safety Act”, being Chapter T-6 of the Revised Statutes of Alberta, 2000, and amendments thereto;

2.18 “Trailer” means a vehicle so designated that it:

(i) may be attached to or drawn by a motor vehicle or tractor, and

(ii) is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways;

2.19 “Summer Village” means the Summer Village of Island Lake or its duly authorized representatives

2.20 “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.

3. SPEED

Unless otherwise posted by Approved Traffic Control Devices, no person:

3.1 shall drive a vehicle at a speed in excess of 30 km per hour on any highway within the municipality.

3.2 shall drive a vehicle in any alley in the municipality at a speed in excess of 20 km per hour

4. PARKING

4.1 Subject to the following additional provisions of this Bylaw, a driver or operator of a Passenger Vehicle is permitted to park along a roadway in the Summer Village of Island Lake with the driver-side wheels on the roadway (at most), and passenger side wheels off the roadway (travel lanes of a highway). Under no circumstances may a person block the travel lanes of a roadway.

4.2 No person shall permit a vehicle to stand unattended upon any grade or slope of a roadway without first having:

4.2.1 effectively set the vehicle’s brakes, and

4.2.2 turned the front wheels to the nearest edge of roadway in such a manner as to impede any movement of the vehicle

4.3 No person shall leave a vehicle unattended on a highway if the vehicle has been placed on a jack or a similar device and;

4.3.1 one or more wheels have been removed from the vehicle, or

4.3.2 part of the vehicle is raised

4.4 Unless required or permitted by a Traffic Control Device or in compliance with direction of a Peace Officer a person shall not park a vehicle:

4.4.1 on a sidewalk, or

4.4.2 on a crosswalk or any part of a crosswalk, or

4.4.3 within an intersection other than immediately next to the curb of a “T” intersection, or

4.4.4 at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately to the rear, except when this vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted, or

4.4.5 nearer than 5 meters upon the approach to any stop or any yield sign, or

4.4.6 within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk, or within 5 meters of the nearest side of a marked crosswalk, or

4.4.7 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

4.4.8 at any other place where a traffic control device prohibits stopping, including fire access lanes, or

4.4.9 during such times as stopping or parking is so prohibited, or

4.4.10 on a roadway side of a vehicle parked or stopped at the curb or edge of the roadway, or

4.4.11 on any roadway within the municipality for a period of more than seventy-two (72) hours after which it may be considered to be abandoned.

4.5 No person shall drive, park or stop any vehicle upon any roadway 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 roadway.

4.6 Where a vehicle parking space is marked or designated upon a roadway, every driver of a passenger vehicle using such space shall park such vehicle wholly within the limits of the marked space.

4.7 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.

4.8 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.

4.9 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 comply.

4.10 Notwithstanding any other provisions in this Bylaw, the Chief Administrative Officer or designated employee may cause movable signs to be placed on or near a roadway prohibiting parking for emergency purposes or street cleaning work.

4.10.1 After such signs are placed on or near a roadway, no person shall park or leave a vehicle on the signed portion of roadway until such movable signs are removed by the designated officer.

4.10.2 Any vehicle that is on such roadway when such signs are placed thereon shall be removed promptly by the owner or operator.

4.10.3 When any emergency snow removal, street cleaning, or street repair commences on a signed roadway, then the owner of the vehicle thereon may be fined and the vehicle may be removed and stored pursuant to Section 4.18 hereof.

4.11 Except when actually taking or discharging passengers, no person shall park a vehicle at the following locations:

4.11.1 in a passenger loading or unloading space marked with a sign

4.11.2 on any portion of a roadway marked by a “No Parking” sign

4.12 No parking in alleys shall be permitted unless a sign directs otherwise but alleys may be used for:

4.12.1 loading or unloading of goods from commercial vehicles for a period not exceeding thirty minutes, or

4.12.2 the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding fifteen (15) minutes, provided that the vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the alley as to prevent other vehicles or persons from passing along such alleys while the loading or unloading of passengers is taking place.

4.13 No person shall park any vehicle upon any land owned by the Summer Village designated Community Reserve District or Natural Environment District under Land Use Bylaw 08-2021 except on such areas that the Chief Administrative Officer or designated employee may designate by a Traffic Control Device for vehicle parking.

4.14 No person shall park a Recreation Vehicle or a Trailer or any part thereof upon any Highway, including an Alley, within the Summer Village without the express written consent of the Chief Administrative Officer or designated employee.

4.15 No person shall park a tractor trailer unit on any highway in the municipality whether the tractor and trailer are connected or unconnected.

4.16 No person shall park on a highway in the municipality, 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.

4.17 Council is hereby authorized but is not obligated to designate angle and parallel parking on any roadway and to cause the same to be marked accordingly.

4.18 Where a person parks a vehicle contrary to any of the forementioned provisions, a Peace Officer may impose payment of the requisite fine and have the vehicle removed and stored. In addition to the payment of any fine, the owner of said vehicle shall be required to pay any and all towing and storage fees before recovery of the vehicle.

5. HORSE DRAWN VEHICLES

5.1 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.

6. PEDESTRIANS

6.1 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.

7. VEHICLE TRAFFIC

7.1 The Council is hereby authorized to cause the installation of any traffic control device to govern and direct traffic within the municipality

7.2 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.

7.2.1 Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided the operator promptly takes measures to clear the faulty vehicle from the highway.

7.2.2 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.

8. GENERAL PROVISIONS

8.1 No person shall operate a moving vehicle while pulling or drawing a sled, toboggan, bicycle, skis or other conveyance carrying another person or persons upon a highway in the municipality, subject to the exception of typical horse drawn vehicles.

8.2 Unless a permit to do so has been issued by the Municipality, no person shall operate on a highway:

8.2.1 a vehicle or trailer having metal spikes, lugs or cleats or bands projecting from the surface of the wheel or tire of the vehicle, or

8.2.2 any vehicle or trailer having skids or not using rubber tires, with the exception of snowmobiles over snow covered portions

9. PENALTIES

9.1 A traffic tag shall be deemed to be sufficiently served:

9.1.1 if served personally on the accused, or

9.1.2 if mailed to the address of the registered owner of the vehicle concerned; or to the person concerned, or

9.1.3 if attached to or left upon the vehicle in respect of which the offense is alleged to have been committed

9.2 Each Peace Officer is hereby charged with the duty of enforcing the provisions of this Bylaw.

9.3 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 $2,500.00 exclusive of costs and in case of non-payment of the fine and costs imposed, to imprisonment for a period not exceeding six months.

9.4 Notwithstanding Subsection 9.3, any person contravening this Bylaw may avoid summary conviction by the voluntary payment of a specified penalty as outlined in Schedule “A” of this Bylaw within the time stated on the traffic tag.

10. SEVERABILITY PROVISION

10.1 Should any provision of this Bylaw be determined invalid, then such provision shall be severed and the remainder of the Bylaw, shall be maintained and enforced.

11. PENALTIES

11.1 Fines to be levied for contravention of this Bylaw are listed in Schedule “A” attached to this Bylaw.

This Bylaw rescinds Bylaw 07-2018.

Coming into Force of this Bylaw is effective upon third and final reading by Council.

**READ** a first time this 15th day of February, 2022.

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Mayor, Chad Newton

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Chief Administrative Officer, Wendy Wildman

**READ** a second time this 15th day of March, 2022.

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Mayor, Chad Newton

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Chief Administrative Officer, Wendy Wildman

**READ** a third and final time this 15th day of March, 2022.

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Mayor, Chad Newton

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Chief Administrative Officer, Wendy Wildman

#### SUMMER VILLAGE OF ISLAND LAKE

##### BY-LAW 01 - 2022

SCHEDULE "A"

Penalties for Contravention of Bylaw Provisions

|  |  |  |  |
| --- | --- | --- | --- |
| **Fines & Penalties to be Levied** | **First Offence** | **Second & Subsequent Offences** | **Additional Cost Levies** |

**Section 3 - Speed**

|  |  |  |
| --- | --- | --- |
| 3.1 - 3.2 | As defined by Highway Traffic Act |  |

**Section 4 - Parking**

|  |  |  |  |
| --- | --- | --- | --- |
| 4.1 - 4.19 | $100.00 | $200.00 | Plus any associated costs as referenced in this Bylaw. |

**Section 5. Horse Drawn Vehicles**

|  |  |  |  |
| --- | --- | --- | --- |
| 5.1 | $50.00 | $100.00 | Plus any associated costs as referenced in this Bylaw. |

**Section 6. Pedestrians**

|  |  |  |  |
| --- | --- | --- | --- |
| 6.1 | $50.00 | $100.00 | Plus any associated costs as referenced in this Bylaw. |

**Section 7. Vehicle Traffic**

|  |  |  |  |
| --- | --- | --- | --- |
| 7.1 - 7. 2.2 | $100.00 | $200.00 | Plus any associated costs as referenced in this Bylaw. |

**Section 8. General Provisions**

|  |  |  |  |
| --- | --- | --- | --- |
| 8. – 8.2.2 | $50.00 | $100.00 | Plus any associated costs as referenced in this Bylaw. |