



BYLAW

Bylaw Number: 1327 /19

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF NANTON IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING THE USE OF HIGHWAYS UNDER THE DIRECTION, CONTROL AND MANAGEMENT OF THE MUNICIPALITY AND THE PARKING OF VEHICLES ON SUCH HIGHWAYS AND ON PRIVATELY OWNED PROPERTY LOCATED WITHIN THE MUNICIPALITY.

WHEREAS pursuant to Section 7 of the *Municipal Government Act*, the council of a municipality may pass bylaws for municipal purposes respecting transport and transportation systems and Section 18(1) states that the municipality has the direction, control and management of all roads within the municipality;

WHEREAS pursuant to Section 13 of the *Traffic Safety Act*, the council of a municipality may, with respect to a Highway under its direction, control and management, pass bylaws not inconsistent with the *Traffic Safety Act* respecting matters enumerated therein;

AND WHEREAS pursuant to Section 14 of the *Traffic Safety Act*, the council of a municipality may pass bylaws governing the parking vehicles on privately owned property;

AND WHEREAS pursuant to Section 108 of the *Traffic Safety Act*, the council of a municipality may pass bylaws prescribing speed limits that are different from the speed limits established in that Act;

AND WHEREAS pursuant to Section 48 of the *Highways Development and Protection Act*, the council of a municipality may pass bylaws regulating the placing of roadside improvements on privately owned property;

NOW THEREFORE, the Council of the Town of Nanton, in the Province of Alberta, duly assembled, enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as the "Nanton Traffic Bylaw"

2. INTERPRETATION AND APPLICATION

Definitions

2.1 The use of nouns and pronouns within this Bylaw are gender neutral and, accordingly, any reference to one gender includes the other. Also, words in the singular include the plural and conversely, words in the plural include the singular.

2.2 In this Bylaw, words shall have the same meanings as in the *Traffic Safety Act* and Regulations thereunder except as otherwise defined below.

2.3 In this Bylaw:

- (a) **Boulevard** means that part of a Highway that is not a roadway and includes a ditch that forms part of a Highway.
- (b) **Chief Administrative Officer** is the Person appointed by Council in accordance with Section 205 of the *Municipal Government Act* and is referred to throughout this bylaw as "**CAO**", or a Person designated to act on the CAO's behalf.
- (c) **Council** means the municipal Council of the Town of Nanton.
- (d) **Curb** means the concrete or asphalt edge of a Highway or the division point between the Highway and a Boulevard or sidewalk.
- (e) **Downtown Core** means any road, Highway, thoroughfare or sidewalk designated in the Town of Nanton as 20th Street between 20th Avenue and 22 Avenue and 19th Street between 20th Avenue and 22 Avenue.
- (f) **Heavy Vehicle** means a Vehicle, alone or together with any Trailer, semi-Trailer or other Vehicle being towed by the Vehicle with a registration gross weight of Five (5) tonnes or more exceeding Eleven (11) metres in total length, excluding Recreational Vehicles.
- (g) **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 includes;
 - (i) a sidewalk, including the boulevard portion of the sidewalk,
 - (ii) if a ditch lies adjacent to and parallel with the road way, the ditch, and
 - (iii) if a Highway right of way is contained between fences or between a fence and one side of the Highway, all the land between the fence and the edge of the Highway, as the case may be;

but does not include a place declared by regulation not to be a Highway.
- (h) **Municipal Tag** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence.
- (i) **Parade** means a group of Vehicles, animals, pedestrians or combination thereof on a Highway which is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic, excluding a funeral procession or military parade.
- (j) **Park, Parking, OR Parked** means to 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.

- (k) **Person** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (l) **Recreational Vehicle** means a Vehicle designed to provide temporary living accommodation for travel, vacation, or recreational use, and to be driven, towed or transported, some examples of which include, without restricting the generality of the foregoing, a motor home, holiday Trailer, camper, tent Trailer and any bus or truck converted to provide temporary living accommodation;
- (m) **Special Highway Event** means an event or competition, taking place in whole or in part on a Highway involving walking, running, or the use of bicycles, motorcycles, cars or other Vehicles.
- (n) **Traffic Control Device** means any temporary or permanent sign, signal, marking or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic or governing Parking.
- (o) **Trailer** means a vehicle so designed 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.
- (p) **Town** means the municipal corporation of the Town of Nanton, in the Province of Alberta, and includes the geographical area within the boundaries of the Town of Nanton where the context so requires.
- (q) **Vehicle** means a device in, upon or by which a person or thing may be transported or drawn upon a Highway and includes a combination of Vehicles, but does not include a mobility aid;
- (r) **Violation Ticket** means a ticket issued pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

3. TRAFFIC CONTROL

- 3.1 The CAO is hereby delegated the power to prescribe the location and placement of any Traffic Control Device in the Town and to keep or cause to be kept a record of such locations and placement;
- 3.2 The CAO is hereby delegated the power to designate school zones and playground zones and cause such zones to be marked by the appropriate Traffic Control Devices;
- 3.3 Traffic Control Devices located in the Town pursuant to this section shall be deemed to have been placed in accordance with this Bylaw.
- 3.4 No Person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any Traffic Control Device, unless approved in writing by the CAO.
- 3.5 No Person shall operate or Park a Vehicle in contravention of a Traffic Control Device.



3.6 Notwithstanding any other provision in this Bylaw, the CAO may cause moveable signs to be placed on or near a Highway within the Town prohibiting Parking of any Vehicle for the purpose of snow removal, street cleaning, flushing, or road repair. Such signs must be posted a minimum of 24 hours prior to the commencement of such work and shall at a minimum have wording indicating "No Parking".

3.7 No Person shall climb upon, interfere with, damage, deface, remove, alter or destroy a Traffic Control Device.

4. MAXIMUM SPEEDS

4.1 Unless otherwise posted, the maximum speed limit is 40 kilometers per hour on any Highway within the Town.

4.2 No Person shall drive a Vehicle in or along an alley in the Town at a speed greater than 15 kilometers per hour.

5. PEDESTRIANS

5.1 Except as provided in Section 5.2, no Person shall stand on a Highway for the purpose of soliciting a ride from the operator of any Vehicle.

5.2 A Person may stand on the sidewalk or Boulevard for the purpose of soliciting a ride from the operator of a bus or taxicab.

5.3 No Person shall board or alight from any Vehicle that is in motion.

5.4 No Person shall stop or Park a Vehicle other than a taxicab or bus on any Highway for the purpose of offering a ride to any pedestrian who, at the time in question, is standing on the Highway or the adjacent sidewalk or Boulevard for the purpose of soliciting a ride from the operators of Vehicles operating on the said Highway.

5.5 No Person shall stand or be in any other position on a Highway so as to obstruct the entrance to a building.

5.6 No Person shall stand or be in any other position on a Highway so as to obstruct pedestrians or Vehicles using the Highway.

5.7 Where a Peace Officer has reasonable grounds to determine that a Person is in contravention of Section 5.5 or Section 5.6, the Peace Officer may direct that Person to disperse immediately and any Person receiving such a direction from a Peace Officer that fails to immediately comply with that direction shall be guilty of an offence.

5.8 Sections 5.5 and 5.6 do not apply to Persons participating in or assembled to watch a Parade or Special Highway Event for which a permit has been issued pursuant to this Bylaw.

6. PARKING OR STANDING ON HIGHWAYS

6.1 The CAO may:

(a) Authorize such other or additional Parking spaces as he deems necessary on any Highway or other Town owned property for use as a Parking space;

(b) Cause the spaces authorized for Parking to be marked for this purpose.



- 6.2 Unless specifically permitted by the other provisions of this Bylaw, no operator or owner shall stop, Park or permit to be Parked any Vehicle on any Highway or public place for any period longer than is permitted by the applicable Traffic Control Device, or in accordance with the provisions of the *Traffic Safety Act* or the Alberta Use of Highways and Rules of the Road Regulations.
- 6.3 If after the issuance of a Municipal Tag concerning a Vehicle for the first violation of Section 6.2 hereof, a vehicle remains Parked in excess of the time permitted on the sign for a further period, then a second offence shall be deemed to have occurred and a further Municipal Tag may be issued for such second offence.
- 6.4 Except where permitted, no operator or owner shall Park or stand or permit to be Parked or leave standing a Vehicle on a Highway within the Town.
- 6.5 Except in the case of breakdown or other emergency not allowing the Vehicle to be moved, the owner or operator of any Vehicle shall not stand or Park the Vehicle on the Highway for the purpose of servicing or repairing the Vehicle.
- 6.6 No owner or operator of any self-propelled type of Vehicle which:
- (a) is not equipped in accordance with the *Traffic Safety Act*; or,
 - (b) is not in operable condition,
- shall cause or permit such Vehicle to be Parked or left on any Highway within the Town.
- 6.7 Section 6.6 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 immediate action to arrange for the removal of the Vehicle forthwith.
- 6.8 A Person being in charge or control of a new or used car dealership, garage, service station, radio shop, or other premises where Vehicles are sold or repairs or installations are made to Vehicles for compensation shall not leave or cause or suffer or permit to be left on any Highway a Vehicle which is left in his possession for carrying out of repairs or making installations or for any other purpose whatsoever.
- 6.9 No Person shall Park any Trailer or Recreational Vehicle upon any Highway within the Town for a period of more than 72 consecutive hours, unless permission has been granted by the CAO.
- 6.10 Where a Trailer or Recreational Vehicle is attached to a Vehicle by which it may be propelled, the Trailer or Recreational Vehicle shall be deemed a part of the Vehicle and subject to the regulations pertaining to Vehicles throughout this Bylaw.
- 6.11 No Person shall occupy a Recreational Vehicle Parked on a Highway.
- 6.12 No Person shall live in a Vehicle located on a Highway.
- 6.13 No Person shall Park any Trailer or Recreational Vehicle on any Town property except campgrounds and any other area within the Town as designated by Council.



- 6.14 No Person shall operate or Park any Vehicle upon any land owned by the Town which the Town uses or permits to be used as a playground, Boulevard, Parking lot, recreation or public Park, except on such part thereof as the CAO may designate by a sign or signs for vehicular Parking. In designating such Parking, the CAO may set enforceable restrictions on the types of Vehicles which may be Parked in the designated parts of the lands.
- 6.15 Parking on Highways within the Town shall be parallel to the Curb except where sign indicates that angle Parking is permitted or required.
- 6.16 Unless permitted or required by a Traffic Control Device, no Person shall stop or Park a Vehicle:
- (a) in such a manner so as to obstruct the visibility of any Traffic Control Device;
 - (b) in such a manner so as to obstruct the normal flow of traffic;
 - (c) adjacent to a Curb painted yellow;
 - (d) adjacent to a Curb painted white, except for the purpose of actively loading and unloading passengers or materials;
 - (e) so that it is Parked on either side of a Vehicle already stopped or parked at the edge or Curb of a Highway (double-Parked);
 - (f) in any alley except for the purpose of actively loading and unloading passengers or materials while hazard lights are flashing;
 - (i) notwithstanding subsection 6.16(f), the loading or unloading of goods from a commercial Vehicle shall not exceed 30 minutes; and
 - (ii) the loading and unloading of goods or passengers from a Vehicle other than a commercial Vehicle shall not exceeding 5 minutes.
 - (g) to the left of the centre line of a Highway facing oncoming traffic;
 - (h) on a Boulevard except on a paved or gravel Boulevard adjacent to a Highway with no Curb;
 - (i) within 6 meters of a flashing beacon, stop sign, or Traffic Control Device located at the side of a roadway;
 - (j) within 15 metres of the approach to a marked crosswalk and 10 metres beyond a marked crosswalk;
 - (k) within 1.5 metres of an alley or access to a garage, private road or driveway or a Vehicle crossway over a sidewalk;
 - (l) in such a manner that the Vehicle is in front of or within one metre of the side of any refuse container or storage area located adjacent to any alley;
 - (m) in any marked fire lane;



- (n) On a Highway in a manner that blocks or obstructs:
 - (i) a doorway to a building; or
 - (ii) the approach to any fire station, police station, hospital or other place where emergency Vehicle require regular access;
- (o) in an alley such that any part of the Vehicle is within three metres of an electrical transformer;
- (p) in such a manner that may obstruct the safe movement of traffic and pedestrians using the roadway; and
- (q) at any other place where a Traffic Control Device prohibits stopping or Parking, during such times as stopping or Parking is so prohibited.

7. UNAUTHORIZED PARKING

7.1 No owner or operator of a Vehicle shall Park or permit the Parking of the Vehicle on any private property without the prior permission of the owner or tenant, occupant or Person in control of the private property.

7.2 Notwithstanding the provisions of Section 7.1, where, on private property used for a commercial or industrial purpose or property owned by the Government of Canada or Alberta or the Town of Nanton, Parking space or spaces or a Parking area is provided for the Parking of the Vehicles of Persons who are customers or patrons of or who are otherwise doing business with the owner, tenant, or occupant or Person in charge of the property and the space is clearly designated, as being:

- (a) private or government property; and
- (b) set aside for Parking only of Vehicles:
 - (i) of customers, patrons, of or Persons doing immediate business with the owner, tenant, occupant, or Person in charge of the property; or
 - (ii) for Persons immediately using a facility or service supplied by the owner, tenant, occupant, or Person in charge of the property;

an owner or operator of a Vehicle shall not Park or leave his Vehicle on the Parking space, spaces or area so designated unless the owner or operator meets the requirements of subsection 7.2(a) and (b).

8. EXEMPTIONS FROM PARKING PROVISIONS

8.1 Notwithstanding anything elsewhere contained in this Bylaw, the provisions relating to stopping or Parking of Vehicles do not apply to:

- (a) emergency Vehicles;
- (b) service Vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems;
- (c) municipal and other government public works Vehicles;

- (d) funeral cars; and
- (e) towing services Vehicles,

while any such Vehicle being used for work related reasons requiring that it be stopped or Parked at that location.

8.2 Where the owner or operator of a Vehicle stops, stands or Parks pursuant to Section 8.1 contrary to other provisions of this Bylaw, the owner or operator shall take due precaution to indicate the presence of such Vehicle on any Highway while so Parked or stopped.

9. DISABLED PARKING ZONES:

9.1 The CAO is hereby authorized to establish such Parking zones as deemed necessary by the CAO for the exclusive use of disabled Persons who operate or travel by Vehicles.

9.2 The owner, tenant, occupant or Person in control of private property may designate any number of Parking spaces for the exclusive use of disabled Persons who operate or travel by Vehicle by marking same with a sign or signs in a form similar to that approved by the CAO on the private property.

9.3 A Vehicle shall not be Parked in any location identified as being reserved for the use of Persons with disabilities unless the Vehicle:

- (a) displays a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicles; and
- (b) is being used for the transportation of a Person with a disability.

9.4 The CAO may designate a specific area of a Highway as a residential disabled Parking zone upon written request from an adjacent property owner, provided that:

- (a) the adjacent residence is home to a disabled Person and off-street Parking is not available; or
- (b) the condition of the disability hampers access to off-street Parking.

9.5 Where a residential disabled Parking zone is designated by the CAO, any Vehicle displaying a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle may Park within the zone.

9.6 The designation of a residential disabled Parking zone shall be valid for one-year and any extensions shall be requested by the property owner in writing.

9.7 A designated residential disabled Parking zone shall cease to be in effect upon any change of ownership of the adjacent property.

10. LOADING ZONES

10.1 No operator or owner shall Park or stop or permit the Parking or stopping of a Vehicle in a commercial loading zone unless:

- (a) The Vehicle bears a license plate identifying it as a commercial Vehicle, or

(b) The commercial Vehicle is actively engaged in the loading or unloading of merchandise or other materials for a period of time not exceeding (20) minutes.

10.2 No owner or operator of a Vehicle shall leave a Vehicle in a passenger loading zone unless actively engaged in the loading or unloading a passenger for a period of time not exceeding (10) minutes.

11. TEMPORARY CLOSURES

11.1 The CAO is hereby authorized to temporarily close the whole or part of a Highway at any time that a construction or maintenance project on or adjacent to the Highway may create a hazard.

11.2 No Person shall make use of any Highway in a manner contrary to any, restriction, prohibition or designation imposed by the CAO pursuant to Section 11.1.

12. PARADES / SPECIAL HIGHWAY EVENTS

12.1 No Person shall participate in any Parade or Special Highway Event on a Highway unless written permission for the event has been obtained from the CAO and Alberta Transportation in the case of a Parade or Special Highway Event on a numbered Highway.

12.2 No Person shall contravene any conditions of a permit issued by the CAO or the provisions of this Bylaw governing Parades.

12.3 During an authorized Parade or Special Highway Event, all spectators shall remain on the sidewalk or edge of the roadway if there is no sidewalk.

12.4 An application for a permit for a Parade or Special Highway Event may be made in writing to the Town and shall include the information required pursuant to the Town's Special Event Policy.

12.5 Where the organizers or leaders of a Parade or Special Highway Event or any Person, animal, Vehicle or equipment participating in the Parade or Special Highway Event, contravenes any conditions of a permit granted by the CAO or the provisions of this Bylaw governing Parades or Special Highway Events, the permit holder, the Person responsible for the contravention, or any or all of them are guilty of an offence.

12.6 When written permission has been obtained for a Parade or Special Highway Event:

(a) The CAO may close all or portions of a Highway along the route for the anticipated time of the Parade or Special Highway Event and for such additional time as necessary to again clear the Highway for normal traffic,

(b) The CAO may temporarily suspend Parking and loading privileges on all or a portion of a Highway on the proposed route by posting no Parking signs; and

(c) In the event Vehicle(s) are Parked on the designated route, the CAO or his designate, (at the owner's expense) may remove said Vehicle and have it impounded or relocated at the discretion of the CAO or designate.

13. FUNERAL PROCESSIONS

- 13.1 Any Person operating a Vehicle participating in a funeral procession, other than the lead Vehicle in the funeral procession, may, during daytime hours, drive the Vehicle into an intersection without stopping the Vehicle if:
- (a) the Vehicle's headlamps and warning lamps are alight,
 - (b) the Vehicle is travelling immediately behind the Vehicle in front of it in the funeral procession so as to form a continuous line of traffic,
 - (c) the lead Vehicle in the funeral procession is showing a purple flashing light, and
 - (d) the passage through the intersection can be made in safety.

14. CYCLISTS:

- 14.1 Unless the context otherwise requires, a Person operating a bicycle on a Highway has all the same rights and is subject to all the rules that any Vehicle operator has under this bylaw, and the provisions of any other relevant provincial or federal act or regulation.
- 14.2 Notwithstanding Section 14.1, a carrier of a newspaper may ride a bicycle on a sidewalk, or Boulevard:
- (a) If he is delivering copies of the newspaper at the time; and
 - (b) If the bicycle does not interfere with other Persons proceeding by on the said sidewalk, footpath, or Boulevard.
- 14.3 Notwithstanding Section 14.2, the CAO may designate those portions of sidewalks, Boulevards where other Persons who are not carriers of newspapers delivering copies thereof may ride bicycles.
- 14.4 Where this bylaw permits a Person to ride a bicycle or use in-line skates, scooters, skateboards on any sidewalk, where pedestrians are also allowed, the Person shall ride the bicycle, skateboard, scooter, or use in line skates only in such a way that it will not interfere with a pedestrian lawfully on or using such sidewalk.
- 14.5 A Peace Officer may seize and impound for a period not exceeding 60 days any bicycle, scooter, skateboard used or operated in contravention of this bylaw.
- 14.6 Where a bicycle, scooter, and or skateboard, has been seized and impounded by a Peace Officer as provided for in Section 14.5, the owner or operator of such bicycle, scooter, skateboard shall, aside from any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle, scooter or skateboard.
- 14.7 Notwithstanding anything to the contrary contained in this or any Bylaw, a Peace Officer may operate a bicycle while on duty on any mall, sidewalk, footpath, walkway, Boulevard or other public place where the use of bicycles by the general public is prohibited or restricted.



15. USE OF SIDEWALKS

15.1 A Person shall not, on or along a sidewalk or Boulevard:

- (a) drive, lead, ride or allow a hoofed animal upon;
- (b) drive, draw or push any Vehicle;
- (c) ride a bicycle;
- (d) draw, push, propel or ride a wheeled Vehicle of any description.

15.2 Notwithstanding the provisions of Section 15.1, a Person may draw, push, or propel:

- (a) A two wheeled cart or other personal grocery carrier;
- (b) A baby carriage, a wheeled device for carrying a child or invalid;
- (c) A child's tricycle or similar cycle;
- (d) A wheel chair, or mobility aid,

on or along a sidewalk in such a way as to not interfere with any pedestrians using the sidewalk.

15.3 Subject to Section 14.4, a Person may use in-line skates or a skateboard or scooter on sidewalks within the Town, except on sidewalks in the Downtown Core.

16. TRUCK ROUTES

16.1 No Person shall Park Heavy Vehicles within the municipal boundaries of the Town in areas designated in the Land Use Bylaw, as amended, as residential or public.

16.2 Notwithstanding Section 16.1., Heavy Vehicles that are actively delivering or collecting goods may be Parked in areas designated in the Land Use Bylaw as residential or public.

16.3 No Person shall drive a Heavy Vehicle on any Highway in the Town, except on the truck routes designated in Schedule "B".

16.4 The CAO may, under circumstances which he considers warrants a permit, issue a permit authorizing the movement or Parking of a Heavy Vehicle on certain Highways other than truck routes.

16.5 A Person driving a Heavy Vehicle on a route authorized by a permit issued pursuant to Section 16.4 shall produce the same when required to do so by a Peace Officer.

16.6 Notwithstanding Section 16.1, the following Heavy Vehicles are authorized to operate on non-truck routes when the Heavy Vehicle is being operated on the most direct and practicable route between premises or location concerned and the nearest truck route:

- (a) public passenger buses or school buses being operated for the purpose of receiving or delivering passengers,
- (b) emergency Vehicles being operated in the service of public interest or during an emergency,



- (c) utility Vehicles being operated for the purpose of installing, servicing or repairing public utilities,
- (d) Town Vehicles being operated in the service of the Town, and
- (e) commercial Vehicles delivering or collecting goods, provided that the most direct route, from a truck route, is used and such deliveries or collections are made between the hours of 7:00 a.m. and 10:00 p.m. on any one day.

17. VEHICLES WITH LOADS

- 17.1 No person shall operate a Vehicle on a Highway in the Town with any loose material on the exterior of the Vehicle.
- 17.2 No person shall operate a Vehicle containing any load on a Highway in the Town unless the load has been secured to prevent any part of it from falling onto the Highway.

18. SNOW, ICE AND DEBRIS

- 18.1 A Person shall remove snow, ice, debris and other materials from any sidewalk adjacent to property they own or occupy within 24 hours after the snow, ice, debris and other materials has been deposited.
- 18.2 In a case of a sidewalk adjacent to an alley, the owner of the land adjacent to this alley shall remove or cause to be removed and cleared away all snow, ice, debris and other materials from the end of the sidewalk adjacent to their land up to the centre line of the adjacent alley.
- 18.3 If a Person fails to comply with Section 18.1 or 18.2, the Town may arrange to have the sidewalk cleared and the expenses and costs incurred by the Town for removing the snow, ice, debris and other materials shall be paid upon demand and, if unpaid, may be added to the tax roll of the adjacent property.
- 18.4 A Person shall not deposit snow, ice, debris or other materials upon any Highway, Town property or any property that is not their own.
- 18.5 Notwithstanding the provisions of Section 18.4, a homeowner, resident or designate may place snow onto the Boulevard directly adjacent to the property of the homeowner or resident, but only in such manner as to not interfere with Vehicle or pedestrian traffic as a direct or indirect cause of the placement, including but not limited to visual barriers or ice formation.
- 18.6 The CAO is authorized to temporarily prohibit Parking on any Highway or portion of any Highway in order to facilitate the Town's snow removal program and street cleaning program.
- 18.7 Where the CAO has prohibited Parking pursuant to Section 18.6, the CAO must:
 - (a) inform the general public of the Parking prohibition using whatever means the CAO deems advisable; and
 - (b) indicate the Parking prohibition by placing Traffic Control Devices as the CAO deems appropriate.



18.8 The owner or operator of a Vehicle must not Park or permit the Parking of the Vehicle on a Highway during a Parking prohibition imposed pursuant to Section 18.6.

18.9 In the event a Vehicle is Parked on a Highway during a Parking prohibition imposed pursuant to Section 18.6, the CAO or his designate, (at the owner's expense) may remove said Vehicle and have it impounded or relocated at the discretion of the CAO or designate.

19. SIDEWALK CAFÉS

19.1 Any Person who is licensed to carry on the business of a restaurant by the Town may apply in writing to the CAO for permission to operate a sidewalk or outdoor café on Town-owned land (including a Highway) adjoining such restaurant.

19.2 The CAO may grant permission for the use of such Town-owned land or Highway as a sidewalk or outdoor café subject to:

- (a) the applicant obtaining any required permits pursuant to the Town of Nanton Land Use Bylaw; and
- (b) the applicant entering into a License of Occupation agreement satisfactory to the CAO and the payment of a rental fee as may be determined by the Town from time to time.

19.3 Notwithstanding Subsection 19.2, a License of Occupation granted under the provisions of this Section shall be for temporary periods of occupation only and shall be subject to termination or cancellation by the Town on no more than thirty (30) days' notice.

20. MISCELLANEOUS

20.1 No Person shall apply or engage engine suppression brakes on any truck in any part of the Town.

20.2 No Person shall drive or haul on or over any Highway within the Town, any Vehicle or other type of equipment or any item which damages or is likely to damage the Highway.

20.3 No Person shall lay or place an extension cord, or any other item, for any reason, across a sidewalk or Boulevard so as to obstruct or endanger pedestrians or interfere with sidewalk cleaning.

20.4 No Person shall operate an off-Highway vehicle within the Town.

20.5 No Person shall use engine retarder brakes within the Town.

21. AUTHORITY OF CAO

21.1 Without restricting any other power, duty or function granted by this Bylaw, the CAO is authorized to:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;



- (d) establish areas where activities restricted by this Bylaw are permitted;
 - (e) establish forms for the purpose of this Bylaw;
 - (f) establish the criteria to be met for a permit pursuant to this Bylaw;
 - (g) temporarily close any Highway for the purpose of repairs, maintenance or other valid reason or in the case of an emergency;
 - (h) cause moveable signs to be placed on or near a Highway; and
 - (i) delegate any powers, duties or functions under this Bylaw to an employee of the Town.
- 21.2 Subject to conditions in this Bylaw, Council hereby authorizes the CAO to make provisions and regulations in times of emergencies and in areas where construction or repairs are being carried out upon or near Highways, relating to the control and regulation of traffic, and without restricting the generality of the foregoing, and to make provisions and regulations in order to temporarily close to traffic any Highway or part thereof, and to suspend temporarily any Parking privileges granted by this Bylaw.
- 21.3 The CAO is hereby authorized to place on the Highway, a sign, warning Persons of any regulations and provisions that are in effect; and may cause such additional signs and Traffic Control Devices to be so placed and to cause to be placed such barricades, flares or other things as he deems necessary to implement the provisions and regulations so imposed.

22. PERMITS

- 22.1 The CAO may issue permits in relation to activities governed by this Bylaw on such terms and conditions as the CAO deems appropriate.
- 22.2 A Person to whom a permit has been issued pursuant to this Bylaw and any Person carrying out an activity otherwise regulated, restricted or prohibited by this Bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit and shall produce the permit to a Peace Officer upon request.
- 22.3 A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.
- 22.4 If any term or condition of a permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, in addition to any other remedy available to the Town, the CAO may immediately cancel the permit.
- 22.5 The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.

23. ENFORCEMENT

Towing

- 23.1 Any Peace Officer is hereby authorized to remove or cause to be removed any Vehicles or Trailer:



- (a) operated or Parked in contravention of any provision of this Bylaw, or
- (b) where emergency conditions may require such removal from a Highway.

Such Vehicle may be removed to a place designated by the CAO where it will remain until claimed by the owner thereof or his agent.

- 23.2 No impounded Vehicle shall be released to its owner or his agent until the impound charges and removal charges on the Vehicle have been paid and such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as herein after provided. The Town is not responsible for impounding, towing or removal charges.
- 23.3 Where a Vehicle is impounded pursuant to Section 23.1 and is not claimed within thirty (30) days of its removal, the Vehicle may be disposed of in accordance with the provisions of the *Traffic Safety Act* and the regulations thereunder.

Municipal Tags

- 23.4 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 23.5 A Municipal Tag may be served:
- (a) personally to the accused;
 - (b) mailed to the address of the registered owner of the Vehicle concerned, or the Person concerned; or
 - (c) attached to or left upon the Vehicle with respect of which the offence is alleged to have been committed.
- 23.6 The Municipal Tag shall be in a form approved by the CAO and shall state:
- (a) the name of the Person to whom the Municipal Tag is issued, if known;
 - (b) a description of the offence and the applicable Bylaw section;
 - (c) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - (d) that the penalty shall be paid within fourteen (14) days of the issuance of the Municipal Tag in order to avoid prosecution; and
 - (e) any other information as may be required by the CAO.
- 23.7 Where a contravention of this Bylaw is of a continuing nature, further Municipal Tags may be issued by a Peace Officer, provided that no more than one Municipal Tag shall be issued for each day that the contravention continues.
- 23.8 Where a municipal tag has been issued under this Bylaw, the person to whom the municipal tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the municipal tag.



- 23.9 If a municipal tag has been issued and the specified penalty on the municipal tag has not been paid within the prescribed time, a peace officer may issue a violation ticket to the person to whom the municipal tag was issued.
- 23.10 Notwithstanding the above, a peace officer may immediately issue a violation ticket to any person whom the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 23.11 A Person other than the owner or operator of a Vehicle shall not remove any Municipal Tag or notice placed on or affixed to the Vehicle by a Peace Officer in the course of his duties.
- 23.12 No Person other than a Peace Officer or another Person authorized by the Town or by this Bylaw shall place a Municipal Tag on any Vehicle.

Violation Tickets

- 23.13 Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag is not paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.
- 23.14 Notwithstanding Section 23.13, a Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 23.15 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the Provincial Offences Procedure Act.
- 23.16 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by this Bylaw for the offence in Schedule "A"; or
 - (b) require a Person to appear in court without the alternative of making a voluntary payment.
- 23.17 A Person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
 - (b) if a Violation Ticket specifies the fine amount established by this Bylaw for the offence;
- make a voluntary payment equal to the specified fine.
- 23.18 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

24. COST INCURRED BY THE TOWN

- 24.1 If a Person is in default in doing any matter or thing which this Bylaw directs that he should do, the matter or thing may be done by the Town at the expense of the Person in



default and if the Person in default does not pay such expense promptly upon being invoiced, the Town may recover the expenses thereof with costs by action in any Court of competent jurisdiction.

- 24.2 If, by reason of contravention of any provision of this Bylaw, the Town is authorized or required to move a Vehicle from a place where it is Parked and impound the Vehicle; then the amount of the expense so incurred shall be:
- (a) added to the amount of any fine or penalty which may be imposed by reason of the contravention; or
 - (b) added to the amount of payment to be made in lieu of prosecution as provided in Section 23.8.

25. PENALTIES

Offence

- 25.1 A Person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in this Part and not exceeding \$10,000.00.

Specified Penalties

- 25.2 Without restricting the generality of Section 25.1, the fine amounts established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered are as set out in Schedule "A".

Owner Liable

- 25.3 In this Part "owner" includes any Person registered as an owner at the Motor Vehicle Registry.
- 25.4 If a Vehicle is involved in an offence under this Bylaw, the owner of that Vehicle is guilty of an offence.
- 25.5 Section 25.4 does not apply if the owner of the Vehicle satisfies the court that, at the time that the Vehicle was involved in an offence:
- (a) in the case of a Vehicle that was in motion,
 - (i) the owner of the Vehicle was not driving the Vehicle, and
 - (ii) no other Person was driving the Vehicle with the owner's expressed or implied consent, and
 - (b) in the case of a Vehicle or that was Parked,
 - (i) the owner did not Park the Vehicle, and
 - (ii) no other Person Parked the Vehicle with the owner's expressed or implied consent.

25.6 An owner who is guilty of an offence under Section 25.4 is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

26. TRANSITION SECTION

26.1 All Traffic Control Devices which are in place on the effective date of this Bylaw shall be deemed to be valid Traffic Control Devices for the purposes of this Bylaw.

26.2 All school zones, playground zones, loading zones, bus zones in effect immediately prior to the coming into force of this Bylaw shall continue in effect until removed.

27. MISCELLANEOUS

27.1 Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial law or regulation, or other Bylaw, or any requirements of any lawful permit, order or license.

27.2 The levying and payment of any penalty or fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which that Person is liable under the provisions of this Bylaw.

27.3 Every provision of this Bylaw is independent of all other provisions and, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

27.4 The Town is not required to enforce every breach or contravention of this Bylaw. In deciding whether or not to enforce the Bylaw, the Town may take into account any practical concerns or considerations, including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations and the availability of personnel or human resources.

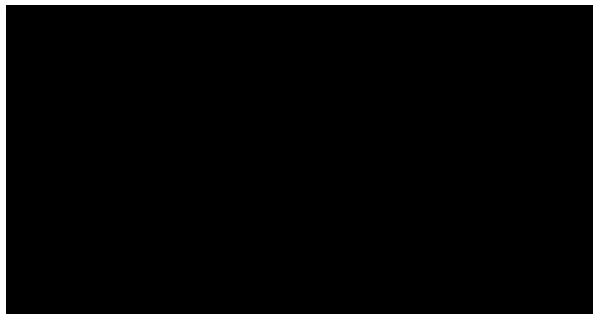
27.5 All Schedules attached to this Bylaw shall form part of this Bylaw.

27.6 Upon coming into force of this Bylaw, Town of Nanton Bylaw No. 1214/09 shall hereby be repealed.

28. EFFECTIVE DATE AND READINGS:

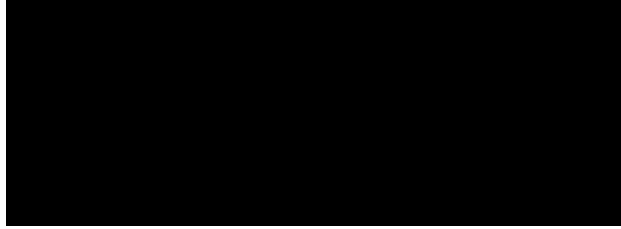
28.1 This Bylaw comes into full force and effect upon third and final Reading.

READ A FIRST TIME this 19th day of August, 2019.



READ A SECOND TIME this 19th day of August, 2019.

TOWN OF NANTON



READ A THIRD TIME this 19th day of August, 2019.



SCHEDULE "A"
Specified Penalties

\$50.00 Penalties

- S. 5.1 Solicit Rides on a Highway
- S. 5.3 Board or Alight from a Moving Vehicle
- S. 5.4 Pick up Person Soliciting a Ride

\$75.00 Penalties

- S. 7.1 Parking on private property without prior permission
- S. 7.2 Unauthorized Parking in space reserved for customer parking
- S. 11.2 Operate Vehicle on closed Highway
- S. 14.4 Interfere with pedestrian while operating a bicycle, skateboard, scooter on sidewalk.
- S. 15.1 Impermissible use of sidewalk
- S. 181 Failing to remove snow, ice, dirt, debris, objects or materials on or from sidewalk

\$100.00 Penalties

- S. 6.2 Overtime Parking
- S. 6.5 Repair or Servicing Vehicle on Highway
- S. 6.6 Vehicle Parked on Highway Incapable of Moving
- S. 6.9 Unauthorized Parking of Trailer or Recreational Vehicle on Highway
- S. 6.13 Park Trailer or Recreational Vehicle on Town Property
- S. 6.14 Park Vehicle on Town Property
- S. 6.15 Improper Parking
- S. 6.16(k) Stopped or Parked Vehicle within 1.5 metres of a Driveway, Alley, Garage Entrance
- S. 6.16(f) Stopped or Parked Vehicle as to Obstruct Alley
- S. 6.16(l) Stopped or Parked Vehicle as to Block Refuse Container or Storage Area
- S. 6.16(o) Stopped or Parked Vehicle in an Alley within three metres of an Electrical Transformer
- S. 10.1 Prohibited or Overtime Parking in Commercial Loading Zone



S. 10.2 Unoccupied Vehicle Parked or Stopped in Passenger Loading Zone.

\$150.00 Penalties

S. 6.16(m) Parked or Stopped in Marked Fire Lane

S. 6.16(n) Stopped or Parked Blocking Marked Fire Exit

S. 12.1 Parade or Special Highway Event Without a Permit

S. 18.4 Deposit Materials on Highway

\$200.00 Penalties

S. 9.3 Unauthorized Parking in a Disabled Parking Space; Failure to display Placard

S. 20.5 Apply Engine Retarder Brakes

S. 23.11 Person(s) Remove Municipal Tag Placed on or Affixed to a Vehicle

\$250.00 Penalties

S. 16.1 Park Heavy Vehicle off of truck route

S. 16.3 Drive Heavy Vehicle off of Truck Route

S. 20.2 Cause Damage to Highway

S. 3.7 Tamper with Signs



SCHEDULE "G" Truck Routes

