

THE TOWN OF HIGH RIVER
ALBERTA
BYLAW 4310/2011

Being a bylaw of the Town of High River in the Province of Alberta to regulate traffic and other activities upon highways within the Town of High River.

WHEREAS pursuant to Section 13 of the Traffic Safety Act, Chapter T-6, R.S.A. 2000 and amendments thereto, a Council may make Bylaws for the regulation and control of vehicles and pedestrian traffic;

AND WHEREAS Council deems it necessary to regulate traffic and other activities upon highways within the Town of High River;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF HIGH RIVER, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited as the "Traffic Bylaw".

2. DEFINITIONS

Wherever in the Bylaw the following terms are used, they shall have the meanings respectively ascribed to them in this section. Any terms not defined in this Bylaw shall have the meaning as defined in the *Traffic Safety Act*, the *Use of the Highway and Rules of the Road Regulation* (AR 304/2002), and the *Vehicle Seizure and Removal Regulation* shall apply, and

- (1) **"Act"** means the Traffic Safety Act 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:
 - (a) may be propelled by muscular or mechanical power;
 - (b) is fitted with pedals that are continually operable to propel it;
 - (c) weighs not more than 35 kilograms;
 - (d) 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;
 - (e) has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and
 - (f) does not have sufficient power to enable it to obtain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start.
- (4) **"Boulevard"** means that part of the highway in an urban area that:
 - (a) is not a roadway, and
 - (b) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- (5) **"Chief of Police"** means the non-commissioned officer in command of the Royal Canadian Mounted Police Detachment in the Town of High River.
- (6) **"Commercial Vehicle"** means any vehicle:
 - (a) from which sales are made of goods, wares, merchandise, or commodity to a purchaser thereof; or
 - (b) that is used for making delivery of goods, wares, merchandise, or commodity to a purchaser or consignee thereof;

Except a vehicle that is either:

- (c) a public service vehicle; or

- (d) of a class that is exempted from being classified as a commercial vehicle by the Regulation or by an order of the Alberta Transport Board.
- (7) **“Council”** means the Municipal Council of the Town of High River.
- (8) **“Crosswalk”** means:
 - (a) that part of the roadway at an intersection included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway; or
 - (b) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or by other markings on the road surface.
- (9) **“Curb”** means: the actual curb if there is one; if there is no curb in existence, it shall mean the division of a highway between the roadway and the sidewalk or boulevard, as the case may be.
- (10) **“Dangerous Goods”** means: any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the Dangerous Good Transportation and Handling Act, R.S.A 2000, c.D-4, as amended or repealed and replaced from time to time.
- (11) **“Disabled Parking Place”** means: any parking place designated by:
 - (a) the Development Officer of the Municipality or;
 - (b) the owner, tenant, occupant, or person in control of private property, for the exclusive use of persons with disabilities who operate or travel by motor vehicle and which parking place is marked with signs in a form approved by the Development Officer.
- (12) **“Emergency Vehicle”** means a motor vehicle used:
 - (a) For Police Duty;
 - (b) For Municipal enforcement;
 - (c) By a Fire Service;
 - (d) As an Ambulance;
 - (e) For a purpose relating to maintenance of a public utility; or,
 - (f) A Vehicle designated as an emergency response unit, pursuant to the regulations under the Traffic Safety Act.
- (13) **“Highway”** means: any thoroughfare, street, road, pathway, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, 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) a ditch which lies adjacent to and parallel with the roadway, and;
 - (c) a highway right of way that is contained between a fence and one side of the roadway, all the land between the fence and the edge of the roadway as the case may be.
- (14) **“Intersection”** means: the area embraced within the prolongation or connection of:
 - (a) the lateral curb lines or, if none;
 - (b) the exterior edges of the roadway; or of two (2) or more highways which join one another at an angle whether or not one highway crosses the other.

(15) **“Motor Vehicle”** means:

- (a) a vehicle propelled by any power other than muscular power, or;
- (b) 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.

(16) **“Off-Highway Vehicle”** means: any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

- (a) 4-wheel drive vehicles,
- (b) Low pressure tire vehicles,
- (c) Motor cycles and related 2-wheel vehicles,
- (d) Amphibious machines
- (e) All terrain vehicles,
- (f) Miniature motor vehicles, snow vehicles, mini-bikes, and
- (g) Any other means of transportation that is propelled by any power other than muscular power or wind,

But does not include

- (h) motorboats, or
- (i) any other vehicle exempt from being an off-highway vehicle by regulation.

(17) **“Owner”** means: the person who owns a vehicle and includes any Person renting a vehicle or having the exclusive use of it under a lease or otherwise for a period of more than thirty (30) days, and with respect to any other property, means the Person registered as owner, the Person shown on the assessment roll for the property, or the Person in lawful possession or otherwise exercising control over that property.

(18) **“Parade or Processions”** means: any group or train of persons or vehicles using the highway within the Municipality for show or display but shall not include any military or funeral parade or procession.

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

- (a) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers or;
- (b) when standing in obedience to a Peace Officer or traffic control device.

(20) **“Pathway”** means: a surfaced track made for walking or cycling including but not limited to the Town of High River Happy Trails.

(20) **“Peace Officer”** means:

- (a) a member of the Royal Canadian Mounted Police;
- (b) a Community Peace Officer as appointed by the Solicitor General of Alberta; or
- (c) a Bylaw Officer as appointed by the Municipality to enforce bylaws of the Municipality.

(21) **“Pedestrian”** means: a person on foot, using a mobility aid, or a person in a wheel chair.

(22) **“Private Property”** means any property that is not public property and may be under the control of a single person or a group of persons jointly.

- (22) “**Public Place**” means: any publicly owned park, parkway, highway, or square to which the public is permitted access, or a parking area designated for the public, by a business, government or by an institution.
- (23) “**Recreational Vehicle**” means: a Vehicle or Trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use, and includes duly licensed travel trailers, motor homes and conversions, travel trailers, truck campers, chassis-mounted campers, fifth wheel trailers, fold down camping trailers, boats, all-terrain vehicles, snowmobiles and tent trailers.
- (24) “**Regulation**” means: the Use of Highway and Rules of the Road Regulation, (A.R. 304/2002) made pursuant to the Act.
- (25) “**Roadway**” means: that part of the highway intended for use by vehicular traffic.
- (26) “**Sidewalk**” means: that part of a highway especially adapted to the use of ordinarily used by pedestrians, and includes that part of the highway between:
- (a) the curb line, or
 - (b) where there is no curb line, the edge of the roadway,
- and the adjacent property line, whether or not it is paved or improved.
- (27) “**Town Manager**” means: the Chief Administrative Officer of the Town of High River or his/her designate.
- (28) “**Town**” means: the Town of High River, a Municipal Corporation of the Province of Alberta, or the corporate limits of the Town of High River, as the context requires.
- (29) “**Traffic Control Device**” means: any sign, signal, marking, or device placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic.
- (30) “**Traffic Control Signal**” means: a traffic control device, whether manually, electronically or mechanically operated, by which traffic is directed to stop and to proceed.
- (31) “**Trailer**” means: a vehicle so designed that it may be attached to or drawn by a motor vehicle 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.
- (32) “**Vehicle**” means: a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.
- (33) “**Violation Tag**” means: a notice or tag in a form as approved by the Municipal Manager, issued by the Municipality allowing a voluntary payment option of a fine established under this Bylaw.
- (34) “**Violation Ticket**” means: a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, RSA 2000, C P-34, as amended and any regulations thereto.

TRAFFIC CONTROL DEVICES

- 2.1 By authority of Section 13 of the *Traffic Safety Act*, the Council of the Town of High River may authorize the placing, erecting or marking of traffic control devices at such locations as are considered necessary for controlling highways subject to its control and management.

PEDESTRIANS

- 3.1 No pedestrian shall cross any Highway at any point other than an intersection or crosswalk. The driver of a vehicle is not relieved from exercising due care.
- 3.2 No person shall cross at an intersection if a Traffic Control Device prohibits such a crossing.
- 3.3 No person shall:
- (a) stand in a group of three (3) or more persons or so near to each other on any highway as to obstruct the entrance to a building, or to obstruct or prevent other persons from using the highway, and
 - (b) forth with after a request has been made by a Peace Officer, all such persons shall disperse and move away from the area.
- 3.4 No Person shall conduct him or herself, or otherwise position him or herself, on a highway, in such a manner as to obstruct vehicular or pedestrian traffic, or to otherwise inconvenience any other Person upon the highway.
- 3.5 No person shall stand upon or walk along a highway for the purpose of soliciting a ride from the driver of any private vehicle.
- 3.6 Nothing in this Bylaw shall be construed as prohibiting the assembly of Persons for the purpose of watching a duly authorized parade or Procession, or as otherwise permitted by the Town.
- 3.7 No person shall pull down, deface or destroy any sign, board or notice lawfully placed on or adjacent to any street.
- 3.8 Every person riding a bicycle on a Highway within the Town shall insofar as they are applicable obey the rules of the road as set out in *Regulation AR 304/2002* of the *Traffic Safety Act, RSA 2000* Chapter T-6, as amended.
- 3.9 No person shall roller skate, in-line skate, or skateboard upon any sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian traffic that is or might reasonably be expected to be on the sidewalk.
- 3.10 A person operating roller skates, in-line skates, or skateboard on a sidewalk shall:
- (a) yield the right of way to pedestrians;
 - (b) when passing a pedestrian, or other person on the sidewalk, use care and control required to ensure the safety of the pedestrian or other person;
 - (c) stay at a reasonable distance from other persons using the sidewalk;
 - (d) before overtaking a pedestrian, a signal shall be produced in a reasonable time prior to overtaking, by voice, bell or other warning device,, which is audible to the pedestrian;
 - (e) not operate the bicycle, roller skates, in-line skates, skateboard or scooter in a reckless manner.
- 3.11 Skateboards may be used or operated on or at any public place unless such activity is prohibited by a sign posted with such restriction or prohibition. Operation of skateboards in or on a public place is subject to the following conditions:
- (a) the use of skateboards does not damage the public place, and
 - (b) the use of skateboards does not unnecessarily impede or endanger pedestrians.
- 3.12 No person shall ride a skateboard on any property if prohibited from doing so by a Traffic Control Device.

- 3.13 No person shall ride a skateboard on private property without the expressed prior consent of the property owner.
- 3.14 No person shall leave, store or deposit or permit to be accumulate on any street or sidewalk any article or thing that may be dangerous or in any way interfere with the proper use of the street or sidewalk or interrupt the free flow of vehicular or pedestrian traffic, nor shall any waste paper, debris, or things be left on any street, alley, highway, sidewalk or public place in the Town.
- 3.15 Notwithstanding any penalties specified, any person who operates a bicycle or skateboard within the corporate limits of the Town, in contravention of any of the provisions of this Bylaw or any other Bylaw of the Town, or any act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days.

PARKING

- 4.0 If a vehicle is involved in an offence referred to in this bylaw, the owner of that vehicle is guilty of that offence.
- 4.1 Every person parking a motor vehicle, tractor, an implement of husbandry, or any type of vehicle upon a highway in the Town shall insofar as they are applicable, obey the parking regulations found in the *Rules of the Road Regulation and Traffic Safety Act*, R.S.A. 2000 Chapter T-6 as amended.
- 4.2 A person driving a vehicle shall not, unless required or permitted by the Act, the Regulation, this Bylaw or by a traffic control device, or in compliance with a direction given by a Peace Officer, or to avoid conflict with other traffic, stop or park a vehicle at the following locations:
- (a) on a sidewalk or boulevard;
 - (b) on a crosswalk or on any part of a crosswalk;
 - (c) within an intersection other than immediately next to the curb in a "T" intersection;
 - (d) at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a traffic control device indicates parking is permitted;
 - (e) in the case of an approach to a stop sign or yield sign, within 5 metres from the stop sign or yield sign;
 - (f) within 5 metres from any fire hydrant, or when the hydrant is not located on the curb, within 5 metres from the point on the curb nearest the hydrant;
 - (g) within 1.5 metres from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
 - (h) within 5 metres from the near side of a marked crosswalk;
 - (i) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - (j) on any bridge or on the approach to any bridge;
 - (k) at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
 - (l) on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway;
 - (m) at or near the site of any fire, accident, or other emergency, if stopping or parking would obstruct traffic or hinder emergency vehicles or Peace Officers, firemen, ambulance drivers or assistants or rescue officers, or volunteers;

- 4.3 When parking a vehicle on a roadway, a person may only park a vehicle
- (a) with
 - (i) the side of the vehicle parallel to the curb or edge of the roadway, and
 - (ii) the right wheels of the vehicle not more than 400 millimetres from the right curb or edge of the roadway,
 - (b) in the case of a one-way highway where parking on either side is permitted, with
 - (i) the sides of the vehicle parallel to the curb or edge of the roadway,
 - (ii) the wheels that are the closest to a curb or edge of the roadway not more than 400 millimetres from that curb or edge, and
 - (iii) the vehicle facing in the direction of travel authorized for that highway.
- 4.4 Notwithstanding section 4.3, a person may park a motor cycle
- (a) at an angle, other than perpendicular, to the curb or edge of the roadway, and
 - (b) with
 - (i) a wheel of the motor cycle not more than 400 millimetres from the curb or edge of the roadway, and
 - (ii) the motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.
- 4.5 Section 4.3 does not apply where angle parking is permitted or required.
- 4.6 No person shall park contrary to a Traffic Control Device whereas a Traffic Control Device restricts parking thereon.
- 4.7 No person shall park a vehicle in an alley except when actively loading or unloading of passengers or goods, provided the vehicle or trailer does not obstruct the alley as to prevent other vehicles or persons from passing along the alley.
- 4.8 Except when actually taking or discharging passengers, no person shall park a vehicle at the following locations:
- (a) in a passenger loading or unloading space marked with a sign;
 - (b) on any portion of street marked by a sign as “No Parking”.
- 4.9 No person shall park a vehicle in any parking space where a sign, curb painting or pavement painting indicates that it is for the exclusive use of **persons with disabilities** who display on their vehicles a handicap placard or license plate that is issued or recognized by the Province of Alberta, unless they have with them or are picking up the person to whom such pass or license plate was issued
- 4.10 No person shall park any school bus, recreational vehicle, commercial vehicle, truck tractor, or a combination of a truck tractor and trailer, with a design capacity of more than one tonne, or length more than 6 metres, upon a highway except where such parking is expressly permitted, or in an Industrial or Commercial District as defined in the Town of High River Land Use Bylaw, except for the purpose of loading or unloading such vehicle.
- 4.11 No person shall park any trailer, whether designed for occupancy or load carrying, on a highway unless such trailer is attached to a vehicle by which it may be propelled or

drawn and when so attached, the trailer shall be considered part of the towing vehicle and subject to any regulations pertaining to the vehicle.

- 4.12 No owner or operator of a vehicle shall park or permit parking of the vehicle on any private property that has been clearly marked as such by a sign or signs posted thereon without prior permission of the owner, tenant, occupant, or person in control of the property.
- 4.13 No person shall park a motor vehicle in such a manner as to constitute a hazard to other persons using the highway.
- 4.14 No school bus, farm or commercial vehicle shall be parked on any residential streets in the Town except when conducting normal business.
- 4.15 No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.
- 4.16 When a vehicle is parked on a highway, parking lot or public place and is in violation of a provision of this Bylaw or Regulation, it may be removed and impounded and the cost thereof may be charged against the owner and/or operator of said vehicle.
- 4.17 The Town of High River may cause movable signs to be placed on or near a Highway to indicate “no parking”, “parade route”, “street cleaning”, Emergency repairs” or “snow removal” and when so marked, such signs shall take precedence over all other Traffic Control Devices.
- 4.18 No person shall park a motor vehicle at any angle to the curb in a cul-de-sac unless that vehicle is parked in such a manner as to not interfere with the free flow of traffic in the cul-de-sac
- 4.19 No person other than an authorized employee of the Town in the performance of their duties or other authorized persons assisting in maintaining recreation facilities or operations shall drive or park any vehicle on any land owned by the Town of High River which the Town uses or permits to be used as a playground, recreation area, public park, parkway, open space area, river valley, pathway, trail or beautification area whether improved or in a natural state.
- 4.20 Every person who parks a vehicle upon any highway, where parking spaces are marked out for angle or parallel parking shall park wholly within the marked parking space.

EXEMPTION FROM PARKING PROVISIONS

- 5.1 Notwithstanding anything elsewhere contained in this bylaw the provisions related 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, electrical systems, natural gas systems; or
 - (c) Municipal or other Government Public Works vehicles.
- 5.2 Where the owner or operator of a vehicle stops, stands, or parks pursuant to section 5.1 or contrary to other provisions of this bylaw he shall take due precaution to indicate the presence of such vehicle on any street while parked or stopped.

PARADES AND PROCESSIONS

- 6.1 Any person desiring to hold a parade or procession within the Town of High River shall at least 48 hours prior to the time they desire to hold the same, make application in writing to the Town Manager for a permit and in such application shall furnish to the Town Manager information with respect to the following, namely:
 - (a) The name and address of the applicant, and if such applicant is an organization, the names, addresses and occupations of the executive thereof;
 - (b) The nature and object of such parade or procession;

- (c) The day, date and hours during which same will be held;
 - (d) The intended route thereof;
 - (e) The approximate number of persons who will take part therein;
 - (f) The approximate size, number and nature of flags, banners, placards or such similar things to be carried therein and particulars of signs, inspections and wording to be exhibited thereon; and such written application shall bear the signatures and addresses of the persons who will be in control of such parade or procession and who undertake to be responsible for the good order and conduct thereof.
- 6.2 (1) The Town Manager may issue a permit or, for any reason which appears to him proper, may refuse to issue permit. In the case of refusal, the applicant has a right of appeal to the Mayor who may grant or refuse permission for the parade or may refer the matter to Council either with or without a recommendation thereon.
- (2) If an application for permission to hold a parade is referred by the Mayor to Council, Council may:
- (a) grant permission without conditions;
 - (b) grant permission with conditions;
 - (c) refuse permission.
- 6.2 Funeral processions shall not be subject to the provision of this section provided that the procession is conducted in accordance with *The Traffic Safety Act, R.S.A. 2000, c. T-6*.

MISCELLANEOUS OFFENCES

- 7.1 No person shall toboggan or ski on any highway.
- 7.2 No person shall erect, build, or allow the growth of trees, shrubs or of anything that shall in any way obstruct the visibility of a traffic control device.
- 7.3 The owner, tenant or occupier of any property adjacent to any public roadway, highway, alley sidewalk or public place in the Town of High River, shall not allow:
- (a) any hedge, shrub, tree or vegetation which may overhang from such property to interfere with pedestrian or vehicular traffic lawfully using any such street, alley, highway, sidewalk or public place in the Municipality;
 - (b) the growth of trees or shrubs on private property that shall in any way obstruct the visibility of a traffic control device;
 - (c) trees, hedges or shrubs on private property within 5 metres of a street intersection, whether planted before or after the date of the passing of this Bylaw, to grow to such a height or width that good visibility for safe traffic flow is thereby interfered with.
- 7.4 Where the owner, occupant or both have been duly served with a notice by a Peace Officer to remove any such overhanging material as mentioned in section 7.3 and fails to comply with that notice, the Municipality may remove such materials and the cost of the work performed may be charged against the property concerned as taxes due and owing in respect to that property.
- 7.5 A person shall not do any of the following on a highway:
- (a) display any goods for sale;
 - (b) offer any goods for sale;
 - (c) sell any goods;
 - (d) park a vehicle that is being displayed for sale or that is displaying advertising directing persons to a commercial premises.
- 7.6 No person shall drain lubricating oils or any fluids associated with the operation of a motor vehicle upon a highway.
- 7.7 No person shall place any goods, wares, merchandise, or any other articles upon a sidewalk or highway outside of a shop, warehouse or building so as to obstruct pedestrian or vehicular traffic.

- 7.8 No person shall willfully remove, throw down, deface or alter, damage or destroy a traffic control device placed, marked or erected on a highway.
- 7.9 Every person shall comply with any traffic signal or direction of a member of the School Patrol.

SUNDRY RESTRICTIONS

- 8.1 A person must not make, continue, or allow to be made or continued any objectionable noise from a motor vehicle.
- 8.2 In determining what constitutes objectionable noise from within or outside a motor vehicle considerations may be given, but are not limited to:
- (a) a motor vehicle engine or exhaust system when such noises or sounds are loud, roaring or explosive;
 - (b) a motor vehicle horn or other warning device except when authorized by law;
 - (c) a motor vehicle operated in such a manner that the tires squeal;
 - (d) a load or tow of a vehicle which causes a banging, clanking, squealing, or other like noise or sound due to improperly secured load or equipment, or inadequate maintenance;
 - (e) a radio, television, tape player or other sound playback device, amplification equipment or a musical instrument, which can easily be heard by a person outside the motor vehicle.
- 8.3 If objectionable noise is caused by or emanates from a motor vehicle parked on a highway, the registered owner of that vehicle is guilty of that offence.
- 8.4 Section 8.2 does not apply to persons participating in a properly authorized parade or operating emergency vehicles.

OFF HIGHWAY AND SNOW VEHICLES

- 9.1 No person shall operate an Off-Highway Vehicle as defined in *Part 6 of the Traffic Safety Act*, R.S.A. 2000 *Chapter T-6* as amended, on any portion of a highway, sidewalk or boulevard within the Town of High River.
- 9.2 No person shall operate any off-highway vehicle within the areas designated as parks or urban reserve within the Town.
- 9.3 A person shall not do any of the following:
- (a) drive an off-highway vehicle on any property, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use, in a manner that constitutes driving carelessly;
 - (b) permit another person to drive an off-highway vehicle in contravention of this bylaw.
- 9.4 The Town Manager may authorize the operation of off-highway vehicles within the Town for the purpose of maintenance or public security.
- 9.5 The Town Manager may authorize the operation of off-highway vehicles within areas designated as parks or urban reserve within the Town for the purpose of maintenance or public security.
- 9.6 Off-highway vehicles are permitted to operate on a highway solely for the purpose of loading or unloading an off-highway vehicle from or onto a trailer or vehicle or into a building or property;

VEHICLES WITH LUGS

- 10.1 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 vehicles or any vehicle having a stud tractor tread. Studded snow tires are exempted.

PARKS, SQUARES, PUBLIC PLACES

- 11.1 No person shall drive a motor vehicle, off-highway vehicle, horse-drawn vehicle or ride a horse or other animal upon any baseball diamond, football field, other sports areas, and in any area designated as a park, square, or other public place except along routes provided for that purpose. The Town Manager may permit certain vehicles in any of the aforementioned locations for the purpose of maintenance, public security or special events.

CONSTRUCTION, EXCAVATING, BUILDING

- 12.1 No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface or make excavation in or under any sidewalk or roadway for the purpose of building or otherwise, without first having obtained permission from the Town Manager to do so and such permission being granted, the work shall be carried out under the direction of the Town Manager. The Town Manager shall inspect all such work being done and, upon termination of the work, all materials shall be replaced and any damages made good by the parties concerned. Such work shall be carried out as expediently as possible and without unnecessary delay. Furthermore, any person or party to whom permission has been granted to carry out any work of the foregoing nature, shall be liable for any or all accidents or damage that may occur to any person or property by reason thereof, and shall keep and maintain such lights, barricades or watchmen or other precautions to safeguard and protect the public from injury or loss, and shall be responsible for costs incidental to the same.

AUTHORITY OF PEACE OFFICER

- 13.1 In case of fire or other emergency, or in order to expedite traffic or safeguard pedestrians, Peace Officers are hereby authorized to direct traffic in such manner as they deem necessary, whether or not in conformity with the provisions of this bylaw.
- 13.2 In case of fire or other emergency, if no Peace Officer is present, officers of the fire department are hereby authorized to direct traffic in such manner as they deem necessary, whether or not in conformity with the provisions of this bylaw.
- 13.2 Every person shall comply with any traffic signal or direction of a Peace Officer or of any officer of the fire department in the case of a fire or other emergency.
- 13.3 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 Peace Officer where it will remain until retrieved by the owner thereof or his agent.
- 13.4 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 to the Authorized Agent; such charges shall be in addition to any fine or penalty imposed in respect of any such violation. The Town of High River is not responsible for towing charges.
- 13.5 Every Peace Officer is duly authorized and entitled to place an erasable chalk mark on the tread surface of the tire of a parked or stopped vehicle without that Peace Officer or the Municipality incurring any liability for doing so, in order to enforce the parking provisions of this bylaw.
- 13.6 A notice form commonly called a Municipal Violation Tag may be issued by a Peace Officer to any person who contravenes any provision of this bylaw, and served as per section 13.7, and the Tag shall require the payment to the Town of High River for the specified amount for that particular breach of this bylaw.

- 13.7 (1) The Municipal Violation Tag shall be deemed to be sufficiently served:
- (a) if served personally on the accused, or
 - (b) if mailed to the address of the registered owner of the vehicle concerned, or the person concerned, or
 - (c) if attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.
- (2) Nothing in this bylaw shall prevent any person from defending a charge of committing a breach of this bylaw.
- (3) Where a person has paid a Municipal Violation Tag and has been prosecuted for the offence in respect of which the tag was issued, then that person shall be entitled to a refund of the Municipal Violation Tag payment.

PENALTIES

- 14.1 A person who has been issued a violation tag pursuant to the provisions of this Bylaw, and who has fully paid the penalty as indicated to the Town within the time allowed for payment, shall not be liable to prosecution for the subject contravention.
- 14.2 No person, other than the owner or driver of a vehicle, shall remove a violation tag placed on or attached to such vehicle by a Peace Officer in the course of his/her duties.
- 14.3 No person shall willfully obstruct, hinder or interfere with a Peace Officer, a Bylaw Enforcement Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.
- 14.4 Every person who contravenes any provision of this Bylaw, as enumerated in the current Rate Bylaw is guilty of an offence and shall be liable on Summary Conviction to the penalty specified therein for such offence.

GENERAL

- 15.1 It is the intention of the Council of the Town of High River that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of this Bylaw be found to have been improperly enacted, then such section or provision shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall remain effective and enforceable.
- 15.2 It is the intention of the Council of the Town of High River that all offences created pursuant to this Bylaw be constructed and considered as being strict liability offences.
- 15.3 The Rate Bylaw may, from time to time, be amended by Council.

15.4 Town of High River Bylaw 3532/85 and all amendments thereto are hereby rescinded.

15.5 This Bylaw shall come into full force and effort upon third and final reading.

READ A FIRST TIME THIS 12 DAY OF September , A.D. 2011.

Mayor/Deputy Mayor

Town Manager/Director of Legislative and
Administrative Services

READ A SECOND TIME AS AMENDED THIS _____ DAY OF _____, A.D. 2011.

Mayor/Deputy Mayor

Town Manager/Director of Legislative and
Administrative Services

READ A THIRD AND FINAL TIME THIS _____ DAY OF _____, A.D. 2011.

Mayor/Deputy Mayor

Town Manager/Director of Legislative and
Administrative Services