

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44  
BYLAW C-5775-2003**

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**BEING A BYLAW OF THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44 TO CONTROL AND REGULATE THE USE OF HIGHWAYS AND PUBLIC PLACES WITHIN THE URBAN AND RURAL SERVICE AREAS OF THE REGIONAL MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44, THE TRAFFIC AND PEDESTRIANS MOVING THEREON AND THE PARKING OF VEHICLES ON THE HIGHWAYS.**

**WHEREAS** Sec. 7 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended, provides that a Council may pass bylaws with respect to the safety, health and welfare of people and the protection of people and property; and people; activities and things, in, on or near a Public Place or place that is open to the public;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended authorizes a Council to make bylaws to regulate and control Vehicle, animal and pedestrian traffic;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, provides that a municipality may regulate the operation of Off-Highway Vehicles along Highways within the municipality's care and control;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, provides that the Minister may, by order in writing, authorize the council of a municipal district, 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 secondary road, rural road or street, for a period or periods that the council determines;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, authorizes the Council of the Regional Municipal District of Rocky View No. 44 to limit and restrict such gross weights on a secondary road, rural road or street;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, authorizes the Council of a municipal district or county to limit and restrict such gross weights on a secondary road, rural road or street;

**AND WHEREAS** Sec. 13 and 14 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, as amended, provides 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** the Minister of Transportation and Utilities (now referred to as the "Minister of Transportation"), pursuant to the *Chapter T-6 Section 3 of the Public Highways Development Act R.S.A. 2000 chapter P-38*, may by order, designate any existing Highway as a primary Highway, and has the direction, control and management of all primary Highways;

**NOW THEREFORE**, the Council of the Municipal District of Rocky View No. 44, in the Province of Alberta, duly assembled, enacts as follows:

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**TITLE**

1. This Bylaw may be cited as the Municipal District of Rocky View No. 44 "Roads and Transportation Bylaw."

**APPLICATION**

2. This Bylaw shall not apply to:
  - (a). Primary Highways;
  - (b). Public roads within Indian Reserves pursuant to clause 9(c) of the Transportation Transitional Funding Agreement executed between Alberta Transportation (formerly Alberta Transportation and Utilities) and the Municipality;

**DEFINITIONS**

3. In this Bylaw all words shall have the same meaning as the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended, except as otherwise defined;
  - (a). "Act" means the *Traffic Safety Act, R.S.A. 2000, Chapter T-6*, as amended;
  - (b). "Administration" means the general operations of the Municipality, including all personnel, financial and other related resources, as permitted by the *Municipal Government Act, RSA 2000, C. M-26*, as amended, and any successor legislation.
  - (c). "Chief Administrative Officer" means the Chief Administrative Officer or designate for the Municipality and whatever subsequent title may be conferred on that officer by Council resolution or statute.
  - (d). "Council" shall mean the Council of the Municipal District of Rocky View No. 44;
  - (e). "Crossing" means that areas used or constructed to provide access to private property from any highway and shall be all that area from the edge of roadway to the private property line;
  - (f). "Curb" means the actual curb if there is one and, if there is not an actual curb in existence, shall mean the division point of Highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians;
  - (g). "Dangerous Goods" means any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the *Dangerous Good Transportation and Handling Act, R.S.A. 2000, c. D-4*, as amended;
  - (h). "Delegate" means an employee of the Municipal District of rocky View #44 appointed as a Special Constable or a Bylaw Enforcement Officer.
  - (i). "Disabled Person Vehicle" means a vehicle identified as such by either an Alberta license plate

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starting with the letter "A" or an official placard, clearly displayed in the vehicle bearing the international symbol of the disabled;

- (j). "Heavy Vehicle" means a vehicle, with or without a load, exceeding any one of the following:
  - (i). Two axles;
  - (ii). Eleven (11) metres in length;
  - (iii). A maximum allowable weight of 4,500 kilograms;
  - (iv). Notwithstanding the foregoing, a municipal service vehicle is excluded from this definition;
- (k). "Mobile Unit" means:
  - (i). Any vacation trailer, house trailer or relocatable trailer;
  - (ii). Any structure, whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one (1) point to another by being towed or carried and to provide living accommodation for or other use by one (1) or more persons;
- (l). "Hazard" means a risk or danger or to expose to a risk, danger or peril;
- (m). "Highway" means the term *Highway* as defined in the Act and includes winter roads and ice bridges within the Municipality;
- (n). "Holiday" means:
  - (i). New Year's Day;
  - (ii). Family Day (3<sup>rd</sup> Monday in February);
  - (iii). Good Friday;
  - (iv). Victoria Day (the First Monday immediately preceding the 25<sup>th</sup> day of May in each year);
  - (v). Canada Day;
  - (vi). Heritage Day (the first Monday of August);
  - (vii). Labour Day (first Monday in September);
  - (viii). Thanksgiving Day (second Monday in October) when proclaimed as a holiday by the Government of Canada or the Government of the Province of Alberta;
  - (ix). Remembrance Day;
  - (x). Christmas Day;
  - (xi). Boxing Day; and
  - (xii). Any civic holiday proclaimed by the Council or by the Reeve;
- (o). "Municipality" means the Municipal District of Rocky View No. 44;
- (p). "Operator" means the registered owner thereof or if not the registered owner, the person driving or in the position of control over the vehicle;
- (q). "Parade" or "Procession" means a group of vehicles, animals, pedestrians or combination thereof on a highway which is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on a highway excluding a funeral procession;

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- (r). "Parade Marshall" means the person designated as "parade marshall" for the purpose of traffic control under a parade permit;
- (s). "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:
  - (i). while actually engaged in loading or unloading passengers; or
  - (ii). in compliance with the traffic control device or the direction of a peace officer;
- (t). "Passenger Loading or Unloading Space" shall mean a space on the vehicle portion of a highway posted with a traffic control device permitting parking therein for a period necessary to load or unload passengers, provided such period is fifteen (15) minutes or less, except in front of a hotel when only ten (10) minutes parking may be allowed and the traffic control device shall indicate the time or times when the space is restricted to these purposes;
- (u). "Peace Officer" means a peace officer as defined in the Traffic Safety Act and includes a Bylaw Enforcement Officer as appointed by Council from time to time;
- (v). "Person" means any individual, corporation, society, association, partnership or firm;
- (w). "Post" means to erect, place or mark traffic control devices;
- (x). "Primary Highway" as defined in the *Public Highways Development Act, RSA 2000, Chapter P-38*;
- (y). "Public Places" means properties that are owned by the Municipality;
- (z). "Secondary Road (Highway)" as defined in the *Public Highways Development Act, RSA 2000, Chapter P-38*;
- (aa). "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 Municipality capable of being marked, defaced or damaged;
- (bb). "Taxi Zone" means a portion of a roadway adjacent to the curb authorized and posted for the exclusive use of taxicabs or taxicab companies;
- (cc). "Track" means to allow, 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;
- (dd). "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;
- (ee). "Transit Vehicle" means a vehicle used for public transportation including school buses;

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- (ff). "Transit Zone" means the area parallel to the curbside of the roadway and within fifteen (15) meters of either side of a transit zone sign;
- (gg). "Violation Tag" means a tag or similar documents issued by the Municipality pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended;
- (hh). "Violation Ticket" means a ticket issued pursuant to Part II or Part III of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended and the regulations thereunder;
- (ii). "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.

**OPERATION OF VEHICLES**

- 4. Every person shall obey the instructions of traffic control devices unless otherwise directed by a Peace Officer or Parade Marshall during a Parade or Procession.
- 4.1 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 unless the person has been granted the authority in writing to do so by the Chief Administrative Officer or delegate, the Council or by Statute, and then only in strict compliance with the authority granted.
- 4.2 Notwithstanding Section 4.1, where the obstruction caused by a vehicle is unavoidable due to mechanical failure, the person will not be in breach of Section 4.1, provided the person promptly takes measures to remove such vehicles from the highway.
- 4.3 Notwithstanding any other provision of this Bylaw, where a transit vehicle is stopped at or has approached within ten (10) meters of an intersection and has indicated by signal that the driver intends to turn right at such intersection then the driver of a vehicle traveling in the same direction shall not overtake or pass to the right of such transit vehicles.
- 4.4 Every Transit vehicle shall carry a notice on the rear near the turning signal reading "DO NOT PASS ON RIGHT WHEN SIGNAL ON" or similar words to that effect.
- 4.5 No person shall pass or attempt to pass another vehicle traveling in the same direction while on a bridge.
- 4.6 No person shall drive on or over a hose, line or similar equipment of the municipal Fire Department which has been placed on a roadway, except where the express consent of an official of the municipal Fire Department has been obtained.
- 4.7 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.

**SPEED**

- 5. No person shall operate a vehicle greater than eighty (80) kilometers per hour on any Rural M.D. Area

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roadway unless otherwise authorized in this Bylaw.

- 5.1 On any day in which school is held, no person shall operate a vehicle within a school zone or at any rate of speed greater than thirty (30) kilometers per hour between the hours of 08:00 and 16:00.
- 5.2 No person shall operate a vehicle within a playground zone at any rate of speed greater than thirty (30) kilometers per hour between the hours of 08:30 to one hour after sunset.
- 5.3 No person shall operate a vehicle in excess of the posted maximum speed within the Municipality.

**PEDESTRIANS**

- 6. No pedestrian shall cross:
  - (a). a roadway on a bridge;
  - (b). a roadway within one hundred (100) metres in any direction on the approach to a bridge; other than at an intersection or a posted crosswalk.
- 6.1 No person shall stand in a group of three (3) or more persons or so near to each other on any highway as to obstruct the entrance to buildings or to obstruct or prevent other persons using such highways and forthwith after request has been made by a Peace Officer, shall disperse and move away.
- 6.2 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**

- 7. No person shall park or permit a vehicle to be parked on a highway contrary to a traffic control device or in a manner that impedes the flow of traffic.
- 7.1 Unless permitted by a traffic control device, a person shall not park or permit a vehicle to be parked on any winter road or portion thereof.
- 7.2 Unless required or permitted by the Act, this Bylaw or by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, a driver shall not stop or park a vehicle:
  - (a). at an intersection nearer than five (5) metres to the projection of the curb line immediately ahead or immediately to the rear;
  - (b). within five (5) metres on the approach to a stop sign or yield signs;
  - (c). within five (5) metres of any fire hydrant, or when the hydrant is not located at the curb, within five (5) metres of the point on the edge of the roadway nearest the hydrant;
  - (d). within five (5) metres of the approach to a crosswalk;

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- 7.3 Notwithstanding any other provision in this Bylaw, the Chief Administrative Officer or delegate is hereby authorized to 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.
- 7.4 No person shall park or permit to be parked a vehicle on a highway from the time signs referred to in Section 7.3 have been posted, until such signs have been removed.
- 7.5 No person shall park or permit to be parked, a vehicle on the posted portion of such highway during the ninety-six (96) hour period following the time the traffic control devices were posted where the vehicle was parked prior to the posting of the traffic control devices as described in Section 7.3.
- 7.6 No person shall park or operate a vehicle in contravention of any sign or traffic control device posted in accordance with Sections 7.3 and 7.4.
- 7.7 No person shall park or permit to be parked, a vehicle on the roadway side of a vehicle already parked at the curb or edge of a roadway.
- 7.8 Any vehicle parked contrary to this Bylaw may be towed away at the owner's sole expense.
- 7.9 Except when actually taking or discharging passengers, no person shall park a vehicle at the following locations:
- (a). In a passenger loading or unloading space posted as such by a traffic control device;
  - (b). On any portion of highway posted as "No Parking";
- 7.10 No person shall park a vehicle on any alley unless a traffic control device otherwise permits, except for the following purposes:
- (a). The loading or unloading of goods from a commercial vehicle for a period not exceeding thirty (30) minutes;
  - (b). The loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes.
  - (c). The loading or unloading of a handicap person.
- 7.11 Notwithstanding Subsections 7.10 (a) and (b) above, no person, while loading or unloading passengers or goods, shall park in such a manner as may obstruct the passage of other vehicles along the alley.
- 7.12 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):
- (a). vehicles being used by Government employees and identified as such (Municipal, Provincial or Federal);

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- (b). marked public utility vehicles, while the operators are actually engaged in the course of their employment (utility companies are ATCO Electric, ATCO Power and Telus or representatives of utility companies);
  - (c). vehicles used by elected Government officials and identified as such;
- 7.13 Section 7.12 above shall only apply between the hours of 09:00 and 18:00, and shall not apply on a Saturday, Sunday or Holiday unless otherwise indicated by a traffic control device.
- 7.14 No person shall park a vehicle or permit a vehicle to be parked on private property without the permission or authorization of the owner of the private property or a person having lawful possession or control of the private property.
- 7.15 Where a parking area is provided on private land, used for commercial or industrial purposes, for the parking of the vehicles of persons who are customers or patrons of or who is clearly designed as being set aside for parking only of vehicles of customers or patrons of or persons doing business with the owner, tenant, occupant or other person in charge of the land, a person who is not immediately after being parked or leaving the vehicles either a customer or patron or person doing business with the owner, tenant, occupant or person in charge of the said land as indicated in the designation unless he has verbal or written permission from the said owner, tenant, occupant or other person in charge, shall not park or leave a vehicle on the parking area so designated.
- 7.16 No person shall park a vehicle or permit a vehicle to be parked on any land owned by the Municipality which the Municipality uses or permits to be used as a playground, recreation area, utility lot, or public park, except in such areas designated or posted for parking.
- 7.17 No person shall park a vehicle or permit a vehicle to be parked in any parking space upon land owned or controlled by the Municipality where such space has been reserved, as indicated by a traffic control device, for a vehicle operated by a municipal employee, officer, or Council Member.
- 7.18 No person shall park a vehicle or permit a vehicle to be parked in any parking lot owned by the Municipality in contravention of a traffic control device posted in the said parking lot.
- 7.19 No person shall park or permit to be parked, any 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 trailer shall be deemed part of the vehicle and subject to the provisions pertaining to vehicles.
- 7.20 No person shall occupy or permit any other person to occupy a mobile unit upon a Highway or upon municipal property unless such property has been designated for use as a mobile unit park.
- 7.21 No person shall park or permit to be parked a vehicle on any highway for more than seventy-two (72) consecutive hours unless otherwise permitted by the Chief Administrative Officer or delegate in writing.
- 7.22 Except for emergency vehicles, no person shall park or stop or permit to be parked or stopped, a vehicle on any highway, public place or private property in space posted as a fire lane.



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- 7.23 Nothing in this part shall be construed as to allow parking contrary to any other provision of this Bylaw.
- 7.24 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 park or permit to be parked a vehicle which 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:
- (a). Another provision of this or another Bylaw;
  - (b). A traffic control device; or
  - (c). The Traffic Safety Act
- 7.25 No person shall park or permit to be parked, a vehicle on any highway or on private land, in space posted for disabled persons parking unless such vehicle is designated as a disabled persons vehicle.
- 7.26 Where a traffic control device upon a highway restricts parking thereon to residents, no person not a resident of the said area, shall park or permit to be parked a vehicle:
- (a). At anytime; or
  - (b). In excess of the time so designated and posted on a traffic control device, unless such vehicle displays a permit issued by the Chief Administrative Officer or delegate.
- 7.27 No person shall park or permit to be parked, a vehicle in such a manner so as to obstruct an emergency exit.
- 7.28 No person shall park or permit to be parked, a vehicle in such a manner so as to obstruct the entrance or exit of a fire hall or ambulance station.
- 7.29 A person shall not park or stand a vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department or any other emergency vehicle.
- 7.30 Any vehicle parked contrary to Section 7.29 may be towed away at the owner's expense.

**SPECIAL CLASSES OF VEHICLES**

8. No person shall:
- (a). Park, or permit to be parked, a vehicle on a highway, where that vehicle contains dangerous goods;
  - (b). Park or permit to be parked, a vehicle within 15 metres of any building, where that vehicle contains dangerous goods.
- 8.1 Section 8 above does not apply where the vehicle is parked while loading or unloading the dangerous goods in the ordinary course of business.

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- 8.2 No person shall operate a vehicle or trailer or combination thereof on a highway under the direction, control and management of the Municipality other than in accordance with the weight and load limitations as specified in the *Traffic Safety Act* and the Regulations thereunder, as amended.
- 8.3 Notwithstanding Section 8.2 above, Chief Administrative Officer or delegate may:
- (a). Issue a single trip or an open permit to an applicant for any number of trips and for such a period of time as he deems advisable, with permit conditions applied describing routing, time of day or other restrictions as deemed necessary for the safe movement of the load or loads;
  - (b). Issue a permit to an applicant who telephones, or provides by telegram or facsimile transmission, the information required for a permit.
- 8.4 No person shall operate a vehicle in respect of which an overload or over-dimensional permit is issued pursuant to the *Traffic Safety Act* on a highway under the direction, control and management of the Municipality unless:
- (a). the Chief Administrative Officer or delegate has given approval;
  - (b). the owner, operator, driver or mover of the vehicle shall agree to be responsible for all damages which may be caused to the highway by reason of driving, operating or moving of any such vehicle upon the highway; and
  - (c). if requested by the Chief Administrative Officer or delegate, the owner, operator, driver, or mover of the vehicle posts a bond sufficient to cover the cost of repairing possible damages to the highway, landscaping and street furniture in an amount satisfactory to the Municipality.
- 8.5 In case of any dispute arising as to the weight of any vehicle, the same shall be weighed upon a certified scale and the weighing of the vehicle shall be deemed to be conclusive.
- 8.6 Unless a permit to do so has been issued by the Chief Administrative Officer or delegate, no person shall operate on a highway:
- (a). A vehicle or trailer having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire on such vehicle;
  - (b). Any vehicle or trailer having skids or tracks.
- 8.7 No person shall engage a vehicle's engine retarder brakes where posted in the Municipality.

**TRUCK ROUTES**

9. A person who holds a permit shall be responsible for all costs and expenses incurred by the Municipality for the repair of any curb stops, valves, hydrants, sidewalks, curbs, pavement, landscaping and any other such appurtenances to highways resulting from hauls made pursuant to any permits issued under this Bylaw.

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- 9.1 The Chief Administrative Officer or delegate 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.
- 9.2 The Chief Administrative Officer or delegate has authority to:
- (a) Prohibit the use on a highway by a heavy vehicle, or by a class or classes thereof, for a period or periods that the Chief Administrative Officer or delegate determines;
  - (b) Limit or restrict the speed of a heavy vehicle, or of a class or classes thereof, using a highway for a period or periods that the Chief Administrative Officer or delegate determines; and
  - (c) Increase, limit or restrict the maximum gross weight that may be borne by a heavy vehicle or combination of vehicles on a highway for a period or periods that the Chief Administrative Officer or delegate determines.

**PARADES AND PROCESSIONS**

10. No person shall hold, join, march or participate in any parade or procession unless a permit has been obtained from the Reeve or Council.
- 10.1 The Reeve or Council may issue a parade permit to a person under this part where the person has complied with the requirements of Section 10.2 below.
- 10.2 Any person desiring to hold a parade or procession within the Municipality shall, at least two (2) weeks prior to the time he desires to hold the parade or procession, make an application in writing to the Reeve or Council containing the following information:
- (a) The name and address of the person wishing to sponsor a parade or procession and, if the person is an organization, then the name and address of the contact person;
  - (b) The day, date, and times during which the parade or procession will be held;
  - (c) The route of the parade or procession and written certification from the Protective Services Department that such route is satisfactory to the Police Department;
  - (d) The approximate number of persons and vehicles participating in the parade or procession;
  - (e) The nature and object of the parade or procession;
  - (f) The approximate size, number and nature of flags, banners, placards, and such other similar items to be carried or displayed;
  - (g) The wording and symbols to be exhibited on the items listed in Subsection F f above; and
  - (h) Proof of liability insurance.

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- 10.3 The Reeve or Council may unconditionally approve, approve with conditions or refuse an application for a Parade Permit.
- 10.4 Where a Parade Permit is granted allowing floats, vehicles, or animals to be placed in or on the route of a parade or procession, the person or persons sponsoring the parade or procession shall indemnify and save harmless the Municipality from and against any and all claims for injury to any person or persons and damage to any real or personal property arising by reasons of or in any way connected with the entry, placing, or operation of the vehicles, floats, or animals in the parade or procession, and whether arising out of, directly or indirectly caused by any act or omission, of the Municipality its authorities or agents.
- 10.5 Where a Parade Permit has been granted:
- (a). The Chief Administrative Officer or delegate may temporarily close for all or some types of traffic all or portions of the highway along or near the route set out in the permit for the anticipated time of the parade or procession and for such additional time as necessary to clear the highway or highways of normal traffic; and
  - (b). The Chief Administrative Officer or delegate may temporarily suspend parking and loading privileges on all or a portion of the highways on the proposed route of the parade or procession.
- 10.6 No parade or procession shall obstruct any highway for a longer period than is required.
- 10.7 Any vehicle in a funeral procession, except the lead vehicle, may, during the daylight hours, enter an intersection without stopping if:
- (a). The headlamps of the vehicle are alight,
  - (b). The vehicle is traveling immediately behind the vehicle in front of it so as to form a continuous line of traffic, and
  - (c). The passage into the intersection can be made in safety.
- 10.8 A peace officer or parade marshall may regulate and direct traffic in the vicinity of any parade or procession and all persons shall obey the orders and directions of the peace officer or parade marshall.
- 10.9 No pedestrian or person operating any vehicle (excluding emergency vehicles) or riding a horse shall break through the ranks of any authorized parade or procession.

**AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER**

11. The Chief Administrative Officer or delegate is hereby 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.
- 11.1 The Chief Administrative Officer or delegate is hereby authorized to designate any highway for through

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traffic purposes. Such highway shall be properly posted if stop signs or yield signs are erected at all intersections of such highways.

- 11.2 The posting of traffic control devices by the Chief Administrative Officer or delegate is hereby deemed to be made pursuant to this Bylaw.
- 11.3 The Chief Administrative Officer or delegate shall maintain a record of all the locations of traffic control devices which shall be open to public inspection during normal business hours.
- 11.4 The Chief Administrative Officer or delegate is hereby authorized to designate crosswalks upon any highway and to cause the same to be posted.
- 11.5 The Chief Administrative Officer or delegate is hereby authorized to 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.
- 11.6 The Chief Administrative Officer or delegate is hereby authorized to 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.
- 11.7 The Council may designate a highway or any portion thereof, for one-way traffic only and instruct the Chief Administrative Officer or delegate to cause the same to be posted.
- 11.8 The Chief Administrative Officer or delegate is hereby authorized to designate school zones and playground zones and shall cause the same to be posted.
- 11.9 The Chief Administrative Officer or delegate is hereby authorized to designate transit zones and shall cause the same to be posted.
- 11.10 The Chief Administrative Officer or delegate is hereby authorized to designate any highway upon which no parking is permitted and to cause the same to be posted.
- 11.11 The Chief Administrative Officer or delegate is hereby authorized to 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.
- 11.12 The Chief Administrative Officer or delegate is hereby authorized to designate Municipality employee parking areas and to cause the same to be posted.
- 11.13 The Chief Administrative Officer or delegate is hereby authorized to designate angle or parallel parking on any highway and to cause the same to be posted.
- 11.14 The Chief Administrative Officer or delegate is hereby authorized to designate the non-standard distance a vehicle may be parked from an intersection and cause the same to be posted.
- 11.15 The Chief Administrative Officer or delegate is hereby authorized to designate truck routes or dangerous goods routes as approved by the Council and cause the same to be posted.

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- 11.16 The Chief Administrative Officer or delegate is hereby authorized to impose limitations or restrictions on loads traveling on highways and cause the same to be posted.
- 11.17 The Chief Administrative Officer or delegate is hereby authorized to designate the maximum loading permitted on any highway or bridge and to cause the same to be posted.
- (a). The Chief Administrative Officer or delegate shall post, as the Chief Administrative Officer or delegate considers necessary to notify persons using the highway(s) of the prohibition, increase or restriction of load limitations.
- 11.18 The Chief Administrative Officer or delegate is hereby authorized to close or open any existing median or divider on any highway.
- 11.19 The Chief Administrative Officer or delegate is hereby authorized to issue or revoke permits on behalf of the Municipality where such permits are required under provisions of this Bylaw.
- 11.20 The Chief Administrative Officer or delegate is hereby authorized to 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.
- 11.21 The Chief Administrative Officer or delegate is hereby authorized to designate mobile unit parks and shall cause the same to be posted.
- 11.22 The Chief Administrative Officer or delegate is hereby authorized to designate public parking lots and shall cause the same to be posted.
- 11.23 The Chief Administrative Officer or delegate is hereby authorized to designate temporary road closures and shall cause the same to be posted.
- 11.24 The Chief Administrative Officer or delegate is hereby authorized to 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.

**PUBLIC PLACES**

13. No person shall place or permit to be placed an electrical cord, above the surface of any sidewalk.
- 13.1 Notwithstanding Section 13. of this Part, 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 30 of any year.
- 13.2 No person shall in any way damage or otherwise vandalize any street furniture on any highway, park reserve, or public place.
- 13.3 No person shall place, abandon, throw, deposit or allow to be placed, abandoned, thrown or deposited

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any litter, which shall include but not be limited to nails, tacks, glass, crockery, barbed or other wire, scrap metal, bottle, paper, paper carton or other paper or any other container, substance or thing on any highway or public place or from any bridge or overpass structure onto any highway, public place, river or stream.

- 13.4 In the event that any load or any portion thereof becomes loose or detached or blows, drops, spills or falls from any vehicle onto any highway, it shall be the duty of the driver of the vehicle forthwith to take all reasonable precautions to safeguard traffic and also to remove such material from such highway.
- 13.5 The Chief Administrative Officer or delegate may order the person who left, or allowed to be left or placed litter or load, to remove same within a period of twenty-four (24) hours and, in default, the Chief Administrative Officer or delegate shall cause the litter to be removed. In cases where an immediate public hazard is created, in the opinion of the Municipality or its duly authorized representative, notice as provided for above is not required.
- 13.6 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 upon a highway.
- 13.7 Any person who tracks upon a highway shall be liable to clean up or remove the substance or material tracked upon the highway.
- 13.8 No person shall drive, operate or permit to be driven or operated any vehicle or equipment of any nature or kind which is involved in the transport of any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever where there is less than seventy-five (75) millimetres from the top edge of the side containment structure of the vehicle or equipment to the highest point of the surface of the transported material.
- 13.9 No person shall drive, operate or permit to be driven or operated any vehicle or equipment of any nature or kind which is involved in the transport of any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever excluding snow, unless the transported material is completely covered and secured by a tarpaulin or similar covering.
- 13.10 Except as authorized by the Chief Administrative Officer or delegate,
- (a). No person shall deface, paint, chalk, stencil or mark any highway or street furniture.
  - (b). No person shall place any advertising, legend or sign of any kind upon any highway or street furniture.
  - (c). No person shall 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 or street furniture.
  - (d). No person shall remove any traffic control device or other street furniture.
  - (e). No person shall climb or interfere with 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 Municipality.

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- 13.11 Except as authorized by Council, no person shall encroach, place or construct any permanent object so that it encroaches or obstructs any highway, or other public place.
- (a). The Chief Administrative Officer or designate may approve temporary encroachments for up to thirty (30) days, which impose only minor controlled impact on traffic or parking, with conditions including suspension of existing or imposing temporary parking restrictions.
- 13.12 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 twenty-four (24) hours of being notified to do so by the Chief Administrative Officer or delegate. After the expiration of the said twenty-four (24) hours, the Chief Administrative Officer or delegate shall remove or cause the removal of such obstruction.
- 13.13 Except as authorized by the Chief Administrative Officer or delegate, no person shall break, tear or remove any planking, pavement, sidewalk, curbing, concrete, cement or other road surface nor make any excavations in or under any street, lane, park or public place in the Municipality without first obtaining a Utility Installation/Street Occupancy Permit issued by the Chief Administrative Officer or delegate.
- 13.14 Every person who obtains a Utility Installation/Street Occupancy Permit shall comply with all terms and conditions of the Utility Installation/Street Occupancy Permit.
- 13.15 The Chief Administrative Officer or delegate may establish and levy service charges for any work done by the Municipality or its agents as a requirement under the Utility Installation/Street Occupancy Permit, except to recover costs for permit administration and inspection.
- 13.16 No owner, tenant or occupier of any property shall erect, obstruct, use, or permit to remain upon or along the boundary of their lane or premises near any highway in the Urban Service Area in the Municipality, any fence wholly constructed of barbed wire.
- 13.17 Where a fence, in the Urban Service Area, is partly constructed of barbed wire, the barbed wire part shall be no closer to the ground than 2.0 metres.
- 13.18 The owner, assessed owner, tenant or occupant of any land adjoining any highway or public place in the Municipality shall cause all trees, shrubs and bushes which overhang the highway or public place to be properly trimmed, and cut back, so as to prevent the obstruction of pedestrians or vehicles and/or the interference with good visibility for safe traffic flow.
- 13.19 Any person who fails to comply with Section 13.16 shall be given notice in writing by the Chief Administrative Officer or delegate. If the barbed wire is not removed as directed within twenty-four (24) hours after being served notice, the Municipality may have out said work carried out.
- 13.20 All owners, occupants or tenants of land or premises with a commercial designation under the Land Use Bylaw, shall remove or cause to be removed and cleared away snow, ice, dirt, debris or other obstruction from any sidewalk adjoining their commercial property owned or occupied by them, such removal to be completed within forty-eight (48) hours of the time when the snow, ice, dirt, or other obstruction was formed or deposited thereon.



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- 13.21 No person being the owner, occupant or tenant of any lands or premises with any land use designation other than commercial under the Land Use Bylaw, shall fail to remove snow or ice from a Municipality sidewalk abutting on the front or flank of their property within forty-eight (48) hours of being notified, in writing, to do so by the Chief Administrative Officer or delegate.
- 13.22 Where a person being the owner, occupant or tenant of any lands or premises fails or neglects to comply with direction given by the Municipality under this Part, in addition to any other remedy available for non-compliance with this Part, the Municipality may cause the identified repairs or removal to be completed. The cost thereof shall be paid to the Municipality upon demand. Failing payment such cost shall be added to the tax roll of the property.
- 13.23 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.
- 13.24 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 Municipality except as authorized in writing by the Chief Administrative Officer or delegate.
- 13.25 Every occupant, and in case there is no occupant, the owner of every house, shop, building, church or chapel, abutting on or erected within three (3) metres of any highway or public place shall, whenever snow or ice shall accumulate on the roof or eaves of such building, to an extent that a potential danger is created to persons passing, cause the hazard to be removed at once, and every person, while removing the same shall take due and proper care and precaution for the warning and safety of persons passing.
- 13.26 A person who has an awning extending from a portion of the premises over a highway or portion thereof shall keep the awning free from snow or ice to prevent water dripping to the sidewalk or roadway below.
- 13.27 If water drips from an awning upon a highway the owner or occupier of the premises shall clean the sidewalk or roadway portion thereof to prevent ice from forming thereon.
- 13.28 No person shall play on any street or lane within the Municipality.
- 13.29 No person shall cast, project or throw any stones or other projectiles dangerous to the public or use bow and arrow, catapult or other such contrivance on, onto or across any highway or other public place.
- 13.30 No person shall drive or operate a motor vehicle on or across any boulevard, park, utility lot, utility right-of-way, Municipal Reserve, or other publicly owned lands, not designated for vehicular use, without the permission of the Chief Administrative Officer or delegate.
- 13.31 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 workday.

**OFFENCES AND POWERS OF PEACE OFFICERS**

14. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon

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conviction to a minimum and specified fine as set out in Schedule 5 A attached hereto and forming part of this Bylaw. If there is no specific fine listed in Schedule 5 A for a particular offence, the minimum specified fine shall be \$100.00.

- 14.1 A peace officer is hereby authorized to remove or cause to be removed, any vehicle or trailer:
- (a). parked in contravention of a provision of this Bylaw; or
  - (b). where emergency conditions require that the vehicle or trailer be removed.
- 14.2 Any vehicle or trailer removed pursuant to Section 14.1 above may be moved to:
- (a). a nearby highway; or
  - (b). a place designated by the Municipality where it will remain impounded until claimed by the owner.
- 14.3 No impounded vehicle or trailer shall be released to its owner or their agent until the removal and impounding charges have been paid.
- 14.4 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.
- 14.5 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 may place a chalk mark on the tread face of the tire of a parked or stopped vehicle without the peace officer or the Municipality incurring any liability relating thereto.
- 14.6 A peace officer is hereby authorized and empowered to issue a violation tag to any person, who the peace officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 14.7 A peace officer is hereby authorized to deploy speed measurement devices, including Doppler radar, laser speed measurement device, photo radar and vehicle clocking methods, for the purpose of determining the speed of moving motor vehicles.
- 14.8 A violation tag may be issued to such person:
- (a). personally;
  - (b). by mailing a copy to such person at their last known post office address;
  - (c). by leaving it for the defendant at their residence with a person on the premises who appears to be at least 18 years of age; and
  - (d). attached or left upon the vehicle in respect to which the offence is alleged to have been committed.

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- 14.9 Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by a peace officer.
- 14.10 Where a violation tag is issued pursuant to this Bylaw, the person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified on the violation tag.
- 14.11 Where the payment referred to in Section 14.9 is received within seven (7) days of date of issuance of the violation tag, the minimum specified penalty set out in Schedule A attached hereto and forming part of their Bylaw shall be reduced by \$20.00 and such reduced payment shall be accepted in lieu of prosecution of the offence.
- 14.12 Nothing in this Bylaw shall prevent a peace officer from immediately issuing a violation ticket.
- 14.13 In those cases where a violation tag has been issued and if the minimum specified penalty on the violation tag has not been paid within the prescribed time, then a peace officer is hereby authorized to issue a violation ticket pursuant to Part II or Part III of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of the Bylaw.
- 14.14 Notwithstanding any provision of this Bylaw, a peace officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, to any person who the peace officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 14.15 After the issuance of a violation ticket concerning a vehicle for a first violation of this Bylaw, should the vehicle remain parked in excess of the time permitted on the traffic control device for a further period, then a second violation ticket may be issued.
- 14.16 Any person to whom a violation ticket has been issued may make a voluntary payment in respect of the violation ticket by delivering the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw, to the Provincial Court office specified on the violation ticket.
- 14.17 The violation tag shall be in form approved by the Chief Administrative Officer.

**MISCELLANEOUS**

15. No person shall be upon the roadway on roller skates, in-line skates, skateboard, riding on a coaster, sled, skis, toy vehicle, tricycle, or a similar device except while crossing such roadway at a crosswalk or intersection.
- 15.1 Section 15. does not apply to a person riding a bicycle.
- 15.2 A person riding a bicycle on any sidewalk, footpath or walkway where pedestrians are also allowed, shall ride the bicycle 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.

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- 15.3 No person traveling on a bicycle shall cling to or attach their self or their to a vehicle on a roadway.
- 15.4 No person shall drive or operate a vehicle on a roadway having in tow any of the vehicles or devices referred to in Sections 15.
- 15.5 No person shall not 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.
- 15.6 No person shall park or permit to be parked on any highway, any non-operative motor vehicle.
- 15.7 Section 15.5 does not apply to a vehicle which has been parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken immediate action to arrange for the removal of the vehicle forthwith.

**MINIMUM AND SPECIFIED PENALTIES**

- 16. The minimum and specified penalties for a violation of any provision of this Bylaw are shown in Schedule A of this Bylaw.

**SEVERABILITY**

- 17. Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

**STRICT LIABILITY OFFENCE**

- 18. It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability.

**EFFECTIVE DATE**

- 19. This Bylaw comes into effect upon the date of its third and final reading.

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**READING BY COUNCIL**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 29th day of, July 2003, on a motion by Councillor Goode.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this day 29<sup>th</sup> of, July, 2003, on a motion by Councillor Kent

Permission to give third and final reading was carried unanimously in open Council, assembled in the City of Calgary, in the Province of Alberta, this 29<sup>th</sup> day of July, 2003, on a motion by Councillor McLean.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta this 29<sup>th</sup> day of July, 2003, on a motion by Councillor Konschuk.

  
REEVE OR DEPUTY REEVE  
MUNICIPAL SECRETARY

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**SCHEDULE A**

**PENALTIES AND FINES**

<b><u>SECTION NO.</u></b>	<b><u>PAGE #</u></b>	<b><u>OFFENSE</u></b>	<b><u>FINE (\$)</u></b>
4.1	5	Obstructing traffic without authority	\$100.00
4.3	5	Passing transit buses on right contrary to buses turn signal	\$100.00
4.5	5	Passing vehicles going the same direction on bridge	\$100.00
4.7	6	Driving or walking over thermal inlay or painted line in posted "Work Zone"	\$150.00
5.	6	speed violations as per Traffic Safety Act schedule less 15% surcharge	
7.4, 7.5, 7.6	7	Parking a vehicle in a posted area indicating "No Parking" or "Street Maintenance"	\$100.00
7.9(a)	8	Parking a vehicle in a posted "Passenger Loading Zone"	\$50.00
7.9(b)	8	Parking a vehicle in a posted "No Parking Zone"	\$50.00
7.10	8	Parking a vehicle on any Alley	\$50.00
7.12	8	Parking a vehicle in excess of posted Time Limits	\$50.00
7.14	8	Parking a vehicle on Private Property	\$50.00
7.15	8	Parking a vehicle on Municipal Property	\$50.00
7.16	9	Parking a vehicle in a Municipal Reserved Stall	\$50.00
7.17	9	Parking vehicle contrary to prohibitions posted at a Municipal Parking Lot	\$50.00
7.18	9	Parking an Unattached Trailer on Highway	\$50.00
7.20	9	Occupancy of Mobile Unit on Highway or Municipal Property	\$100.00
7.22	9	Parking in a posted "Fire Lane"	\$100.00
7.24	9	Service stations parking vehicles on street	\$500.00
7.25	9	Parking vehicle in stall posted for a Disabled Person(s) Vehicle	\$500.00
7.26	10	Parking vehicle in a Restricted Residential area	\$50.00
7.27	10	Parking vehicle in an "Emergency Exit"	\$100.00
7.28	10	Parking in the entrance to Fire Hall and/or Ambulance.	\$100.00
7.29	10	Parking in a "Fire Lane"	\$100.00

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**SCHEDULE 5 (cont.)**

<u>SECTION NO.</u>	<u>PAGE #</u>	<u>OFFENSE</u>	<u>FINE (\$)</u>
8.5	11	Overweight vehicles.	\$500.00/1000kg
8.7	11	Use of engine retarder brakes near residential property.	\$150.00
9.	11	Violation of provisions of route permit.	\$150.00
10.	12	No valid parade permit.	\$100.00
10.9	13	Breaking through ranks of a funeral procession.	\$100.00
13.	16	Placement of cable or electrical cord on Highway (includes a sidewalk).	\$50.00
13.1	16	Improper suspension of electrical cable.	\$50.00
13.2	16	Damage to any street furniture.	\$200.00 + Replacement cost
13.3	16	Littering	Min. \$500.00 + clean up cost
13.6	16	Tracking onto Municipality streets or land.	Min. \$500.00 + clean up cost
13.8	16	Transport of material where there is less than 75 millimeters from the top edge of the containment structure.	\$150.00
13.9	17	Transport of unsecured load.	\$150.00
13.10(a)	17	Defacing highway or street furniture	Min. \$500.00 + Repair cost
13.10(d)	17	Remove any traffic control device or other street furniture	\$500.00
13.11	17	Place or construct encroachments or obstruction to highway or public place.	Min. \$500.00 + Repair cost
13.13	17	Operating without excavation permit.	Min. \$500.00 + Rehab. cost
13.17	18	Fence partly constructed of barb wire in urban area be no closer to ground than 2.0 Metres.	\$100.00
13.18	18	Plants Overhanging Highway	\$100.00
13.20, 13.21	18	Failure to clean sidewalk.	\$100.00
13.26	19	Failure to clean snow from eaves/awnings.	\$100.00

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**SCHEDULE 5 (cont.)**

<u>SECTION NO.</u>	<u>PAGE #</u>	<u>OFFENSE</u>	<u>FINE (\$)</u>
13.27	19	Failure to clear snow and ice of awning extending over a highway	\$100.00
13.27	19	Failure to prevent ice from forming from water drips	\$100.00
15.5	22	Repairing vehicles on roadway.	\$100.00
15.6	22	Non operative motor vehicle parked on highway.	\$100.00