BYLAW 37-24

A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO REGULATE TRAFFIC AND OTHER ACTIVITIES UPON HIGHWAYS

WHEREAS pursuant to section 13 of the *Traffic Safety Act (Act)*, RSA 2000, c. T-6, and amendments thereto, the Council of the Town of Okotoks (Town) may make bylaws for the regulation and control of vehicles and pedestrian traffic; and

WHEREAS the purpose of this Bylaw is to regulate traffic and other activities upon highways within the Town.

NOW THEREFORE Council of the Town enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be known as the "Traffic Bylaw".

2. DEFINITIONS

Any terms not defined in this Bylaw shall have the meaning as defined in the *Act* and the Use of Highway and Rules of the Road Regulation (AR 304/2002). In this Bylaw, unless the context otherwise requires, the following means:

2.1 **abandoned vehicle** - a motor vehicle that is:
- 2.1.1 left standing on a highway for more than 72 consecutive hours; or
- 2.1.2 left standing on public or private property for more than 72 consecutive hours without the consent of the owner or person in possession or control of the property.

2.2 **alley** - a narrow highway providing and offering access to the rear of buildings and parcels of land.

2.3 **bicycle** - any device propelled by human power upon which any person may ride and is fitted with pedals intended to be capable of propelling it regardless of the number of wheels it may have.

2.4 **boulevard** - that portion of highway that:
- 2.4.1 is not a roadway; and
- 2.4.2 is the part of the sidewalk that is not especially adapted for the use of, or ordinarily used by, pedestrians.

2.5 **Chief Administrative Officer (CAO)** - the person appointed to the position of Chief Administrative Officer for the Town within the meaning of the *Municipal Government Act* and the Town's CAO Bylaw.

2.6 **commercial vehicle**:
- 2.6.1 a school bus; or
- 2.6.2 a truck, tractor, or trailer, or combination thereof exceeding a registered gross vehicle weight of 4,500 kilograms, or length of more than six (6) metres (m).

2.7 **Council** - the Mayor and Councillors of the Town duly elected pursuant to the *Local Authorities Election Act*.

2.8 **crosswalk**:
- 2.8.1 that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
- 2.8.2 any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs, lines, or other markings on the road surface.

2.9 **curb** - the actual curb if there is one, or the division point between the roadway and a boulevard or sidewalk or ditch.

2.10 **dB(A)** - the sound pressure measured in decibels using the "A" weighted scale of a Sound Level Meter.

2.11 **disabled parking place** - any parking place designated by:
- 2.11.1 the Development Officer of the Town; or
- 2.11.2 the owner, tenant, occupant, or person in control of private property, for the exclusive use of persons with disabilities who operate or travel by motor vehicle and which parking place is marked with signs in a form approved by the Development Officer.

2.12 **driver or operator** - a person who drives or is in actual physical control of a vehicle.

2.13 **emergency vehicle** - a motor vehicle used:
- 2.13.1 by a fire department;
- 2.13.2 as an ambulance; or
- 2.13.3 by a Peace Officer.

2.14 **highway** - any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, traffic lane, alley, square, bridge, causeway, trestle way, or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- 2.14.1 a sidewalk (including the boulevard portion of the sidewalk);

2.14.2 a ditch which lies adjacent to and parallel with the roadway; and
2.14.3 a highway right of way that is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway as the case may be.

2.15 **intersection** - the area embraced within the prolongation or connection of:
2.15.1 the lateral curb lines or, if none;
2.15.2 the exterior edges of the roadway; or
2.15.3 two (2) or more highways which join one another at an angle whether or not one highway crosses the other.

2.16 **maintenance route** - that portion of a roadway that is signed, either permanently or temporarily, for the purpose of conducting maintenance activities by or on behalf of the Town, including but not limited to:
2.16.1 snow clearing and/or removal;
2.16.2 street cleaning; or
2.16.3 any other activity that may be required on such roadway.

2.17 **motor vehicle**:
2.17.1 a vehicle propelled by any power other than muscular power; or
2.17.2 a moped, but does not include a bicycle, an aircraft, a tractor whether equipped with rubber tires or not, an implement of husbandry, or a motor vehicle that runs only on rails.

2.18 **objectionable noise** - any sound caused by or emanating from a motor vehicle that annoys or disturbs humans or endangers the health and safety of humans and includes but is not limited to:
2.18.1 the squeal of a tire made by a motor vehicle which is accelerating or changing direction;
2.18.2 the sound caused by a component of the vehicle that is a modification of a stock part that creates additional noise;
2.18.3 a revving or explosive sound;
2.18.4 the sound of a radio, stereo, television, or other device or amplification equipment;
2.18.5 operating a motor vehicle, as measured by a Sound Level Meter, that is capable of:
2.18.5.1 emitting any sound exceeding 92 dB(A), as measured at 50 centimetres from the exhaust outlet or from the rear centre of the vehicle where the exhaust outlet is not visible, while the engine is at idle; or
2.18.5.2 emitting any sound exceeding 96 dB(A), as measured at 50 centimetres from the exhaust outlet or from the rear centre of the vehicle where the exhaust outlet is not visible, while the engine is at any speed greater than idle.

2.19 **owner** - any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days.

2.20 **park** - when prohibited, allowing a vehicle (whether occupied or not) to remain standing in one place, except:
- 2.20.1 when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers; or
- 2.20.2 when standing in obedience to a Peace Officer or traffic control device.

2.21 **parking ban** - a declaration by the CAO based on road conditions and/or maintenance requirements to restrict, for a specified period of time, the parking of vehicles on specified maintenance routes.

2.22 **parades or processions** - any group or train of persons or vehicles using the highway within the Town for show or display but does not include any military or funeral parade or procession.

2.23 **Peace Officer**:
- 2.23.1 a member of the Royal Canadian Mounted Police;
- 2.23.2 a Community Peace Officer as appointed by the Solicitor General of Alberta; or
- 2.23.3 a Bylaw Officer as appointed by the Town to enforce bylaws of the Town.

2.24 **pedestrian** - a person afoot, mobility aid, or a person in a wheelchair.

2.25 **permit parking zone** - any area so marked by traffic control devices on roadways which a vehicle could obtain access to.

2.26 **person** - any:
- 2.26.1 individual;
- 2.26.2 proprietorship;
- 2.26.3 corporation; or
- 2.26.4 society.

2.27 **public place** - any publicly owned park, parkway, highway, or square to which the public is permitted access, or a parking area designated for the public, by a business, government, or by an institution.

2.28 **recreational vehicle** - any type of live-in recreation vehicle that is designed for travel and without limiting the generality of the foregoing includes the following:
- 2.28.1 travel trailers;
- 2.28.2 truck campers;
- 2.28.3 fifth wheel trailers;
- 2.28.4 motor homes and conversions; or
- 2.28.5 fold down camping trailers.

2.29 **Regulation** - the Use of Highway and Rules of the Road Regulation, (AR 304/2002) made pursuant to the *Act*.

2.30 **roadway** - that part of a highway intended for use by vehicular traffic.

2.31 **sidewalk** - that part of a highway especially adapted to the use of or ordinarily used by pedestrians and includes:

2.31.1 that part of a highway between the curb and the adjacent property line, whether or not paved or improved; or

2.31.2 any right-of-way designated as a regional pathway pursuant to this Bylaw.

2.32 **skateboard** - a wheeled device controlled or propelled by gravity or by the muscular energy of the rider, including roller skates, in-line skates, scooters, or other similar recreational devices; but does not include any bicycle, unicycle, tricycle, wheelchair, mobility aid, baby or invalid carriage.

2.33 **Sound Level Meter** - a device used to measure sound pressure which meets one of the following standards:

2.33.1 the American National Standards Institute S 1.4-1983 (R2006);

2.33.2 the International Electro-Technical Council Standard No. 123;

2.33.3 the British Standard No. 3539 Part 1; or

2.33.4 the U.S.A. Standard S. 14-1961.

2.34 **stop**:

2.34.1 when required, a complete cessation from vehicular movement; and

2.34.2 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 directions of a Peace Officer or traffic control device.

2.35 **Temporary Parking Permit** - a permit issued for a period of up to 72 hours, for the placement or storage of certain items, or the parking of certain vehicles, on the highway, which would otherwise be deemed illegally placed, stored, or parked.

2.36 **Town** - the Corporation of the Town of Okotoks in the Province of Alberta and where the context so requires, the area of land within the corporate boundaries thereof.

2.37 **traffic control device** - any sign, signal, marking, or device placed, marked, or erected under the authority of this Bylaw for the purpose of regulating, warning, or guiding traffic.

2.38 **traffic lane** - a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles.

2.39 **trailer** - a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.

2.40 **truck tractor** - a truck that is designed primarily for heavy duty towing, provides movement power for drawing a towed or hauling load and exceeds a weight of 5,400 kg.

2.41 **vehicle** - a device in, on, or by which a person or thing may be transported or drawn on a highway.

2.42 **violation tag** - a notice or tag in a form as approved by the CAO issued by the Town allowing a voluntary payment option of a fine established under this Bylaw.

2.43 **violation ticket** - a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34 (*POPA*), as amended and any regulations thereto.

2.44 **Zone Parking Permit** - a permit issued for a location identified as a permit parking zone.

3. TRAFFIC CONTROL DEVICES

3.1 By authority of section 13 of the *Act*, the Town may authorize the placing, erecting, or marking of traffic control devices at such locations as are considered necessary for controlling highways subject to its control and management.

3.2 A record of the location of all traffic control devices placed pursuant to subsection 3.1 shall be kept and the record shall be open to public inspection at the Municipal Centre during normal business hours.

4. PARKING

4.1 When parking a vehicle on a roadway where permitted, a person may only park a vehicle with:

- 4.1.1 the sides of the vehicle parallel to the curb or edge of the roadway; and
- 4.1.2 the right wheels of the vehicle not more than 500 millimetres (mm) from the right curb or edge of the roadway; or
- 4.1.3 in the case of a one-way highway where parking on either side is permitted:
  - 4.1.3.1 the sides of the vehicle parallel to the curb or edge of the roadway;
  - 4.1.3.2 the wheels that are the closest to a curb or edge of the roadway not more than 500 mm from that curb or edge; and
  - 4.1.3.3 the vehicle facing in the direction of travel authorized for the highway.

4.2 Notwithstanding section 4.1, a person may park a motorcycle:

4.2.1 at an angle, other than perpendicular, to the curb or edge of the roadway; and with

4.2.2 a wheel of the motorcycle not more than 500 mm from the curb or edge of the roadway.

4.3 Section 4.1 does not apply where angle parking is permitted or required.

4.4 A person driving a vehicle shall not, unless required or permitted by the *Act*, the Regulation, this Bylaw, or a traffic control device, or in compliance with a direction given by a Peace Officer, or to avoid conflict with other traffic, stop or park the vehicle at the following locations:

4.4.1 on a sidewalk or boulevard;

4.4.2 on a crosswalk or on any part of a crosswalk;

4.4.3 within an intersection other than immediately next to the curb in a "T" intersection;

4.4.4 at an intersection nearer than five (5) m to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted;

4.4.5 in the case of an approach to a stop sign or yield sign, within five (5) m from the stop sign or yield sign;

4.4.6 within five (5) m from any fire hydrant, or when the hydrant is not located at the curb, within five (5) m from the point on the curb nearest the hydrant;

4.4.7 within one and a half (1.5) m from an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;

4.4.8 within five (5) m from the near side of a marked crosswalk;

4.4.9 alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;

4.4.10 on any bridge or on the approach to any bridge;

4.4.11 at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is prohibited;

4.4.12 on the roadway side of a vehicle that is parked or stopped at the curb;

4.4.13 at or near the site of any fire, accident, or other emergency, if stopping or parking would obstruct traffic or hinder emergency vehicles or Peace Officers, firemen, ambulance drivers, assistants, rescue officers, or volunteers;

4.4.14 if a highway is divided into two (2) or more roadways by a boulevard, ditch, or other physical barrier on that portion of the highway that is to the left of the yellow line except in an emergency situation where the vehicle is disabled and it is not practicable to move the vehicle to the far right side of the highway.

4.5 No person shall park a commercial vehicle upon any highway except where such parking is expressly permitted, or in an Industrial or Commercial District as defined in the Town's Land Use Bylaw, except when conducting normal business.

4.6 No person shall park a vehicle in an alley except when actively loading or unloading goods or passengers from the vehicle for greater than 60 minutes.

4.7 No person shall park any trailer, whether designed for occupancy or load carrying, on any highway unless such trailer is attached to a vehicle by which it may be propelled or drawn and when so attached, the trailer shall be considered a part of the towing vehicle and subject to any regulations pertaining to the vehicle.

4.8 No person shall park nor permit to be parked, a vehicle on any roadway or other public property within the restricted parking zone between the hours of 8:00 a.m. to 6:00 p.m., Monday to Saturday (excepting Statutory Holidays) for any consecutive period greater than two (2) hours.

4.9 For the purpose of determining whether a vehicle has been parked within the restricted parking zone for a consecutive period greater than two (2) hours, any Peace Officer or designated officer of the Town, or that designated officer's designee in writing, may place a mark by way of chalk or other removable substance upon one or more of the wheels of a vehicle parked within the restricted zone.

4.10 The restricted parking zone is defined as that area within the Town known as Elizabeth Street between Northridge Drive (Highway 2A) and Centre Avenue, McRae Street between Centre Avenue and Clark Avenue, and Centre Avenue between Daggett Street and Elma Street.

4.11 The restricted parking zone shall be so marked at its perimeter at all roadways by which a vehicle could obtain access to the restricted parking zone. The absence of one or more of such signs shall not constitute a defence to an offence under this Bylaw unless the defendant can show that the lack of such sign reasonably prevented the defendant from knowing that the vehicle was parked within the restricted parking zone.

4.12 No person shall park or stand any recreational vehicle on any highway within the Town for a period of more than 72 hours, following which the owner or operator shall remove the recreational vehicle from any highway within the Town for a period of not less than 48 consecutive hours before which the recreational vehicle may be parked again on any highway within the Town.

4.13 No person shall park or stop a motor vehicle in a disabled parking place unless that motor vehicle is visibly displaying a current disabled parking placard or license plate and unless they have with them or are picking up the person to whom such pass or license plate was issued.

4.14 No owner or operator of a vehicle shall park or permit parking of the vehicle on any private property that has been clearly marked as such by a sign or signs posted thereon

without the prior permission of the owner, tenant, occupant, or person in control of the property.

4.15 No person shall park a motor vehicle in such a manner as to constitute a hazard to other persons using the highway.

4.16 No person shall leave a vehicle unattended on a highway while it is supported by a jack or similar device.

4.17 When a vehicle is parked on any highway, parking lot, or public place and is in violation of a provision of this Bylaw or the Regulation, it may be removed and impounded and the cost thereof may be charged against the owner and/or operator of said vehicle.

4.18 The CAO may declare a parking ban by providing public notification of such parking ban. Unless a matter of public safety, notification of the parking ban will be no less than 24 hours in advance of the parking ban being in effect.

4.19 A parking ban declared pursuant to subsection 4.18 will be in effect:
- 4.19.1 for the specified times; and
- 4.19.2 on the specified maintenance routes as provided for in Schedule "C"; as declared in the public notification unless:
- 4.19.3 sooner terminated; or
- 4.19.4 further extended by a subsequent parking ban declaration.

4.20 No person shall park, or permit the parking of, any vehicle on a maintenance route any time during a declared parking ban.

4.21 If the owner or the driver of a vehicle fails to make or is incapable of making arrangements to move the vehicle and a Peace Officer has made arrangements to move the vehicle, the motor vehicle is deemed an abandoned vehicle.

4.22 No person shall park an unregistered motor vehicle on any Town highway.

5. PARKING PERMITS

5.1 Zone Parking Permits:
- 5.1.1 The absence of one or more Zone Parking Permit signs shall not constitute a defence to any offence under this Bylaw unless the defendant can show that the lack of such sign reasonably prevented the defendant from knowing that the vehicle was parked within such permit parking zone.
- 5.1.2 No person shall park or allow to be parked any vehicle on a highway, in any location identified as a permit parking zone, unless a valid and subsisting Zone Parking Permit is attached to the interior of the vehicle so as to be clearly visible from the exterior of such vehicle.

5.1.3 A Zone Parking Permit may only be used in respect of a vehicle that is registered as having a maximum weight of 5450 kg or less.

5.1.4 Any vehicles over 5450 kg, shall be deemed to be illegally parked and may be tagged and towed at the owner's expense.

5.1.5 Zone Parking Permits will be available, by application, to the homeowner, as indicated by the tax roll for each property located within a permit parking zone.

5.1.6 A person shall not make any false or misleading statement or provide any false or misleading information to obtain a Zone Parking Permit pursuant to this Bylaw.

5.1.7 The number of Zone Parking Permits allowed per property in any permit parking zone shall be determined by the CAO dependent upon the availability of on street parking in each individual permit parking zone.

5.1.8 The fee for Zone Parking Permits will be set out in the Town's Fees, Rates, and Charges Bylaw to cover the cost of implementing and administering permit parking zones.

5.1.9 A person to whom a Zone Parking Permit has been issued pursuant to this Bylaw, and any person carrying out an activity otherwise regulated, restricted, or prohibited by this Bylaw pursuant to such Zone Parking Permit, shall comply with any terms or conditions forming part of the Zone Parking Permit.

5.1.10 If any term or condition of a Zone Parking Permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or information was provided to obtain the Zone Parking Permit, the CAO may immediately revoke such Zone Parking Permit.

5.1.11 The onus of proving a Zone Parking Permit has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this Bylaw is on the person alleging the existence of such Zone Parking Permit.

5.1.12 A Zone Parking Permit does not exempt the holder from complying with any other activities restricted or prohibited by this or any other bylaw.

5.2 Temporary Parking Permits:

5.2.1 No person shall place or store or allow to be placed or stored any items, or park or allow to be parked any vehicle, on a highway in any location, unless a valid and subsisting Temporary Parking Permit has been issued for the placing or storing of such items, or the parking of such vehicles, on such highway.

5.2.2 Temporary Parking Permits will be available by making application through Municipal Enforcement.

5.2.3 The fee for Temporary Parking Permits will be set out in the Town's Fees, Rates, and Charges Bylaw to cover the cost of administering Temporary Parking Permit applications.

5.2.4 A person to whom a Temporary Parking Permit has been issued pursuant to this Bylaw, and any person carrying out an activity otherwise regulated, restricted, or prohibited by this Bylaw pursuant to such Temporary Parking Permit, shall comply with any terms or conditions forming part of the Temporary Parking Permit.

5.2.5 A person shall not make any false or misleading statement or provide any false or misleading information to obtain a Temporary Parking Permit pursuant to this Bylaw.

5.2.6 If any term or condition of a Temporary Parking Permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or information was provided to obtain the Temporary Parking Permit, such Temporary Parking Permit may immediately be revoked.

5.2.7 The onus of proving a Temporary Parking Permit has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this Bylaw is on the person alleging the existence of such Temporary Parking Permit.

5.2.8 A Temporary Parking Permit does not exempt the holder from complying with any other activities restricted or prohibited by this or any other bylaw.

6. EXEMPTION FROM PARKING PROVISIONS

6.1 Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or parking of vehicles do not apply to:

6.1.1 emergency vehicles;

6.1.2 service vehicles used in conjunction with the servicing of public utilities including telephone systems, electrical systems, natural gas systems; or

6.1.3 municipal and other Government Public Works vehicles.

6.2 Where the owner or operator of a vehicle stops, stands, or parks pursuant to section 6.1 or contrary to other provisions of this Bylaw they shall take due precaution to indicate the presence of such vehicle on any street while so parked or stopped.

6.3 Notwithstanding anything in this Bylaw, the CAO may issue a permit exempting a vehicle for any period of time and from such provisions of this Bylaw pertaining to stopping or parking vehicles as may be specified therein, which permit shall not be valid unless attached to the inside of the vehicle in respect of which it is issued so as to be clearly legible from outside thereof.

7. PARADES AND PROCESSIONS

7.1 No person shall hold or take part in any parade or procession unless prior written approval has been first obtained from the Town.

7.2 The driver of a vehicle in the lead of a funeral procession approaching an intersection where a stop sign is posted shall stop the vehicle and shall not drive the vehicle into the intersection until it is safe to do so. All following vehicles may, during daylight hours, enter an intersection without stopping if headlamps are alight and passage into the intersection can be done safely.

8. PEDESTRIANS, SIDEWALKS, SKATEBOARDS

8.1 No person shall run or race on any highway or sidewalk in a manner that is distracting or dangerous to other people. This section shall not apply to any organized or authorized road race that has been approved by the Town.

8.2 No person shall:

8.2.1 throw any dangerous objects, stones, refuse, litter, snowballs, or other objects onto or over any highway;

8.2.2 use any bow and arrow, catapult, or other similar mechanism on any highway;

8.2.3 set off or throw any fireworks or thing of like nature onto or over any highway or other public place without a permit authorizing such use by Okotoks Fire & Rescue; or

8.2.4 set fire to any combustible material or light a bonfire on any highway.

8.3 No person shall climb any railing, fence, tree, or any post, pole, or structure lawfully erected on or adjacent to a street, unless they have proper authority to do so.

8.4 No person shall pull down, deface, or destroy any sign, board, or notice lawfully placed on or adjacent to any street.

8.5 No person shall leave, store, deposit, or permit to accumulate on any street or sidewalk any article or thing that may be dangerous or in any way interfere with the proper use of the street or sidewalk or interrupt the free flow of vehicular or pedestrian traffic, nor shall any waste paper, debris, or things be left on any street, alley, highway, sidewalk, or public place in the Town.

8.6 No person shall coast, toboggan, or ski on any highway.

8.7 A person operating a bicycle on a sidewalk shall:

8.7.1 yield the right of way to pedestrians;

8.7.2 use a bell or other audible signal before overtaking and passing a pedestrian; and

8.7.3 not operate the bicycle in a reckless manner.

8.8 A person may draw, push, or propel:

8.8.1 a two-wheeled cart or other similar personal grocery carrier;

8.8.2 a baby carriage, skateboard, in-line skate, or other similar wheeled vehicle, a child cart, a wheeled device for carrying a child or invalid; or

8.8.3 a child's tricycle or child's bicycle with training wheels;

on or along a sidewalk in such a way as to not interfere with other pedestrians using the sidewalk.

8.9 No person shall ride a horse or any other animal upon a sidewalk or boulevard.

8.10 No person shall place any electric cord, hose, ropes, pipe, or like obstruction above or across a sidewalk or boulevard.

8.11 No person shall operate a skateboard on any portion of the roadway.

8.12 Skateboards may be used or operated on or at any public place unless such activity is prohibited by a sign posted with such restriction or prohibition. Operation of skateboards in or on a public place is subject to the following conditions:
8.12.1 the use of skateboards does not damage the public place; and
8.12.2 the use of skateboards does not unnecessarily impede or endanger pedestrians.

9. PARKS, SQUARES, PUBLIC PLACES

9.1 No person shall drive a motor vehicle, off-highway vehicle, horse-drawn vehicle, or ride a horse or other animal upon any baseball diamond, football field, or other sports arena in any area designated as a park, square, or other public place except along routes provided for that purpose. The CAO may permit certain vehicles in any of the aforementioned locations for the purpose of maintenance, public security, or special events.

10. CONSTRUCTION, EXCAVATING, BUILDING

10.1 No person shall break, tear up, or remove any planking, pavement, sidewalk, curbing, macadamizing, or other road surface or make excavation in or under any sidewalk or roadway for the purpose of building or otherwise, without first having obtained permission from the CAO to do so and such permit being granted, the work shall be carried out under the direction of the CAO. The CAO shall inspect all such work being done and, upon termination of the work, all materials shall be replaced and any damages made good by the parties concerned. Such work shall be carried out as expediently as possible and without unnecessary delay. Furthermore, any person or party to whom permission has been granted to carry out any work of the foregoing nature, shall be liable for any or all accidents or damages that may occur to any person or property by reason thereof, and shall keep and maintain such lights, barricades, or watchman or other precautions to safeguard and protect the public from injury or loss, and shall be responsible for costs incidental to the same.

11. SNOW, ICE, DUST

11.1 All persons within the Town shall remove and clean away, as soon as possible and in any case within 24 hours, all snow, ice, dirt, or debris and other obstructions from the sidewalk adjacent to the premises owned or occupied by them.

11.2 No person shall place snow from private property onto Town property.

12. MOTORIZED AND OFF-HIGHWAY VEHICLES

12.1 No person shall operate any off-highway vehicle on a highway or within the areas designated as parks or urban reserve within the Town.

12.2 The CAO may authorize the operation of off-highway vehicles within the Town for the purpose of maintenance or public security.

12.3 The CAO may authorize the operation of motorized vehicles within areas designated as parks or urban reserve within the Town for the purpose of maintenance or public security.

13. SPEED LIMITS

13.1 The CAO is hereby duly authorized to place, erect, or mark maximum speed signs at such locations as they may determine indicating the maximum speed within the Town for that highway.

13.2 No person shall drive a motor vehicle in or on any alley at a speed greater than 15 km/h.

13.3 The CAO may, by erecting signs posted along a highway, fix a maximum speed limit in respect of any part of the highway under construction or repair or in a state of disrepair applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

13.4 The speed limit for all streets throughout the Town shall be 40 km/h, unless otherwise posted or stated in Schedule "B".

14. VEHICLES WITH LUGS

14.1 No person shall drive, propel, or move on any highway any vehicle having metal spikes, lugs, cleats, or bands projecting from the surface of the wheel or tire of such vehicles or any vehicle having a stud tractor tread. Studded snow tires are exempted.

15. GENERAL PROVISIONS

15.1 No person shall:

15.1.1 allow the growth of trees or shrubs on private property that shall in any way obstruct the visibility of a traffic control device;

15.1.2 allow trees, hedges, or shrubs on private property within five (5) m of a street 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 thereby interfered with; or

15.1.3 allow trees or hedges to grow in a manner so as to overhang a sidewalk or highway thereby obstructing the sidewalk or highway, pedestrians, or vehicles.

15.2 If a person is directed by a Peace Officer to take corrective actions when in contravention of subsection 15.1 and fails to carry out such direction within seven (7) days, the Town may take the necessary actions to correct the contravention, and if the cost of such work is not paid on demand by the owner or occupant of the property in question, the Town may recover the expense of such work with costs by action in any court of jurisdiction or may charge the expense of the work as taxes against such property.

15.3 A person shall not build, place, erect, or allow to continue in existence a fence, wall, or structure, other than a building on private property adjacent to and within five (5) m from an intersection to a height greater than one (1) m.

15.4 If contrary to the provisions of subsection 15.3 any such fence, wall, or structure other than a building, is erected beyond the maximum height allowed by the said subsection the Peace Officer, or other employee of the Town may order the person who built, placed, erected, or who is responsible for the continuing existence of the fence, wall, or other object to remove or reduce the height of same. The person responsible therefore shall forthwith, at their own expense, remove or reduce the height of the fence, wall, or other structure to the maximum height allowed by subsection 15.3. If the person responsible for the same neglects or refuses to reduce the height as required the Town may remove or reduce the height of same and may charge the cost thereof to the person on whose land said fence, wall, or structure exists, and the Town may recover said cost by action in a court of competent jurisdiction, or may charge said cost as taxes against the subject property.

15.5 The maximum height provided in subsection 15.3 shall be measured from the top of the curb where there is a sidewalk or from the level of the crown of the roadway where there is no sidewalk.

15.6 The owner or occupant of any private property adjacent to any public street, alley, highway, sidewalk, or public place in the Town, shall not allow any hedge, shrub, tree, or vegetation which may overhang from such property to interfere with pedestrian or vehicular traffic lawfully using any such public street, alley, highway, sidewalk, or public place in the Town.

15.7 Where the owner, occupant, or both have been duly served with a notice by a Peace Officer to remove any such overhanging material as mentioned in subsection 15.6 and fail to comply with that notice, the Town may remove such overhanging materials and the cost of the work performed may be charged against the property concerned as taxes due and owing in respect of that property.

15.8 A person may, in such a way as to not injure or unduly interfere with any other person lawfully using the sidewalk, use a power driven device that is sufficiently light and of such construction that it will not injure the surface of the sidewalk, to remove snow, ice, dirt, or other foreign matter from any portion of the sidewalk for which they are responsible pursuant to the provisions of this Bylaw.

15.9 The Town will assume no liability whatsoever for damage to obstructions or landscaping of any kind placed or developed within a road right-of-way without a permit.

15.10 Windrows in front of driveways left behind by snow clearing and plowing equipment shall be the responsibility of the property owner or affected individual, company, or corporation.

16. SUNDRY RESTRICTIONS

16.1 Where an unprotected hose of the Okotoks Fire & Rescue has been laid down on a roadway or a driveway, no person shall drive a vehicle over such hose unless an official of the Okotoks Fire & Rescue at the scene has specifically allowed the driver to do so.

16.2 No owner or operator shall:

16.2.1 drive on or along a roadway a motor vehicle with the box or body filled with sand, gravel, rocks, earth, or other material, whether similar or dissimilar, so that there is less than 75 mm from the top edge of the box or body to material below;

16.2.2 drive on or along a roadway a motor vehicle with a box or body filled with sand, gravel, rocks, earth, or other loose material, whether similar or dissimilar unless the box ledges, side boards, and vehicle chassis have been cleaned of loose material and the load distributed in such a manner that no portion of the material can escape upon a highway or land in the vicinity of the highway;

16.2.3 drive on or along a highway a motor vehicle with or without a trailer with either the box of the motor vehicle or the trailer filled with refuse unless the refuse is completely covered and secured by a tarpaulin or other covering; or

16.2.4 drive a motor vehicle with or without a trailer and allow refuse or any other goods or materials to escape or be scattered upon a highway or land in the vicinity of the highway.

16.3 No person shall apply or engage engine retarder brakes on any vehicle in any part of the Town unless the use of such brakes is required for safety reasons.

16.4 No owner or operator of a vehicle shall permit the operation of a vehicle on a street while that vehicle is discharging a plume or trail of visible smoke from its exhaust pipe or exhaust system.

16.5 No person shall paint, chalk, stencil, or mark any advertisement, legend, or sign of any kind on any highway, alley, or pavement within the Town without authorization from the CAO.

17. OBJECTIONABLE NOISE

17.1 A person must not make, continue, or allow to be made or continued any objectionable noise from a motor vehicle.

17.2 In determining whether a noise is an objectionable noise a court may have regard to the following:
- 17.2.1 time of day;
- 17.2.2 duration of the sound;
- 17.2.3 volume of the sound or dB(A) levels measured;
- 17.2.4 nature of the sound; and
- 17.2.5 proximity to residences.

17.3 Where a Peace Officer has reasonable grounds to believe a motor vehicle is emitting an objectionable noise, that Peace Officer may provide directions to the operator of that motor vehicle, while the Peace Officer takes a measurement with a Sound Level Meter, and such directions may include but are not limited to:
- 17.3.1 turning the engine on or off;
- 17.3.2 placing the vehicle in neutral or gear; or
- 17.3.3 depressing the accelerator or revving the engine of the vehicle.

17.4 A person must comply with a direction from a Peace Officer given under subsection 17.3.

17.5 This section does not apply to persons participating in parades held with a valid parade permit or persons operating emergency vehicles.

17.6 An owner of a motor vehicle may be liable for any contravention of this section except for subsection 17.4.

18. AUTHORITY OF PEACE OFFICER

18.1 In case of fire or other emergency, or in order to expedite traffic or safeguard pedestrians, Peace Officers are hereby authorized to direct traffic in such manner as they deem necessary, whether or not in conformity with the provisions of this Bylaw.

18.2 In case of fire or other emergency, if no Peace Officer is present, officers of the Okotoks Fire & Rescue are hereby authorized to direct traffic in such manner as they deem necessary, whether or not in conformity with the provisions of this Bylaw.

18.3 Every person shall comply with any traffic signal or direction of a Peace Officer or of any officer of the Okotoks Fire & Rescue in the case of a fire or other emergency.

18.4 Every Peace Officer is, and is deemed to be, duly authorized and entitled to place an erasable chalk mark on the tread surface of the tire of a parked or stopped vehicle without that Peace Officer or the Town incurring any liability for doing so, in order to enforce the parking provisions of this Bylaw.

19. PENALTIES AND ENFORCEMENT

19.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine not more than $10,000.00 and in default of payment is liable to imprisonment for a term not exceeding six (6) months or both.

19.2 Where a Peace Officer believes that a person has contravened any provision of this Bylaw, or of sections 44 through 49 of the Regulation, they may serve upon:

19.2.1 such person a violation ticket referencing the section contravened; or

19.2.2 the registered owner of the motor vehicle a violation ticket referencing section 160(1) of the *Act* and the section of this Bylaw or Regulation contravened;

in accordance with the provisions of the *POPA*.

19.3 The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs for which they are liable under the provisions of this Bylaw.

19.4 In accordance with section 77 of the *Act*, a Peace Officer, excluding a Bylaw Officer, may tow and impound any vehicle found to be parked in contravention of the provisions of this Bylaw or the parking provisions of the Regulation, and such vehicle shall not be released from impoundment before the costs of impoundment, towing, and storage have been paid.

19.5 The specified penalty payable in respect of a contravention of a provision of this Bylaw is as provided for in Schedule "A" of this Bylaw.

19.6 The specified penalty payable in respect of a contravention of a parking provision of the Regulation is as provided for in the Procedures Regulation, AR 63/2017, made pursuant to the *POPA*, and must include the required *Victims of Crime and Public Safety Act,* RSA 2000, c. V-3 surcharge.

19.7 Notwithstanding subsection 19.2, in lieu of prosecution, a Peace Officer may issue a violation tag, in a form as approved by the CAO referencing the section of this Bylaw or Regulation contravened, to the alleged offender, or to the registered owner of any vehicle involved in a contravention of this Bylaw or the parking provisions of the Regulation.

19.8 Service of any such violation tag shall be sufficient if it is:
- 19.8.1 personally served; or
- 19.8.2 served by regular mail; or
- 19.8.3 placed on or attached to the vehicle involved in the contravention of this Bylaw or the parking provisions of the Regulation.

19.9 A person who has been issued a violation tag pursuant to the provisions of this Bylaw, and who has fully paid the penalty as indicated to the Town within the time allowed for payment, shall not be liable to prosecution for the subject contravention.

19.10 No person, other than the owner or driver of a vehicle, shall remove a violation tag placed on or attached to such vehicle by a Peace Officer in the course of their duties.

19.11 No person shall willfully obstruct, hinder, or interfere with a Peace Officer or any other person authorized to enforce and engaged in the enforcement of the provisions of this Bylaw.

19.12 The minimum specified penalty for an offence under this Bylaw shall be no less than one half (0.5) of the specified penalty for that offence as indicated in Schedule "A" of this Bylaw.

20. GENERAL

20.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein, and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

20.2 Any person who contravenes any provision of this Bylaw by:
- 20.2.1 doing any act or thing which the person is prohibited from doing; or
- 20.2.2 failing to do any act or thing the person is required to do is guilty of an offence and any offence created pursuant to this Bylaw is a strict liability offence for the purposes of prosecution under this Bylaw.

20.3 Schedules "A", "B", and "C" shall form a part of this Bylaw.

20.4 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order, or license.

20.5 No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent, or preclude the Town from pursuing any other remedy in relation to a premises as provided by the *Municipal Government Act,* or any other law of the Province of Alberta.

This Bylaw shall come into full force and effect upon third and final reading and Bylaw 10-10 and any amendments thereto are hereby repealed.

READ A FIRST TIME this 25th day of November 2024.

READ A SECOND TIME this 9th day of December 2024.

READ A THIRD TIME AND PASSED this 9th day of December 2024.

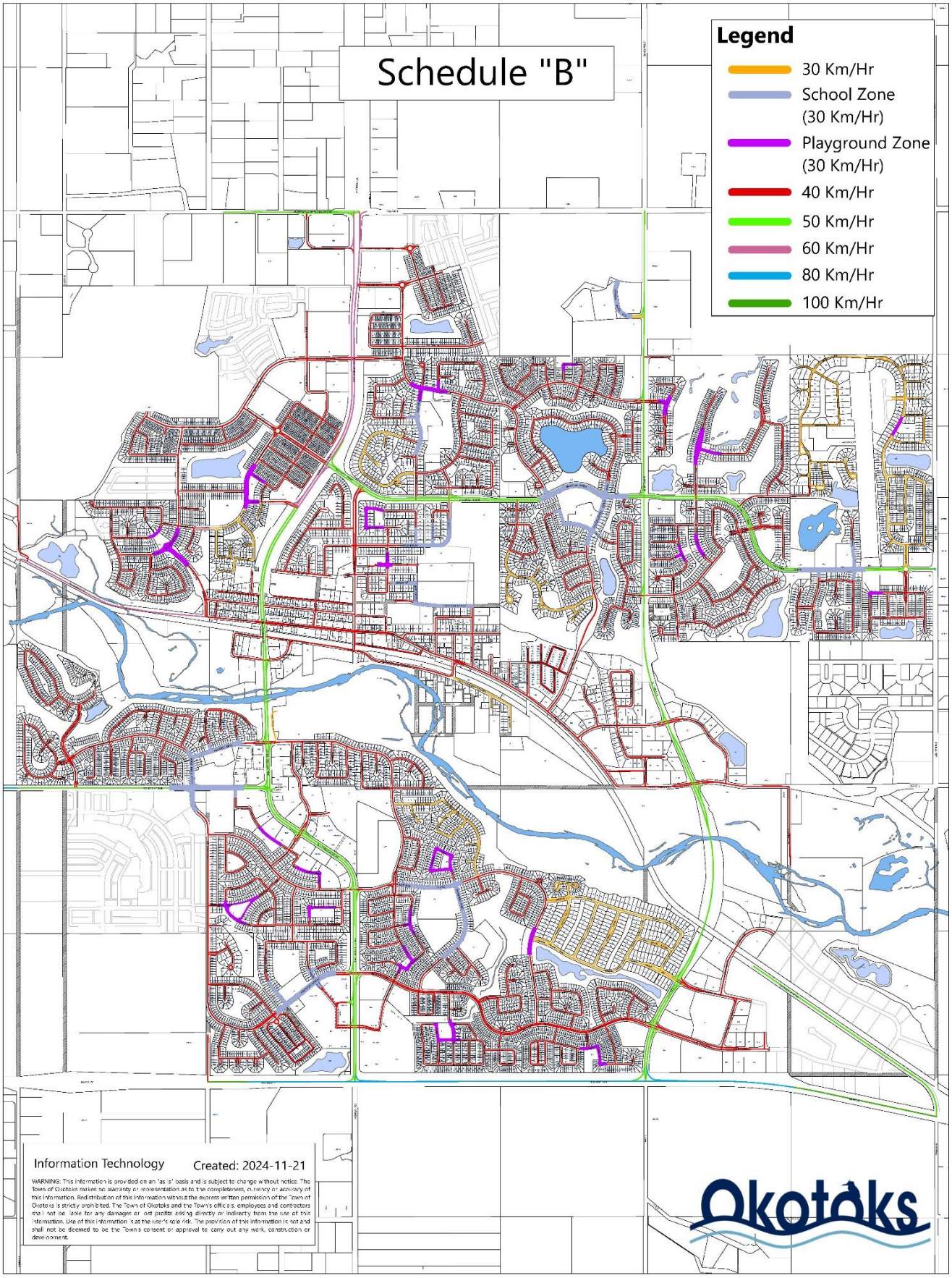
--ORIGINAL SIGNED --
Mayor

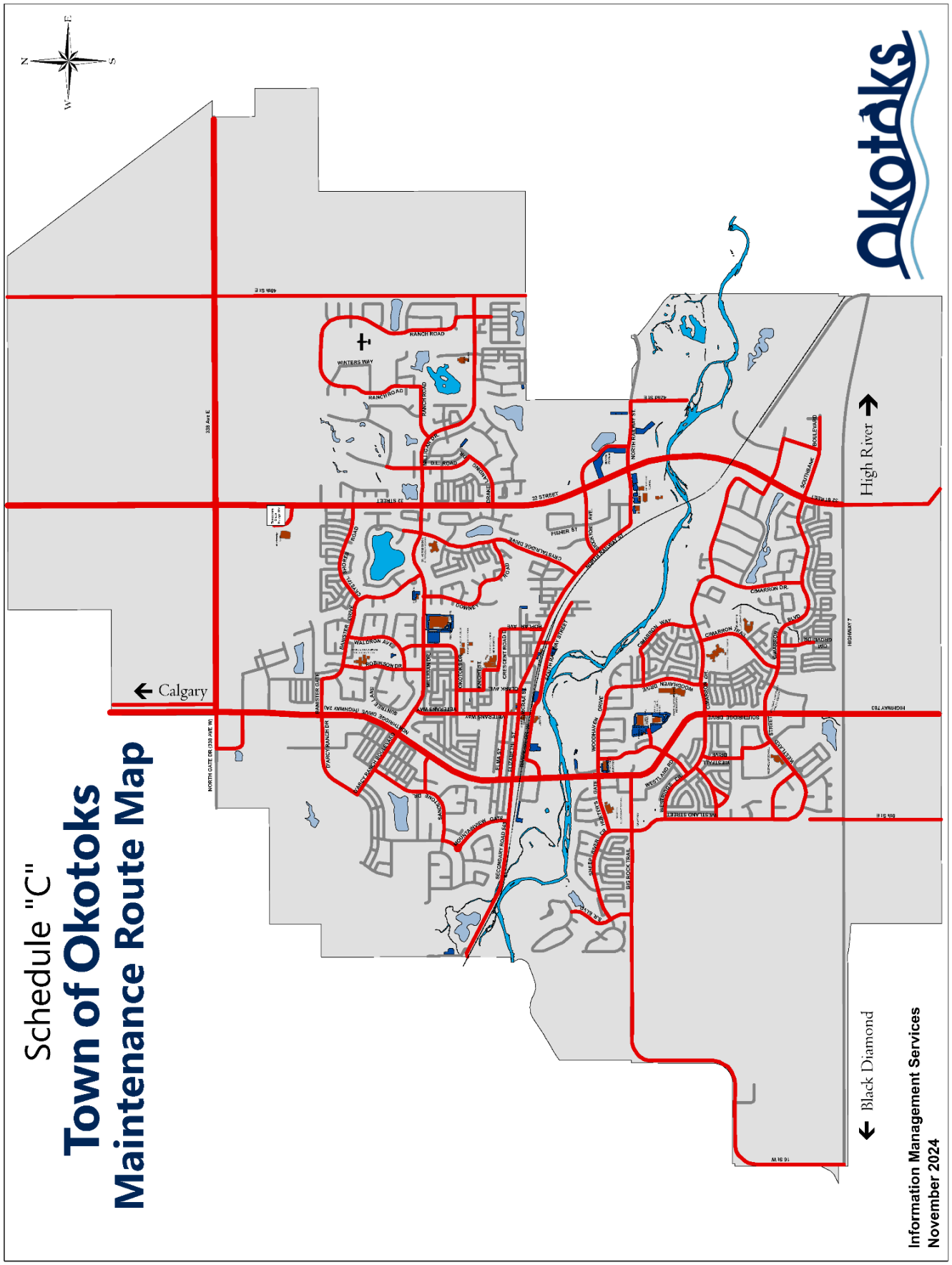
--ORIGINAL SIGNED --
Chief Administrative Officer

Schedule "A"

SECTION	OFFENCE	PENALTY
4.1	Parking General	$75.00
4.2	Improperly Parked Motorcycle	$75.00
4.4	Improper Parking	$75.00
4.5	Commercial Vehicles	$75.00
4.6	Park in Alley for greater than 60 minutes	$75.00
4.7	Unattached Trailer	$100.00
4.8	Restricted Parking	$75.00
4.12	Abandoned Vehicle	$100.00
4.13	Disabled Parking	$250.00
4.14	Park on Private Property	$75.00
4.15	Parking Causing Hazard	$100.00
4.16	Vehicle Unattended on Jack	$75.00
4.20	Park or permit parking during declared parking ban	$150.00
4.21	Failure to move vehicle	$100.00
4.22	Unregistered motor vehicle parked on highway	$300.00
5.1.2	Park in permit parking zone without Zone Parking Permit displayed	$75.00
5.1.6	Provide false or misleading information to obtain Zone Parking Permit	$250.00
5.2.1	Place or store item or park vehicle on highway without Temporary Parking Permit	$250.00
5.2.5	Provide false or misleading information to obtain Temporary Parking Permit	$250.00
5.2.6	Fail to comply with terms or conditions of Temporary Parking Permit	$250.00
7.1	Parade Without Written Approval	$250.00
7.2	Funeral Procession Proceed When Unsafe	$250.00
8.1	Run or Race on Highway in Manner to Distract	$250.00
8.2	Throw Objects, Use Bow & Arrow, Throw Fireworks, Set Fire Over/On Highway	$150.00
8.3	Climb on Railing, Fence, Tree, Post, Poll, Structure	$75.00
8.4	Destroy/Deface Sign	$150.00
8.5	Unsafe Storage on Highway/Sidewalk/Public Place	$150.00

8.6	Coast, Toboggan, or Ski on Highway	$75.00
8.7	Improper Operation of Bicycle on Sidewalk	$75.00
8.9	Ride Horse/Animal on Sidewalk or Boulevard	$100.00
8.10	Obstruct Sidewalk or Boulevard	$250.00
8.11	Operate Skateboard on Roadway	$75.00
8.12	Operate Skateboard Where Prohibited by Sign/Damage Public Place/Impede or Endanger Pedestrians	$100.00
9.1	Drive/Ride Where Prohibited	$250.00
10.1	Unlawful Construction/Damage to Highway	$500.00
11.1	Fail to Remove Snow, Ice, Debris	$250.00
11.2	Placing snow on Town Property	$250.00
12.1	Off-highway Vehicle in Parks	$250.00
13.2	Speed in Alley Refer to s.108(1) and s.115 of the *Act* Penalties: *POPA*/Regulation: Part 28	Refer to the *Act*
14.1	Drive Vehicle With Spikes or Lugs	$250.00
15.1	Vegetation Obstruct Visibility/Pedestrians	$150.00
15.3	Fence over one (1) m within five (5) m of Intersection	$150.00
15.6	Vegetation Overhang Sidewalk, Highway Etc.	$150.00
16.1	Drive Over Fire Hose	$250.00
16.2.1	Load Height	$150.00
16.2.2	Fail to Clean Box Ledge, Sideboards, Chassis	$150.00
16.2.3	Untarped Load	$150.00
16.2.4	Allow Escape of Load	$250.00
16.3	Use Engine Retarder Brakes in Town	$250.00
16.4	Vehicle with plume or visible smoke from exhaust system	$75.00
16.5	Paint on Street or Pavement Without Permission	$250.00
17.1	Objectionable Noise From Motor Vehicle (1st offence) Objectionable Noise From Motor Vehicle (2nd offence) Objectionable Noise From Motor Vehicle (3rd offence)	$250.00 $500.00 $1,000.00
17.4	Fail to comply with direction from an Officer during testing	$250.00
18.3	Fail to Comply with Emergency Directions	$250.00


Schedule "B"
Legend
30 Km/Hr
School Zone (30 Km/Hr)
Playground Zone (30 Km/Hr)
40 Km/Hr
50 Km/Hr
60 Km/Hr
80 Km/Hr
100 Km/Hr
Information Technology
Created: 2024-11-21
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Okotoks


Schedule "C"
Town of Okotoks
Maintenance Route Map
Okotoks
Calgary
High River
Black Diamond
Information Management Services
November 2024