

**BY-LAW NO. 13-01  
TOWN OF FALHER**

A BYLAW OF THE TOWN OF FALHER, IN THE PROVINCE OF ALBERTA, PROVIDING FOR THE ESTABLISHMENT OF RULES AND REGULATIONS PERTAINING TO THE MOVEMENT OF VEHICLE AND PEDESTRIAN TRAFFIC.

**WHEREAS**, pursuant to Section 7 of the Municipal Government Act, Being Chapter M-26 R.S.A., 2000, and amendment thereto, Council may, pass bylaws respecting transport and transportation systems;

**AND WHEREAS** pursuant to Section 13 (1) of the Traffic Safety Act, being Chapter T – 6 of the Revised Statutes of Alberta 2000 and amendments thereto, hereafter referred to as the Highway Traffic Act, allows that a council of a municipality may pass bylaws dealing with the regulation and control and management of vehicle and pedestrian traffic;

**AND WHEREAS** pursuant to Section 13 (1) of the Traffic Safety Act, provides that a council of a municipality may make bylaws, not inconsistent with the Act, on matters for which no provision is made in the Act:

- (a) prohibiting the owner of a vehicle or person in charge of a vehicle from parking or leaving the vehicle on private property without authority from the owner, tenant, occupant or person in charge or control of private property and providing for:
  - (i) the impounding and removal from the private property of a vehicle so parked or left thereon without authority, and
  - (ii) the laying of an information and complaint against the owner or person in charge of the illegally parked vehicle for parking offence, and

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

**1. TITLE**

- A. This by-law may be cited as The Falher Traffic By-law.

**2. DEFINITIONS**

- A. **ACT** – means the Traffic Safety Act, Chapter T-6 of the Revised Statutes of Alberta 2000.
- B. **ALLEY** – means a narrow highway intended chiefly to give access to the rear of buildings or parcels of land.
- C. **AUTOMATED TELLER MACHINE** – means a device linked to a financial institution normally utilized for the deposit, transfer or withdrawal of money, or updating of personal financial records.
- D. **BICYCLE** - means any vehicle propelled by muscular power upon which a person may ride regardless of the number of wheels it may have.
- E. **BOULEVARD** – means that portion of the highway lying between the curb of the highway and the adjacent property line, whether actually planted or improved or not, excepting that portion occupied by a sidewalk. Where there is no curb, that portion of a highway lying between the portion of highway ordinarily traveled by vehicles and the adjacent property line, whether planted or not, except for that portion occupied by a sidewalk.
- F. **COMMERCIAL VEHICLE** – shall mean a commercial vehicle defined under the Motor Transport Act.
- G. **COUNCIL** – means the Municipal Council of the Town of Falher.

- H. **CROSSWALK** – means any part of a roadway, at an intersection or elsewhere, distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface.
- I. **CURB** – means the division part of the highway between the part of the highway intended for the use of pedestrians and that part of the highway intended for the use of vehicles.
- J. **DEVELOPMENT AUTHORITY** – means the Development Officer, or Municipal Planning Commission or Council of the Town of Falher, as specified under the current Land Use Bylaw of the Town of Falher.
- K. **FINANCIAL INSTITUTION** – includes a branch or outlet of a chartered bank, credit union or trust company.
- L. **HANDICAPPED PARKING ZONE** – means a space or spaces reserved for the parking of a vehicle being driven by or used to transport a handicapped person, as designated by signs posted at each parking space.
- M. **HANDICAPPED PARKING PERMIT** – means a valid disabled placard issued by Alberta Registries or a temporary handicapped parking pass, issued by the Regional Health Authority indicating that a vehicle is being driven by or used to transport a handicapped person.
- N. **HIGHWAY** – means any thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, public utility lot, parking lot 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:
- 1) where a ditch lies adjacent to and parallel with the roadway, the ditch, and
  - 2) where a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the roadway.
- O. **INTERSECTION** - means the area embraced within the prolongation or connection of:
- 1) the lateral curb lines or, if none
  - 2) the exterior edges of the roadways, of two or more highways, which join one another at an angle whether or not one highway crosses the other.
- P. **OFF HIGHWAY VEHICLE** – as defined in the *Traffic Safety Act*, Chapter T-6, Revised Statutes of Alberta 2000, means any motorized vehicle designated for cross country travel on land, water, snow, ice, marsh, or swamp land or on other natural terrain and without limiting the generality of the foregoing, includes, when designed for such travel:
- 1) a motor cycle and related 2 wheeled vehicles,
  - 2) amphibious machines
  - 3) all terrain vehicles,
  - 4) miniature motor vehicles,
  - 5) snow vehicles,
  - 6) mini bikes, and
  - 7) any other means of transportation that is propelled by any power other than muscular or wind.
  - 8) for the purpose of this bylaw, the definition of Off – Highway Vehicles does not include construction equipment or implements of husbandry.
- Q. **PARKED WHEN PROHIBITED** – means to allow a vehicle occupied or not, to remain standing in one place, contrary to a traffic control device except;
- 1) when standing temporarily for the purpose of and actually engaged in loading and unloading passengers, or
  - 2) when standing in obedience to a peace officer.
- R. **PEACE OFFICER** – means a member of the Royal Canadian Mounted Police, an Inspection Services Officer or a Peace Officer or Bylaw Enforcement Officer appointed by the Town of Falher.

- S. **PEDESTRIAN** – means a person afoot, or a person using a wheelchair or mobility aid.
- T. **PERSON** – means an individual or incorporated group having certain legal rights and responsibilities.
- U. **RECREATION TRAILER** – means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily.
- V. **SERVICE ROAD** – means a road that runs parallel to a main road, and is separate from the main road by a boulevard or curb.
- W. **SIDEWALK** – means that part of the boulevard especially improved or adapted to the use of, or ordinarily used by, pedestrians.
- X. **SOLICIT OR SOLICITING** – means to, without consideration, request money, donations, goods or other things of value whether by spoken, written or printed word or gesture, but shall not include requests for money, donations, goods or other things of value made by employees or volunteers of charitable organizations licensed and approved pursuant to a federal or provincial statute, license or regulation, or pursuant to a license or permit issued by the Town of Falher.
- Y. **STOP** – means:
- 1) when required, a complete cessation of vehicular movement, and
  - 2) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or traffic control device.
- Z. **TIME** – whenever time is referred to in this Bylaw it shall mean either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed by the Province of Alberta.
- AA. **TOWN** – means the Town of Falher, in the Province of Alberta.
- BB. **TOWN MANAGER** – means the Chief Administrative Officer of the Town as established under Section 205 of the Municipal Government Act.
- CC. **TRAFFIC CONTROL DEVICE** – means:
- 1) any sign, signal, marking or device placed, marked, or erected under the authority of the Traffic Safety Act, Chapter T-6 for the purpose of regulating, warning or guiding traffic, or
  - 2) a device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.
- DD. **TRUCK LOADING AND UNLOADING ZONE** – shall mean a space on a portion of a highway designated by the Town of Falher and marked by a sign for the purpose of loading and unloading, permitting truck parking therein for a period as indicated by the said sign. For the purposes of this definition, truck means any vehicle licensed under the Traffic Safety Act as a public service, commercial, or heavy vehicle.
- EE. **UTILITY TRAILER** – means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property, but does not include machinery or equipment used in the construction or maintenance of highways.
- FF. **VEHICLE** – means a device in, on or by which a person or thing may be transported or drawn on a highway.

**3. POWER OF THE TOWN MANAGER**

- A. The Town Manager is hereby authorized:
  - 1) To designate any highway under the Town's authority, as one which is closed temporarily, in whole or in part, to traffic and shall cause such highway to be marker;
  - 2) To issue permits or authorization to park, drive, advertise or sell goods upon any highway or Town property;
  - 3) To designate public property as a temporary campground for a period not exceeding 72 Hours; and
  - 4) To issue permits or authorization to allow for material removed from private property to be temporarily placed upon a highway.
- B. The authority delegated to the Town Manager by Section 3.A is subject to any other provisions of this bylaw, any other Town Bylaw regulating or controlling traffic and the Traffic Safety Act.
- C. The authority delegated to the Town Manager may be further delegated by the Town Manager to other employees of the Town.

**4. USE OF HIGHWAYS**

- A. No person shall do, or permit to be done, anything, which damages any improvements upon or under a highway.
- B. No person shall break, tear, or remove any pavement, sidewalk, curbing, macadamizing or other road surface, or cause excavation in or under any highway in the Town without prior written authorization from the Town Manager or his delegate
- C.
  - 1) For any person who contravenes Section 4.A and 4.B to the extent that damages result to the highway, and repairs or replacement must be implemented by the Town, the person in contravention of this Bylaw shall be responsible for all costs incurred for the repairs or replacement, and if the person does not pay such expenses promptly upon being invoiced, the Town may recover the expenses thereof with costs by action in any Court of competent jurisdiction.
  - 2) Any expenses so recovered shall be in addition to any fines or penalties imposed for contravention of this Bylaw or the Traffic Safety Act.
- D. Notwithstanding the generality of Section 4, the following classes of vehicles are prohibited from any highway unless authorized by the Town Manager:
  - 1) Vehicles having metal cleats, or other devices attached to their wheels which may injure a highway.
- E. No person shall drive a vehicle across any open land, undeveloped land or park on land owned by the Town of Falher, unless authorized by the Town Manager.

**5. OBSTRUCTION OF ROADWAY, SIDEWALK OR BOULEVARD**

- A. No person shall crowd, jostle or otherwise interfere with other lawful users of any roadway, sidewalk or boulevard, whether they are pedestrians or not, in such a manner as to cause or create a disturbance, confusion or distraction.
- B. No person shall cast, project or throw any stones, balls of snow, ice or other objects causing a nuisance or danger to the public, on any roadway or sidewalk within the Town.
- C. No person shall construct, or cause to be constructed, or erect any installation or device, which shall open over, obstruct, or in any way encroach upon a sidewalk, roadway or boulevard without approval from the Development Authority.

- D. No person shall drain or flush any fluid from any motor vehicle upon a highway so that the fluids from that vehicle fall upon the highway.
- E.
  - 1) No person shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track materials upon a highway.
  - 2) Any person, who tracks upon a highway shall, in addition to the specified penalty, is liable to clean up or remove the substance or material tracked upon the highway in default of which the Town shall clean up or remove such substance or material at the expense of the person operating such vehicle.
- F.
  - 1) No person shall wash a vehicle upon a highway so as to result in depositing mud or creating slush or ice upon a sidewalk or highway, or
  - 2) Wash any article in such a manner as to result in grease, oil or any deleterious substance being deposited upon a sidewalk or highway.
- G.
  - 1) No person shall place, or permit to be placed, any ice, dirt, debris or other material removed from private property onto a highway or other public place so as to obstruct traffic unless approval from the Town Manager has first been obtained authorizing a temporary obstruction for a specified time period.
  - 3) No person shall place snow onto a highway so as to cause an obstruction to traffic.
  - 3) The Town shall remove, or cause to be removed, any such materials and the cost of such removal shall be charged to the owner of such private property or the person responsible for the unauthorized obstruction to traffic.
- H. No person shall obstruct a highway, boulevard, alley or sidewalk by:
  - (i) sitting or lying on a highway, boulevard, alley or sidewalk in a manner which obstructs or impedes the convenient passage of any vehicular or pedestrian traffic;
  - (ii) continuing to solicit from or harass a pedestrian after that pedestrian has given a negative response, whether verbally or by gesture, to the initial solicitation request;
  - (iii) approaching and soliciting from a pedestrian as a member of a group of three or more persons;
  - (iv) soliciting within 10 meters of:
    - a) The entrance to a Financial Institution, or
    - b) An Automated Teller Machine
    - c) The entrance to a liquor store, a beer and wine store, a bar or a lounge
    - d) Any mobile food vendor
- I. No person shall enter a highway, boulevard, alley or sidewalk for the purpose of soliciting from the occupant of a motor vehicle whether that vehicle is in motion or at rest.
- J. No person shall stand or loiter on any highway, boulevard, alley or sidewalk in such a manner as to obstruct or impede convenient passage of any vehicular or pedestrian traffic.
- K. No person shall solicit on any highway, boulevard, alley, sidewalk or other public place, between sunset on any given day and sunrise of the following day.
- L. No person shall urinate or defecate within any highway, boulevard, alley, sidewalk or other public place.
- M. No person(s) shall loiter in any public building or entrance way to obstruct or impede convenient passage of public.

Any person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction.

## 6. PARKING

- A. No person shall park or leave a vehicle upon any highway in a space reserved for handicapped parking which has been designated by a traffic control device, unless such person displays on the vehicle a valid handicapped parking permit indicating it to be a disabled person's vehicle and the driver and or passenger is a person with a disability.
- B. Vehicle, or vehicle trailer combination, exceeding 5,500 kilograms maximum gross weight and 6.0 meters overall length may park upon Main Street only for a maximum of 2 hours.
- C. No person shall park a vehicle upon a highway or other public property for a continuous period of time exceeding (72) seventy - two hours.
- D. Parking of any vehicle, or portion of any vehicle, is prohibited on any alley in the Town unless such vehicle is loading or unloading and is parked so as not to obstruct the alley for an unreasonable amount of time.
- E.
  - 1) No person shall park a vehicle upon a highway in such a manner that any part of the vehicle is within three (3) meters, (10 feet), of the centerline of the highway.
  - 2) This provision shall only apply to highways where the portion thereof intended for vehicular traffic is less than twelve (12) meters (40 feet) in width.
- F. Parking shall be parallel to the curb except in areas listed in Schedule "III" which is attached to and forms part of this Bylaw.
- G. Notwithstanding the provisions of the Traffic Safety Act, a vehicle may be parked at right angle to the curb in a Cul-de-Sac providing that the vehicle is not parked in such a manner as to interfere with the flow of traffic in the Cul-de-Sac.
- H. No person shall park a vehicle for any period of time whatsoever at the following locations:
  - 1) In any truck loading or unloading zone marked by sign indicating the restrictions that apply thereto, except a commercial vehicle lawfully engaged in loading or unloading merchandise.
  - 2) Where the vehicle may in any way interfere with the use of a doorway intended as a fire or emergency exit from any building.
  - 3) At a place or area where a traffic control device or sign indicates that parking is restricted to special class of vehicles only, unless that vehicle is of the class indicated. For the purposes of this section, the following special classes of vehicles are established:
    - (i) Police Vehicles
    - (ii) Tour Line Buses
    - (iii) Funeral Cars
    - (iv) School Buses
    - (v) Emergency Vehicles
  - 4) Upon any roadway or alley providing emergency vehicle access to any institutional, commercial or multiple unit residential development, where such alley or roadway is marked as such by signs on or near such alley or roadway.
- I.
  - 1) Where a sign restricts the parking of vehicles to a time limit it shall be an offence to park a vehicle in excess of the time so designated and marked upon the sign.
  - 2) In order to determine the time which a vehicle has been parked in a location where parking is restricted to a specific time, a Peace Officer or another person charged with the enforcement of parking prohibitions and restrictions may place an erasable chalk mark on the tread of the tire on parked or stopped vehicles without such Peace Officer or other person or the Town incurring any liability for so doing.

- 3) If after the issuance of a violation ticket to a vehicle for a first violation of Section 6.I.1), if the vehicle is parked for further periods of time in excess of that permitted on the applicable traffic device then a second and additional offence shall be deemed to have occurred.
- J. No person shall park a vehicle upon any land owned by the Town of Falher, which the Town uses or permits to be used as a playground, recreation area, or public park, except on such part thereof as the Council may designate by sign or signs.
- K. A person being in charge or control of a garage, service station, radio shop or other premises where repairs or installations are made to vehicles for compensation shall not leave or cause or suffer or permit to be left on any street a vehicle which is left in his/her possession for carrying out of repairs or making installations or for any other purpose whatsoever.
- L. No person shall repair any vehicle on a highway.
- M. The provisions of Section 6.D and 6.L shall 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/she has taken immediate action to arrange for the removal of the vehicle forthwith.
- N. No person shall park any utility trailer upon any highway unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached, the utility trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles.
- O. No person shall park any recreation trailer upon any highway for longer than 24 hours, unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached. The trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles.
- P. Notwithstanding any other provision of this Bylaw, the following classes of motor vehicles are exempt from parking prohibitions, while engaged in the execution of their duties:
  - 1) Emergency Vehicles
  - 2) Public Utility Vehicles
  - 3) Municipal or Other Government Public Works Vehicles
  - 4) Towing Service Vehicles
  - 5) Private Utility Company Vehicles

## **7. PARKING PERMITS**

- A. Where a sign upon a highway prohibits parking without a permit thereon, no person shall park or leave any vehicle parked upon such highway unless such vehicle displays within or upon the front windshield on the driver's side of such vehicle a permit therefore authorized by the Town Manager subject to Section 3.A.2) of this Bylaw.
- B. No person shall display upon a vehicle a permit purporting to exempt such vehicle from the provisions of subsection 7.A unless the permit issued for such vehicle was authorized by the Town Manager.

## **8. PRIVATE PROPERTY**

- A. No person shall park or leave a vehicle on private land unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the private land or as required or permitted by the Traffic Safety Act or by Traffic Control Devices or in compliance with the directions of a Peace Officer.
- B. A vehicle parked contrary to Subsection A. may be impounded and removed and an information and complaint may be laid against the registered owner or person in charge of the illegally parked vehicle.

**9. BICYCLES**

- A. No person shall ride a cycle on any sidewalk except where expressly permitted by this bylaw. Children's bicycles or tricycles are exempt from this provision.
- B. No person shall ride a bicycle on any highway after sunset unless the said bicycle is equipped with functional lighting equipment and/or reflectors.
- C. No person shall park, leave or abandon any bicycle upon any sidewalk so as to impede pedestrian traffic.
- D. Notwithstanding Section 9.C, any person may park any bicycle at a stand specifically designed and identified for bicycle parking located on any sidewalk adjacent to the highway.
- E.
  - 1) Any bicycle found parked or left abandoned on any sidewalk or impeding pedestrian traffic in a manner as identified under Section 9.A, may be taken in custody by a Peace Officer and impounded for seven days (7).
  - 2) Any bicycle not equipped as required by the Traffic Safety Act or the regulations thereto may be similarly impounded.
  - 3) Any bicycle impounded under sub-section 1) or 2) may be released to the owner after the expiration of the period that it is impounded and upon payment of any penalties.

**10. GOODS FOR SALE**

- A. No person shall sell or display goods, or place any temporary or permanent structure related to the selling or display of such goods on a highway within the corporate limits of the Town of Falher without a peddlers license.
- B. Any goods or structures related to the sale of goods displayed on a highway, may be removed without notice and taken to a place of storage, and returned to the owner upon proof of ownership and payment of costs incurred by the Town for such removal and storage.
- C. Section 10.A. shall not apply to a business' temporary signage or temporary display of goods, provided the signage or goods do not obstruct pedestrian walkways. Section 10.A. shall not restrict a person from advertising and holding a garage sale.
- D. Person(s) placing signage for advertising shall remove said signage within 72 hours after completion of event. All signage must be removed and discarded properly.

**11. ADVERTISING**

- A. No person shall go about Town highways with any vehicle using an audible device to advertise any sale, exhibit, event, business or anything else whatsoever without the written permission of the Town Manager.

**12. TEMPORARY ROAD CLOSURE**

- A. The Town Manager may temporarily restrict parking or use of any highway under the Town's authority or portion thereof pursuant to Section 25 of the Municipal Government Act.

**13. SPEED LIMITS**

- A. A standard maximum speed of 50 kilometers per hour is established for all highways within the town unless otherwise posted along a highway or designated in Schedule I of this Bylaw



- B. The maximum speed for School Zones is designated in Schedule II of this Bylaw and shall apply to the highways indicated and shall apply, between the times indicated in such Schedule.

**14. OFF-HIGHWAY VEHICLES**

- A. Off-Highway Vehicles be permitted to operate in alleys only to proceed to or return from areas outside the Town limits; roadways may be used only to gain access to alleys by the shortest and most direct route, but at no time shall Main Street be used for this purpose;
- B. No person shall operate an Off-Highway Vehicle within the corporate limits of the Town of Falher between the hours of 10:00 p.m. and 8:00 a.m.;
- C. Operators of Off-Highway Vehicles shall travel single file only on the extreme right-hand side of roadways or alleys and at a speed no greater than 15 kilometres per hour;
- D. Operators of Off-Highway Vehicles shall yield the right-of-way at all times to other motor vehicles,
- E. No person shall operate any off-highway vehicle without wearing a CSA approved helmet.

**15. FIRES**

- A. In case of a fire within Town, a Peace Officer, Fire Chief or any other member of the Fire Department may designate upon a highway and in any manner a line or lines near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot, or on/in any mode of transportation, shall cross such lines.
- B. A Peace Officer, Fire Chief or any other member of the Fire Department shall have the right to move or cause to be moved any vehicle which he/she deems necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department.
- C. If the owner of a vehicle is requested to remove a vehicle pursuant to section 15.B. and refuses to do so, a Peace Officer, Fire Chief or any other member of the Fire Department may remove the vehicle, and the registered owner of the said vehicle shall be responsible for all costs associated with having the vehicle removed.

**16. RIGHTS AND DUTIES OF PEDESTRIANS**

- A. No person shall so conduct themselves or otherwise position themselves on a highway in a manner as to obstruct vehicular or pedestrian traffic or as to inconvenience any other person upon a highway.

**17. POWERS OF PEACE OFFICERS**

- A. Any Peace Officer is hereby authorized to remove or cause to be removed any vehicle or trailer to a place designated by the Town Manager, where it will remain until such time as it is claimed by the registered owner:
  - 1) Where emergency conditions may require such removal from a highway.

**18. PENALTIES**

- A. Any person that contravenes any provision of this Bylaw and is guilty of an offence and shall be liable, upon summary conviction, to a fine as set out at Schedule IV to this Bylaw, as amended by Council from time to time.
- B. Where a Violation Ticket has been issued to a Person under this Bylaw, that Person may enter a plea of guilt by making a voluntary payment in the amount

of shown on the ticket to a Provincial Court Office. The recording of the payment by the Clerk of the Court is an acceptance of the guilty plea and constitutes a conviction.

- C. Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, the Peace Officer may issue a violation tag to that person by serving it:
  - 1) personally; or
  - 2) by mailing a copy to such person at his or her last known residential or post office address.
- D. A violation tag issued pursuant to Section 18.B shall be in a form approved by the Chief Administer Officer and shall state:
  - 1) the name of the person to whom it is issued;
  - 2) the offense;
  - 3) the appropriate penalty for the offense as specified at Schedule IV of this Bylaw;
  - 4) that the penalty shall be paid within 30 days of the issuance of the violation tag to avoid prosecution; and
  - 5) any other information as may be required by the Chief Administrative Officer.
- E. Where a violation tag has been issued, the person to whom the violation tag has been issued, may in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the violation tag.
- F. In those cases where a violation tag has been issued and the penalty specified on the tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and in power to issue a violation ticket pursuant to part 2 or 3 of the Provincial Offences Procedure Act, R. S. A. 2000, c P-34, as amended, or repealed and replaced from time to time.
- G. Notwithstanding Section 18.F. of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to part 2 or part 3 of the Provincial Offences Procedure Act, R. S. A. 2000, c P-34, as amended or repealed and replaced from time to time, to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
- H. Where a violation of this Bylaw results in damages to a Highway requiring repair or replacement by the Town, the person responsible for the contravention of this Bylaw shall be responsible for all costs incurred by the Town for repair or replacement of the Highway. If these costs are not paid by the person responsible, within 30 days of that person's receipt of an invoice from the Town for those costs, the Town may recover the expenses incurred by bringing an action in any Court of competent jurisdiction.

## **19. TRANSITION**

- A. All traffic control devices, which are under Council's or the Town Manager's authority, and 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.
- B. All school zones and playground zones in effect immediately prior to the coming into force of this Bylaw shall be continued in effect until removed or amended by Bylaw.
- C. All Schedules attached to this Bylaw may be amended from time to time by Bylaw.
- D. Each Section with exception to Section 2 and all Schedules of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section of this Bylaw be found to have been improperly enacted, for any reason, then such Section shall be regarded as being severed from the rest of the Bylaw and the remaining Bylaw shall be considered effective and enforceable.

**20. ENACTMENT**

A. Bylaw No. 02-07 Traffic Bylaw and Bylaw No. 11-02 Off-Highway Bylaw are hereby repealed.

B. This by-law shall take effect on the day of the final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR

**BYLAW 13-01**

**List of Schedules**

***SCHEDULE "I"*** – SPEED LIMITS

***SCHEDULE "II"*** – SCHOOL ZONE HOURS

***SCHEDULE "III"*** – ANGLE PARKING ZONES

***SCHEDULE "IV"*** – SPECIFIED PENALTIES

**BYLAW 13-01**  
**SCHEDULE I**  
**SPEED LIMITS**

2<sup>nd</sup> Street West from Highway 49 to 7<sup>th</sup> Avenue .....80 km/hr

Unless otherwise posted the maximum speed in alleys shall be .....20 km/hr

Unless otherwise posted the maximum speed in playground  
zones shall be .....30 km/hr

Unless otherwise posted the maximum speed on all highways  
within the Town (excluding alleys), shall be .....50 km/hr

**BYLAW 13-01**  
**SCHEDULE II**  
**SCHOOL ZONE SPEED LIMIT TIMES**

All school zones within the corporate limits of the Town of Falher will have a 30km/h speed limit in effect from Monday to Friday.

8:00 a.m. to 4:30 p.m.

**BYLAW 13-01**  
**SCHEDULE III**  
**ANGLE PARKING ZONES**

Westside of Main Street from Railway Avenue South to 3<sup>rd</sup> Avenue South

**BYLAW 13-01**  
**SCHEDULE IV**  
**SPECIFIED PENALTIES**

<b>4</b>	<b>USE OF HIGHWAY</b>	
4.A.	Damage improvements to highway	\$500.00
4.B.	Break/Tear/Remove pavement/ Sidewalk/curbing without authorization	\$500.00
4.D.1)	Operate Motor Vehicle/Equipment equipped with metal cleats on a highway	\$500.00
4.D.2)	Operate Motor Vehicle/Equipment equipped with metal tracks on a highway	\$500.00
4.E.	Drive Motor Vehicle across open land owned by the Town	\$150.00
<b>5</b>	<b>OBSTRUCTION USE OF ROADWAY, SIDEWALK or BOULEVARD</b>	
5.A.	Interfere with lawful users of roadway/ sidewalk/boulevard	\$75.00
5.B.	Throw objects dangerous to public on roadway/sidewalk/boulevard	\$75.00
5.C.	Obstruct/Encroach upon a sidewalk/ roadway/boulevard	\$75.00
5.D.	Drain/Flush fluid from Motor Vehicle / Equipment onto a highway	\$100.00
5.E.1)	Operate/Permit to operate Motor Vehicle / Equipment in manner to track on highway	\$100.00
5.F.1)	Wash Motor Vehicle depositing mud/ creating ice/slush on highway/sidewalk	\$100.00
2)	Wash Motor Vehicle depositing grease/ oil/fuel on highway/sidewalk	\$100.00
5.G.1)	Place ice/dirt/debris/material onto a highway/sidewalk	\$100.00
2)	Place snow on a highway/sidewalk so as to obstruct traffic	\$100.00
5.H.	No person shall obstruct a Highway, boulevard, Alley or sidewalk:	\$100.00
(i)	nor sit or lie in any manner that obstructs or impedes convenient passage of pedestrians or vehicles;	\$100.00
(ii)	Nor solicit or harass a pedestrian whether verbally or by gesture;	\$100.00
(iii)	Nor approach and solicit from a pedestrian as a member of a group of three or more persons;	\$100.00
(iv)	No person shall solicit within 10 meters of the entrance to a Financial Institution, Automated Teller Machine, liquor store, a beer or wine store, a bar or a lounge, or any mobile food vendor	\$100.00
5.I.	No person shall enter a highway, boulevard, alley or side- walk for the purpose of Soliciting from the occupant of a motor vehicle whether that vehicle is in motion or at rest.	\$100.00



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**SPECIFIED PENALTIES CONT'D**

5.J.	No person shall stand or loiter on any highway, boulevard alley or sidewalk in such a manner as to obstruct or impede convenient passage of any vehicular or pedestrian traffic.	\$100.00
5.K.	No person shall solicit on any highway, boulevard, alley, sidewalk or other public place, between sunset on any given day and sunrise of the following day.	\$100.00
5.L.	No person shall urinate or defecate within any highway, boulevard, alley, sidewalk or other public place.	\$250.00
5.M.	No person shall loiter in any public building or entrance/ access	\$150.00
<b>6</b>	<b>PARKING</b>	
6.A.	Park motor vehicle in handicapped zone without permit	\$50.00
6.B.	Parked motor vehicle exceeding 5,500 kgs gross vehicle weight/6.0 meters in overall length on highway	\$75.00
6.C.	Parked on highway or other public property for a continuous period of time exceeding (72) seventy-two hours	\$50.00
6.D.	Parked motor vehicle in alley	\$50.00
6.E.	Parked motor vehicle within 3 meters of center line	\$50.00
6.F.	Angle parked Motor Vehicle in parallel parking zone	\$50.00
6.G.	Parked Motor Vehicle to interfere with traffic in a Cul-de-Sac	\$50.00
6.H.1)	Parked Motor Vehicle in a loading zone	\$50.00
6.H.2)	Parked Motor Vehicle obstructing a fire/emergency exit	\$100.00
6.H.3)	Parked Motor Vehicle in restricted parking zone	\$50.00
6.I.1)	Parked Motor Vehicle exceeding time limit Allowed	\$50.00
6.J.	Parked Motor Vehicle in unauthorized area	\$50.00
6.K.	Owner of garage/service station parked Motor Vehicle on highway	\$50.00
6.L.	Repair Motor Vehicle on highway	\$50.00
6.N.	Parked Utility Trailer on highway	\$50.00
6.O.	Parked Recreation Trailer exceeding time limit allowed	\$50.00

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**SPECIFIED PENALTIES CONT'D**

<b>7</b>	<b>PARKING PERMITS</b>	
7.A.	Parked on highway without a permit	\$50.00
7.B.	Display unauthorized parking permit	\$100.00
<b>8</b>	<b>PRIVATE PROPERTY</b>	
8.A.	Parked motor vehicle on private property without permission from land owner	\$50.00
<b>9</b>	<b>BICYCLES</b>	
9.A.	Parked/leave/abandon bicycle on a sidewalk	\$50.00
<b>10</b>	<b>GOODS FOR SALE</b>	
10.A.	Display/Sell goods on highway	\$100.00
10.D.	Failure to remove all signage/advertising of garage sale yard sale or moving out sale	\$100.00
<b>11</b>	<b>ADVERTISING</b>	
11.A.	Use audible device to promote/advertise a sale/exhibit/event/business without authorization	\$100.00
<b>13</b>	<b>SPEED LIMITS</b>	
13.A.	Exceed posted speed limit	As per Section 115(2) (p) of the Traffic Safety Act
13.B.	Exceed 30km/hr during school hours	As per Section 53 (5) of the Use of Highway and Rules of the Road Regulations.
<b>14</b>	<b>OFF HIGHWAY VEHICLES</b>	
14.A.	Operate Off-Highway Vehicle within Town limits other than leaving Town by the most direct route	\$100.00
14.B.	Operate/Permit to operate/drive Off-Highway Vehicle between 10 pm and 8 am within town	\$100.00
14.C.	Off-Highway Vehicle exceeding 15 km/hr within Town limits.	As per Section 115 (2) (p) of the Traffic Safety Act.

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**SCHEDULE IV**  
**SPECIFIED PENALTIES CONT'D**

14.E.	Operate Off-Highway Vehicle without Wearing a CSA approved helmet	\$100.00
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**15 FIRES**

15.A	Pass/Walk/Drive within location of fire as designated by Peace Officer or Fire Department	\$100.00
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**16 RIGHTS AND DUTIES OF PEDESTRIANS**

16.A.	Pedestrian obstruct/interfere with Motor Vehicle/Other pedestrians	\$100.00
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