

**TOWN OF MILK RIVER
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1052**

A BYLAW OF THE TOWN OF MILK RIVER, IN THE PROVINCE OF ALBERTA, TO REGULATE VEHICLE TRAFFIC IN THE TOWN OF MILK RIVER.

WHEREAS the Traffic Safety Act, RSA 2000, Chapter T-6, as amended, provides that a Council may make bylaws for the regulation and control of vehicle, animal, and pedestrian traffic; and

WHEREAS the Council of the Town of Milk River deems it necessary to regulate vehicle traffic within the Town of Milk River.

NOW THEREFORE, the Council of the Town of Milk River duly assembled enacts as follows:

1. NAME

1.1. This Bylaw shall be cited as the Traffic Control Bylaw of the Town of Milk River.

2. DEFINITIONS

2.1. Wherever in this bylaw the following terms are used, they shall have the meanings respectively ascribed to them in this section. Any terms not defined in the bylaw shall have the meaning as defined in the Traffic Safety Act, RSA 2000, Chapter T-6, and amendments thereto.

ADMINISTRATOR means a person duly appointed by the Council of the Town of Milk River as the Administrator of the Town of Milk River.

ALLEY or LANE means a narrow highway providing and offering access to the rear of the building and parcels of land notwithstanding the restriction stated herein shall also include a side or flankage alley or lane.

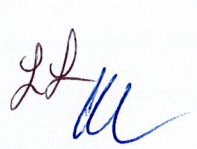
CURB means the actual curb, if there be one, and if there be no curb in existence shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians.

COUNCIL means the Municipal Council of the Town of Milk River.

DESIGNATED OFFICER shall mean the person appointed to the position or a member of the Royal Canadian Mounted Police or a Peace Officer appointed pursuant to the Peace Officer Act or a Bylaw Enforcement Officer.

EMERGENCY VEHICLE means any vehicle of the Town, fire department, or of the Royal Canadian Mounted Police, any ambulance, any military or public utility vehicle designated as an emergency vehicle by the respective officer in charge.

PUBLIC PLACE means any publicly owned park, parkway or square to which the public is permitted access, or a parking area designed for the public, by a business, government, or by an institution.



PUBLIC WORKS SUPERVISOR means any person in charge of the Public Works Department, and responsible for the maintenance, repair and upkeep of Town Property, roads and sidewalks, or the person in charge under their direction.

TOWN means the Town of Milk River.

TRAFFIC means pedestrians, animals or vehicles while using a street for the purpose of travel.

TRUCK ROUTE means the streets or avenues within the Town that have been posted with signs indicating truck ingress or egress.

3. SPEED LIMITS

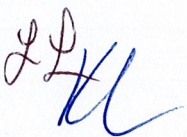
- 3.1. The Public Works Supervisor is duly authorized to place, erect, or mark maximum speed signs as such locations as determined by Council indicating the maximum speed within the Town for that highway.
- 3.2. The maximum rate of speed within the Town shall not exceed the speed limit as posted.
- 3.3. No person shall drive a motor vehicle in or on any highway intended chiefly to give access to the rear of buildings and a parcel of land at a greater speed than 15 kilometers per hour.
- 3.4. The Public Works Supervisor, may by signs posted along a highway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

4. TRAFFIC CONTROL DEVICES

- 4.1. The Public Works Supervisor is duly authorized to place, erect, or mark traffic control devices or traffic control signals at such locations as are considered necessary for controlling highways subject to the Councils control and management.
- 4.2. The Public Works Supervisor shall cause a record to be kept of the locations or all traffic control devices and traffic control signals. Such record shall be open to the public at the Town Hall during normal business hours.

5. PARKING

- 5.1. No person shall park or stand any motor vehicle:
 - 5.1.1. on any highway for a period of more than 72 hours;
 - 5.1.2. where a curb has been lowered to allow a vehicle to cross a sidewalk in order to reach private property so as to obstruct the use of such crossing or driveway;
 - 5.1.3. Within five meters of any intersection except where otherwise marked;
 - 5.1.4. Within five meters of a line drawn at right angles to the curb from a fire hydrant;
 - 5.1.5. In such a manner as to interfere with the proper operation of any vehicle used by the fire department or other department of the Town;
 - 5.1.6. At any place where signs or marks prohibit parking.



- 5.2. No person shall double park a vehicle.
- 5.3. No person shall park any commercial vehicle, truck, or trailer with a design capacity of more than one tonne, or length of more than six meters, upon any highway except where such parking is expressly permitted or except for the purpose of loading or unloading such vehicle.
- 5.4. No person shall park a vehicle in an alley or lane except when actively loading or unloading goods or passengers from the vehicle provided also that the vehicle concerned does not so obstruct the alley or lane as to prevent other vehicles from passing along such lane or alley.
- 5.5. No commercial, farm, school bus, holiday unit, or public vehicle shall be parked on any of the streets of the Town in the residential areas except in the conducting of its normal business.

6. TRUCK ROUTES

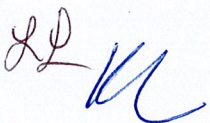
- 6.1. No person shall operate a vehicle in excess of 12 tonne Gross Vehicle Weight, excluding Public Passenger Vehicles, on any highway of the Town, except solely upon those portions of the highways expressly designated as truck routes except that no offence shall be committed if:
 - 6.1.1. The person was, at the time, engaged in the delivery or collection of goods, wares or merchandise to or from bona fide customers of the owner of such overweight or over dimension vehicle, the premises of said customers abutting a highway prohibited to such vehicles.
 - 6.1.2. The person was going to or from the business premises of the owner of the overweight or over dimension vehicle concerned where the business premises of said owner abut on a highway prohibited to such vehicles.
 - 6.1.3. The person was going to or from the business premises abutting on a highway prohibited to overweight over dimension vehicles for the purpose of servicing or repair to such vehicles; and that the highway upon which they were traveling which is prohibited to overweight over dimension vehicles is the most direct and practicable route between the premises referred to in subclauses (6.1.1.), (6.1.2.) and (6.1.3.) and the portion of the highway designated as a truck route;
 - 6.1.4. The person was pulling a motor vehicle disabled by accident or otherwise from a highway prohibited to overweight over dimension vehicles.

7. VEHICLES WITH LUGS

- 7.1. 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 and chains are excepted.

8. EMERGENCIES

- 8.1. In the case of fire within Town, any Designated 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, no unauthorized person, whether on foot, or on horse or in a vehicle shall cross such line or lines.
- 8.2. The Fire Chief of the fire department of the Town or any person acting under their instruction shall have the right to move or cause to be moved any vehicle which they 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.

8.3. The provisions of this bylaw regulating the operation, movement, stopping and parking of vehicles shall not apply to any emergency vehicle while it is responding to an emergency call and sounding its siren and flashing its warning lights, or while attending at any emergency call, this exemption shall not excuse the driver of any such vehicle from exercising due care for the safety or other traffic.

8.4. The provisions of this bylaw prohibiting stopping or parking or weight limits shall not apply to:

8.4.1. Municipal or provincial utility vehicles;

8.4.2. Vehicles of a public utility corporation;

8.4.3. Wrecking vehicles.

8.5. While such vehicles are engaged in work requiring them to be operated in contravention of any such provisions provided, they have a flashing amber light in operation thereon said vehicle. This exemption shall not relieve the driver of such vehicle on any street while still parked or stopped.

9. GENERAL PROVISIONS

9.1. No occupier of any premises shall permit the unrestricted flow of any water from such premises over any street, avenue, sidewalk, boulevard, or ally.

9.2. No person shall leave parked on any highway, any trailer, semi-trailer, mobile drilling equipment or any other vehicle which has been detached from any vehicle which is used to draw such trailer, semi-trailer, mobile drilling equipment or other vehicle.

10. AUTHORITY OF DESIGNATED OFFICER

10.1. In the case of fire or other emergency, or in order to expedite traffic officers of the fire department are hereby authorized to direct traffic in such a manner as they deem necessary, whether or not in conformity with the provisions of this bylaw.

10.2. In a case of fire or other emergency, if no Designated Officer is present, officers of the fire department are hereby authorized to direct traffic in such a manner as deem necessary, whether or not in conformity with the provisions of this bylaw.

10.3. Every person shall comply with any traffic signal or direction of a Designated Officer or of any officer of the fire department in the case of a fire or other emergency.

10.4. Every Designated Officer is, and is deemed to be, duly authorized, and entitled to place an erasable chalk mark on the tread face of the tire or 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.

10.5. Every Designated Officer is, and is deemed to be, duly authorized, and required to enforce the provisions of Section 72, 73, 74, 75 and 76 of the Traffic Safety Act, RSA 2000, Chapter T-6, as amended thereto, and of this bylaw.



10.6. Any Designated Officer is, and is deemed to be, duly authorized to impound and remove from the highway or parking lot or other public place, a vehicle in respect of which charges have not been paid or of a vehicle in violation of any provision of this bylaw and all costs incurred may be recovered by the Town by action in any court of competent jurisdiction.

11. PENALTIES

11.1. Where any Designated Officer believes that any person has committed a breach of any of the sections of this bylaw set out in the Town of Milk Rivers Rates Bylaw hereto, they may serve upon such person a notice or tag as provided herein.

11.2. Notice or tag shall be in such form as provided for in the Regulations pursuant to the Summary Convictions Act and service of any such notice or tag shall be sufficient if it is:

11.2.1. Personally served.

11.2.2. Served by certified mail.

11.2.3. Attached to the vehicle in respect of which the offense is alleged to have committed.

11.3. Upon production of any such notice tag, within seven (7) days from the date of services of such notice, together with the payment of sums specified in the Town of Milk Rivers Rates Bylaw hereto, to the Administrator of the Town, an official receipt for said payment shall be issued, and subject to the provisions of this section, payment shall be accepted in lieu of prosecution.

11.3.1. Upon production of any such notice or tag between the eighth and fifteenth day from the date of service of such notice, together with the sums specified in such notice, there shall be added an additional five (\$5.00) dollar penalty which upon payment to the Administrator of the Town an official receipt for said full payment shall be issued, and subject to the provisions of this section, payment shall be accepted in lieu of prosecution.

11.4. 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, and the person shall be prosecuted pursuant to provisions of the Summary Convictions Act.

Nothing in this section contained shall:

11.4.1. Prevent any person from exercising their right to defend any charge of committing a breach of any of the sections in this bylaw.

11.4.2. Prevent any person from informing or laying a complaint against any other person for committing a breach of any of the sections in this bylaw.

11.4.3. Prevent any person from exercising any legal right such person may have, to inform or lay a complaint against any other person for a breach of this bylaw.

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



- 11.6. No person other than the owner or driver of a vehicle shall remove any notice placed on or fixed to such vehicle by a Designated Officer in the course of their duties.
- 11.7. Where a vehicle is driven, used, parked or left in contravention of any of the provisions of this bylaw, the registered owner of the vehicle is responsible for the contravention and liable to a penalty provided herein unless they prove to the satisfaction of the judge trying the case that at the time of the contravention, the vehicle was not driven, used or parked or left by them, or any other person with their consent, expressed or implied.
- 11.8. Not with standing anything contained herein, any person violating any other provisions of this bylaw or any other person responsible for such violation shall be liable on summary conviction before a judge or justice of the peace having jurisdiction therein, to a penalty not exceeding one hundred dollars (\$100.00) exclusive of costs, and in the case of non-payment of fine and costs, to imprisonment for any period not exceeding sixty (60) days, unless such fine and costs including the costs of committal are sooner paid.
- 11.9. If any person is in default in doing any matter or thing directed to be done by this bylaw, the matter or thing may be done by the Town at the expense of the person in default, and the Town may recover expenses thereof with costs by action in any court of competent jurisdiction.

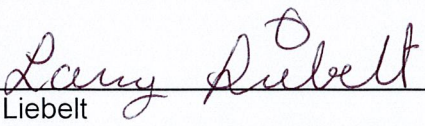
12. ENACTMENT

- 12.1. It is the intention of the 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 the Town Council that if any provisions of this Bylaw be declared invalid, all other provisions thereof shall remain valid.
- 12.2. Bylaw 777 is repealed as of January 1, 2024.
- 12.3. This bylaw shall come into full force and effect on January 1, 2024.

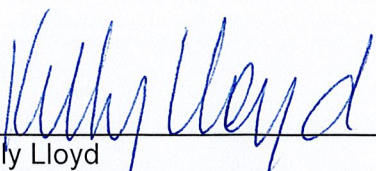
Read a first time this 11th day of December 2023.

Read a second time this 8th day of January 2024.

Read a third time and passed this 8th day of January 2024.



Larry Liebelt
Mayor



Kelly Lloyd
Chief Administrative Officer

Signed by the Chief Elected Official and the Chief Administrative Officer this 8th day of January 2024.