

TOWN OF ONOWAY
BYLAW NO. 795-22

**A BYLAW FOR THE TOWN OF ONOWAY, IN THE PROVINCE OF ALBERTA,
TO REGULATE VEHICLE, ANIMAL, AND PEDESTRIAN TRAFFIC**

WHEREAS, the *Traffic Safety Act* provides that “the Council of a Municipality may, with respect to a highway under its direction, control, and management, make bylaws that are consistent with this *Act*;”

WHEREAS, the *Municipal Government Act* gives the Municipalities the power to enact bylaws and impose fines and penalties for infractions of their bylaws;

NOW THEREFORE, the Municipal Council of the Town of Onoway, Alberta, duly assembled, hereby enacts as follows:

PART 1: DEFINITIONS

Section 1.01 Definitions

This bylaw may be cited as the “Traffic Bylaw”.

In this bylaw; except where otherwise defined or specified:

- 1.1 “**ACT**” means the *Traffic Safety Act* RSA 2000 c. T-6 and Off Highway Vehicle Alberta Regulation 319/2002 Amendments Alberta Regulation 148/2003, in each case amended from time to time.
- 1.2 “**ALLEY**” means a narrow highway providing access to rear of a building(s) and parcel(s) of land.
- 1.3 “**BICYCLE**” means any cycle propelled by human power upon which a person may ride, regardless of size or the number of wheels it has.
- 1.4 “**BOULEVARD**” means, that part of a highway, in an urban area that:
 - a) is not a highway; and
 - b) is part of the sidewalk that is not especially adapted for the use of or ordinarily used by pedestrians
- 1.5 “**CENTRE LINE**” means:
 - a) The center of the highway measured from the curbs or, in the absence of curbs, from the edges of the highway; or

TOWN OF ONOWAY
BYLAW NO. 795-22

- b) In the case of a divided highway, that portion of the highway separating the highways for traffic moving in the opposite directions.
- 1.6 “**CAO**” means the Chief Administrative Officer appointed by the Municipal Council of the Town of Onoway, Alberta, or the Director(s) or Department(s) designated by the Chief Administrative Officer.
- 1.7 “**CARRIER**” means any Vehicle that is transporting any amount of Dangerous Goods into, through or out of the Town.
- 1.8 “**COMMERCIAL LOADING ZONE**” means the area parallel to the curb side of the highway and falling within two Traffic Control Devices marking the area as a Commercial Vehicle Loading Zone, or within ten meters of either side of such a sign, if only a single sign is present.
- 1.9 “**COMMERCIAL VEHICLE**” means a Commercial Vehicle as defined by the *Traffic Safety Act*, and includes any Vehicle from which sales are made of goods, wares, merchandise or commodities, or a Vehicle by which delivery is made of goods, wares, services, merchandise or commodities to a purchaser or consignee thereof.
- 1.10 “**COUNCIL**” means the municipal council of Onoway, Alberta.
- 1.11 “**CROSSWALK**” means:
- a) That part of the highway at an intersection included within the connection of the lateral line of the sidewalks on either side of the highway measured from the curbs; or
 - b) Any part of the highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by markings on the road surface.
- 1.12 “**CURB**” means the actual curb if there is one, and if there is no curb in existence, it shall mean the division of a highway between the highway and the sidewalk or boulevard, as the case may be.
- 1.13 “**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*, R.S.A. 2000, c.D-4, as amended or repealed and replaced from time to time.
- 1.14 “**DISABLED PERSON VEHICLE**” means a Vehicle identified as such, by either an Alberta disabled person’s license plate or an Identification Placard, clearly displayed in the Vehicle, bearing the international symbol of the disabled.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.15 “**EMERGENCY LANE**” means all that portion of a highway used to provide access to buildings by Emergency Vehicles, and so marked by signs stating “Fire Lane” or “Emergency Lane”.
- 1.16 “**EMERGENCY VEHICLE**” means:
- a) A Vehicle operated by a police force;
 - b) A firefighting or other type of Vehicle operated by a fire protection service;
 - c) An ambulance by a person or organization providing ambulance services;
 - d) A Vehicle operated as a gas disconnection unit of the public utilities;
 - e) A Vehicle designated as an emergency response unit, pursuant to the regulations under the *Traffic Safety Act*.
- 1.17 “**FIRE CHIEF**” means a person appointed as the head of the Fire Department.
- 1.18 “**FIRE POINT LINE**” means a temporary line established by the Fire Chief, Peace Officer or the On Scene Commander of an emergency response, beyond which, no person shall pass.
- 1.19 “**FUNERAL PROCESSION**” means group of Vehicles, the occupants of which are gathered pursuant to funeral services, that is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on the highway;
- 1.20 “**GOVERNMENT VEHICLE**” means any Vehicle that is owned or leased by a municipal, provincial or federal level of government;
- 1.21 “**HEAVY VEHICLE**” means a Vehicle with or without load weighing 5,500 kg or more.
- 1.22 “**HIGHWAY**” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether public alley or privately owned, and part of which the public is ordinarily entitled or permitted to use for the passage or parking of Vehicles, and includes:
- a) A sidewalk, including boulevard portion;
 - b) If a ditch lies adjacent to and parallel with, the highway, the ditch, and;
 - c) If a highway right of way is contained between fences or between a fence and one side of the highway, all the land between the fences, or all the land between the fence and the edge of the highway as the case may be, but does not include a place declared by regulation not to be a highway.
- 1.23 “**HANDICAP PARKING STALL**” means:

TOWN OF ONOWAY
BYLAW NO. 795-22

- a) The CAO is hereby authorized to establish, sign or otherwise designate such parking stalls or zones within the Municipality as he/she deems necessary for the exclusive parking of Vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services.
- b) In accordance with the provisions of the Municipality's Land Use Bylaw, the owner, tenant, occupant or person in control of private property within the Municipality to which Vehicles driven by the public generally have access may designate parking spaces for the exclusive parking of Vehicles bearing a valid disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Services. The signage or markings used to so designate such parking spaces shall be in a form similar to that approved and used by the CAO.

1.24 **"HELMET"** means a protective device intended to be worn on the head that must: meet the Canadian Standards Association, and /or American Standards Institute and/or SNELL guidelines for head protection for activities including but not limited to operating a Motorcycle or bicycle. Helmet must include labeling of certifying agency.

1.25 **"HOLIDAY"** means any Statutory Holiday as recognized by the Municipality, including but not limited to the following: New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Annual Civic Holiday (1st Monday in August), Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.

1.26 **"IDENTIFICATION PLACARD"** means a placard issued by the Province of Alberta for the purpose of identifying a Vehicle as operated or used by a disabled person.

1.27 **"INOPERABLE VEHICLE"** means a Vehicle that, in the opinion of a Peace Officer is incapable of moving without repair;

1.28 **"INTERSECTION"** means the area embraced within the correction or prolongation of:

- a) The lateral curb lines; or if none
- b) The exterior edges of the highways, of two or more highways which join one another at an angle whether or not one highway crosses the other.

1.29 **"LAND USE BYLAW"** means the Town of Onoway Land Use Bylaw, as amended from time to time.

1.30 **"MINIATURE MOTOR VEHICLE"** means a motor Vehicle other than a motorcycle, having specifications prescribed by the regulations in the Act.

1.31 **"MINI-BIKE"** means a motorcycle having specifications prescribed by the regulation in the Act.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.32 “**MOBILE UNIT**” means any vacation trailer or house trailer or re-locatable trailer, or any structure whether ordinarily equipped with wheels or not, that is constructed and manufactured to be moved from one point to another, by being towed or carried and to provide living accommodations for other use by one or more people.
- 1.33 “**MOBILITY AID**” means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability. A mobility aid user is considered a pedestrian. All rules that apply to pedestrians also apply to individuals operating a mobility aid. Mobility aids may include, but not limited to items such as wheel chairs, electric driven wheel chairs or scooters.
- 1.34 “**MOPED**” means a Vehicle that (i) is propelled by an electric motor or an engine that has a displacement of not more than 50 cubic centimeters, and (ii) is a limited-speed motorcycle under the *Motor Vehicle Safety Regulations (Canada) (C.R.C., c. 1038): Interpretation 2.(1)*.
- 1.35 “**MOTOR CYCLE**” means a motor Vehicle, other than a moped, that is mounted on two or three wheels and includes those motor Vehicles known in the automotive trade as motorcycles and scooters.
- 1.36 “**MGA**” means the *Municipal Government Act RSA 2000, c. M-26*, as amended or repealed and replaced from time to time.
- 1.37 “**MUNICIPALITY**” means the Town of Onoway in the Province of Alberta.
- 1.38 “**MUNICIPAL TAG**” means a form alleging an offence of a Municipal bylaw allowing for voluntary payment of the specified penalty.
- 1.39 “**OBSTRUCTION**” means an encroachment, excavations, structure or other obstacles including but not limited to: trees, shrubs, signage (permanent or non-permanent) that:
- a) Interferes with or prevents the vision, passage, maintenance or use of public space by a Vehicle or pedestrian or
 - b) Interferes with or prevents the proper work operations of Municipal employees or Alberta transportation staff.
- 1.40 “**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:
- a) Four wheel drive Vehicles;
 - b) Low pressure tire Vehicles;
 - c) Motor cycles and related 2-wheel Vehicles;

TOWN OF ONOWAY
BYLAW NO. 795-22

- d) Amphibious machines;
 - e) All terrain Vehicles;
 - f) Utility terrain Vehicles;
 - g) Miniature Motor Vehicles;
 - h) Snow Vehicles;
 - i) Mini bikes; and
 - j) Any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats.
- 1.41 “**OPERATOR**” means the registered owner thereof, or if not the registered owner, the person driving or in the position of control over the Vehicle.
- 1.42 “**OWNER**” means, in the case of a Vehicle, the person named on the certificate of registration or any person who is renting or leasing the Vehicle. In the case of land, an owner means any person who is registered under the *Land Titles Act R.S.A. 2000, c. L-4*, and subsequent amendments, as the owner of the land.
- 1.43 “**PARADE**” or “**PROCESSION**”, with the exception of a military parade or funeral procession, means any group of:
- a) More than 50 pedestrians;
 - b) More than 10 Vehicles; or
 - c) Any combination of pedestrians or Vehicle which together exceed 50 in number on a highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or Vehicle traffic on the highway.
- 1.44 “**PARK**”, when prohibited, means to allow a Vehicle occupied or not, to remain standing in one place, excepting the following:
- a) When standing temporarily for the purpose of and while actually engaged in loading and unloading passengers; or
 - b) When standing in obedience to a Peace Officer or a traffic control device.
- 1.45 “**PASSENGER LOADING ZONE**” shall mean a space on a portion of a highway posted with a Traffic Control Device permitting parking therein, for the period of time indicated on the sign, solely for the purpose of loading or unloading passengers.
- 1.46 “**PEACE OFFICER**” means a member of the Royal Canadian Mounted Police, a community peace officer appointed by the Municipality (pursuant to the provisions of the *Police Act R.S.A. 2000 c. P-17*, as amended, repealed and replaced from time to time) or a Bylaw Enforcement Officer, appointed by the Municipality, pursuant to the *MGA*.
- 1.47 “**PEDESTRIAN**” means a person on foot, or a person in or on a Mobility Aid.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.48 “**PERSON**” means any individual, corporation, society, association, partnership or firm.
- 1.49 “**PLAYGROUND ZONE**” means that portion of a highway, falling between two Traffic Control Devices, marking the portion of highway as a Playground Zone.
- 1.50 “**POSTED**” means to erect, place or mark with Traffic Control Devices.
- 1.51 “**PRIVATE PROPERTY**” means any property within the Municipality not owned by, or occupied by the Government of Canada, the Government of Alberta or by the Municipality, except as otherwise indicated by express provision of this Bylaw.
- 1.52 “**PROVINCIAL OFFENCES PROCEDURE ACT**” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or appealed and replaced from time to time in relation to violation tickets.
- 1.53 “**PUBLIC PLACE**” means any highway, park land, recreation area, footway, court, passageway, whether a thoroughfare or not, and includes but is not limited to, any open space to which the public has or may have access to, owned by or under the direction, control and management of the Municipality
- 1.54 “**RECREATIONAL VEHICLE**” means a Vehicle or trailer that provides temporary accommodation for recreation or travel purposes and includes any motor home, travel trailer, fifth wheel trailer, a camper when it is not mounted on a truck, but placed on the ground, a stand or otherwise stored, or any similar Vehicles, but does not include small utility trailers, camper van conversions, tent trailers, campers mounted on trucks, off-road Vehicles or watercraft and trailers to transport them, unless such Vehicles are being used as a dwelling unit, in which case they will be considered Recreational Vehicles for the purposes of this bylaw.
- 1.55 “**SCHOOL ZONE**” means a school area designated and identified through signs where the speed limit is 30 km/hour from 8:00 am to 9:30 am, 11:30 am to 1:30 pm, 3:00 pm to 4:30 pm on school days from September 1 to June 30 or as otherwise posted.
- 1.56 “**SIDEWALK**” means that part of the highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of the highway between the curb line thereof (on the edge of the highway where there is no curb line), and the adjacent property line, whether or not paved or improved.
- 1.57 “**SIGN**” or “**SIGNAGE**” means a, “Traffic Control Device” as defined in the current *Traffic Safety Act* of Alberta or as defined in the Onoway Land Use Bylaw.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.58 “**SIGN HEIGHT**” means the vertical distance measured at right angles from the highest point of the sign or sign structure to the grade below or when required to the grade level of the highway.
- 1.59 “**STOP**” means:
- a) When required, a complete cessation from vehicular movement; and
 - b) When prohibited, any halting even momentarily of a Vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control device.
- 1.60 “**TIME**” shall mean either Mountain Standard Time or Mountain Daylight Savings Time, which is proclaimed by the Province of Alberta.
- 1.61 “**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.
- 1.62 “**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, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.
- 1.63 “**TRAILER**” means a Vehicle designed so that it:
- a) May be attached to or drawn by a motor Vehicle or tractor, and
 - b) Is intended to transport property or persons.
- 1.64 “**TRANSIT VEHICLE**” means a Vehicle used for public transportation including school buses.
- 1.65 “**TRANSIT ZONE**” means the area parallel to the curb side of the highway and within fifteen (15) meters of either side of a Traffic Control Device.
- 1.66 “**TRUCK LOADING AND UNLOADING SPACE**” means a space on a portion of a highway designated by the Municipality, and marked by a sign, for the purpose of loading and unloading for a period as indicated by the said sign. For the purposes of this definition, truck means any Vehicle licensed under the *Traffic Safety Act* as a public service, commercial, or heavy vehicle.
- 1.67 “**TRUCK ROUTE**” means those highways within the Municipality designated as a truck route by the Municipality.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.68 “**VEHICLE**” means, other than in part VI, a device under 5,500kg 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.
- 1.69 “**VIOLATION TICKET**” means a ticket issued pursuant to Part II or III as applicable, of the *Provincial Offences Procedure Act*, and the regulations there under.
- 1.70 “**WHEELED APPARATUS**” means any type of equipment that utilizes wheels for movement.

PART II: STANDARD VEHICLE PARKING

Section 2.01 - MARKED PARKING SPACE

Where a **Vehicle** parking space upon the **Highway** is designated, an **Operator** using the same space shall **Park** the **Vehicle** wholly within the limits of the space.

Section 2.02 PROHIBITED PARKING / CONSTRUCTION

No **Person** shall **Park** a **Vehicle** for any period of time whatsoever at the following locations:

- 1.1 Upon any portion of a **Highway** adjacent to any structure in the course of erection or repair when such parking will impede or obstruct traffic;
- 1.2 In any **Truck** loading or unloading space marked by a **Sign** indicating the restrictions which apply hereto except a **Commercial Vehicle/Heavy Vehicle** lawfully engaged in loading or unloading materials. Notwithstanding the foregoing, such space may be used on a Sunday or any **Holiday** or at times other than those restricted by the **Sign**;
- 1.3 In the entranceway to any fire hall, police station, or ambulance station;
- 1.4 Where the **Vehicle** may in any way interfere with the use of a doorway intended as a fire emergency exit from any building abutting the **Highway**;
- 1.5 At a place or area where the **Sign** indicates that parking there is restricted to a certain class of **Vehicle**. For the purpose of this subsection, the following classes of vehicles are established:
- a) Small cars: cars having a wheelbase of 270 centimeters or less;
 - b) Police, fire, ambulance, and other **Emergency Vehicles**;
 - c) Tour line buses;
 - d) Funeral cars;

TOWN OF ONOWAY
BYLAW NO. 795-22

- e) School buses;
- f) Taxi cabs; and
- g) Vehicles displaying a handicapped placard or license plate.

1.6 In an **Emergency Lane**.

Section 2.03 NO PARKING SNOW REMOVAL / STREET CLEANING

Notwithstanding any other provision in this Bylaw, the **CAO** may:

- 1.1 **Cause moveable Signs to be placed on or near a Highway within the Municipality** prohibiting parking of any **Vehicle** for the purpose of snow removal, street cleaning, flushing, or road repair. **Signs** shall be placed at the entrance / exit of a cul-de-sac or **Highway** so that **Signs** are clearly visible. Such **Signs** shall be **Posted** a minimum of 24 hours prior to the commencement of such work being done, and shall at a minimum have wording indicating “NO PARKING”;

Section 2.04 PARKED VEHICLES

Except where actually taking or discharging passengers, no **Person** shall **Park a Vehicle**:

- 1.1 In a **Passenger Loading Zone** marked with a **Sign**;
- 1.2 On a portion of a **Highway** marked by a **Sign** as “No Parking”;
- 1.3 Upon a **Highway** in front of, adjacent to or abutting any building, structure, place or premises, in the course of construction or repair, when such parking will impede or obstruct traffic;
- 1.4 In a bus zone except buses.

Section 2.05 ALLEY PARKING

No **Person** shall **Park a Vehicle** in an **Alley** unless a **Traffic Control Device** permits, excepting the following:

- 1.1 Where a **Commercial Vehicle/Heavy Vehicle** is loading or unloading of goods from a **Commercial Vehicle, Heavy Vehicle** and/or private **Vehicle** for a period not exceeding 30 minutes;

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.2 The loading and unloading of passengers from a **Vehicle** for a period not exceeding 5 minutes.

Notwithstanding provisions in this Section 2.05 (1.1 and 1.2), no **Person** shall **Park** a **Vehicle** in such a manner to obstruct passage of other **Vehicles** in the **Alley**.

Section 2.06 PRIVATE PROPERTY / PRIVATE PARKING LOTS

- 1.1 No **Person** shall **Park** or leave a **Vehicle** on **Private Property** which has been clearly marked by a **Sign** erected by the **Owner**, tenant, occupant, or **Person** in charge of the **Private Property** without consent of that **Owner**, tenant, occupant or **Person** in charge of the **Private Property**, which consent may be revoked at any time.
- 1.2 No **Person** shall **Park** or leave a **Vehicle** that is parked on **Private Property** without the consent of the **Owner** of the property or on a **Highway** in a manner that obstructs a private driveway as per the **Act**.

Section 2.07 MUNICIPAL PROPERTY

No **Person** shall **Park** a **Vehicle** upon any land owned by the **Municipality** unless designated by a **Traffic Control Device**.

Section 2.08 MUNICIPAL PARKING LOTS

No **Person** shall **Park** their **Vehicle** on a parking lot owned by the **Municipality** in contravention of the prohibitions stated on a **Traffic Control Device** placed in the said lot.

PART III: SPECIAL CLASSES OF VEHICLES (PARKING AND OTHER REGULATIONS)

Section 3.01 RECREATIONAL VEHICLES AND TRAILERS

- 1.1 No **Recreation Vehicle** or **Trailer** shall be permitted to **Park** on any **Highway** between October 16th to April 15th. During this period of **Time**, all **Recreation Vehicles** or **Trailers** must be parked on **Private Property**.
- 1.2 Between the period of April 16th to October 15th, a **Recreation Vehicle** or **Trailer** may **Park** on a **Highway** subject to the following conditions:
- a) A **Recreation Vehicle** or **Trailer** must not be parked in such a manner as to constitute a traffic hazard, public safety hazard or an unsightly condition. The **Municipality's Peace Officer** shall have the discretion to determine whether or not a **Recreation Vehicle** or **Trailer** constitutes a traffic or public safety hazard.

TOWN OF ONOWAY
BYLAW NO. 795-22

- b) No more than one **Recreation Vehicle** and one **Trailer** may be parked on or adjacent to one residence, on or adjacent to one commercial property.
- c) No **Recreation Vehicle** or **Trailer** shall be occupied or slept in when parked on **Private Property** or **Public Place** except where designated, or on a **Highway**, for more than a 48-hour period. Extension cords and other objects shall not cross a **Sidewalk** between the recreation unit or **Trailer** and a residence or business. The **Municipality's Peace Officer** is authorized to remove extension cords and other paraphernalia without notice. No **Recreation Vehicle** or **Trailer** shall leave steps out, or leave any portion of the **Recreation Vehicle** or **Trailer** protruding, in a manner that obstructs a public **Sidewalk** or roadway.
- d) No **Recreation Vehicle** or **Trailer** shall remain parked on a **Highway** for more than 48 hours; any **Recreation Vehicle** or **Trailer** that is moved to avoid prosecution under this Bylaw shall not be returned to a **Highway** within 48 hours from the **Time** that it is moved.
- e) During all **Times** of year, a **Recreation Vehicle** or **Trailer** parked on a privately owned driveway must leave at least one meter of space between the **Recreation Vehicle** or **Trailer** and the interior edge of the **Sidewalk, Curbs**, or driveway, whichever is closest.
- f) A **Recreation Vehicle** or **Trailer** shall not be parked on any **Highway** unless it is attached to a **Vehicle** by which it is driven.
- g) **Recreational Vehicle** or **Trailer** parking will be permitted at Ruth Cust Park.

Section 3.02 ANGLE PARKING

No **Person** shall angle **Park** a **Vehicle** upon any **Highway** unless such parking is permitted by a **Traffic Control Device**. No **Person** shall **Park** any **Vehicle** or **Vehicle** and **Trailer** combination exceeding six (6) meters in overall length within any angle parking stall on a **Highway**.

Section 3.03 UNATTACHED TRAILERS

- 1.1 No **Person** shall **Park** 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 regulations pertaining to **Vehicles** unless otherwise authorized by the **CAO**.
- 1.2 No **Person** shall occupy or suffer or permit any **Person** to occupy a **Mobile Unit** upon a **Highway** or upon **Public Property** unless such property has been designated for use as a mobile home or trailer park.
- 1.3 No **Person** shall place or cause to be placed, any unauthorized structure or object on or which projects into or obstructs the use of any **Highway, Sidewalk** or **Boulevard**.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.4 The **Municipality** may remove or cause to be removed any unauthorized structure or other object in Section 3.01 (1.1) and the charges for removal and storage of any such structure or object shall be paid by the **Owner** or other responsible **Person** and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution initiated under this section.

Section 3.04 HEAVY AND COMMERCIAL VEHICLE PARKING

- 1.1 No **Person** shall **Park** a **Vehicle** or a **Vehicle** with any type of **Trailer** attached thereto upon any **Highway** if the **Vehicle** or **Vehicle** and **Trailer** can be defined as a **Heavy Vehicle** or a **Commercial Vehicle**, or the **Vehicle** is:
- a. Loading or unloading goods to or from premises abutting such **Highway** provided that during a period of restricted visibility the **Vehicle** or **Vehicle** and **Trailer** shall have front and rear parking lights illuminated and shall not **Park** for longer than one (1) hour; or
 - b. Parked on a **Truck Route** for a period not exceeding 72 hours or as otherwise **Posted** by a **Traffic Control Device**; or
 - c. There is sufficient parking space to **Park** on **Private Property** while loading or unloading goods.
- 1.2 It shall not be a breach of section 3.03 (1.1) if the **Heavy Vehicle** is pulled up into a driveway on **Private Property** and is parked with consent of the **Owner** of the **Private Property**. In the case of a Tractor/Trailer Unit as defined in the *Traffic Safety Act* only the Tractor is permitted to be parked on **Private Property** and must be backed into the driveway.

Section 3.05 TRACKED VEHICLES

- 1.1 No person shall Operate on a **Highway** a **Vehicle** or **Trailer** having metal spikes, logs or cleats, or bands projecting from the surface of its wheels or tires; or
- 1.2 Any **Vehicle** or **Trailer** having skids or not using a triple grouser or flat surface tracks.

Section 3.06 TRUCK ROUTE

- 1.1 No **Person** shall operate or **Park** a **Commercial Vehicle** or **Heavy Vehicle** on a **Highway** unless the **Vehicle** is:
- a) Delivering or picking up goods from a location in accordance with Section 3.03; or
 - b) Mechanical problems dictate.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.2 If deliveries are made off of a **Truck Route** the **Operator** must use the most direct route.
- 1.3 Notwithstanding Section 3.05(1.1), the following **Heavy Vehicles** are authorized to operate on non-truck routes:
- a) Public Passenger buses or school buses being operated for the purpose of receiving or delivering passengers;
 - b) **Emergency Vehicles** being operated in the service of public interest or during an emergency;
 - c) Utility **Vehicles** being operated for the purpose of installing, servicing or repairing public utilities; or
 - d) Municipal Vehicles being operated in the service of the Municipality.
- 1.4 **Persons** transporting **Dangerous Goods** shall travel only on the designated dangerous goods route.

Section 3.07 USE OF RETARDER BRAKES

The use of retarder brakes is prohibited within the limits of the **Municipality**.

Section 3.08: OFF-HIGHWAY VEHICLES

1.1 Provisions and Infractions

a) Operating Restrictions

- i. No **Person** shall operate an **Off-highway Vehicle** within the limits of the **Municipality** between the hours of 11:00 p.m. and 8:00 a.m., and for the purpose of proceeding to and from areas outside of the **Municipality**.
- ii. An **Operator** of an **Off-highway Vehicle** shall immediately, on being signaled; or requested to **Stop** by a **Peace Officer** or any other law enforcement officer, bring his or her **Vehicle** to a **Stop**, and furnish any information respecting the driver or the **Vehicle** that the **Peace Officer** or law enforcement officer requires and shall not start his or her **Vehicle** until he or she is permitted to do so by that Officer.
- iii. An **Owner** who permits another **Person** to operate the **Owner's Off-highway Vehicle** or an **Off-highway Vehicle** of which the **Owner** has exclusive use, in contravention of this Bylaw is guilty of an offence.
- iv. In proceeding to a permitted area or back to their residence, the **Operator** of an **Off-highway Vehicle** shall use the alleys and lanes. If

TOWN OF ONOWAY
BYLAW NO. 795-22

it is necessary to travel on a highway, the **Operator** and/or **Operators** of the **Off-highway Vehicle** shall travel on the extreme right hand side of the road and shall travel single file.

- v. When a person operates an **Off-highway Vehicle** within the Municipality, the Operator shall travel at a speed not in excess of 30 km/h.

- b) An **Owner** of a property from which an **Off-highway Vehicle** has been used in contravention of this **Act** or any other Provincial Act is in contravention of this Bylaw and is guilty of an offence.

1.2 Exemptions and Allowances

a) Permissions granted by the **CAO**

- i. No **Person** shall be in contravention of a specific provision of this Bylaw if written permission has been granted for the contravention by the CAO in advance.
- ii. Permission can also be granted for those **Persons** who, for the purpose of snow removal, travel from **Sidewalk** to **Sidewalk** in the spirit of community service.
- iii. Permission may be granted by the **CAO** for the use of **Off-highway Vehicles** for special events, **Parades** run by organizations.

b) Employees, Servants, and Agents

- i. The employees, servants, and agents of the Municipality, while acting in the course of their employment and duties, are exempt from the provisions of this Bylaw.
- ii. During an emergency, disaster or search and rescue operation with the **Municipality**, the provisions of this Bylaw may be waived, suspended or varied by the Director of Emergency Management or their designate.

Section 3.09: OPERATION OF SCHOOL BUSES

- 1.1 School buses are permitted to park on the Northside of Lac Ste. Anne Trail South. Buses may remain stationary in one place whether or not the bus is occupied, or the engine is running. Buses must be compliant with all traffic control devices or the direction of a Peace Officer.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.2 Alternately flashing warning lamps shall be used when a school bus is **Stopped** to load or unload passengers on a **Highway** within the **Municipality**.
- 1.3 No **Person** shall activate the alternately flashing warning lamps of a school bus in a school bus loading zone located on or adjacent to school grounds.

PART IV: RIGHTS AND DUTIES OF PEDESTRIANS

Section 4.01 OBSTRUCTING HIGHWAY

- 1.1 No **Person** shall stand in a group of 3 or more **Persons** or so near each other on a **Highway** as to create an **Obstruction** or prevent other **Persons** using such **Highway**. Once a **Peace Officer** or another **Person** duly authorized has made a request to disperse, then all shall disperse and move away.
- 1.2 No **Person** shall place or caused to be placed an **Obstruction** of any kind on or along a **Highway** as defined within the Bylaw or with in its right-a-way except where written permission has been given by the **CAO** or where specific guidelines/exemptions have been met.
- 1.3 The **Municipality** maintains the right to remove any **Obstruction** that is viewed as a hazard or impedes the use of a **Highway** for **Vehicle** or **Pedestrian** use that affects:
 - a) Sight lines,
 - b) Is in a condition of disrepair, or
 - c) Where approval requirements have not been met.
- 1.4 In addition to any other enforcement actions required, a **Person** upon notification must take actions to remove or rectify the condition immediately within any timeline assigned by the authorized agents of the **Municipality** and failure to do so, all costs needed to render the condition safe or repaired by the Municipality will then be applied as a debt owing to the **Municipality** by the **Person** placing or causing the **Obstruction**.

PART V: SIDEWALKS/TRAILS

Section 5.01 RIDING ON SIDEWALK/TRAILS

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.1 No **Person** shall operate a **Wheeled Apparatus** in reckless manner on a **Sidewalk** which in the opinion of a Peace **Officer** would be seen as causing a risk to other **Pedestrians**. (**Bicycles**, Skateboards, scooters etc.)
- 1.2 All **Persons** under the age of 18 must wear an approved **Helmet** when operating a **Bicycle**.

PART VI: DIVISION OF AUTHORITY BETWEEN COUNCIL AND THE CAO

Section 6.01 GENERAL

The **Council** of the **Municipality** hereby delegates the authority to prescribe where **Traffic Control Devices** are to be located to the **CAO** of the **Municipality**.

Section 6.02 HIGHWAY CLOSING

Subject to provisions and processes outlined in the current **MGA**, **Council** may designate any Municipal **Highway** as one which is closed. In such cases, the **CAO** shall cause said **Highway** to be marked as closed.

Section 6.03 TEMPORARY HIGHWAY CLOSING

Subject to the **MGA** and any other enactment, the **CAO** is hereby authorized to designate any **Highway** as one that is closed temporarily in whole or in part, and the **CAO** shall cause the **Highway** to be marked as such with **Traffic Control Devices**. All road closures must be vetted through the **CAO** to ensure protective services are advised of the closure.

Section 6.04 TRAFFIC LANES

Council may designate any Municipal **Highway** as one to be divided into traffic lanes of such number as they consider proper.

Section 6.05 SCHOOL AND PLAYGROUND ZONES

Council shall designate, “**SCHOOL ZONES**” and “**PLAYGROUND ZONES**”. The **CAO** shall cause such zones to be marked by “a **Traffic Control Device**”.

Section 6.06 SPEED LIMITS

Council shall designate **Vehicle** speed limits on Municipal **Highways** or a portion of a **Highway**, and the **CAO** shall cause such speed limits to be marked.

TOWN OF ONOWAY
BYLAW NO. 795-22

The maximum speed limit of all roads within the **Municipality** shall be 40 kilometres per hour with the following exceptions:

25 kilometres per hour in Shaul Park and the Manufactured Home Park;

30 kilometres per hour in the school zone on Lac Ste. Anne Trail on school days between 8:00 a.m. and 9:30 a.m.; 11:30 a.m. to 1:30 p.m.; and 3:00 p.m. to 4:30 p.m.: otherwise the speed is 50 kilometres per hour in the school zone on Lac Ste. Anne Trail outside of school days and the hours indicated above;

30 kilometres per hour in the school zone on 49 Street and 53 Avenue on school days between 8:00 a.m. and 9:30 a.m.; 11:30 a.m. to 1:30 p.m.; and 3:00 p.m. to 4:30 p.m.: otherwise the speed is 40 kilometres per hour in the school zone on 49 Street and 53 Avenue outside of school days and the hours indicated above;

50 kilometres per hour on Lac Ste. Anne Trail; the east portion of 47th Avenue from 48 Street to 41 Street; and the north portion of Range Road 22 from 53 Avenue to Hwy 37.

Section 6.07 BOULEVARD PARKING

The **CAO** is hereby authorized to designate any **Boulevard** upon which parking is permitted and shall cause **Signs** permitting such parking to be erected there on.

Section 6.08 PASSENGER AND TRUCK LOADING

The **CAO** is hereby authorized to designate **Passenger Loading Zone** and **Truck Loading and Unloading Spaces** and shall cause the same to be marked with a **Traffic Control Device**.

Section 6.09 BUS STOPS

The **CAO** is hereby authorized to designate **Transit Zones** and shall cause the same to be marked with a **Traffic Control Device**.

Section 6.10 PARKING TIME LIMITS

The **CAO** is hereby authorized to designate portions of any **Highway** where parking is limited to a period of **Time** and shall cause **Signs** to be erected indicating such parking limitations.

Section 6.11 TRUCK ROUTES

When the **CAO** has approved any **Highway** or part of a **Highway** being designated for “**TRUCK ROUTES**”, the **CAO** shall cause the same to be marked with signs reading ‘**TRUCK ROUTE**’.

TOWN OF ONOWAY
BYLAW NO. 795-22

Section 6.12 LOAD LIMITS

The **CAO** is hereby authorized in case of unfavorable road conditions, to limit load limits upon Municipal **Highways**.

Section 6.13 PRIVATE DRIVEWAYS

The **CAO** is hereby authorized to prohibit or restrict by **Signs** the movement of **Vehicles** from a private driveway onto a **Highway** or from a **Highway** onto a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.

Section 6.14 MEDIANS

The **CAO** is hereby authorized to close any existing median or divider on any municipal **Highway**.

Section 6.15 BICYCLES

1.1 The **CAO** is hereby authorized to designate locations:

- a) On public **Highways** where the use of **Bicycles** is prohibited and shall cause same to be marked by **Signs**. Where the use of **Bicycles** is prohibited by the **Municipality**, a reasonable alternative route shall be provided.
- b) On **Sidewalks**, walkways, and special **Bicycle** paths where the use of **Bicycles** is permitted unless otherwise signed by **Traffic Control Device**.
- c) On Municipal **Highways** for the use of **Bicycles** only and to regulate the movement of **Bicycles** upon the portion of such **Highway** designated for the use of **Bicycles**.

1.2 Unless the context otherwise requires, a **Person** operating a **Bicycle** on a **Highway** has all the same rights and is subject to all the rules that any **Vehicle Operator** has under this Bylaw.

1.3 Notwithstanding Subsection 1.4, a carrier of a newspaper may ride a **Bicycle** on a **Sidewalk**, or **Boulevard**:

- a) If the carrier is delivering copies of the newspaper at the **Time**; and
- b) If the **Bicycle** does not interfere with other **Persons** proceeding by on the said **Sidewalk**, footpath, or **Boulevard**.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.4 Where this Bylaw permits a **Person** to ride a **Bicycle** or use in-line skates, scooters or skateboards on any **Sidewalk** where **Pedestrians** are also allowed, the **Person** shall ride the **Bicycle**, skateboard, scooter, or use in line skates only in such a way that it will not interfere with a **Pedestrian** lawfully on or using such **Sidewalk**.
- 1.5 A **Peace Officer** may seize and impound for a period not exceeding 60 days any **Bicycle**, scooter or skateboard used or operated in contravention of this Bylaw.
- 1.6 Where a **Bicycle**, scooter and or a skateboard has been seized and impounded by a **Peace Officer** as provided for in Subsection 14.5, the **Owner** or **Operator** of such **Bicycle**, scooter or skateboard shall, aside from any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the **Bicycle**, scooter or skateboard.

PART VII: MISCELLANEOUS

Section 7.01 LOADING ACROSS SIDEWALK

No **Person** shall load or unload goods or merchandise across a **Sidewalk** or **Boulevard** where a **Commercial Loading Zone** or **Truck Loading And Unloading Space** have been provided at another area in the premises to which the goods or merchandise are being delivered or from which they are being taken.

Section 7.02 EMERGENCY SCENES

No **Person** shall pass beyond a point designated by a **Peace Officer**, **Fire Chief** or a member of emergency services personnel at emergency scenes.

Section 7.03 PROHIBITED CONVEYANCES

- 1.1 No **Person** shall ice skate or skateboard upon a **Highway** or **Sidewalk** in such a manner as to obstruct **Pedestrian** or **Vehicle** traffic or as to inconvenience any other **Person** on the **Highway**.
- 1.2 No **Person** shall coast on a sled, toboggan, skis, or other conveyance, except a **Bicycle**, upon a **Highway** excluding **Sidewalks/trails**.

Section 7.04 MOBILITY AID VEHICLE

- 1.1 No **Person** is required to hold a license, insurance, or obtain registration to operate a **Mobility Aid Vehicle**.
- 1.2 There is no minimum age requirement to operate a **Mobility Aid Vehicle**.

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.3 No **Person** is required to wear a **Helmet** when operating a **Mobility Aid Vehicle**. However, it is recommended especially when operating on uneven surfaces.

Section 7.05 WASHING AND REPAIRING A VEHICLE

- 1.1 No **Person** shall carry out activities upon a **Highway** or so near a **Highway** as to result in depositing mud or other materials, or creating slush or ice, upon a public **Sidewalk** or **Highway**.
- 1.2 No **Person** operating a premise on **Private Property** shall allow water, mud, slush, or other materials to deposit on a public **Sidewalk** from a **Highway**.

Section 7.06 SHRUB / FENCES AT INTERSECTIONS

- 1.1 No **Person** shall allow trees, hedges, or shrubs on **Private Property** within 5 meters of a **Highway Intersection**, whether planted before or after the date of the passing of this Bylaw; to grow to such a height or width that good visibility for safe traffic flow is interfered with.
- 1.2 The **CAO** may require any **Person** concerned to comply with the provisions of Section 7.06(1.1), hereof within 14 days of written notification to do so. If the **Person** fails to comply with such notice, the **CAO** may direct employees or agents of the **Municipality** to enter upon the **Private Property** to carry out the necessary work. In such cases, the cost of performing the required work and the pertinent penalty outlined in this Bylaw will be charged to the property **Owner** in default. Upon demand, and failing payment, such costs shall be added to the tax roll of the property **Owner**.

Section 7.07 ALLEY SPEED LIMIT

The maximum speed limit of all alleys within the **Municipality** shall be 20 kilometres per hour.

PART VIII: POWERS OF PEACE OFFICERS

Section 8.01 REMOVALS AND IMPOUNDMENTS OF VEHICLES

TOWN OF ONOWAY
BYLAW NO. 795-22

- 1.1 Any **Peace Officer** is hereby authorized to remove or cause to be removed from a Municipal **Highway** any **Vehicle** or **Recreational Vehicle**:
- a) Parked in contravention of a provision of this Bylaw;
 - b) Parked in contravention of the *Traffic Safety Act*;
 - c) When emergency conditions require such removal;
 - d) Where such **Vehicle** is **Obstructing** an area where road maintenance is occurring or about to occur.
- 1.2 Such **Vehicle** may be removed to a place designated by the **CAO** and will remain impounded until claimed by the **Owner**. The **Owner** of the **Vehicle**, **Recreational Vehicle** or **Trailer** shall be responsible for all costs associated with the removal, impoundment, and storage, as well as any pertinent penalties outlined in this Bylaw.
- 1.3 Notwithstanding anything else in this Bylaw, where portable “No Parking” **Signs** have been placed on or near a **Highway** by the **Municipality** or with permission of the **Municipality**, its employees, servants, agents or representatives may tow any **Vehicles Parked** in contravention of those **Signs** at the expense of the **Owner** and **Park** the same on an adjacent **Highway** without impounding the **Vehicles**, after the expiration of twenty-four (24) hours from the **Time** the portable “No Parking” **Signs** are erected.

Section 8.05 PENALTIES

Any **Person** who commits a breach of any of the provisions of this Bylaw shall on conviction for such a breach be liable to a penalty as prescribed in the Schedule “I” as amended from time to time. Such penalty may be issued on a **Municipal Tag** or **Violation Ticket**.

Section 8.06 ONUS OF PROOF

Where a **Vehicle** is driven, used, **Parked**, or left in contravention of any provision of this Bylaw, the **Owner** of the **Vehicle** is responsible for the contravention and liable to the penalty provided herein unless proven to the satisfaction of the Provincial Judge trying the case that at the **Time** of the contravention the **Vehicle** was not driven, used, **Parked**, or left by any **Person**.

Section 8.07 SEVERABILITY

If any section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of **Council** to enact, such section or parts shall be deemed to be severable and all other section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

That Bylaw No. 748-18 be rescinded.

**TOWN OF ONOWAY
BYLAW NO. 795-22**

READ A FIRST TIME THIS 10TH DAY OF MARCH, 2022.

READ A SECOND TIME THIS 10TH DAY OF MARCH, 2022.

UNANIMOUSLY CONSENTED TO FOR THIRD READING THIS 10TH DAY OF MARCH, 2022.

READ A THIRD AND FINAL TIME THIS 10TH DAY OF MARCH, 2022

Signed March 10, 2022

Signed by Mayor Lenard Kwasny

Signed by Wendy Wildman
Chief Administrative Officer

**TOWN OF ONOWAY
BYLAW NO. 795-22**

SCHEDULE I: PENALTIES

| | Section Heading | Specified Penalty |
|------------------------|--|--|
| Section 2.01 – 2.08 | Standard Vehicle Parking | \$100/Early Payment \$75 |
| Section 3.01 | Recreational Vehicles and Trailers | \$150/Early Payment \$100 |
| Section 3.02- 3.06 | Unattached Trailers /Angle Parking/ Heavy Vehicle Parking/ Tracked Vehicles/ Truck Route | \$ 300 (first offence) \$500 (second offence) \$800 (third offence) \$1100 (fourth and subsequent offences) |
| Section 3.07 | Use of Retarder Brakes | \$ 200 |
| Section 3.08 | Off-Highway Vehicles | \$200 |
| Section 4.01 | Obstructing Highway | \$120 |
| Section 5.01 | Reckless Operating on Sidewalk | \$ 75 |
| Section 7.01 | Loading Across Sidewalk | \$75 |
| Section 7.02 | Emergency Scenes | \$ 500 |
| Section 7.03- 7.06 | Prohibited Conveyance / Mobility Aid Vehicle / Washing & Repairing a Vehicle / Shrub/Fences at Intersections | \$ 150 |

TOWN OF ONOWAY
 BYLAW NO. 795-22

TOWN OF ONOWAY



STREET ADDRESS
 MAP



Revision Date:

