



BYLAW C-8427-2023

A bylaw of Rocky View County to control and regulate the use of highways and public places within the urban and rural service areas of Rocky View County, the traffic and pedestrians moving thereon and the parking of vehicles on highways.

WHEREAS section 7 of the *Municipal Government Act* provides that a council may pass bylaws with respect to the safety, health, and welfare of people, and the protection of people and property, as well as people, activities, and things in, on, or near a public place, or a place that is open to the public;

AND WHEREAS section 203 of the *Municipal Government Act* provides that a council may by bylaw delegate any of its powers, duties, or functions under this or any other enactment or a bylaw to a council committee or any person unless an enactment or bylaw provides otherwise;

AND WHEREAS section 209 of the *Municipal Government Act* provides that a chief administrative officer may delegate any of their powers, duties, or functions under this Act, including their duties referred to in section 208(1), or under any other enactment or bylaw to a Designated Officer or an employee of the municipality;

AND WHEREAS sections 13 and 14 of the *Traffic Safety Act* provide that a municipality may regulate the operation of off-highway vehicles along highways within the municipality's care and control;

AND WHEREAS sections 13 and 14 of the *Traffic Safety Act* authorize a council to make bylaws to regulate and control vehicle, and pedestrian traffic;

AND WHEREAS sections 13 and 14 of the *Traffic Safety Act* provide that a local authority may make bylaws with respect to highways under its direction, control and management, designating the route and time of travel of vehicles transporting dangerous goods, prohibiting the carriage of dangerous goods, and specifying restrictions or conditions to ensure the safe transportation in or by a means of transport, safe storage and controls necessary for public safety;

AND WHEREAS sections 13 and 14 of the *Traffic Safety Act* provide that the minister may, by order in writing, authorize the council of Rocky View County, or the Minister of Municipal Affairs in the case of a special area, improvement district, municipality, town, or village, to increase, limit, or restrict the maximum gross weight that may be borne by a tire, an axle or an axle group, or any of them, or the maximum gross weight that may be borne by a vehicle or combination of vehicles on a rural road or street, for a period or periods that the council determines;

AND WHEREAS the Minister, pursuant to section 2 of the *Highways Development and Protection Act*, may by order, designate any existing highway as a provincial highway, and has the direction, control, and management of all provincial highways.



NOW THEREFORE, the Council of Rocky View County, in the Province of Alberta, duly assembled, enacts as follows:

Title

1 This bylaw may be cited as the *Roads and Transportation Bylaw*.

Application

2 This bylaw does not apply to:

- (1) provincial highways;
- (2) public roads within an Indian Reserve; and
- (3) Rocky View County and its contractors while the operator is engaged in the course of their employment.

Definitions

3 Words in this bylaw have the same meaning as set out in the *Traffic Safety Act* except for the definitions provided in Schedule 'A' of this bylaw.

Operation of Vehicles

4 No person shall stop a vehicle or permit a vehicle to be left upon any highway in such a manner to block, obstruct, impede, or hinder traffic on the highway.

5 Notwithstanding section 4 of this bylaw, where the obstruction caused by a vehicle is unavoidable due to mechanical failure, the person will not be in breach of section 4, provided the person promptly takes measures to remove such vehicles from the highway.

6 No person shall drive on or over a hose, line, or similar equipment of the County that has been placed on a roadway, in the event of an emergency, except where the express consent of an official from the County has been obtained.

7 No person shall operate, park, or place a motor vehicle on or across any sidewalk, boulevard, ditch, park, utility lot, utility right of way, municipal reserve, or other publicly owned lands, including pathways, not designated for vehicular use.

8 No person shall drive or walk on or over newly installed thermal inlay, painted line, epoxy, or other material, on any roadway where a work zone is posted.



- 9 No person shall operate on a highway:
 - (1) a vehicle or trailer having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire on such vehicle, unless designated by way of a traffic control device; or
 - (2) any vehicle or trailer having skids or tracks.
- 10 No person shall operate a vehicle within a school zone, on any day in which school is held, at any rate of a speed greater than 30 kilometres per hour as per the hours posted on the traffic control device.
- 11 No person shall operate a vehicle within a playground zone at any rate of speed greater than 30 kilometres per hour between the hours of 08:30 to one hour after sunset.

Pedestrians

- 12 No person shall stand on any highway, crosswalk, boulevard, or sidewalk in such a manner as to:
 - (1) obstruct vehicular or pedestrian traffic;
 - (2) engage in panhandling, annoy, or inconvenience any other person lawfully upon such highway, crosswalk, boulevard, or sidewalk; or
 - (3) obstruct the entrance to any building.
- 13 Nothing in this bylaw shall be construed as prohibiting the assembling of persons for the purpose of watching a duly authorized parade or procession.

Parking

- 14 No person shall park a vehicle on any portion of a highway marked by a temporary County "No Parking Sign," for the purposes of allowing County employees or contractors to repair, clear, or clean the highway during any days that the "No Parking Sign" is in effect. Any vehicles that are parked in violation of this section may be towed from the portion of the highway being cleaned, cleared, or repaired, at the owner's expense.
- 15 No person shall park a vehicle in any alley unless a traffic control device otherwise permits, except for the following purposes:
 - (1) the loading or unloading of goods from a commercial vehicle for a period not exceeding 30 minutes;
 - (2) the loading or unloading of goods or passengers from a vehicle other than a Commercial vehicle for a period not exceeding 5 minutes; or



- (3) the loading or unloading of a handicap person.
- 16 No operator or owner of a vehicle shall cause or permit the vehicle to be parked in an alley in such a manner or in such circumstances so as to leave available less than 3 metres of the width of the roadway of the alley free and clear of all obstructions to allow the free movement of other vehicular traffic therein.
- 17 No operator or owner of a vehicle shall stop or park or permit the stopping or parking of a vehicle in such a manner that the vehicle is in front of or within 1 metre of the side of any refuse container or storage area located in any alley.
- 18 Where a traffic control device restricts the parking of vehicles to a specific time limit, it shall be an offence to park a vehicle in excess of the time or dates posted, except for the following class of vehicle(s):
 - (1) vehicles being used by government employees and identified as such (municipal, provincial, or federal) while the operators are engaged in the course of their employment; or
 - (2) marked public utility vehicles, while the operators are engaged in the course of their employment.
- 19 No person shall park a vehicle or permit a vehicle to be parked on any land owned by the County that the County uses or permits to be used as a playground, recreation area, utility lot, or public place, except in such areas designated or posted for parking.
- 20 No person shall park a vehicle or permit a vehicle to be parked in any parking space upon land owned or controlled by the County where such space has been reserved, as indicated by a traffic control device, for a vehicle operated by a County employee, or Council Member.
- 21 No person shall park or permit to be parked, any trailer upon any highway unless the said trailer is attached to a motor vehicle by which it may be propelled or drawn and when so attached, the trailer shall be deemed part of the motor vehicle and subject to the provisions pertaining to motor vehicles; a County service vehicle is excluded from this section.
- 22 No person shall occupy or permit any other person to occupy a mobile unit upon a highway or upon County property unless such property has been designated for use as a campground.
- 23 No person shall park a heavy vehicle (bus, commercial vehicle, farm equipment, farm vehicle, implement of husbandry) of any design or capacity on any highway or municipal land:
 - (1) within a hamlet;



- (2) within any area of the County designated as a residential district except when such vehicle is actively engaged in a bona fide delivery, transport, or similar activities; or
 - (3) within any area designated in Direct Control District 120 (DC 120), or as amended from time to time, outlined in the County *Land Use Bylaw*.
- 24 Nothing in this part shall be construed as to allow parking contrary to any other provision of this bylaw.
- 25 A person being in charge or control of a garage, service station, or other premises where repairs or installations are made to vehicles for compensation, shall not park or permit to be parked a vehicle that is left in their possession for the carrying out of repairs or installations or for any such related purpose, on a highway unless specifically required or permitted by:
 - (1) another provision of this or another bylaw;
 - (2) a traffic control device; or
 - (3) the *Traffic Safety Act*.
- 26 No person shall stop or park a motor vehicle on a highway identified as a disabled parking zone unless the disabled persons vehicle displays a valid disabled placard or license plate issued or recognized by the Alberta Registrar and is being used for the transportation of a person with a disability.
- 27 Pursuant to section 26 of this bylaw, when the disabled persons vehicle is identified by a valid disabled placard, the owner or operator shall have such valid placard hung from the vehicle's rear-view mirror with the registration number and expiry date visible and legible from outside the vehicle while the vehicle is stopped or parked.
- 28 No operator or owner of a vehicle shall stop or park or permit the stopping or parking of the vehicle in a manner where the vehicle may interfere with the use of a doorway marked on the exterior as a fire or emergency exit from any building.
- 29 A person shall not park or stop a vehicle or permit such vehicle to remain parked or stopped in such a manner as to interfere with the proper operation of any vehicle used by the Fire Service or any other emergency vehicle.
- 30 An Enforcement Officer may cause any vehicle parked contrary to section 4 and sections 14 through 29 of this bylaw to be immediately removed and taken to and stored at a suitable location at the sole expense of the owner or operator of the vehicle.



- 31 No person shall park or permit to be parked any vehicle on any highway for the purposes of effecting repairs to the vehicle, excepting only to effect emergency repairs in the case of a breakdown not allowing a vehicle to be moved.
- 32 No person shall park or permit to be parked on any highway, any non-operative motor vehicle.
- 33 Section 32 of this bylaw does not apply to a vehicle that has been parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that they have taken immediate action to arrange for the removal of the vehicle forthwith.
- 34 No person shall leave the engine of a vehicle idling in a hamlet or a residential district for a continuous period of time that is longer than 20 minutes.

Dangerous Goods Vehicles

- 35 No person shall park or permit to be parked, a heavy vehicle on a highway in a hamlet or residential district, where that vehicle is loaded with any amount of dangerous goods.
- 36 Section 35 of this bylaw does not apply:
- (1) where the heavy vehicle is parked while loading or unloading the dangerous goods in the ordinary course of business; and
 - (2) to the fuel in the tank or tanks of the carrier, provided the fuel is carried in permanently mounted tanks with direct lines to the carrier's fuel system.

Commercial Vehicles and Truck Routes

- 37 No person shall operate a heavy vehicle on a highway that is designated as a no truck route unless a permit or authorization has been granted by the Chief Administrative Officer.
- 38 No person who owns, operates, or controls a vehicle equipped with engine retarder brakes shall allow such brakes to be engaged on any highway within Rocky View County's jurisdictional authority where the use of engine retarder brakes is prohibited by signage.
- 39 No person shall operate a vehicle in respect of which an overload or over dimensional permit has issued pursuant to the *Traffic Safety Act* on a highway under the direction, control, and management of the County unless:
- (1) the Chief Administrative Officer has given approval;



- (2) the owner, operator, or mover of the vehicle shall agree to be responsible for all damages that may be caused to the highway by reason of driving, operating, or moving of any such vehicle upon the highway; and
- (3) if requested by the Chief Administrative Officer, the owner, operator, or mover of the vehicle provides a security in the form of a letter of credit or certified cheque sufficient to cover the cost of repairing possible damages to the highway, landscaping, and street furniture in an amount satisfactory to the County.

- 40 A person who holds a permit shall be responsible for all costs and expenses incurred by the County for the repair of any curb stops, valves, hydrants, sidewalks, curbs, pavement, road surface or subgrade, landscaping and any other such appurtenances to highways resulting from hauls made pursuant to any permits issued under this bylaw.
- 41 The Chief Administrative Officer may, at their discretion, cancel or suspend a permit without notice, and may consider factors including, but not limited to weather, environmental hazards, and vehicular traffic.

Miscellaneous

- 42 No person shall place any electric cord, hose, ropes, and pipe or like obstruction above or across a highway or sidewalk.
- 43 Notwithstanding section 42 of this bylaw, an electrical cord may be suspended from private property to a highway if said cord is suspended not less than 2.4 metres above the surface of a sidewalk and supported by sturdy poles or stanchions firmly and suitably anchored in the owner's property. The said poles or stanchions may only be erected and remain in place from November 1 to March 31 of any year.
- 44 No person shall cause or allow oil or any chemical or any liquid to be deposited or disposed of on a highway without obtaining permission to do so from the County.
- 45 No person shall perform any repairs or construction work to any highway, sidewalk, or boulevard without permission to do so from the County.
- 46 No person shall use any implement of husbandry or machine to cultivate or harrow or in a way disturb or damage the side slope or back slope portion of a highway without permission to do so from the County.
- 47 No person shall operate, or permit to be driven or operated, any vehicle or equipment of any nature or kind in such a manner as to track upon a highway under Rocky View County's jurisdictional authority.
- 48 Any person who tracks upon a highway shall be liable to clean up or remove the substance or material tracked upon the highway.



- 49 All loads of earth, sand, gravel, or other loose material shall be completely covered and secured by a tarpaulin or other covering.
- 50 In the event that any part of a vehicle's load becomes loose or detached or blows, drops, spills, or falls from any vehicle onto any County highway, it shall be the duty of the operator or registered owner of the vehicle to forthwith take all reasonable precautions to safeguard traffic and to remove such material from such County highway.
- 51 The Chief Administrative Officer may order the person who left or allowed to be left or placed litter or load, to remove same within a period of 24 hours and, in default, the Chief Administrative Officer shall cause the litter to be removed. In cases where an immediate public hazard is created, in the opinion of the County or its duly authorized representative, notice as provided for above is not required.
- 52 No person shall:
- (1) damage, deface, paint, chalk, stencil or mark any highway, utility furniture or street furniture;
 - (2) place any advertising, object that includes any video/audio recording devices, legend, or sign of any kind upon any highway, utility furniture or street furniture;
 - (3) post or exhibit or cause to be posted or exhibited any notice, placard, bill or printing or other type of notice whatsoever upon any highway, utility furniture, or street furniture;
 - (4) remove any traffic control device or other street furniture or utility furniture;
 - (5) climb or interfere with any utility furniture such as a bridge, telephone pole, signal service, fire alarm, electric wire, lamp, post, tower, or pole connected with the lighting, gas, telephone, transit, fire protection system or any other utility system or work of the County; or
 - (6) relevant to subsections 2 and 3 above, any person responsible for the placing, posting, or exhibiting, shall remove or cause the removal of such within 24 hours of being notified to do so by the Chief Administrative Officer. After the expiration of the said 24 hours, the Chief Administrative Officer shall remove or cause the removal of such obstruction at the sole cost of the person responsible for the placement, posting, or exhibition of the item. If the item has not been retrieved by the owner within 30 days, the Chief Administrative Officer can dispose of the item.
- 53 No person shall encroach, place, or construct any temporary or permanent object so that it encroaches or obstructs any highway, or other public place.



- (1) The Chief Administrative Officer may approve temporary encroachments for up to 30 days, which impose only minor controlled impact on traffic or parking, with conditions including suspension of existing or imposing temporary parking restrictions.
- 54 Any person placing or causing any obstruction to be placed in or upon any highway, curb or public place shall remove or cause the removal of such obstruction within 24 hours of being notified to do so by the Chief Administrative Officer. After the expiration of the said 24 hours, the Chief Administrative Officer shall remove or cause the removal of such obstruction at the sole cost of the person responsible for the obstruction.
- 55 No person shall break, tear, or remove any planking, pavement, sidewalk, curb, concrete, or other road surface, nor make any excavations in or under any highway, lane, park, or public place in the County without first obtaining authorization from the Chief Administrative Officer.
- 56 The owner, assessed owner, tenant, or occupant of any land adjoining any highway or public place in the County shall cause all trees, shrubs and bushes that overhang the highway or public place to be properly trimmed, and cut back, to prevent the obstruction of pedestrians or vehicles and/or the interference with good visibility for safe traffic flow.
- 57 No person shall remove dirt, debris, or any other material from any sidewalk by causing such material to be placed upon any other portion of the highway or other public place.
- 58 No person shall place, or permit to be placed, any snow, ice, dirt, debris, or other material removed from private property onto the highways or other public places of the County.
- 59 No person shall cast, project, or throw any stones or other projectiles dangerous to the public, or use a bow and arrow, catapult, or other such contrivance on, onto or across any highway or other public place.
- 60 No person responsible for the delivery of construction materials or who is responsible for a construction site shall permit materials delivered to the site to remain on a roadway or sidewalk beyond the end of the day the material is delivered.
- 61 A person riding a bicycle, roller skates, in-line skates, skateboard, riding on a coaster, sled, skis, toy vehicle, or a similar device on any sidewalk, footpath, or walkway where pedestrians are also allowed, shall ride only in such a way that it will not interfere with a pedestrian lawfully on or using the said sidewalk, footpath or walkway and shall, at all times, obey all traffic control devices.
- 62 No person traveling on a bicycle, roller skates, in-line skates, skateboard, riding on a coaster, sled, skis, toy vehicle, or a similar device shall cling to or attach themselves to a vehicle on a roadway.



- 63 No person shall operate a vehicle on a roadway having in tow any of the vehicles or devices referred to in section 62 of this bylaw.
- 64 No person shall wash a vehicle upon a highway or so near a highway as to result in depositing mud or creating slush or ice upon a highway.
- 65 No person shall display, offer, or sell goods from out of a parked vehicle on a County highway, without the written approval of the Chief Administrative Officer.
- 66 No person shall block or hinder traffic on any County administered highway for any commercial film production without obtaining a permit to film first.
- 67 No person shall urinate or defecate on a highway or land owned or controlled by the County.
- 68 No person shall pass beyond a point or barricade designated by an Enforcement Officer or a member of the Fire Service near the location of an emergency.

Authority of the Chief Administrative Officer

- 69 The Chief Administrative Officer is authorized to administer and enforce the provisions of this bylaw and may levy charges in accordance with this bylaw or as may be authorized by Council pursuant to the provisions of this bylaw. When this bylaw authorizes the County to act or gives to the County a discretion, the Chief Administrative Officer is authorized to act on behalf of the County.
- 70 The Chief Administrative Officer is delegated the authority to prescribe where traffic control devices are to be posted, including, but not limited to traffic control devices restricting the speed of vehicles.
- 71 The Chief Administrative Officer is authorized to designate any highway for through traffic purposes. Such highway shall be properly posted if stop signs or yield signs are erected at all intersections of such highways.
- 72 The posting of traffic control devices by the Chief Administrative Officer is deemed to be made pursuant to this bylaw.
- 73 The Chief Administrative Officer shall maintain a record of all the locations of traffic control devices, which shall be open to public inspection during normal business hours.
- 74 The Chief Administrative Officer is authorized to:
 - (1) designate crosswalks upon any highway and to cause the same to be posted;



- (2) designate any highway intersection or other place on a highway as a place at which no left-hand turn or no right-hand turn or both shall be made and shall cause the same to be posted;
- (3) designate any intersection or other place on a highway, including, but not limited to where a railway right-of-way crosses a highway, as a place where U-turns are prohibited and shall cause the same to be posted;
- (4) cause moveable signs to be posted on or near a highway to indicate “No Parking “, or “Street Maintenance” and when so posted, such signs shall take precedence over all other traffic control devices;
- (5) designate school zones and playground zones and shall cause the same to be posted;
- (6) designate disabled parking zones;
- (7) designate transit zones and shall cause the same to be posted;
- (8) designate any highway upon which no parking is permitted and to cause the same to be posted;
- (9) designate a portion of a highway or public place where parking is limited or prohibited to a period of time or wholly prohibited, or prohibited to a class or classes of vehicles, or both, and to cause the same to be posted;
- (10) designate County employee parking areas and to cause the same to be posted.
- (11) designate angle or parallel parking on any highway and to cause the same to be posted;
- (12) designate the non-standard distance a vehicle may be parked from an intersection and cause the same to be posted;
- (13) designate truck routes or dangerous goods routes as approved by the Council and cause the same to be posted;
- (14) prohibit the use of a heavy vehicle on a highway for a period that the Chief Administrative Officer determines necessary;
- (15) impose limitations or restrictions on loads traveling on highways and cause the same to be posted;



- (16) designate the maximum loading permitted on any highway or bridge and to cause the same to be posted.
 - (a) The Chief Administrative Officer shall post, as the Chief Administrative Officer considers necessary, to notify persons using the highway(s) of the prohibition, increase or restriction of load limitations;
- (17) close or open any existing median or divider on any highway;
- (18) issue, or revoke permits on behalf of the County where such permits are required under provisions of this bylaw;
- (19) designate temporarily closure of any street, road, lane or public highway or any part thereof at any time where a construction or maintenance project on or adjacent to the highway or public place may create a hazard and shall cause the same to be posted;
- (20) designate public parking lots and shall cause the same to be posted;
- (21) designate temporary road closures and shall cause the same to be posted;
- (22) divide any highway into lanes and to designate those lanes for through traffic, or for left turning or right turning traffic only or for any combination of through, left turning or right turning traffic and shall cause the same to be posted; and
- (23) allow an off highway vehicle to travel on County roadways for the purpose of providing utility and highway related maintenance.

Powers Of Enforcement Officers

- 75 An Enforcement Officer is authorized to remove or cause to be removed, any vehicle or trailer:
- (1) parked in contravention of a provision of this bylaw; or
 - (2) where emergency conditions require that the vehicle or trailer be removed.
- 76 Any vehicle or trailer removed pursuant to section 75 of this bylaw may be moved to a place designated by the County where it will remain impounded in accordance with the *Vehicle Seizure and Removal Regulation*.
- 77 No impounded vehicle or trailer shall be released to its owner or their agent until the removal and impounding charges have been paid.



- 78 All charges for removal and impounding shall be in addition to any fine or penalty imposed in respect of any such violation or to any payment made in lieu of prosecution as provided for in this bylaw.
- 79 In order to determine the time that a vehicle has been parked in a location where parking is restricted to a specific time, an Enforcement Officer may place a chalk mark on the tire and/or place a notice on the driver's side window of a parked or stopped vehicle without the Enforcement Officer or the County incurring any liability relating thereto.
- 80 Where a person being the owner, occupant or tenant of any lands or premises fails or neglects to comply with direction given by the County under this bylaw, in addition to any other remedy available for non-compliance with this bylaw, the County may cause the identified repairs or removal to be completed. The cost thereof shall be paid to the County upon demand. Failing payment, such cost shall be added to the tax roll of the property.

General Penalty Provision

- 81 In accordance with the *Municipal Government Act*, any person that violates any provision of this bylaw is guilty of an offence and is liable, upon conviction, to a maximum fine of \$10,000.00, or in default of the payment of the fine, to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts. The minimum fine that may be imposed upon conviction for any offence of this bylaw is \$125.00.

Specified Penalties

- 82 The specified penalties for particular offences against this bylaw are set out in Schedule 'B' attached hereto and forming part of this bylaw. If there is no specified penalty listed in Schedule 'B' for a particular offence, the specified penalty shall be \$250.00.
- 83 Where a contravention of this bylaw is of a continuing nature, a contravention constitutes a separate offence for each day or part day on which it continues.

Enforcement

- 84 Where an Enforcement Officer has reasonable grounds to believe that a person has violated any provision of this bylaw, the Enforcement Officer may commence Court proceedings against such person by:
- (1) issuing the person, a violation ticket pursuant to provisions of the Provincial Offences Procedure Act; or
 - (2) swearing out an information and complaint against the person.



- 85 Where an Enforcement Officer issues a person a violation ticket in accordance with section 84 of this bylaw, the Enforcement Officer may either:
- (1) allow the person to pay the specified penalty established in Schedule 'B' for the offence by including the penalty in the violation ticket; or
 - (2) require a Court appearance of the person when the Enforcement Officer believes that it is in the public interest pursuant to provisions of the *Provincial Offences Procedure Act*.
- 86 No provision of this bylaw nor any action taken pursuant to any provision of this bylaw shall in any way restrict, limit, prevent, or preclude the County from pursuing any other remedy in relation to an offence as may be provided by the *Municipal Government Act* or any other law of the Province of Alberta.

Obstruction

- 87 No person shall obstruct, hinder, or impede any Enforcement Officer, Designated Officer, or County employee, contractor, or agent in the exercise of any of their powers or duties under this bylaw.

Vicarious Liability

- 88 For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of employment with the person or in the course of the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.

Owner Liable

- 89 If a vehicle is involved in an offence referred to in this bylaw, the owner of that vehicle is guilty of an offence.
- 90 Subsection 89 does not apply if the owner of the vehicle satisfies the Court that the owner did not park the vehicle or was not driving the vehicle at the time of the offence, and that the person who parked the vehicle or was driving the vehicle at the time of the offence did so without the owner's express or implied consent.

Severability

- 91 Each provision of this bylaw is independent of all other provisions. If any such provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.



Strict Liability Offence

92 It is the intention of Council that all offences created by this bylaw are to be interpreted as strict liability offences.

Transitional

93 Bylaw C-5755-2003 is repealed upon this bylaw passing and coming into effect.

94 Bylaw C-8427-2023 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME this _____ day of _____, 20__

READ A SECOND TIME this _____ day of _____, 20__

UNANIMOUS PERMISSION FOR THIRD READING _____ day of _____, 20__
this

READ A THIRD AND FINAL TIME this _____ day of _____, 20__

Chief Elected Official

Chief Administrative Officer

Date Bylaw Signed



Bylaw C-8427-2023

Schedule 'A' – Definitions

- 1 **“Alley”** means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land and is considered a highway for the purposes of this bylaw.

- 2 **“Bus”** means a commercial vehicle:
 - (1) that is designed for carrying 11 or more persons, including the person driving the vehicle; and
 - (2) that is used or intended to be used for the transportation of persons;and includes any other commercial vehicle designated as a bus by regulation.

- 3 **“Chief Administrative Officer”** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate.

- 4 **“Commercial vehicle”** means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation or a service but does not include a private passenger vehicle.

- 5 **“Construction material”** means an article, material, or supply brought to the construction site for incorporation into the building or work. The term also includes an item brought to the site preassembled from articles, materials, or supplies.

- 6 **“Council”** means the duly elected Council of Rocky View County.

- 7 **“County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context of this bylaw requires.

- 8 **“County service 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 and is owned and/or registered by the County or other non-government agency but does not include a mobility aid.

- 9 **“Crosswalk”** means:
 - (1) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
 - (2) 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.



- 10 **"Curb"** means the concrete or asphalt edge of a roadway or the division point between the roadway and the sidewalk.
- 11 **"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 Goods Transportation and Handling Act*, RSA 2000, c D-4, as amended or replaced from time to time.
- 12 **"Designated Officer"** means a person appointed to that office pursuant to the *Municipal Government Act* or an authorized delegate thereof.
- 13 **"Disabled person vehicle"** means a vehicle identified as such by either an Alberta license plate or an official placard, clearly displayed in the vehicle bearing the international symbol of the disabled.
- 14 **"Disabled parking zone"** means any parking space, whether on public or private property reserved for disabled persons parking and which has been so designated by a recognized traffic control device erected by the County or a landowner, as the case may be.
- 15 **"Emergency vehicle"** is defined in the *Traffic Safety Act*.
- 16 **"Enforcement Officer"** means a member of the Royal Canadian Mounted Police (RCMP), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officer Act*, SA 2006, c P-3.5, as amended or replaced from time to time, or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*.
- 17 **"Farm equipment"** means equipment designed and intended for use in farming operations, other than a truck, trailer, or semi-trailer, but does not include farm equipment that is loaded on a truck, trailer, or semi-trailer or that is towing equipment other than another piece of farm equipment.
- 18 **"Farm vehicle"** means a vehicle that is owned and operated by the farmer, and it is used by:
- (1) a farmer or a member of the farmer's family for personal use;
 - (2) a farmer engaged in the delivery of animals, farm products, grains, or farm produce to:
 - (a) the farmer's farm, if those commodities are to be used by the farmer in operation of the farm; or



- (b) a market, if the commodities being transported were either grown or raised by the farmer on the farmer's farm; and
 - (c) a farmer transporting material or equipment that is owned by the farmer and used by the farmer in the operation or maintenance of the farmer's farm.
- 19 **"Hamlet"** means any community designated as a hamlet by Rocky View County under section 59(1) of the *Municipal Government Act*.
- 20 **"Hazard"** means a risk or danger or to expose to a risk, danger, or peril.
- 21 **"Heavy vehicle"** means a commercial vehicle, bus, farm registered vehicle, farm equipment, or implement of husbandry, alone or together with any trailer, semi-trailer or other vehicle being towed by the vehicle, with a maximum gross weight of more than 4,500 kilograms or exceeding 11 metres in total length. Notwithstanding the foregoing, a municipal service vehicle and a recreational vehicle is excluded from this definition.
- 22 **"Highway"** as defined in the *Traffic Safety Act* and includes winter roads and ice bridges within the County.
- 23 **"Highways Development and Protection Act"** means the *Highways Development and Protection Act*, SA 2004, c H-8.5, as amended or replaced from time to time.
- 24 **"Implement of husbandry"** means:
- (1) a tractor designed and used for agricultural purposes; or
 - (2) a vehicle designed and adapted exclusively for agricultural, horticultural, aquacultural or livestock raising operations.
- 25 **"Land Use Bylaw"** means Rocky View County *Land Use Bylaw C-8000-2020*, as amended or replaced from time to time.
- 26 **"Maximum gross weight"** means:
- (1) the maximum gross weight of a vehicle as recorded on the Official Registration Certificate or Interim Registration Certificate for such vehicle issued by the Government of the Province of Alberta; or
 - (2) if there is no such Official Registration Certificate or Interim Registration Certificate for the vehicle then combined weight of the vehicle and the heaviest load that may be carried in accordance with the *Commercial Vehicle Dimension and Weight Regulations* of the Province of Alberta.



- 27 **"Mobile unit"** means:
- (1) any recreational vehicle, house trailer or re-locatable trailer; and
 - (2) any structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more persons.
- 28 **"Motor vehicle"** means:
- (1) a vehicle propelled by any power other than muscular power; or
 - (2) a moped; but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry, or a motor vehicle that runs only on rails.
- 29 **"Municipal Government Act"** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time, and the respective regulations thereunder.
- 30 **"Municipal land"** means a parcel of land or a part of a parcel of land owned by the County or land in which the County is in the process of acquiring. Such lands are designated as municipal reserve, school reserve, municipal and school reserve, environmental reserve, or public utility lot.
- 31 **"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;
- (1) 4-wheel drive vehicles,
 - (2) low pressure tire vehicles,
 - (3) motorcycles and related 2-wheel vehicles,
 - (4) amphibious machines,
 - (5) all terrain vehicles,
 - (6) miniature motor vehicles,
 - (7) snow vehicles,
 - (8) minibikes, and
 - (9) any other means of transportation that is propelled by any power other than muscular power or wind, but does not include



- (10) motorboats; or
 - (11) any other vehicle exempted from being an off highway vehicle by regulation.
- 32 **“Operator”** means the registered owner thereof or if not the registered owner, the person driving or in the position of control over the vehicle.
- 33 **“Owner”** means jointly and severally:
- (1) any person registered as the owner of land under the *Land Titles Act*, RSA 2000, c L-4, as amended or replaced from time to time;
 - (2) the person who is recorded as the owner of the property on the assessment roll of Rocky View County;
 - (3) a person who has become the beneficial owner of a property, including by entering into a purchase and sale agreement but has not yet become the registered owner thereof;
 - (4) a person holding out as the person exercising the power or authority of ownership or who for the time being exercises the powers and authority of ownership over the property;
 - (5) a person in control of property; or
 - (6) a person who is the occupant of the property under a lease, license, or permit.
- 34 **“Panhandling”** means the personal, verbal, and direct solicitation by a person of gratuitous donations of money, food, or goods of any kind from any member of the public but does not include a solicitation allowed or authorized pursuant to the *Charitable Fund-raising Act*, RSA 2000, c C-9.
- 35 **“Park”, “parked”, and “parking”** or any word or expression of similar connotation or import shall mean a vehicle remaining stationary in one place whether or not the vehicle is occupied, excluding vehicles stationary in one place:
- (1) while engaged in loading or unloading passengers; or
 - (2) in compliance with the traffic control device or the direction of an Enforcement Officer.
- 36 **“Person”** means any individual or business entity including a firm, joint venture, proprietorship, association, corporation, organization, partnership, company or society and any other legal entity.
- 37 **“Post” or “posted”** means to erect, place, or mark traffic control devices.



- 38 **"Provincial highway"** as defined in the *Highways Development and Protection Act*.
- 39 **"Private passenger vehicle"** means a vehicle used solely for personal transportation,
- (1) including the carriage of goods intended for the use or enjoyment of the owner of the vehicle or members of the owner's household, but
 - (2) not including, in respect of a person's business, work or employment, the carriage of passengers or of goods, except for sample cases or display goods that are conveyed by a salesperson and that are not for delivery or resale.
- 40 **"Provincial Offences Procedure Act"** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended or replaced from time to time.
- 41 **"Public place"** means properties that are owned by the County.
- 42 **"Recreational vehicle"** means a vehicle designed or used for travel with temporary living accommodations for vacations or recreational purposes.
- 43 **"Residential district"** means:
- (1) any parcel of land located within the geographical boundaries of a hamlet, as defined in the *Municipal Government Act*; or
 - (2) any other parcel of land where the primary purpose and intent is for residential use, as outlined in the County *Land Use Bylaw*, but does not include any parcel of land where residential use is deemed secondary to agricultural uses as per the County *Land Use Bylaw*.
- 44 **"Roadway"** means that part of a highway intended for use by vehicular traffic.
- 45 **"Rocky View County"** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context of this bylaw requires.
- 46 **"Street furniture"** means every curb, sidewalk, pole, traffic sign, waste receptacle, bus bench, bus enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the County capable of being marked, defaced, or damaged.
- 47 **"Track"** means to allow, accumulate, cause, or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill, or fall from any vehicle, appurtenances, or tires onto any highway or land in the vicinity of any highway.



- 48 **"Traffic control device"** means any authorized sign, signal, marking, or device placed, marked, or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement.
- 49 **"Traffic lane"** means:
- (1) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not include a parking lane, and
 - (2) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles,
 - (3) whether or not the division is indicated by lines on the road surface.
- 50 **"Traffic Safety Act"** means the *Traffic Safety Act*, RSA 2000, c T-6, as amended or replaced from time to time.
- 51 **"Trailer"** means a vehicle so designed that it
- (1) may be attached to or drawn by a motor vehicle or tractor;
 - (2) is intended to transport property or persons; and
 - (3) includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.
- 52 **"Transit vehicle"** means a vehicle used for public transportation including school buses.
- 53 **"Transit zone"** means the area parallel to the curbside of the roadway and within 15 metres of either side of a transit zone sign.
- 54 **"Utility furniture"** means any bridge, telephone, signal service, fire alarm, electric wire, lamp, post, tower, or pole connected with the lighting, gas, telephone, transit, fire protection system or any other utility system or work of the County.
- 55 **"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.
- 56 **"Violation ticket"** means a ticket issued pursuant to the *Provincial Offences Procedure Act*.
- 57 **"Work zone"** means an area designated by traffic control devices as a work zone for the purpose of maintenance, construction, or repairs on or near a highway.



Bylaw C-8427-2023

Schedule 'B' – Specified Penalties

SECTION NO.	OFFENCE	SPECIFIED PENALTY
4	Obstruct / impede traffic on a highway	\$250.00
6	Operate vehicle over equipment of Fire Service	\$500.00
7	Unauthorized operation / parking of a vehicle	\$250.00
8	Drive / walk over thermal inlay / painted line in a posted work zone	\$250.00
9	Operate vehicle / machinery on highway with spikes, lugs, tracks etc.	\$250.00
12	Pedestrian panhandling / obstruct highway / crosswalk / sidewalk	\$250.00
14	Park vehicle in a posted area indicating "No Parking" for highway maintenance	\$250.00
15	Park vehicle in an alley exceeding time limit	\$250.00
16	Park vehicle in an alley less than 3 metres free	\$250.00
17	Park vehicle in an alley less than 1 metre from container / storage area	\$250.00
18	Park in excess of the time / date posted	\$250.00
19	Park vehicle on County owned property	\$250.00
20	Park vehicle in a County reserved Council / employee stall	\$250.00
21	Park an unattached trailer on highway	\$250.00
22	Occupancy of mobile unit on highway or County property	\$250.00
23	Park heavy vehicle on a highway in a County hamlet / residential district	\$250.00
25	Park vehicle on highway after repairs by garage, etc.	\$250.00
26	Park / stop vehicle in stall designated disabled parking zone	\$500.00
27	Park / stop vehicle in stall designated disabled parking zone without clearly posting valid disabled placard	\$250.00



28	Park vehicle in a "Fire or Emergency Exit"	\$250.00
29	Park vehicle in an area that interferes with operation of Fire Service or any other emergency vehicle.	\$250.00
31	Repairing vehicles on roadway	\$250.00
32	Non operative motor vehicle parked on highway	\$250.00
34	Leave the engine running for more than 20 minutes	\$250.00
35	Park a vehicle containing dangerous goods on a highway	\$500.00
37	Operate heavy vehicle on highway on a no truck route	\$250.00
38	Use of engine retarding devices within a hamlet or residential district	\$250.00
39	Operate vehicle on highway without necessary permit	\$250.00
42	Placement of cable or electrical cord, etc. on highway or sidewalk	\$250.00
43	Improper suspension of electrical cables outside of dates	\$250.00
44	Allow oil / chemical / substance etc. to be deposited on highway	\$250.00
45	Perform maintenance / construction work on roadway/ sidewalk, boulevard. etc. without permission	\$250.00
46	Disturb side slope / back slope of ditch without permission	\$250.00
47	Track onto County highway	\$500.00 + clean-up cost
49	Transport of loose material without tarpaulin / cover	\$250.00
52 (1)	Defacing highway or utility / street furniture	\$500.00
52 (2)	Placing advertising, legend or sign on highway or utility / street furniture	\$250.00
52 (3)	Placing notice, placard, bill, or printing on highway or utility / street furniture	\$250.00
52 (4)	Removing traffic control device or other utility / street furniture	\$500.00
52 (5)	Climbing or interfering on utility furniture	\$250.00



53	Place or construct encroachments or obstruction on highway or public place + repair / cost	\$500.00
55	Remove road surface from highway	\$500.00
56	Vegetation overhanging highway	\$250.00
57	Placing/removing dirt/debris or any other material from sidewalk onto highway or other public place	\$250.00
58	Placing snow/ice/dirt/debris or other material removed from private property onto highway or other public place of the County	\$250.00
59	Throwing objects or using bow and arrow, catapult, etc. across any highway or public place	\$250.00
60	Allow construction material to remain on roadway	\$250.00
61	Using bicycles, skates, etc. on a sidewalk and endangering pedestrians	\$250.00
62	Person cling to a motor vehicle while using skates, skateboard etc.	\$250.00
63	Driver tow person on bicycle, skates, etc. behind vehicle	\$250.00
64	Wash vehicle on or near a highway depositing mud / slush / ice etc.	\$250.00
65	Sell, display, or offer goods from a parked vehicle on a highway	\$250.00
66	Block or hinder traffic due to commercial film production	\$250.00
67	Urinate or defecate on a highway	\$250.00
68	Pass beyond point designated by Enforcement Officer	\$500.00
87	Obstruct any Enforcement Officer / Designated Officer etc.	\$500.00