

SUMMER VILLAGE OF ROCHON SANDS
BY-LAW NO. 205 10

A BY-LAW OF THE SUMMER VILLAGE OF ROCHON SANDS IN THE PROVINCE OF ALBERTA, BEING A BYLAW TO REGULATE AND CONTROL TRAFFIC AND THE USE OF HIGHWAYS WITHIN THE SUMMER VILLAGE.

WHEREAS the Municipal Government Act, Chapter M-26.1, R.S.A.,2000, and amendments thereto provides that a council of a municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property and to regulate activities and things in, on or near a public place or place that is open to the public; and

WHEREAS the *Traffic Safety Act*, Chapter T-6, R.S.A., 2000 and amendments thereto allows a municipality to restrict the use of any highway with respect to any class or classes of motor vehicles;

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

SECTION 1 - NAME OF BYLAW

1.1 This Bylaw shall be known as "The Parking, Storage and Traffic Control Bylaw".

SECTION 2 - PURPOSE OF THIS BYLAW

2.1 The purpose of this Bylaw is for the safety, health and welfare of people and the protection of people and property and to regulate activities and things in, on or near a public place or place that is open to the public.

SECTION 3 - DEFINITIONS

3.1 In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:

- a) "bylaw enforcement officer" means a by-law enforcement officer, Peace officer, special constable or other persons employed by, or under contract to, the Summer Village of Rochon Sands and empowered to enforce municipal by-laws and provincial statutes.
- b) "emergency vehicle" means an emergency vehicle as defined in the *Traffic Safety Act*
- c) "equipment" means objects such as, but not limited to: boat hoists, piers, pier stands, etc.
- d) "highway" means a highway as defined in the *Traffic Safety Act*.
- e) "off highway vehicle" means an off highway vehicle as defined in the applicable section of the *Traffic Safety Act*
- f) "peace officer" means a member of the Royal Canadian Mounted Police or any Peace Officer in the employ of the County of Stettler Protective Service.
- g) "resident" means a property owner in the Summer Village of Rochon Sands
- h) "the Summer Village" means the Summer Village of Rochon Sands
- i) "traffic control device" means any sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic.
- j) "trailer" means a trailer as defined in the *Traffic Safety Act*
- k) "traveled portion" means that a portion of any highway constructed for use by vehicular traffic.
- l) "vehicle" means a vehicle or motor vehicle as defined in the *Traffic Safety Act*.

SECTION 4 - SPEED LIMITS

4.1 The maximum speed limit on all developed highways in the Summer Village is set at thirty (30) kilometres per hour unless otherwise posted.

SECTION 5 - OFF HIGHWAY VEHICLES

- 5.1 An operator of an RTV vehicle or any such motorized vehicle may operate the same on any roads or highways under the management and control of the Summer Village as long as it is equipped with operating lights, brake lights, a horn and turning signals and must be a registered vehicle under the Alberta Traffic Act.
- 5.2 Any operator of an off-highway vehicle using any highway in the Summer Village does so at his or her own risk, and in accordance with the *Traffic Safety Act* and the regulations for the applicable off highway vehicle section.

SECTION 6 - PARKING, STORAGE

- 6.1 No person shall park any off-highway vehicle or trailer, or store any equipment, on any highway or road in the Summer Village.
- 6.2 Parking is prohibited on the side of Highway 835 and any road in the Summer Village of Rochon Sands.
- 6.3 No owner of an abandoned or broken down vehicle, or the person in charge of the vehicle, shall park or leave the vehicle on the un-traveled portion of a roadway in the Summer Village for a period longer than 24 hours.
- 6.4 For special circumstances such as family reunions, weddings, etc., a resident of the Summer Village may make a request to the Village Council for a special parking permit on the traveled portion, with driver-side wheels on pavement (at most), and passenger-side wheels off the un-traveled surface, which may or may not be issued at the Village Council's discretion.
- 6.5 No person shall park any vehicle or recreation vehicle on any summer village reserves.
- 6.6 No person shall park a boat trailer, recreation vehicle or camp overnight on any municipal parking lot.

SECTION 7 -PROTECTION OF HIGHWAYS

- 7.1 Temporary closing highways: In any case where, by reason of an emergency or special circumstance which, in the opinion of the Municipal Administrator or the Peace Officer, is necessary and in the public interest and safety to do so, may;
 - a) temporarily close off any area or highway, in whole or part, to traffic; and/or
 - b) temporarily suspend parking privileges in any area in the Summer Village granted by this or any other Bylaw of the Summer Village.

SECTION 8 - EXEMPTIONS

- 8.1 All emergency vehicles are exempt from the provisions of this Bylaw.

SECTION 9 - LOCATION OF TRAFFIC CONTROL DEVICES

The power to prescribe where traffic control devices (i.e. signs) are to be located is delegated by Council to the Municipal Administrator.

- 9.2 The prescribing of such locations by the Municipal Administrator shall be deemed to have been made by Bylaw of the Summer Village.
- 9.3 The Municipal Administrator shall keep records of all such locations of traffic control devices which shall be open to public inspection during normal business hours of the Summer Village or by appointment if such hours are not defined.

SECTION 10 - IMPOUNDING OF VEHICLES, TRAILERS, EQUIPMENT

- 10.1 Any Peace Officer is hereby authorized to remove or cause to be removed any vehicle, trailer or equipment that is in contravention of any of the provisions of this Bylaw.
- 10.2 A violation ticket may be issued as an alternative to the issuing of a summons and the voluntary payment outlined in Schedule "B" of this Bylaw.
- 10.3 The amounts of penalties shown in Schedule "B" of this Bylaw may be amended by resolution of Council from time to time.

SECTION 11 - FINES FOR VIOLATION OF THIS BYLAW

- 11.1 Penalties for violation of this bylaw shall be the same as prescribed pursuant to the *Traffic Safety Act*, being Chapter T-6 of the Revised Statutes of Alberta, 2000, as amended, or Regulations, or as per Schedule B (Fines).
- 11.2 A Peace Officer authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act*, being Chapter M-26, Revised Statutes of Alberta 2000, as amended, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag to the owner and or operator of an offending vehicle, either of whom may in lieu of being prosecuted for an offence under the *Provincial Offences Procedure Act*, being Chapter P 21.5 of the Revised Statutes of Alberta, 1988, pay to the Summer Village the amount specified on the violation tag, and where the tag is not paid by the offender, a Part 2 violation tag may be issued under the *Provincial Offences Procedures Act*, being Chapter P-34 of the Revised Statutes of Alberta 2000, to that person for the full fine.

SECTION 12 - REPEAL AND EFFECTIVE DATE

- 12.1 This bylaw comes into effect on the date of the third reading.

READ a first time this 1st day of May, 2010.

READ a second time and amended this 3rd day of July, 2010.

READ a third time and finally passed this 3rd day of July 3, 2010.

Mayor

Administrator

SCHEDULE "B"

To Bylaw 205 10 – Parking, Storage and Traffic Control Bylaw

SCHEDULE OF FINES

Section 4 – Speeding

As prescribed in the Provincial Offences Procedures Act and amendments and regulations hereto.

Section 5 – Off Highway Vehicles

Compensation for property damage up to \$2000 for loss or damage to property suffered

Section 6 – Parking or Storage

For all offences in this section \$50.00 for each offence

Section 7 – Protection of Highways

7.1 Temporary closing of Highways \$200.00 for each offence