



BYLAW

Bylaw Number:876/18

A BYLAW OF THE MUNICIPALITY OF THE TOWN OF BASSANO IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE VEHICLE AND PEDESTRIAN TRAFFIC

1. PURPOSE:

- 1.1 WHEREAS the *Traffic Safety Act* authorizes a municipality to regulate and control vehicle traffic as well as parking on streets and property within the municipality;
- 1.2 AND WHEREAS the *Municipal Government Act* allows a municipality to pass Bylaws as well as designate authority with respect to streets under its direction, control, and management;
- 1.3 NOW THEREFORE, the Council of the Town of Bassano in the Province of Alberta enacts a Bylaw to regulate Vehicle and Pedestrian Traffic in the Town of Bassano as follows:

2. INTERPRETATION

- 2.1 This Bylaw may be cited as the “Bassano Traffic Bylaw”
- 2.2 For the purposes of this Bylaw, all definitions and interpretations of the Traffic Safety Act and all subsequent regulations shall apply, unless otherwise defined in this Bylaw, as follows:
- 2.2.1 “**Alley**” means a Roadway which primarily serves to provide access to the rear of buildings and parcels of land.
- 2.2.2 “**CAO**” means the person appointed by Council to be the Chief Administrative Officer of the Town in accordance with the *Municipal Government Act*, R.S.A. 2000, c M-26 as amended or repealed and replaced from time to time.
- 2.2.3 “**Council**” means the municipal council of the Town of Bassano, duly assembled and acting as such.
- 2.2.4 “**Curb**” means the concrete or asphalt edge of a Highway, or in the absence of one, the dividing line between the edge of the Highway and a Boulevard or sidewalk.

2.2.5 “Heavy Vehicle” means a Commercial Vehicle, or a Vehicle with trailer attached, having a maximum gross Vehicle weight of 8500 kg or more, or 11 meters in total length. A heavy vehicle does not include a recreational vehicle.

2.2.6 “Highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of Vehicles and includes:

- A. A sidewalk, including a boulevard adjacent to the sidewalk,
- B. If the ditch lies adjacent to and parallel with the roadway, the ditch, and
- C. If the ditch lies adjacent to and parallel with the roadway, the ditch, and If a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be

but does not include a place declared by regulation not to be a highway;

2.2.7 “Obstruction” means an encroachment, excavation, structure, or other obstacle, which interferes or may be expected to interfere with sight lines, or the safe passage, maintenance or use of Highways or public places by Vehicles or pedestrians.

2.2.8 “Off-Highway Vehicle” is defined in Section 117 of the *Traffic Safety Act*, R.S.A 2000, c T-6, as amended, repealed, or replaced.

2.2.9 “Parkland” means any grassed, cultivated or otherwise improved land used for the purposes of a playground or recreation area, any public park, parkway or square. This definition shall not include golf courses.

2.2.10 “Passenger Vehicle” means a vehicle used solely for personal transportation or the carriage of goods intended for the sole benefit of the vehicle’s owner or owners’ household.

2.2.11 “Town” means the Town of Bassano

3. TRAFFIC CONTROL DEVICES

3.1 The CAO is hereby delegated the authority to prescribe where traffic control devices are to be located on Highways in the Town.

3.2 The CAO is hereby delegated the authority to prescribe, by the placement of traffic control devices, the location of school, playground, and other speed zones.

3.3 Any owner or authorized representative of a commercial or industrial property may erect traffic control devices for the purposes of restricting, controlling, designating, or regulating of vehicle activity on the owner’s property.

3.4 The CAO shall keep a record of the location of all traffic control devices placed pursuant to this section by the Town.

3.5 No person shall post or exhibit or cause to be posted or exhibited, any notice, placard, bill or printed matter or other type of notice whatsoever upon any traffic control device, unless approved in writing by the CAO.

3.6 No person may act contrary to any traffic control device, regardless of whether that traffic control device is on public or private property.

3.7 The Town may cause temporary traffic control devices to be placed upon a portion of a Highway or other place, to facilitate construction, maintenance, repair work or any other reason.

3.8 All temporary traffic control devices carry the same authority and penalty as permanent traffic control devices.

3.9 Temporary traffic control devices shall supersede any other traffic control device located in the vicinity.

3.10 No person shall alter, move, deface, or in any way change any traffic control device, unless duly authorized by the CAO.

4. RULES FOR THE OPERATION OF VEHICLES

4.1 No vehicle shall be left upon any Highway in such a manner as to block, obstruct, impede, or hinder traffic thereon.

4.2 Notwithstanding Subsection 4.1 of this Bylaw, where the obstruction is unavoidable due to mechanical failure the operator will not be in breach of this Bylaw provided they promptly take measures to remove such vehicle from the Highway and activate warning or hazard lights.

4.3 No person shall drive or pull onto or upon a highway a vehicle containing a load unless the load is completely covered by a tarpaulin or other device secured in such a manner that no portion of the load can escape, blow, drop, spill, or fall from the vehicle onto a highway or land adjacent thereto.

4.4 In the event that any load or any portion thereof, or other material being carried by a vehicle, becomes loose, detached, blows, drops, spills, or falls from any vehicle onto any Highway so as to become an obstruction, the operator of that vehicle shall immediately take all reasonable precautions to draw the attention of other users of the highway to the presence of the obstruction and shall take any required action to remove the obstruction material(s) from the highway as soon as safely possible.

4.5 No person shall operate a vehicle having metal spikes, lugs, tracks, cleats, skids, or bands projecting from the surface of the wheel or tire of the vehicle, upon a highway, unless a permit has been issued by the Town.

4.6 Subsection 4.5 of this Bylaw does not apply to the use of studded tires or tires with chains.

4.7 No person shall operate a vehicle on a highway in contravention of the weight restrictions imposed pursuant to a road ban issued under this Bylaw or any other temporary road ban in place.

4.8 No person shall operate engine retarder brakes within the Town limits.

5. SPEED LIMITS

- 5.1 No person shall drive a vehicle in any alley at a speed more than fifteen (15) kilometers per hour.
- 5.2 Unless otherwise posted, no person shall operate a vehicle on any highway within the Town of Bassano at a speed more than forty (40) kilometers per hour.
- 5.3 No person shall drive a vehicle in a designated playground zone or designated school zone at a speed more than thirty (30) kilometers per hour between the hours of 7:30am and 8:30pm, 7 days a week.

6. PARKING

- 6.1 No person shall fail to park a vehicle fully within the marked boundaries of a parking space, where the boundaries of that parking space are marked out by painted boundary lines or are otherwise designated in a manner that indicates the physical limits of that parking space.
- 6.2 No person shall park:
- 6.2.1 a vehicle upon any portion of a highway when such stopping or parking will impede or obstruct traffic;
 - 6.2.2 a vehicle at any location where the vehicle may, in any way, interfere with the use or proper operation of a fire or emergency exit from any building abutting the highway;
 - 6.2.3 a heavy vehicle on any highway or private driveway in any area of the Town designated as a residential area except when such vehicle is actively engaged in a bone fide delivery, transport, or other similar activity;
 - 6.2.4 a vehicle which is not a passenger vehicle on any Highway for a period exceeding seventy-two (72) hours;
 - 6.2.5 a vehicle in any park, playground, or greenspace except on such part that Council may designate;
 - 6.2.6 a vehicle on any highway which impedes or prevents access to a fire hydrant by fire suppression equipment;
 - 6.2.7 a vehicle on any highway for the purpose of making repairs to the vehicle;
 - 6.2.8 a vehicle in contravention of any traffic control device posted at the location;
 - 6.2.9 a vehicle within one (1) meter of the access between a highway and a private driveway, or in any manner, to obstruct or impede access to a private driveway without the express permission of the owner of the property serviced by the private driveway;
 - 6.2.10 a vehicle on or within a sidewalk, walkway, or designated pedestrian lane;
 - 6.2.11 a vehicle in such a way that impedes the use of an alley by another vehicle, except for the immediate loading or unloading of goods or people for a period not exceeding thirty (30) minutes.

6.3 Notwithstanding Section 6.2, an emergency vehicle, public utility vehicle, municipal or government vehicle, funeral vehicle, or towing service vehicle may park on a Highway as necessary in the performance of their duties.

6.4 No person shall park a vehicle in a parking space reserved for handicapped persons, unless the vehicle displays a license plate or portable placard issued by the Province of Alberta, Canadian or other authorized jurisdiction, bearing the universal handicapped parking symbol.

6.5 No person shall park a motorhome, trailer, recreational vehicle, or other such vehicles equipped with sleeping facilities on any highway for the purposes of accommodation outside of a campground, or other area authorized by Council.

6.6 Where a Peace Officer has reasonable grounds to believe that:

6.6.1 A vehicle has been left unattended on a highway in a manner that may obstruct the normal movement of traffic;

6.6.2 A vehicle is parked on a highway in contravention of this Bylaw, including the provisions of any traffic control device;

6.6.3 A vehicle is parked on a highway in a manner that impedes or prevents access to a fire hydrant by fire suppression equipment;

6.6.4 A vehicle is parked in a manner that impedes advertised Town snow removal; or

6.6.5 A vehicle is parked in a manner that impedes emergency or municipal operations

That Peace Officer may cause that vehicle to be removed, relocated, or impounded by the Town.

7. OBSTRUCTIONS

7.1 No person shall construct or place an obstruction of any kind in, upon, or above any highway unless a permit is granted by the Town.

7.2 Application must be made, in a form prescribed by the Town, requesting to place any obstruction.

7.3 Any person who, after having been issued a permit under Subsection 7.2 of this Bylaw, fails to comply with the terms and conditions of that permit shall be guilty of an offence and shall, in addition to any other penalty, remove the obstruction within twenty-four (24) hours after receiving notice to do so. If an obstruction is not removed within twenty-four (24) hours, the Town may cause the removal of the obstruction and such removal shall be at the expense of the person causing, placing or permitting the obstruction on the highway or public place.

7.4 In the event of an emergency or where the obstruction is deemed to pose a danger to users of a highway, the Town may cause the immediate removal of the obstruction without notice.

7.5 The permit holder shall be required to produce the permit upon request of the Chief Administrative Officer or authorized designate.

7.6 Where an obstruction of any kind exists in, upon or above a highway or public place and creates an unsafe condition, the Town shall be entitled to take such measures as are required for the protection of life or property.

7.7 Notwithstanding the above, the Town of Bassano may place temporary obstructions as deemed necessary for the purposes of repairs, maintenance, or other activities of the Town.

8. SPECIAL EVENTS

8.1 No person shall close, obstruct, or restrict access to any highway for a special event without a permit issued by the Town.

8.2 Application must be made, in the form prescribed by the Town, requesting the closure of highways for special events.

8.3 When considering issuance of a permit for a special event, the CAO or their designate, shall consider the nature of the event. The CAO, in their sole discretion, may refuse a permit to any event which may not serve the interest and benefit of the Town.

8.4 Appeal of a refused permit may be made to Council within 21 days of the refusal. Council's decision shall be final.

8.6 The CAO, or their designate, may temporarily suspend parking on all or portions of the highway(s) granted by permit by posting no parking signs.

8.7 The CAO, or their designate, may close all or portions of the Highway(s) granted by permit prior to, during, and following the event for whatever time as deemed necessary to clear the highway for normal use.

9.0 TRUCK ROUTES

9.1 Except as otherwise provided for in this Bylaw, no person shall operate a heavy vehicle on any Highway, except:

9.1.1 1st Street

9.1.2 8th Street from 1st Avenue to 2nd Avenue

9.1.3 10th Street

9.1.4 11th Street

9.1.5 1st Avenue

9.1.6 2nd Avenue from 8th Street to 11th Street

9.1.7 3rd Avenue from 10th Street to 11th Street

9.1.8 4th Avenue from 10th Street to 11th Street

9.1.9 5th Avenue from 7th Street to 11th Street

9.1.10 The road formerly designated as the Trans-Canada Highway and all of its access roads within Town limits

9.2 Notwithstanding Subsection 9.1, the CAO may in their sole discretion, issue a special permit authorizing the movement or parking of heavy vehicles on certain highways.

9.3 A person driving a heavy vehicle on a route authorized by special permit must produce the same when requested to do so by a Peace Officer.

9.4 No person shall operate a heavy vehicle on any highway not designated under this Bylaw as a truck route.

9.5 The following Persons shall not be deemed to be operating a vehicle in contravention of Subsection 9.1 of this Bylaw if the vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest Truck Route for the purposes stated herein:

9.5.1 Persons delivering or collecting goods or merchandise, or providing services at the premises of a customer of the person operating the heavy vehicle or the owner of that heavy vehicle.

9.5.2 Persons travelling to or from the business premises of the owner of the heavy vehicle.

9.5.3 Persons operating a heavy vehicle engaged in the moving of a structure or building for which a Permit has been granted by the Town.

9.5.4 Persons travelling to or from commercial premises involved in the servicing or repair of heavy vehicles.

9.5.5 Persons towing or pulling a disabled vehicle from a highway that prohibits heavy vehicles.

9.5.6 Persons travelling to or from the location of a properly authorized construction, maintenance, or repair work on a highway, or while actually performing authorized construction, maintenance or repair work on a highway.

9.5.7 Persons operating a bus, including a school bus, chartered bus, or transit bus while picking up, transporting, or depositing passengers.

10. SIDEWALKS, PATHS AND PEDESTRIAN LANES

10.1 In areas that are not serviced by a sidewalk on either side of a highway, Council may designate all or a portion of a highway as a designated pedestrian lane.

10.2 Designated pedestrian lanes must be painted on the highway surface showing the boundaries of the designated pedestrian lane.

10.3 Pedestrians and cyclists are permitted to use a sidewalk, pathway, boulevard, or designated pedestrian lane.

10.4 No Person shall cycle, skate, or use other similar devices in such a way to interfere with a pedestrian on the same sidewalk, pathway, boulevard, or designated pedestrian lane.

10.5 No Person shall use any engine-driven wheeled device of any kind, except for medical assistive devices, on any sidewalk, pathway, boulevard, or designated pedestrian lane.

10.6 Notwithstanding Subsection 10.5, an engine-driven wheeled device may be used on a sidewalk, pathway, boulevard, or designated pedestrian lane providing that the engine is disengaged and the device is only propelled by manual power.

10.7 Notwithstanding Subsection 10.5, the Town of Bassano, or agents of the Town, may use vehicles or equipment on sidewalks to perform any repair, maintenance, inspection, or replacement tasks as deemed necessary or desirable by the Town.

10.8 No Person shall use a Town sidewalk, pathway, boulevard, or designated pedestrian lane for the commercial display and/or sale of goods, except where permission has been granted by the CAO.

10.9 Notwithstanding Subsection 10.10, areas designated in the Town of Bassano Land Use Bylaw #845/13 as "C1-Retail/General Commercial" or "C2-Highway Commercial" may use sidewalks, pathways, boulevards, or designated pedestrian lanes, providing that there is no obstruction or impediment to pedestrian traffic.

10.9.1 Determination of whether a commercial display obstructs or impedes pedestrian traffic shall be at the sole discretion of the CAO or their designate, or a Peace Officer.

10.9.2 If a commercial display is determined to be obstructing or impeding pedestrian traffic, the CAO or their designate, or a Peace Officer, may demand the property owner remove the display, or if necessary cause the display to be removed at the sole cost of the property owner.

10.10 No person shall place or cause to be placed any electrical cord over a sidewalk, unless it is either suspended a minimum of two and one half (2.5) meters above the sidewalk or covered with an appropriate high-visibility cord ramp & cover.

10.11 The owner of a property adjacent to a sidewalk shall remove, or cause to be removed, any snow, ice, debris, dirt, or other materials deposited on the sidewalk within 24 hours of such material having been deposited to a "bare pavement" or "bare cement" standard.

10.12 No person shall place, or cause to be placed, any snow, ice, debris, dirt, or other materials from a sidewalk or from a private property onto a Highway, or any other Town owned or controlled property without the written consent of the Town.

10.13 In the event that an owner or occupier of a property fails or neglects to remove snow, ice, debris, dirt, or other materials from a sidewalk within 24 hours of such material being deposited, the Town, or any agent of the Town, may provide notice requiring the owner or occupier of a property to cause the same to be removed by the time indicated on the notice.

10.14 A notice to an owner or occupier of a property to remove any snow, ice, debris, dirt, or other materials from a sidewalk shall provide for a minimum of 24 hours from the time the notice is left to the time any snow, ice, debris, dirt, or other materials from a sidewalk must be removed.

10.15 In the event that an owner or occupier of a property fails or neglects to remove any snow, ice, debris, dirt, or other materials from a sidewalk by the time indicated in a notice provided by the Town, the Town may cause for the material(s) to be removed from such sidewalk, and may charge the cost of the work to the owner.

10.16 Amounts charged to the owner under Subsection 10.17 may be transferred to the tax roll of the property when 60 days past due.

11. OFF HIGHWAY VEHICLES

11.1 No person shall operate any off highway vehicle within the town except on land owned by that person, or land owned by some other person with the consent of that person, or with the written permission of the Chief Administrative Officer to operate on public property.

11.2 Off highway vehicles allowed to operate on public property must be duly registered and insured pursuant to the *Traffic Safety Act*.

11.3 Subsection 11 of this Bylaw shall not apply to off highway vehicles operated by the employees or authorized agents of the Town of Bassano engaged in the performance of authorized duties.

11.4 Notwithstanding Section 11.1 of this Bylaw, a person may operate a "golf cart" within the Town of Bassano limits from the point of origin to the Bassano Golf Club, and returning to the point of origin, by the most direct route possible, at a speed no greater than thirty (30) kilometers per hour.

11.5 Notwithstanding Section 11.1 of this Bylaw, a person may operate an a motorized medical assist device on a highway within the Town of Bassano limits at a speed no greater than thirty (30) kilometers per hour.

12. ENFORCEMENT AND PENALTIES

12.1 Except as otherwise provided herein, any person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable, upon summary conviction, to the fine as set out in Schedule "A" of this Bylaw.

12.2 Notwithstanding the specified or minimum penalties set out in Schedule "A" of this Bylaw:

12.2.1 if a person is convicted twice of the same provision of this Bylaw within a twelve (12) month period, the minimum or specified penalty for the second conviction shall be one-and-a-half times (1.5x) the specified penalty for the first offense;

12.2.2 if a person is convicted three or more times of the same provision of this Bylaw within a twelve (12) month period, the minimum or specified penalty for the second conviction shall be two times (2x) the specified penalty for the first offense.

12.3 A Bylaw Officer or Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Bylaw Officer or Peace Officer has reasonable and probably grounds to believe has contravened any provision of this Bylaw.

12.4 A Violation Ticket shall be served on the person in accordance with Part II the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.

13. GENERAL PROVISIONS

13.1 Upon the coming into force of this Bylaw, the following Bylaws shall be repealed:

13.1.1 Bylaw #745/96 – Traffic Bylaw

13.1.2 Bylaw #770/00 – Traffic Bylaw Amendment

13.2.5 Bylaw #779/01 – Traffic Bylaw Amendment

13.2.4 Bylaw #846/13 – Sidewalk Snow & Ice Removal Bylaw

(The remainder of this page was intentionally left blank)

13. EFFECTIVE DATE AND READINGS

- 13.1 This bylaw comes into effect upon the 1st of July, 2018.
- 13.2 Read a **first** time this 23rd day of April, 2018.
- 13.3 Read a **second** time this ____ day of _____, 2018.
- 13.4 Read a **third and final** time this ____ day of _____, 2018.

TOWN OF BASSANO

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

SPECIFIED PENALTIES

Section 3.4	\$100.00
Section 3.9	\$250.00
Section 4	\$100.00
Section 6	\$100.00
Section 7	\$100.00
Section 9	\$500.00 + costs of any damage to roadways caused
Section 10	\$100.00
Section 11	\$100.00