

**TOWN OF HARDISTY
BYLAW NO. 1124/08**

A BYLAW OF THE TOWN OF HARDISTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION OF PARKING AND OF THE USE OF HIGHWAYS LOCATED WITHIN THE TOWN OF HARDISTY IN THE PROVINCE OF ALBERTA

WHEREAS pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, a municipality may pass bylaws;

AND WHEREAS the Traffic Safety Act, R.S.A. 2000, c. T-6 Section 13, provides that a Municipal Council may pass a Bylaw with respect to regulation of parking and the use of highways under its direction, control and management;

THEREFORE, the Council of the Town of Hardisty in the Province of Alberta, duly assembled, hereby enacts as follows:

PART 1: BYLAW TITLE

SHORT TITLE

1. This Bylaw is to be cited as the "Parking Bylaw".

PART II: DEFINITIONS

2. **DEFINITIONS**

- a) "Act" means The Traffic Safety Act, R.S.A. 2000, c. T-6, as amended or replaced from time to time;
- b) "Alley" as defined in the Act, means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
- c) "Bylaw Officer" means a Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, to enforce the Town bylaws, and includes a member of the Royal Canadian Mounted Police and a Peace Officer authorized under the *Peace Officer Act*, S.A. 2006, c. P-3.5, as amended or repealed and replaced from time to time, having jurisdiction in the Town;

- d) "Chief Administrative Officer" means the Chief Administrative Officer of the Town, as appointed pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, or his or her designate;
- e) "Council" means the municipal council of the Town of Hardisty;
- f) "Curb" means the actual concrete or asphalt curb, or in the absence of one, the dividing line of a highway between the edge of the roadway and the sidewalk;
- g) "Heavy Vehicle" means a motor vehicle, alone or together with any trailer, semi-trailer or other vehicle being towed by the motor vehicle, with a registration gross weight of five (5) tonnes or more, or exceeding (11) meters in total length. A public passenger vehicle, when engaged in the transport of passengers, shall be deemed to be excluded from the definition of a heavy vehicle;
- h) "Highway" as defined in the Act, means any thoroughfare, street, road, trail, avenue, parkway, driveway, land, alley that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles;
- i) "Traffic Control Device" as defined in the Act means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic;
- j) "Truck Route" means a highway within the Town upon which the operation of Heavy Vehicles is permitted, and which has been designated;
- k) "Regulations" means The Use of Highway and Rules of the Road Regulation (A.R. 304/2002) made pursuant to the Act;

PART III: TRAFFIC CONTROL DEVICES AND AUTHORITY TO PLACE

3. TRAFFIC CONTROL DEVICES

3.1 Pursuant to Section 110 of the Act, the Chief Administrative Officer is hereby delegated the authority to place, erect, display or alter traffic control devices at such locations within the Town as he or she may determine, or as Council may by resolution direct, for the purpose of controlling and regulating traffic, including, but not limited to, the following specific purposes:

- a) To prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public place or any portion thereof during such hours as he or she may determine;

PART IV: PARKING RESTRICTIONS AND PROHIBITIONS

4. PARKING RESTRICTIONS AND PROHIBITIONS

- a) The parking prohibitions and restrictions provided in Sections 44 through 49 of the Regulations apply within the Town and may be enforced through the issuance of a bylaw violation tag by a Bylaw Officer.
- b) No person shall be permitted to park a vehicle on any portion of 49th Street (Secondary Highway #881) except when actively engaged in loading or unloading passengers.
 - i) The Town will allow special event parking for areas near the Hardisty Community Hall and Hardisty Legion Hall
 - ii) The Town will allow business parking limited to 15 minute intervals for any business located along 49th Street (Secondary Highway #881)
- c) No person shall park any vehicle, trailer or camper on a roadway, alley or public parking lot owned by or in the care, custody and control of the Town of Hardisty, unless otherwise provided for in this Bylaw, for a period exceeding 72 hours.
- d) No person shall park any commercial licensed vehicle, of any design capacity of more than one (1) tonne, including but not limited to a truck, bus, trailer, or delivery van, on any roadway in a residential area except when such vehicle is actively engaged in a bona fide delivery, transport or other similar activity.

- e) Except in the case of a sudden vehicle breakdown, a person shall not stand or park any vehicle on any portion of a highway in the Town for the purpose of servicing or repairing the vehicle.
- f) The Town, after clearly posting or signing a roadway or public parking lot a minimum of twelve (12) hours prior may cause a roadway or public parking lot be cleared of vehicles for the purpose of street cleaning, snow removal or highway repair. In such cases, the Town may tow and impound vehicles blocking street cleaning or repair equipment at the vehicle owner's expense

PART V: ENFORCEMENT

5. AUTHORITY OF BYLAW OFFICER

- a) A Bylaw Officer shall be authorized to enforce the provisions of this Bylaw.

PART VI: PENALTIES AND OFFENSES

6. GENERAL PENALTIES AND OFFENSES

- a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500.00) and not less than FIFTY DOLLARS (\$50.00).
- b) Where a Bylaw Officer believes that a person has contravened any provision of this Bylaw, or of Sections 44 through 49 of the Regulations, he/she may serve upon:
 - i) Such person a violation ticket referencing the section contravened; or
 - ii) The registered owner of the motor vehicle a violation ticket referencing Section 160 (1) of the Act and the Section of the Bylaw or Regulations contravened;

in accordance with the provisions of the Provincial Offences Procedure Act, R.S.A. 2002, c. P-34.
of this Bylaw.

- c) Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the

Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.


7. **EFFECTIVE DATE**

This Bylaw shall come into effect on third and final reading.


FIRST READING passed in open Council duly assembled in the Town of Hardisty, in the Province of Alberta, this 13th day of, February A.D. 2008.

SECOND READING passed in open Council duly assembled in the Town of Hardisty, in the Province of Alberta, this 23rd day of, April A.D. 2008.

THIRD AND FINAL READING passed in open Council duly assembled in the Town of Hardisty, the Province of Alberta, this 14th day of, May A.D. 2008.



Mayor – Anita Miller



CAO – Tony Kulbisky

