

**TOWN OF TOFIELD
BYLAW 1297**

**BEING A BYLAW OF THE TOWN OF TOFIELD, IN THE PROVINCE OF
ALBERTA, FOR THE PURPOSE OF REGULATING VEHICLE AND
PEDESTRIAN TRAFFIC WITHIN THE TOWN OF TOFIELD**

WHEREAS, under the provisions of the *Municipal Government Act*, R.S.A 2000, c. M-26 and any amendments thereto, the Council of the Town of Tofield may pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, under the provisions of the *Traffic Safety Act* R.S.A. 2000, c. T-6 and any amendments thereto, Council may pass bylaws pertaining to traffic regulation in the municipality, which bylaws shall not be inconsistent with that Act;

AND WHEREAS, under the provisions of the *Dangerous Goods Transportation and Handling Act*, R.S.A 2000, c. D-4 and any amendments thereto, Council may pass bylaws regulating the transportation of dangerous goods on highways under its direction, control and management;

AND WHEREAS, Council deems it necessary and in the public interest to regulate and control vehicular and pedestrian traffic within the Town of Tofield;

NOW THEREFORE, by the authority of the Council of the Town of Tofield, in the Province of Alberta, duly assembled enacts this bylaw as follows:

SECTION 1 – TITLE

1. This Bylaw shall be cited as the "Traffic Bylaw".

SECTION 2 – DEFINITIONS

2. Except wherein this Bylaw or in a context otherwise required by this Bylaw, definitions shall have the same meaning as is ascribed to them in the *Traffic Safety Act*, R.S.A. 2000, c.-T-6. the *Dangerous Goods Transportation and Handling Act*, R.S.A 2000, c. D-4, the *Municipal Government Act* R.S.A 2000, c. M-26 and all the amendments and regulations thereto.

In this Bylaw, the following terms shall have the meaning shown below:

- 2.1. **"Act"** means the *Traffic Safety Act*, R.S.A 2000, c.T-6 as amended or substituted from time to time;
- 2.2. **"alley"** means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- 2.3. **"approved helmet"** means a safety helmet that is approved under current Vehicle Equipment Regulation;
- 2.4. **"bicycle"** means any cycle propelled by human power on which a person may ride, regardless of the number of wheels;
- 2.5. **"boulevard"** means that part of a highway in an urban area that
 - 2.5.1 is not roadway, and

- 2.5.2 is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
- 2.6. **"CAO"** means the Chief Administrative Officer, or designate of the Town of Tofield;
- 2.7. **"carrier"** means any vehicle that is transporting any amount of dangerous goods into, through or out of the Town;
- 2.8. **"council"** means the elected Municipal Council of the Town of Tofield;
- 2.9. **"crossing"** means a curb, sidewalk or boulevard crossing constructed for the purpose of vehicle access;
- 2.10. **"crosswalk"** means
- 2.10.1 that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs or sidewalks, from the edges of the roadway, or
- 2.10.2 any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by traffic control devices or by line or other marking on the road surface;
- 2.11. **"curb"** means the actual curb if there is one or the division point between that portion of the highway intended for the use of vehicles and that portion occupied by a boulevard and/or sidewalk;
- 2.12. **"dangerous goods"** means any product, substance or organism as defined in the *Dangerous Goods Transportation and Handling Act* R.S.A 2000, c. D-4, as amended;
- 2.13. **"disabled persons vehicle"** means a vehicle that displays a disabled placard or license plate that is issued or recognized by the Registrar of Motor Vehicle Services (or any person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services);
- 2.14. **"emergency vehicle"** means:
- 2.14.1 a vehicle operated by a Peace Officer, a Sheriff or a member of the RCMP or member of the Canadian Military Police;
- 2.14.2 a fire-fighting or other type of vehicle operated by the Tofield Fire Department;
- 2.14.3 an ambulance operated by a person or organization providing ambulance services under contract to Alberta Health Services;
- 2.14.4 a vehicle operated as a gas, power or water disconnection unit of a public or franchise utility;

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- 2.14.5 a vehicle designated by regulation under the *Act* as an emergency response unit;
- 2.14.6 tow truck;
- 2.15. **"Fire Chief"** means the manager, whosoever named, as the head of the Tofield Fire Department, or designate;
- 2.16. **"funeral procession"** means a group of vehicles, the occupants of which are gathered to attend a funeral service, that is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on the highway;
- 2.17. **"government vehicle"** means any vehicle that is owned, leased or operated by municipal, provincial or federal level of government;
- 2.18. **" heavy vehicle"** means:
- 2.18.1 a vehicle with or without a load weighing 5000 kgs or more, or exceeding 11 meters in total length, or
- 2.18.2 a vehicle with a trailer with or without a load weighing 5000 kgs or more in total weight or, 11 meters in total length, or
- 2.18.3 a vehicle licensed to transport a load of 9000 kgs or more; but does not include the type of vehicle defined in the bylaw as a recreational vehicle or school bus;
- 2.19. **"highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
- 2.19.1 a sidewalk, including a boulevard adjacent to the sidewalk,
- 2.19.2 if a ditch lies adjacent to and parallel with the roadway, the ditch, and
- 2.19.3 if a highway right of way is contained between fences or between a fence and one side of the roadway all land between the fences, or 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;
- 2.20. **" hoarding"** means the fencing required to enclose an obstruction on a public place;
- 2.21. **"inoperable vehicle"** means a vehicle that in the opinion of an Officer, is incapable of moving under its own power without repair;

- 2.22. **"intersection"** means the area embraced within the prolongation or connection of:
- 2.22.1 the lateral curb lines, or
 - 2.22.2 if there are not any lateral curb lines, the exterior edges of the roadways, or
 - 2.22.3 if 2 or more highways which join one another at an angle whether or not, one highway crosses the other;
- 2.23. **"Land Use Bylaw"** means the *Town of Tofield Land Use Bylaw*, as amended or repealed and replaced from time to time;
- 2.24. **"loading zone"** means a portion of a highway adjacent to the curb designated for the exclusive use of vehicles loading or unloading passengers or materials;
- 2.25. **"member"** means any person who is duly appointed or recruited member of the Tofield Fire Department;
- 2.26. **"mobile home"** means a structure, whether ordinarily equipped with wheels or not, that:
- 2.26.1 is constructed or manufactured to be moved from one point to another, and
 - 2.26.2 is intended to be occupied by one or more persons, but does not include a holiday trailer or recreational vehicle when the holiday trailer or recreational vehicle is being used for bona fide recreational purposes;
- 2.27. **"motorcycle"** means any two or three wheeled vehicle that is operated other than by human power and includes any two or three wheeled vehicle operated by a combination of human and any other source of power;
- 2.28. **"Municipal Violation Tag"** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* R.S.A. 2000, c. M-26;
- 2.29. **"obstruction"** means an encroachment, excavation, structure or other obstacle, including a tree, shrub or hedge, that:
- 2.29.1 interferes with or prevents the vision, passage, maintenance or use of public places by vehicles or pedestrians; or
 - 2.29.2 interferes with or prevents the proper operation of a public work;
- 2.30. **"Officer"** means a Community Peace Officer, a Bylaw Officer, a member of the R.C.M.P. or any person appointed by the CAO to enforce this bylaw;
- 2.31. **"operator"** means a person who drives a vehicle or operates equipment as owner thereof, or as an agent, employee or servant of the owner;

- 2.32. **"over-dimensional vehicle"** means any vehicle that exceeds the maximum dimension set out in the *Act*;
- 2.33. **"over-weight vehicle"** means any vehicle that exceeds the maximum weight set out in the *Act*;
- 2.34. **"owner"** means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days, or if the context dictates, a duly registered land titleholder;
- 2.35. **"parade"** means a procession or march that is:
- 2.35.1 organized to entertain spectators, for display or inspection purposes, or promote a cause or purpose, and
 - 2.35.2 likely to block, obstruct, impede hinder or otherwise interfere with vehicle or pedestrian traffic.
- For the purpose of this bylaw, a Special Roadway Event shall not be considered a parade;
- 2.36. **"parking stall"** means a portion of a street indicated by markings as a space for the parking of a vehicle;
- 2.37. **"parkland"** means any developed property that is owned and controlled by the Town of Tofield intended to be used by members of the public for recreation purposes, and is:
- 2.37.1 preserved as a natural area,
 - 2.37.2 designed or districted as park, park corridor land or open space link,
 - 2.37.3 dedicated as municipal reserve, environmental reserve or a public utility lot property pursuant to the *Municipal Government Act* R.S.A. 2000, Chapter M-26; or
 - 2.37.4 a boulevard contiguous with, partially within or fully within the property referenced in subsections 2.5.1 or 2.5.2 above;
- 2.38. **"passenger zone"** means an area or space on a highway established for the loading or unloading of passengers only;
- 2.39. **"pedestrian"** means a person on foot or a person in or on a mobility assist device;
- 2.40. **"person"** includes any individual, corporation, society, association partnership or firm;
- 2.41. **"playground zone"** means that portion of a highway identified as a playground zone by a traffic control device;

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- 2.42. **"private vehicle"** means any vehicle used for personal transportation including the transportation of goods which are the property of the owner intended for the use and enjoyment of the themselves or members of their household and includes motor homes, campers, trailers, or vans used for recreational purposes only;
- 2.43. **"Provincial Violation Ticket"** means a violation ticket issued in accordance with the *Provincial Offences Procedures Act* R.S.A. 2000 c.p.-34;
- 2.44. **"public place"** means any highway, parkland, public bridge, roadway, lane, footway square, court, alley or passage, whether a thoroughfare or not, and includes any open space to which the public have or are permitted to have access, whether by payment or otherwise, to Town land;
- 2.45. **"recreational vehicle"** means a vehicle designed or used for travel with temporary living accommodation for vacations or short term camping purposes;
- 2.46. **"Registrar"** means the Registrar of Motor Vehicle Services and includes any person who, on directions of the Registrar is acting on behalf of the Registrar of Motor Vehicle Services;
- 2.47. **"Roadway"** means that part of a highway intended for use by vehicular traffic;
- 2.48. **"schedule"** means a schedule attached to and forming part of this bylaw;
- 2.49. **"school bus"** means a motor vehicle used primarily for transporting persons to and from schools;
- 2.50. **"school zone"** means that portion of a highway identified as a school zone by a traffic control device;
- 2.51. **"service vehicle"** means any vehicle that is operating mainly to provide services to the public other than the delivery of goods;
- 2.52. **"sidewalk"** means that part of a highway especially adapted to the use of or ordinary use by pedestrians, and includes that part of a highway between the curb line, or where there is no curb line, the edge of the roadway and the adjacent property line, whether or not it is paved, or improved;
- 2.53. **"skateboard"** means a device for coasting made of a board mounted on coasters commonly called a skateboard;
- 2.54. **"slow moving vehicle"** means:
- 2.54.1 a vehicle or other machinery or equipment designed for use at speeds that are less than 40 km/hr, or
- 2.54.2 a vehicle upon which must be displayed, in accordance with provincial regulations, an emblem indicating that it is a slow moving vehicle;

but does not include:

- 2.54.3 a bicycle;
- 2.54.4 any vehicle owned by or under contract to the Town of Tofield while actually engaged in highway or public works maintenance operations, or
- 2.54.5 any vehicle use in connection with the servicing of public utilities or franchise utilities while the vehicle is engaged in public/franchise utility maintenance operations on a highway;
- 2.55. **"snow route"** means any highway or portion thereof which has been identified by the Town's Priority Snow Removal Route Listing, as amended from time to time;
- 2.56. **"special class vehicle"** means any of the following
 - 2.56.1 emergency vehicles
 - 2.56.2 transit vehicles
 - 2.56.3 tour buses
 - 2.56.4 limousines
 - 2.56.5 funeral vehicles
 - 2.56.6 school buses
 - 2.56.7 disabled person's vehicles
 - 2.56.8 motorcycles
 - 2.56.9 commercial vehicles, or
 - 2.56.10 government vehicles
- 2.57. **"special roadway event"** means a competition, spectacle or event (including a block party or similar gathering) that takes place in whole or in part on a highway and which may involve walking, running or the use or display of bicycles, motorcycles or vehicles and has been approved in writing by the Town of Tofield;
- 2.58. **"street furniture"** includes every curb, sidewalk, pole, traffic control device, waste receptacle, bus bench, bus enclosure, tree, plant, grass, utility, utility service, or any other property authorized for placement on a highway or public place by the Town;
- 2.59. **"time"** means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect in the Province of Alberta;
- 2.60. **"track"** means to allow, cause or permit any substance or material of any nature or kind whatsoever, to become loose

or detached or blow, drop, spill, or fall from any vehicle, or tires onto any highway;

- 2.61. **"traffic control device"** means any sign, signal, marking or device placed, marked or erected under authority of the *Act* for the purpose of regulating, warning or guiding traffic;
- 2.62. **"trailer"** means a vehicle so designed that it:
- 2.62.1 may be attached to or drawn by a motor vehicle or tractor
- 2.62.2 is intended to transport property, and
- 2.62.3 includes any vehicle defined by Alberta Regulation as a trailer, but does not include machinery or equipment solely used in the construction or maintenance of highways;
- 2.63. **"truck"** means any vehicle, other than a registered disabled persons vehicle, recreational vehicle, school bus or transit vehicle, that is:
- 2.63.1 greater than 11 meters in length, or
- 2.63.2 registered (in any jurisdiction) to operate at a maximum weight of 8000 kilograms or more;
- 2.64. **"vehicle"** other than in Part 6 of the *Act*, means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid;
- 2.65. **"walkway"** means any footpath or trail, as part of the Town's trail system, which is limited for use of pedestrians and bicycle traffic, electronic mobility device or any other devices operated by human power only;
- 2.66. **"waste"** means any solid or liquid material or product or combination of solid or liquid material or product, including but not limited to:
- 2.66.1 rubbish, refuse, garbage, paper, packaging, containers, bottles cans, manure, human or animal excrement, sewage or the whole or part of an animal carcass, or
- 2.66.2 the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of.

SECTION 3 – INTERPRETATION

- 3.1. Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.
- 3.2. Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other Bylaw, or any requirement of any lawful permit, order or license.

- 3.3. Any heading, subheading or tables of content in this Bylaw are included only for convenience, and shall not form part of this Bylaw.
- 3.4. Where this Bylaw refers to another Act, Bylaw, regulation or agency, it includes reference to any Act, Bylaw, regulation or agency that may be substituted therefore.
- 3.5. All schedules attached to this Bylaw shall form part of this Bylaw.

SECTION 4- GENERAL AUTHORITY

4. The CAO is hereby delegated the authority to:
 - 4.1. carry out any inspections to determine compliance with this Bylaw;
 - 4.2. take any steps or carry out any actions required to enforce this Bylaw;
 - 4.3. take any steps or carry out any actions required to remedy any contravention of this Bylaw;
 - 4.4. establish investigation and enforcement procedures with respect to any contravention of this Bylaw;
 - 4.5. establish forms for the purposes of this Bylaw;
 - 4.6. issue permits with such terms and conditions as are deemed appropriate;
 - 4.7. delegate any powers, duties or functions under this bylaw to appropriate employees of the Town;

Without restricting the generality of Section 4, the CAO is hereby authorized to designate:

- 4.8. any highway for through traffic purposes, such highway shall be properly marked with appropriate traffic control devices at all intersections of such highways;
- 4.9. crosswalks upon any highway and cause the same to be marked by appropriate traffic control devices;
- 4.10. any highway intersection or other place on a highway as a place at which no left turn or no right turn or both shall be made and shall cause the said place to be marked by appropriate traffic control devices or otherwise restricted;
- 4.11. any intersections on a highway as a place where U-turns are prohibited, and shall cause appropriate traffic control devices to be set in place identifying such prohibition;
- 4.12. specifications of the types of vehicles which are prohibited from parking on certain highway, and shall cause appropriate traffic control devices to be set in place identifying such prohibitions;
- 4.13. any highway as one which is closed temporarily in whole or part to traffic and shall cause such highways to be marked accordingly with appropriate traffic control devices;



- 4.14. any areas in which parking privileges are temporarily suspended and shall cause such areas to be marked accordingly with appropriate traffic control devices;
- 4.15. any highway as one to be divided into traffic lanes of such number as may be considered appropriate, and shall cause such to be marked accordingly with appropriate traffic control devices;
- 4.16. school zones, playground zones, loading zones and passenger zones and shall cause such zones to be marked by appropriate traffic control devices along the highway or on the pavement.
- 4.17. vehicle speeds on any highway or portion of highway and shall cause the same to be marked accordingly with the appropriate traffic control devices;
- 4.18. distances from any intersection within which no parking is permitted, and shall cause such areas to be marked accordingly with the appropriate traffic control devices;
- 4.19. portions of highways where parking is limited to a period of time, and shall cause the appropriate traffic control devices to be set in place indicating such parking limitations;
- 4.20. highways which shall be used by trucks, and shall cause such highways to be marked with appropriate traffic control devices which indicate the highway as a truck route;
- 4.21. highways which shall be used by vehicles carrying dangerous goods, and shall cause such highways to be marked with appropriate traffic control devices which indicate the highway as a dangerous goods route;
- 4.22. highways which are to be used as snow routes in accordance with the Town's Priority Snow Removal Route Listing and cause such highways to be marked with appropriate traffic control devices indicating the highway as a snow route when applicable;
- 4.23. portions of highways as parking zones for disabled persons' vehicles, and cause such zones to be marked accordingly with appropriate traffic control devices;
- 4.24. the maximum loading permitted on a highway or portion of a highway, and cause such highway or portion thereof to be signed accordingly;
- 4.25. the maximum loading permitted on any bridge and cause the same to be signed accordingly with the appropriate traffic control devices;
- 4.26. a temporary ban on parking on a highway or portion of a highway when grading, maintaining or repairing of such highway or portion thereof is being undertaken by the Town and cause the ban to be marked accordingly with the appropriate traffic control devices;

- 4.27. where deemed advisable in the public interest and for better regulation of traffic, prohibit or restrict by appropriate signage the movement of vehicles from a private driveway and cause the prohibition or restriction to be signed with the appropriate traffic control devices.

SECTION 5 – GENERAL REGULATIONS – PARKING

- 5.1. No person shall park a vehicle on any portion of a highway on which parking is prohibited by a traffic control device.
- 5.2. No person shall stop a vehicle on any portion of a highway on which stopping, at such time, is prohibited by a traffic control device.
- 5.3. No person shall stop, park or leave a vehicle, unless required or permitted by a traffic control device, this Bylaw, the *Act*, as directed by an Officer or in order to avoid conflict with other traffic:
 - 5.3.1. on a sidewalk or boulevard;
 - 5.3.2. on a crosswalk or any part of a crosswalk;
 - 5.3.3. on any walkway;
 - 5.3.4. within an intersection other than immediately next to the curb at a "T" intersection;
 - 5.3.5. at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately to the rear except when the vehicle is parked in a space where a traffic control device indicates that parking is permitted;
 - 5.3.6. within 5 meters of the approach to any "STOP" sign or "YIELD" sign;
 - 5.3.7. within 5 meters of any fire hydrant or when the hydrant is not located at the curb, within 5 meters of the point on the curb nearest the hydrant;
 - 5.3.8. within 1.5 meters from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
 - 5.3.9. within 5 meters of the near side of a marked crosswalk;
 - 5.3.10. alongside or opposite any highway excavation or obstruction when stopping or parking would obstruct traffic;
 - 5.3.11. on any portion of a highway marked as an emergency access route, emergency vehicle access or fire lane;
 - 5.3.12. on a highway side of a vehicle parked or stopped at the curb or edge of the highway;

- 5.3.13. such that a vehicle impedes or obstructs the orderly flow of vehicle or pedestrian traffic;
- 5.3.14. on the wrong side of a highway against the flow of traffic;
- 5.3.15. in a highway maintenance or construction area unless the vehicle is employed in the maintenance or construction work;
- 5.3.16. where a vehicle may interfere with the use of a doorway intended as a fire or emergency exit from any building abutting a highway;
- 5.3.17. such that a vehicle obstructs access to the emergency vehicle entrance and exit way of a fire hall, a police station or a hospital;
- 5.3.18. at or near the site of any fire, explosion, accident or other incident if stopping or parking would obstruct traffic or hinder Officers, members of the Fire Department, ambulance operators, rescue personnel or any of their assistants;
- 5.3.20. upon parkland or land designated by a public authority other than the Town as a park or reserve land except in areas that are designated for parking and identified as such by traffic control devices;
- 5.3.21. any place where a traffic control device indicates that parking or stopping is restricted to a special class of vehicle, except if that vehicle qualifies as a member of such authorized special class of vehicle;
- 5.3.22. in such a manner as to interfere with the proper operation of any emergency vehicles or other Town operated vehicles; or
- 5.3.23. on any land owned by the Town without the approval of the CAO, unless designated as a public parking area.
- 5.4. Notwithstanding any other provision in this Bylaw, the Town of Tofield may cause moveable traffic control devices to be placed on or near a roadway or highway designating a "Snow Route" "Street Cleaning", "Emergency", "No Parking" or for any other reasonable purpose. Such signs shall take precedence over all other traffic control devices.
- 5.5. No unauthorized person shall park a vehicle or permit a vehicle to remain parked on a roadway or highway, 24 hours from the time traffic control devices referred to in Section 5.4 have been posted, until such signs have been removed;
 - 5.5.1. Any unauthorized vehicle that is on such roadway or highway 24 hours after such traffic control devices are placed, the owner may be charged under Section 5.1 with unlawful parking and the vehicle may be removed at the expense of the registered owner;

- 5.6. No person shall park or leave a vehicle upon public property without express or implied consent of the owner, or person in lawful possession or control of the property, for a period of more than 72 hours.
- 5.7. All vehicles parked or left upon public property without the consent required in Section 5.6 are subject to the immediate removal at the expense of the registered owner of such vehicle.
- 5.8. No person shall stand or park any vehicle on any highway for the purpose of servicing or repairing such vehicle except for emergency repairs.
- 5.9. No person shall park an inoperable vehicle on any part of a highway except where the vehicle has been parked due to sudden vehicle breakdown and the person in charge or control of the vehicle can establish that immediate action has been taken to arrange for the removal of the vehicle forthwith.
- 5.10. No person shall stand or park a vehicle on a highway to wash such vehicle.
- 5.11. No person shall park a vehicle in an alley except while loading and unloading goods
 - 5.11.1. from a commercial vehicle; or
 - 5.11.2 from a passenger vehicle for a period of not more than 15 minutes.
- 5.12. Notwithstanding Section 5.11, no person shall park a vehicle in an alley such that the passage of other vehicles through the alley is obstructed.
- 5.13. No person shall park or stop on public property, in a parking stall reserved for the exclusive use of persons with disabilities which has been designated by the appropriate traffic control device unless such person has marked the vehicle with an official placard issued by the Alberta Solicitor General - Motor Vehicle Division, indicating it a disabled person's vehicle.
- 5.14. No person shall park a vehicle for a time longer than stated on a traffic control device providing for parking for a specified time period;
 - 5.14.1. Any vehicle being the subject of a municipal violation tag or a provincial violation ticket issued due to a contravention of Section 5.14., and remains parked for a further span of time in excess of the time permitted, an additional offence shall be deemed to have occurred.
- 5.15. No person shall park a trailer on any portion of a highway unless it is attached to a vehicle that is mechanically capable of, and properly equipped for, towing the trailer in a safe manner.

- 5.16. No person shall occupy a recreational vehicle/trailer on a highway within the Town of Tofield.
- 5.17. No person shall park a mobile home in a public place except in an area designated for the mobile homes by the Town's *Land Use Bylaw*.
- 5.18. Any person who is empowered to enforce the provisions of this Bylaw is hereby authorized to place an erasable chalk mark on the tread face of the tire of a parked or stopped vehicle without that person or the Town incurring liability for doing so.

SECTION 6 – GENERAL REGULATIONS – PARADES

- 6.1. No person shall leave any vehicle on any highway which has been cleared or is about to be cleared for a parade, provided that sufficient warning signs have been placed at the particular highway intersection, at least 12 hours before such parade is to take place.
- 6.2. No person shall hold or organize a parade without first having obtained permission from the CAO, for the parade to be held.

SECTION 7 – GENERAL REGULATIONS – HIGHWAY USE AND VEHICLE OPERATION

- 7.1. No person operating a business involving the use of motor vehicles shall permit oil, gasoline, or grease arising from the washing, repairing or maintaining of any vehicle to be deposited on or run onto any highway or catch basin within the Town.
- 7.2. No person shall operate a vehicle on any walkway within the Town.
- 7.3. When a horse drawn vehicle is in motion, the driver or other person in charge of such vehicle shall, at all times have physical control over the horses drawing the vehicle.
- 7.4. No person shall leave a horse or a horse drawn vehicle unattended on any highway within the limits of the Town, but shall leave such horse or horse drawn vehicle suitably tethered and protected from weather in a suitable place.
- 7.5. The driver or any other person in charge of any horse shall cause any defecation to be removed immediately.
- 7.6. Where any unprotected equipment of the Tofield Fire Department has been set out on any highway or driveway for use at a fire or any other department activity, or alarm of a fire, no person shall drive any vehicle over such equipment except with the consent of the Officer in command.
- 7.7. No person shall drive, operate or permit to be driven or operated, any vehicle of any nature or kind in such a manner as to track upon a highway;



- 7.7.1. Any person who tracks upon a highway shall, in addition to the penalty, be liable to clean up or remove such substance or material at the expense of the person tracking;
- 7.7.2. If the person responsible for the tracked material cannot be determined, the owner of the property where the vehicle causing the tracking originated, is deemed to be the person who tracked the material unless such owner proves to the satisfaction of the Court that the person tracking did not have consent, express or implied, to be on the property.
- 7.8. No person shall, without authorization from the CAO, deposit any earth, rocks, trees or other substances on any highway, sidewalk or boulevard within the Town.
 - 7.8.1. Should such deposits have been made without authorization and the Town removes same, the expense therefore, shall be chargeable to the person responsible, which shall be in addition to any fine or to any payment made in lieu of prosecution under this Bylaw.
- 7.9. No person shall dispose of waste on a highway except in a container placed for the purpose of collecting waste.
- 7.10. No person shall remove, damage, or interfere with any barricade, notice, marker sign, flare, or other street furniture or other utility work of the Town or franchise utility operator.

SECTION 8 – GENERAL REGULATIONS – PEDESTRIANS

- 8.1. Where a sidewalk or footpath is located beside a highway, a pedestrian shall at all times when reasonable and practical to do so use the sidewalk or footpath and shall not walk or remain on the highway.
- 8.2. Where there is no sidewalk or footpath a pedestrian shall, at all times when reasonable and practical to do so walk only on the left side or the shoulder of that highway facing traffic approaching from the opposite direction.
- 8.3. A pedestrian crossing a highway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise imposing on the free movement of vehicles thereon.
- 8.4. A pedestrian shall not step onto a highway and walk or run into the path of any vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right-of-way.

- 8.5. A pedestrian crossing a highway at any point other than within a crosswalk shall yield the right-of-way to vehicles upon the highway.
- 8.6. At a place where there is a crosswalk, a pedestrian has the right-of-way over vehicles for the purpose of crossing a highway within the crosswalk unless otherwise directed by an officer or traffic control device, but nothing in this section relieves a pedestrian from the duty of exercising due care for their own safety.

SECTION 9 – GENERAL REGULATIONS – BICYCLES, IN-LINE SKATES, ROLLER BLADES, SKATEBOARDS AND NON-MOTORIZED SCOOTERS

- 9.1. No person shall use a bicycle, in-line skates, roller skates, a skateboard or non-motorized scooter on a sidewalk in a reckless manner or without yielding to other pedestrian traffic.
- 9.2. No person who is less than 18 years shall operate or ride on a bicycle unless that person is properly wearing a safety helmet.
- 9.3. A person who is riding a bicycle on a highway shall ride as near as practicable to the right hand curb or edge of the highway.
- 9.4. A person shall not ride a bicycle on a highway where traffic control devices prohibit bicycle use.

SECTION 10 – GENERAL REGULATIONS – COMMERCIAL VEHICLES

- 10.1. No person shall operate a commercial vehicle, as defined in the *Act*, on a highway other than on a highway that is designated as a Truck Route, established in Schedule "B" of this Bylaw, and is marked as such by traffic control devices.
- 10.2. A commercial vehicle shall not be deemed to be operating in contravention of Section 10.1, if the commercial vehicle is being operated on the most direct and practical route between the premises or location and the nearest truck route by:
 - 10.2.1. persons delivering, or collecting goods, or merchandise to, or from the premises of a bona fide customer;
 - 10.2.2. persons going to or from business premises of the owner of the commercial vehicle concerned;
 - 10.2.3. persons moving a building for which notification has been provided to the CAO;
 - 10.2.4. persons pulling a disabled vehicle from a highway;
 - 10.2.5. persons going to and from premises for the servicing or repairing of the commercial vehicle;

- 10.2.6. persons going to and from a subdivision or building construction site, or a building demolition site which have been authorized by the CAO over routes approved by the Town; or
- 10.2.7. persons performing work on a highway.
- 10.3. No person shall park a commercial vehicle on a highway, regardless if it is a designated Truck Route, which is adjacent to a residential area.
- 10.4. In this section "AREA" shall mean as one that is bounded on all sides by a truck route;
- 10.4.2. Notwithstanding Sections 10.1 and 10.2, persons having more than one delivery, collection, or service in the same area may make all deliveries, collections, or services within that area before proceeding by the most direct and practical route to the nearest Truck Route.
- 10.5. No person shall operate a commercial vehicle on any highway within the Town with a weight exceeding the axle weight applicable to such vehicle by the *Act*.
- 10.6. No person operating a Vehicle or Truck shall use engine retarder brakes.
- 10.7. No person shall operate a heavy vehicle in an area other than a designated Truck Route unless the heavy vehicle is one intended for recreational purposes only, or is:
- 10.6.1. a school bus;
- 10.6.2. a Town vehicle while on duty;
- 10.6.3. a commercial vehicle while making pickups or deliveries.
- 10.8. A person shall, when requested by an Officer, produce for such Officer's inspection, a bill of lading, an industrial waste report or other document showing the origin of and destination of the trip and description of the load.
- 10.9. Particulars obtained by an Officer under Section 10.8 shall be sufficient proof of the particulars thereof submitted in evidence, without proof of the signature of the official capacity of the person signing the bill of lading or the documents.

SECTION 11 – GENERAL PROVISIONS – DANGEROUS GOODS

- 11.1. No person shall park or leave unattended any vehicle primarily intended for the conveyance of any dangerous goods neither upon any highway nor on any property other than those in industrial districts as defined in the Town's *Land Use Bylaw*.

11.2. The prohibition described in Section 11.1 shall not apply to:

11.2.1 a vehicle loading or unloading dangerous goods;

11.2.2 a vehicle that is immobilized by a bona fide breakdown provided such vehicle is repaired or removed for repair at the earliest opportunity. The driver of such vehicle shall take such precautions as may be reasonably necessary to warn other users of the highway of the location of the vehicle and of the dangerous goods contained thereon;

11.2.3 a vehicle on a highway in a well-lit area at least 30 meters' distance from any building or playground for such length of time as is actually necessary for the operator/driver of such vehicle to secure and eat a meal;

11.2.4 a vehicle operating in compliance with directions of an Officer;

or when requested to do so by:

11.2.5 an Officer;

11.2.6 a dangerous goods inspector acting in accordance with the *Dangerous Goods Transportation and Handling Act*, R.S.A 2000, c. D-4.

11.3. An operator of a carrier shall produce all documentation relating to the dangerous goods being transported, including bills of lading, industrial waste reports, and documents showing the origin and destination of the trip and description of the carrier's load.

11.4. In the event of a traffic collision involving a carrier, or in the event of a dangerous goods leakage or spillage, the carrier operator shall immediately inform an officer and the Tofield Fire Department of the incident and nature of the dangerous goods being transported.

SECTION 12 – OFFENCES AND PENALTIES

12.1. Any person or corporation that contravenes this Bylaw is guilty of an offence.

12.2. Any person who willfully obstructs an Officer or assaults an Officer with the intent to resist or prevent the lawful arrest or detainment of themselves or another person in the exercise or performance of their duties related to this Bylaw is guilty of an offence.

12.3. A person who is guilty of an offence is liable, upon summary conviction, to a fine in an amount not less than that established in Schedule "A" of this Bylaw.

12.4. The penalty for a second offence, within a calendar year, shall be double the fine amount as indicated in Schedule "A" of this Bylaw.

- 12.5. The penalties for a third and subsequent offences, within a calendar year, shall be triple the fine amount as indicated in Schedule "A" of this Bylaw.
- 12.6. An Officer is authorized to remove and impound or cause to be removed and impounded any vehicle parked in contravention of any provision of this Bylaw and the cost thereof may be charged against the owner and/or operator of said vehicle.

SECTION 13 – VIOLATION TAGS AND VIOLATION TICKETS

- 13.1. A municipal violation tag or provincial violation ticket may be issued in respect to an offence, and the violation tag or ticket must specify the fine amount established by this Bylaw for the offence.
- 13.2. The person receiving the municipal violation tag or provincial violation ticket may pay the fine amount on or before the required date, and this person shall not be prosecuted for the offence.
- 13.3. A provincial violation ticket must be paid before the date specified by the ticket.
- 13.4. A municipal violation tag must be paid within thirty (30) days of the date it was issued.
- 13.5. If a municipal violation tag has been issued, a person may, prior to the required date, request that a provincial violation ticket be issued in place of a municipal violation tag to allow that person to attend court with respect to the offence.
- 13.6. If a provincial violation ticket is issued in respect to an offence, the provincial violation ticket may specify the fine amount established by this Bylaw for the offence.
- 13.7. If a provincial violation ticket specifies a fine amount, a person may make a voluntary payment equal to the fine amount specified on or before the required date, and this person shall not be prosecuted for the offence.
- 13.8. If a provincial violation ticket specifies a fine amount, a person or their agent may appear in court on the required date and elect to enter a plea with respect to the offence.

SECTION 14 – EXPIRY

14. Any person who commits a subsequent offence under this Bylaw within one year of committing the first offence may be issued a provincial violation ticket or municipal violation tag. The time limit for committing a subsequent offence resets on a yearly basis on January 1 of each year.

SECTION 15 – REPEAL

15. Bylaw 1017 is hereby repealed.

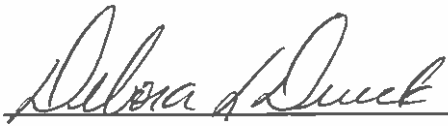
SECTION 16 – ENACTMENT

16. This Bylaw shall come into full force and effect immediately upon the date of its final passage.

READ for a first time this 13th day of August 2018 A.D.

READ for a second time this 13th day of August 2018 A.D.

READ for a third time this 13th day of August 2018 A.D.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

**BYLAW 1297
SCHEDULE "A"**

Traffic Bylaw - Fines

Section No.	Description	Fine Amount
Section 5	Parking violations	\$75
5.13	Park in marked disability parking zone	\$250
Section 6	Parade without permission	\$100
7.1	Business directing oil/gas/grease onto highway	\$200
7.2	Operating a vehicle on a walkway	\$100
7.3/7.4/7.5	Horse drawn vehicle violation	\$100
7.6	Driving over unprotected fire/emergency equipment	\$200
7.7	Track from a vehicle	\$250
7.8	Depositing materials on highways/sidewalks/boulevards without authorization	\$250
7.9	Disposing of Waste on a Highway	\$250
7.10	Interfering with a barricade/sign/traffic control device	\$200
Section 8	Pedestrian violations	\$75
Section 9	Bicycle/in-line skates/ roller skate/skate board violations	\$75
10.1	Not using designated truck route	\$250
10.3	Commercial Vehicle parked adjacent to residential area	\$250
10.5	Exceeding axle weight	\$250
10.6	Use of Engine Retarder Brakes	\$250
10.7	Use of heavy vehicles off of truck routes	\$250
10.8	Failure to provided bill of lading/industrial waste report	\$250
11.1	Unattended dangerous goods vehicle	\$250
11.3	Failure to report a dangerous goods vehicle collision	\$500
12.2	Obstruct an Officer	\$500

Second Offence within a calendar year: Double Fine Amount

Third and subsequent offences within a calendar year: Triple Fine Amount

*Where listed fines conflict with those set out in the Traffic Safety Act or its respective Regulations, the fines specified by the Act and Regulations shall apply.

**BYLAW 1297
SCHEDULE "B"**

Traffic Bylaw - Designated Truck Routes

(a)	Along Highway No. 834 from the westerly limit of the Town to the north easterly limits of the Town.
(b)	Along Highway 626 from easterly limit of the town intersecting with Highway 834 to the westerly and northern limits of the Town.
(c)	Creamery Road from Highway 14, northerly to the corporate limits
(d)	52 Avenue from Creamery Road to 52 Street west to 51 Avenue
(c)	From Highway 14 east entrance on to Service Road to 51 Street

