

**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
BYLAW #1429**

A Bylaw of the Town of Claresholm to control and regulate the use of streets and highways within the Town and the traffic and pedestrians moving thereon and the parking of vehicles on streets and alleyways.

WHEREAS it is expedient and proper pursuant to the provision of Section 14 to 16 of the *Highway Traffic Act* RSA 1980 that the Council of the Town of Claresholm shall issue a Bylaw for the regulation and control of vehicles, animals and pedestrian traffic;

NOW, THEREFORE, the Council of the Town of Claresholm duly assembled hereby enacts as follows:

100. This Bylaw shall be cited as the Town of Claresholm Traffic Bylaw.

101. In this Bylaw unless the context otherwise requires, the following definitions shall apply:

1. "Act" means the *Highway Traffic Act*, RSA 1980 Chapter H-7 and amendments thereto;
2. "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
3. "Bicycle" means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that
 - i) may be propelled by muscular or mechanical power,
 - ii) is fitted with pedals that are continually operable to propel it,
 - iii) weighs not more than 35 kilograms,
 - iv) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres,
 - v) has no hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel, and
 - vi) does not have sufficient power to enable it to attain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start;
4. "Boulevard" means, in an urban area, that part of a highway that
 - i) is not roadway, and
 - ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;
5. "Centre line" means
 - i) the centre 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 designated by traffic control devices,
 - (A) as an offset centre highway, or
 - (B) as a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times,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 opposite directions;
6. "Commercial vehicle"
 - i) means a truck, trailer or semi-trailer, except
 - A) a truck, trailer or semi-trailer that is a public service vehicle, or
 - B) a truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle, and
 - ii) includes
 - A) a motor vehicle from which sales are made of goods, wares, merchandise or commodity, and
 - B) a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof;

7. "Crosswalk" means
- i) 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, from the edges of the roadway, or
 - ii) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface;
8. "Dealer" means any person who buys or sells motor vehicles as a business, either as principal or agent;
9. "Driver" or "operator" means a person who drives or is in actual physical control of a vehicle;
10. "Emergency vehicle" means
- i) a vehicle operated by a police force,
 - ii) a fire fighting or other type of vehicle operated by the fire protection service of a municipality,
 - iii) an ambulance operated by a person or organization providing ambulance services,
 - iv) a vehicle operated by a public utility, or
 - v) a vehicle designated as an emergency response unit;
11. "Gross vehicle weight" shall mean the aggregate weight of the unloaded vehicle and the weight of the load that vehicle is licensed to carry or is carrying;
12. "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and
- i) includes
 - A) a sidewalk (including the boulevard portion of the sidewalk),
 - B) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - C) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,
 but
 - ii) does not include a place declared by the Lieutenant Governor in Council not to be a highway;
13. "Intersection" means the area embraced within the prolongation or connection of
- i) the lateral curb lines or, if none,
 - ii) the exterior edges of the roadways,
- or 2 or more highways which join one another at an angle whether or not one highway crosses the other;
14. "Median" means a physical barrier or area that separates traffic travelling in one direction from traffic travelling in the opposite direction on a highway;
15. "Moped" means a vehicle, regardless of the number of wheels it has, that
- i) weighs more than 35 kilograms but less than 55 kilograms,
 - ii) has a motor that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres,
 - iii) has no hand-operated or foot-operated clutch or gearbox driven by the motor transferring power to the driven wheel, and
 - iv) does not have sufficient power to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start;
16. "Motor cycle" means a motor vehicle mounted on 2 or 3 wheels and includes those motor vehicles known to the trade as motor cycles and scooters but does not include an off-highway vehicle as defined in the *Off-highway Vehicle Act*;

17. "Motor vehicle" means
 - i) a vehicle propelled by any power other than muscular power, or
 - ii) a moped,
 but does not include a bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only on rails;
18. "Multi-purpose" passenger vehicle means a vehicle that has a seating capacity of 10 or less and is constructed on a truck-chassis or with special features for off-highway operation, but does not include an air cushion vehicle, an all terrain vehicle as defined in the *Off-highway Vehicle Act*, a passenger car or a truck;
19. "Municipality" means the Town of Claresholm
20. "Owner" includes any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days;
21. "Park", when prohibited, means allow a vehicle (whether occupied or not) to remain standing in one place, except
 - i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
 - ii) when standing in obedience to a peace officer or traffic control device;
22. "Parking lane" means that portion of a primary highway between
 - i) the edge of the roadway to the right of the direction of traffic, and
 - ii) the nearest solid white line (not being the centre line) marked on the roadway;
23. "Passenger car" means a motor vehicle that has a seating capacity of 10 or less but does not include an off-highway vehicle as defined in *the Off-highway Vehicle Act*, a truck, or multi-purpose passenger vehicle, a chassis cab, a moped or a motor cycle;
24. "Peace officer means
 - i) a member of the Royal Canadian Mounted Police,
 - ii) a member of a municipal police service
 - iii) a special constable, or
 - iv) a park warden appointed pursuant to the *National Parks Act* (Canada), while he is in the exercise or discharge of his powers or duties in a national park established under that Act;
25. "Pedestrian" means a person afoot or a person in a wheel chair;
26. "Primary highway" means a highway designated as a primary highway pursuant to the *Public Highways Development Act*;
27. "Public service vehicle"
 - i) means a motor vehicle, trailer or semi-trailer operated on a highway by or on behalf of a person for compensation, whether that operation is regular or only occasional or for a single trip, and
 - ii) includes a motor vehicle kept by a person for the purpose, subject to the regulations, of being rented without a driver, but
 - iii) does not include a motor vehicle used solely as an ambulance or hearse or for the transportation of the Royal Mail
28. "Recreational vehicle" means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.
29. "Red light traffic enforcement device" means a device installed or erected at an intersection with a traffic control signal that is capable of photographing a vehicle and recording data related to the vehicle and the traffic control signal;
30. "Roadway" means that part of a highway intended for use by vehicular traffic;

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31. "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by

pedestrians, and includes that part of a highway between the curb line (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved;

32. "Stop" means
- i) when required, a complete cessation from vehicular movement, and
 - ii) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device;
33. "Traffic control device" means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
34. "Traffic control signal" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed;
35. "Traffic lane" means
- i) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and
 - ii) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles,
- whether or not the division is indicated by lines on the road surface;
36. "Trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways;
37. "Truck" means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis-cab, crawler mounted vehicle, trailer, machinery or equipment used in the construction or maintenance of highways or an off-highway vehicle as defined in the *Off-highway Vehicle Act*;
38. "Truck tractor" means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of a vehicle drawn, and includes a vehicle that is designed to accommodate a 5th wheel coupling, but does not include a crane equipment breakdown vehicle;
39. "Urban area" means a city, town or village;
40. "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway.

102. Traffic Control Device

- A. The Town Coordinator or designate is hereby authorized to place, erect or mark traffic control devices at such locations as he may determine and shall place traffic control devices at such locations as Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
- (a) to divide the surface of a roadway into traffic lanes marked by solid or broken lines.
 - (b) to prohibit U turns at any intersection
 - (c) to designate any intersection or other place on the highway as intersection or place at which no left hand turn or right hand turn shall be made.
 - (d) to designate as one way street any roadway or portion thereof.
 - (e) to designate school zones and playground zones.
 - (f) to designate truck routes.
 - (g) to set apart as through streets any highway or part of a highway and to control entry to any highway by means of a stop sign or yield sign.

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- (h) to designate a crosswalk upon any highway.

- (i) to designate parking stands for use of any particular class of vehicle.
 - (j) to close or restrict the use of any highway, subway, bridge or over pass or any part of any highway, subway, bridge or over pass either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians.
 - (k) to prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public street or any portion thereof during such hours as he may determine.
 - (l) to designate and mark guidelines for angle and parallel parking on any highway or other public place or any portion thereof.
- B. The Secretary-Treasurer shall keep record of all such locations which shall be open to public inspection during normal business hours.
 - C. No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printed material or other type of notice whatsoever upon any traffic control device.
 - D. Notwithstanding any provision of this Bylaw, all traffic control devices placed, erected or marked in the Town of Claresholm prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant by the provisions of this Bylaw.

103. Inflammable and Explosive Materials

- A. No person shall park any vehicle used primarily for the conveying of fuel, oil, gasoline, or other explosive or toxic materials upon any highway or upon any property having a building or buildings thereon unless the vehicle is parked upon the property at least 15 meters from the nearest building likely to contain persons or valuable goods. Provided that this prohibition shall not apply to the time during which any such vehicle is necessarily motionless while delivering gasoline or oil to garages or retail dealers in gas and oil.

104. Parking

- 1. No person shall allow any vehicle to remain parked for a period of time in excess of the maximum permitted time indicated on the parking signs pertaining to that space. A further offence shall be deemed to have occurred for each subsequent period of time in excess of that permitted by the parking signs that the vehicle remains so parked.
- 2. The Secretary-Treasurer may designate or cause to be properly marked, portions of a highway for 10 minute, 15 minute, 20 minute, 30 minute, 1 hour, 2 hour, 3 hour or 4 hour parking of vehicles. No person shall park a vehicle for any period of time exceeding the time limit so designated.
- 3. No person shall park a vehicle in a lane. Lanes, however, may be used for such a period of time as may be reasonably necessary for the loading or unloading of passengers or goods from a vehicle provided that the vehicle concerned in such loading or unloading of passengers or goods does not so obstruct the lane as to prevent other vehicles or persons from passing along such lanes while the loading or unloading of the passengers or goods is taking place.
- 4. The Secretary-Treasurer may designate and cause to be properly marked by signs, portions of a highway as truck loading or unloading spaces and may cause such spaces to be marked with a sign designating the area as a loading zone.
- 5. No person shall park a vehicle in a truck loading or unloading space for a period of time longer than 15 minutes.
- 6. When actually taking on or discharging passengers, no person shall park or stand a vehicle for a period of time at a passenger loading zone, at a no parking area, or in front of the main entrance or doorway of a public building.
- 7. No person shall park any trailer (whether designed for occupancy for persons or carrying of goods and equipment) upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to the vehicles.

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- 8. No person shall park any commercial vehicle, bus, truck or truck tractor and trailer with a gross vehicle weight of more than four thousand, five hundred kilograms (4,500 kg), or a

length of more than twelve point five metres (12.5 m) except upon any highway where such parking is expressly permitted or except for the purpose of unloading and loading such vehicles.

9. Vehicles that exceed the restrictions in Section 104 (8) above are limited to travel in those areas designated as "Truck Routes" in Schedule "B" which is included in and forms a part of this bylaw.
10. No person shall park a trailer or recreational vehicle upon a highway unless the trailer or recreational vehicle is attached to the vehicle by which it may be drawn.
11. An owner or operator of a recreational vehicle shall not park the recreational vehicle on a highway in the Town, except in the area of the roadway immediately adjoining the owner or operator's place of residence and for no more than seventy-two (72) consecutive hours, following which the owner or operator shall move the recreational vehicle to an off-highway location for a period of not less than forty-eight (48) consecutive hours before the recreational vehicle may be parked again in the area of the roadway immediately adjoining the owner or operator's place of residence.
12. No person shall park any vehicle on any land owned by the Town of Claresholm which the Town uses or permits to be used as a playground or recreation area or public park except on such part thereof as may be designated by the Secretary-Treasurer with a sign or signs for vehicle parking.
13. When parking on a roadway, a driver shall park his vehicle with the side thereof parallel to the curb or edge of the roadway and:
 - (a) with the right hand wheel thereof not more than 500 millimeters from the right hand curb or edge of the roadway, or
 - (b) in the case of a one way highway where parking on either side is permitted with the wheels closest to the curb or edge of the roadway not to be more than 500 millimeters from that curb or edge and with the vehicle facing the direction of travel authorized for that highway.
14. Where a sign indicates that angle parking is permitted or required and parking guidelines are visible on the roadway a driver shall park his vehicle:
 - (a) with the sides thereof between and parallel to any two such lines and
 - (b) with one front wheel thereof not more than 500 millimeters from the curb or edge of the roadway.
15. Where a sign indicates that angle parking is permitted or required but no parking guidelines are visible on the roadway a driver shall park his vehicle:
 - (a) with the sides thereof at an angle between 30 and 60 degrees to the curb or edge of the roadway, and
 - (b) with one front wheel thereof not more than 500 millimeters from the curb or edge of the roadway.
16. No person shall angle park any vehicle which exceeds 6 meters in overall length upon any highway of the Town except at such locations as have been designated by the Secretary-Treasurer and have been marked provided however that the person may park in such other locations and for such period of time as may be designated in writing by the Secretary-Treasurer.
17. Where parking guidelines are visible on a roadway, no driver shall park a vehicle except within the limits of the lines designating a parking stall.
18. No person shall park his vehicle with the sides thereof parallel to the curb or edge of the roadway when angle parking is permitted or required.

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19. (A) No person shall park or leave any vehicle on private land or property that has been clearly marked as such by a sign or signs erected by the owner or his agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of the said land or property.

- (B) Any Peace Officer may cause a vehicle improperly parked on private property to be removed and taken to and stored in a suitable place and all cost for removal and storage are liened upon the vehicle which may be enforced in the manner provided by the *Possessory Liens Act R.S.A. 1970 Chapter 279*.
20. No person shall park any vehicle in that part of a driveway which lies between the curb or the traveled portion of the road and the property or lot boundary line which runs parallel to the said curb or traveled portion of roadway.
21. Any person who is empowered to enforce the provisions of this bylaw is hereby authorized to place an erasable chalk mark on the read face of the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.
22. In any case where by reason of an emergency or of any special circumstances which in the opinion of the Secretary-Treasurer make it desirable and in the public interest to do so the Secretary-Treasurer may:
- (a) temporarily close, in any area of the Town, any highway in whole or in part to traffic, or
 - (b) temporarily suspend in any area of the Town parking privileges granted by the provisions of this or any other bylaw and the Secretary-Treasurer may for such period of time as he deems necessary to meet such emergency or special circumstances take such measure for the temporary closing of such highway or suspension of parking privileges and place barricades or post appropriate notices on or near the highway concerned as he may consider it to be necessary in the circumstances.
23. When a vehicle exceeds the length of a single parking space the operator may park such a vehicle so that it occupies two but not more than two parking spaces.
24. A person shall not park or stand a vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department of the Town or of any other emergency vehicle.
25. Except as otherwise provided in this section where parking spaces have been marked on any roadway unless the act, another provision of this bylaw or a traffic control device otherwise permits the driver of any vehicle shall stop or park such vehicle only between the lines or markings indicating the limits of a single parking space.
26. Except in the case of an emergency not allowing the vehicle to be moved a person shall not stand or park any vehicle on the street for the purpose of greasing, washing or repairing the vehicle.
27. No person shall leave parked on any street any self propelled type of vehicle incapable of being moved under its own power.
28. Subsection 104 does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken action to arrange for the removal of the vehicle forthwith.
29. A person being in charge or control of a garage or service station or other premises where repairs or installations are made to vehicles for compensation shall not leave or cause or suffer or permit to be left on any street or alley a vehicle which has been left in his possession for carrying out repairs or making installation or for any other purpose whatsoever.
30. A person shall not leave parked on any street, a trailer, semi trailer, mobile drilling equipment or any vehicle which has been detached from the vehicle which is used to draw it.

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31. Where any type of motor vehicle has removable camping accommodations installed on it, the operator or owner of the vehicle or any person in charge of the vehicle either permanently or temporarily shall not leave the camping accommodation or other removable portion of the motor vehicle used for this purpose on any portion of a street after the same has been removed from the motor vehicle.

32. No person shall drive a vehicle on or over newly painted lines on any roadway when the same is indicated by signs, flags, or other warning devices.
33. No person shall drive a vehicle on a roadway with more than one vehicle in tow.

105. Other Offences:

Unless required or permitted by this bylaw or the *Highway Traffic Act* or by a traffic control device or in compliance with the directions of a Peace Officer or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:

- (a) on a sidewalk or boulevard, or
- (b) on a crosswalk or any part of a crosswalk, or
- (c) within an intersection, or
- (d) at an intersection nearer than 5 meters to the projection of the corner property line immediately ahead or immediately to the rear except when a vehicle is parked in a space where other traffic control device indicates parking is permitted, or
- (e) within 5 meters upon the approach to any stop sign or yield sign, or
- (f) 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, or
- (g) within 1-1/2 meters of an access to a garage, private road or driveway or vehicle crossing over a sidewalk, or
- (h) within 5 meters of the near side of a marked crossway, or
- (i) along or opposite any street excavation or construction when stopping or parking would obstruct traffic, or
- (j) on the roadway side of a vehicle parked or stopped at the curb or the edge of the roadway.

106. Bicycles:

- (a) A carrier of a newspaper, magazine or flyer may ride a bicycle on a sidewalk, footpath, walkway or boulevard if he is delivering copies of a newspaper, magazine or flyer at the time.
- (b) Subject to the other provisions of this Section, no person shall ride a bicycle on a sidewalk, footpath, walkway, or boulevard.
- (c) Notwithstanding the provision of Subsection (b) the Council may designate those portions of sidewalks, footpaths, walkways, or boulevards where bicycles may be ridden by other persons who are not carriers of newspapers delivering copies thereof.
- (d) A person riding a bicycle subject to subsection (a) and (c) on any sidewalk, footpath, or walkway where pedestrians are also allowed shall ride the bicycle in a manner which does not interfere with any pedestrian lawfully on or alighting from or entering onto a means of transportation who is lawfully using the sidewalk, footpath or walkway.

107. Funerals:

- (a) If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles shall obey the order and direction of the Peace Officer so regulating the traffic.
- (b) Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this bylaw and shall not drive the vehicle in to the intersection until it is safe to do so. A vehicle that follows in the funeral procession may then enter into the intersection without stopping provided the headlamps are alight. The provisions of this Section shall not apply at intersections where traffic is controlled by a Peace Officer or by a traffic control signal.
- (c) No person driving any vehicle or riding a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.

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108. Fires:

- (a) In case of a fire within the Town, any Peace Officer or member of the Fire brigade of the Town may designate in any manner a line or lines near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross such line or lines.
- (b) The Chief Officer of the Fire Department of the Town of Claresholm or any person acting under

his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department of the Town of Claresholm.

- (c) Where an unprotected hose of the Fire department has been laid down on a roadway or driveway no person shall drive a vehicle over such hose unless the official of the Fire Department in charge at the scene has specifically allowed him to do so.

109. Vehicles with lugs:

No person shall drive, propel or move on any highway any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread, unless and until he or she has special permission, in writing, from the Secretary-Treasurer.

110. Engine Retarder Brakes

No person shall operate a tractor trailer unit so as to cause noise by using engine retarder brakes within the limits of the Town of Claresholm. Engine retarder brakes shall not be used for either slowing or stopping their vehicle.

111. Every person shall be guilty of an offence who:

- (1) coasts on any highway on a sled, toboggan, or skis.
- (2) washes a vehicle upon any highway or drains the radiator of any vehicle upon a highway or washes a vehicle near a highway, or otherwise causes water, slush or ice to form upon a highway or public sidewalk.

112. No owner or occupant of private property in the Town shall allow anything to be erected, placed, planted or grown, whether planted or erected before or after the date of the passing of this bylaw, to grow or to remain at a greater height than 0.8 metres above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 11.6 metres (or such other distance as required by the Municipal Planning Commission) from the point of intersections.

113. The Secretary-Treasurer or his designated authority may serve by registered mail a notice in writing upon any person required to comply with the provisions of Section 111.

114. Penalties:

- (a) Any person violating any of the provisions of this bylaw or any other person responsible for such violation shall be liable on a summary conviction before a Provincial Judge or any Justice of the Peace having jurisdiction therein, to a penalty not exceeding \$500.00 exclusive of costs.
- (b) Any Peace Officer may impound and remove from a highway, street, alley, parking lot or other public place, a vehicle in respect of which charges have not been paid or of a vehicle parked in violation of a provision of this bylaw and all costs of removal which may be enforced in the manner provided by the *Possessory Liens Act*.
- (c) If a vehicle is driven, used, parked or left in contravention of any provision of this bylaw the owner of the vehicle is guilty of an offence and liable for the contravention and the penalty provided herein unless he proves to the satisfaction of the Magistrate trying the case that at the time of the contravention the vehicle was not driven, used, parked or left by him or by any other person with his consent, expressed or implied.

115. Police Tags:

- (a) Where any Peace Officer believes that any person has committed a breach of any of the provisions of this bylaw as set out in Schedule "A" hereto he may serve upon such person a notice or tag as provided herein.
- (b) Service of any such notice or tag shall be sufficient if it is:

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- (1) personally served
 - (2) served by double registered mail
 - (3) attached to the vehicle in respect of which the offence is alleged to have been committed.
- (c) Upon production of any such notice or tag within seven days from the date of service of such notice, together with the payment of the sum specified in Schedule "A" hereto to a person authorized by the Secretary-Treasurer of the Town of Claresholm to receive such payment, an

official receipt for such payment shall be issued, and subject to the provisions of this Section, such payment shall be accepted in lieu of prosecution.

- (d) If the person upon whom any such notice or tag is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.

116. Nothing in this Section contained shall:

- (a) prevent any person from exercising his right to defend any charge of committing a breach of any of the Sections in Schedule "A" hereto.
- (b) prevent any person from laying any information or complaint against any other person for committing a breach of any of the Sections in Schedule "A" hereto, or
- (c) prevent any person from exercising any legal right such person may have to lay an information or complaint against any other person (whether such person has made a payment under the provisions of this bylaw or not), for breach of any of the Sections in Schedule "A" hereto).

117. Where any person has made a payment pursuant to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.

118. No person other than the owner or driver of a vehicle shall remove any notice placed or fixed to such vehicle by a Peace Officer in the course of his duties.

119. It is the intention of Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of Town Council that if any provisions of this bylaw be declared invalid all other provisions thereof shall remain valid and enforceable.

120. If by reason of any contravention of any provision of this bylaw, the Town is authorized or required to move the motor vehicle from a place where it is parked in contravention of the bylaw and to impound the same, the amount of the expense so incurred shall be added to the amount of any fine or penalty which may be imposed by reason of the contravention or to the amount of payment to be made in lieu of prosecution as provided in Section 114 (c) and the person concerned shall be required to pay the amount of such expense in addition to any fine, penalty or penalty in lieu of prosecution as the case may be.

121. This Bylaw repeals bylaw 1114 and all amendments thereto.

READ a **first** time this _____ day of _____, 2002.

READ a **second** time this _____ day of _____, 2002.

READ a **third** time and finally passed this _____ day of _____, 2002.

Larry Flexhaug, Town Coordinator

E. R. Patterson, Mayor

Schedule "A"

<u>Parking Offences</u>	<u>Offence</u>	<u>Penalty</u>
103.	Parking gas trucks in a prohibited area	50.00
104. (1) (2)	Overparking	50.00
104. (3)	Parking in a lane	50.00
104. (5)	Overparking in truck loading space	50.00
104. (6)	Parking in NO PARKING AREA	50.00
104. (7)(10)(11)	Improper trailer & recreational vehicle parking	50.00
104. (8)	Improper parking of heavy vehicles	50.00
104. (12)	Parking in playground	50.00
104. (13a)	Improper parallel parking	50.00
104. (13b)	Improper parallel parking	50.00
104. (14)(a)(b)	Improper angle parking	50.00
104.	Improper angle parking	50.00
104. (15)(a)(b)	Improper angle parking	50.00
104. (16)	Improper parking	50.00
104. (17)	Parking outside of space	50.00
104. (18)	Failing to park in proper manner	50.00
104. (19a)	Parking on private property	50.00
	Parking of unauthorized vehicle	50.00
104. (23)	Parking of unauthorized vehicle	50.00
104. (24)	Parking as to obstruct emergency vehicle	50.00
104. (25)	Parking outside line	50.00
104. (26)	Greasing, washing or repairing vehicle	50.00
104. (27)	Parking of derelict vehicles	50.00
104. (29)	Parking of vehicle on Highway for repairs	50.00
104. (30)	Parking of Trailers, semi trailers	50.00
104. (31)	Parking of Recreation Vehicle	50.00
104. (32)	Driving on painted lines	50.00
104. (33)	Driving with vehicle in Tow	50.00
105. (a)	Parking on sidewalk or boulevard	50.00
105. (b)	Parking on crosswalk or part of	50.00
105. (c)	Parking within intersection	50.00
105. (d)	Parking too close to intersection	50.00
105. (e)	Parking too close to stop or yield sign	50.00
105. (f)	Parking too close to fire hydrant	50.00
105. (g)	Parking too close to garage access, private road, driveway or vehicle crossway	50.00
105. (h)	Parking too close to marked crosswalk	50.00
105. (i)	Parking too close to street obstruction	50.00
105. (j)	Parking on the roadway side of a vehicle	50.00
106.	Riding bicycle on sidewalk	50.00
107. (b)	Funeral procession	50.00
107. (c)	Driving through funeral procession	50.00
108. (c)	Driving over fire hose	50.00
109.	Driving on roadway with lugs	50.00
110.	Use engine retarder brakes	250.00
111. (1)	Coasting on highway with sled etc.	50.00
111. (2)	Washing vehicle on highway	50.00
112.	Planting or growing plants on corner lots	50.00

Schedule "B" - Designated Truck Routes

1. 50th Avenue East, Highway #2 to 2nd Street East
2. 2nd Street East from 43rd Avenue north to Division Ave
3. 5th Street East
4. 8th Street West
5. 43rd Avenue (Secondary Highway #520)
6. Division Avenue