

TOWN OF MILLET

**WHEREAS** the *Traffic Safety Act* authorizes a municipality to regulate and control vehicle, animal and pedestrian traffic as well as parking on streets and property within the municipality;

**AND WHEREAS** the *Municipal Government Act*, allows a municipality to pass Bylaws as well as delegate authority with respect to streets under its direction, control and management;

**NOW THEREFORE**, the Municipal Council of the Town of Millet in the Province of Alberta hereby enacts a Bylaw to regulate Vehicle, Animal and Pedestrian Traffic in the Town of Millet as follows:

This Bylaw may be cited as the “Town of Millet Traffic Bylaw”.

1 **DEFINITIONS**

For purpose of this bylaw, all definitions and interpretations of the *Traffic Safety Act* and all subsequent regulations shall apply, unless otherwise defined in this Bylaw, as follows:

- a. **“ALLEY”** means a Roadway which primarily serves to provide access to the rear of buildings and parcels of land.
- b. **“BICYCLE”** means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that;
  - i. May be propelled by muscular or mechanical power;
  - ii. Is fitted with pedals that are continually operated to propel it;
  - iii. Weighs not more than 35 kilograms;
  - iv. Has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimeters;
  - v. Has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and
  - vi. Does not have sufficient power to enable it to obtain a speed greater than 35 kilometers per hour on level ground within a distance of 2 kilometers from standing start.
- c. **“BYLAW ENFORCEMENT OFFICER”** means employed by the Town of Millet in accordance with the Municipal Government Act.
- d. **“CENTER LINE”** means
  - i. The center of a roadway measured from the curbs or, in the absence of curbs, from the edges of the Roadway,
  - ii. In the case of a highway
    - a. That is offset Highway as designated by the Traffic Control Device, or
    - b. That has a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times as designated by a Traffic Control Device,
    - c. The line dividing the lanes for traffic moving in opposite directions,
  - iii. In the case of a divided Highway, that portion of the Highway separating the Roadways for traffic moving in opposite directions.
- e. **“C.A.O”** means the Chief Administrative Officer of the Town of Millet
- f. **“COMMERCIAL VEHICLE”** means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a private passenger vehicle.
- g. **“COUNCIL”** means the Council of the Town of Millet.
- h. **“CROSSWALK”** means

- i. That part of a roadway at an intersection included within the connection of the lateral line of the sidewalk on opposite side of the highway measured from the curbs, or in the absence of curbs, from the edges of the roadway; or
  - ii. Any part of the roadway at an intersection of elsewhere distinctly indicated for pedestrian crossing by traffic control device, by line or by other markings on the surface.
- i. **“CURB”** means the concrete or asphalt edge of a Roadway, or the division point between a Roadway and a Boulevard or sidewalk.
- j. **“DANGEROUS GOODS”** means any product, substance or organism included by its nature or by the regulations to the Dangerous Goods Transportation and Handling Act in any of the classes listed in the Schedule to the Dangerous Goods Transportation and Handling Act.
- k. **“DISABLED PERSONS VEHICLE”** means a Vehicle that displays a disabled placard or license plate that issued or recognized by the Registrar of Motor Vehicle Services (or any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services).
- l. **“DRIVER OR OPERATOR”** “driver” or “operator” means a person who drives or is in the actual physical control of the vehicle.
- m. **“EMERGENCY VEHICLE”** means
  - i. a vehicle operated by a police service as defined in the Police Act;
  - ii. a fire-fighting or other type of vehicle operated by the fire protection service of a municipality;
  - iii. an ambulance operated by a person or organization providing ambulance services;
  - iv. a vehicle operated as a gas disconnection unit of a public utility;
  - v. a vehicle designated by regulation as an emergency response unit.
- n. **“GROSS WEIGHT”** means
  - i. In respect of a single axle of a vehicle, the total weight that a single axle transmits to a highway;
  - ii. In respect of an axle group of a vehicle, the sum of the weights transmitted to a highway by all the axles within the axle group;
  - iii. In respect of a tire of a vehicle, the total weight that the tire transmits to a highway;
  - iv. In respect of a vehicle, the total weight of a vehicle or combination of vehicles calculated as the sum of the weights transmitted to a highway through each of the axles.
- o. **“HEAVY VEHICLE”** means a Commercial Vehicle, or a Vehicle with trailer attached, having a maximum gross Vehicle weight of 4500 kg or more, or 12.5 meters in total length.
- p. **“HIGHWAY”** means any thoroughfare, street, road, trail, avenue, parkway, viaduct, 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 vehicle, and includes:
  - i. A sidewalk, including a boulevard adjacent to the sidewalk;
  - ii. If a ditch lies adjacent to and parallel to the roadway, the ditch, and
  - iii. If a highway right of way 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,

But does not include a place declared by regulation not to be a highway.
- q. **“INDUSTRIAL VEHICLE”** means any Vehicle used for the loading or unloading of merchandise or other object from a Vehicle. This does not include manpower.
- r. **“INOPERATIVE VEHICLE”** means any vehicle which cannot be legally operated on the street because of lack of registration, lack of engine,

transmission, wheels, windshield or any other part or equipment necessary to operate on public streets and/or highways.

- s. **“INTERSECTION”** means the area embraced within the prolongation or connection of:
  - i. the lateral curb lines, or
  - ii. if there are not any lateral curb lines, the exterior edges of the roadways,

of two or more highways which join one another at an angle whether or not one highway crosses the other;

- t. **“LAND USE BYLAWS”** means the Town of Millet Bylaw 2018-11 as amended, repealed or replaced.
- u. **MUNICIPAL GOVERNMENT ACT”** means the Municipal Government Act of Alberta, RSA 2000, c. M-26, as amended, repealed or replaced.
- v. **“OFF-HIGHWAY VEHICLE”** is as defined in Section 117 of the Traffic Safety Act, R.S.A 2000, c. T-6, as amended, repealed, or replaced.
- w. **“OWNER”** means the person who owns a vehicle and included any person renting a vehicle or having exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days.
- x. **“PARADE OR PROCESSION”** means any group of pedestrians or Vehicles on a Highway that is likely to block, obstruct, impede, hinder, or otherwise interfere with pedestrian or vehicular traffic on the Highway; with the exception of a military or funeral procession(s).
- y. **“PARK”** means to allow a vehicle (whether occupied or not) to remain standing in one place except
  - i. when standing temporarily for the purpose of and while actually engaged in loading and unloading of passengers; or
  - ii. when standing in obedience to a Peace Officer or traffic control device.
- z. **“PARKING LOT”** “parking lot” means a lot or portion of a lot whether publicly or privately owned, any part of which the public is ordinarily entitled to use for the purpose of parking vehicles.
- aa. **“PARKING STALL”** “parking lot” means a lot or portion of a lot whether publicly or privately owned, any part of which the public is ordinarily entitled to use for the purpose of parking vehicles.
- bb. **“PEACE OFFICER”** means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the Peace Officers Act R.S.A. 2006 Chapter p-3.5.
- cc. **“PEDESTRIAN”** means a person on foot and a person in or on a mobility aid.
- dd. **“PLAYGROUND AREA”** means a section of a roadway that is denoted by Playground Area signage only.
- ce. **“PLAYGROUND/ SCHOOL ZONE”** means a section of a roadway that is denoted by School Zone or Playground Zone signage and a Thirty (30) kilometer per hour (km/h) speed limit sign. Each sign will be posted with start time and end time and are in effect 7 days a week, 365 days a year.
- ff. **“TIME”** means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the Province of Alberta.
- gg. **“TRACK OR TRACKING”** means to allow, cause or permit any substance or material of any nature or kind whatsoever to become loose, detached, blow, drop, spill, or fall from any Vehicle, accessories or tires onto any Highway.

- hh. **“TRAFFIC CONTROL DEVICE”** means any sign, signal, signal, marking or device placed, marked or erected under the authority of this bylaw or under the Traffic Safety Act of Alberta RSA 2000, c. T-6.
- ii. **“TRAFFIC SAFETY ACT”** means the Traffic Safety Act of Alberta RSA 2000, c. T-6, as amended, repealed or replaced.
- jj. **“TRAVIS Permit”** means Transportation Routing and Vehicle Information System. TRAVIS issues a permit to travel through a municipality for oversize and overweight loads. Information is collected by the province for a fee and allocates a portion back to the municipality for road damage and administration costs.
- kk. **“TRAILER”** means a vehicle so designated that it
  - i. May be attached to or drawn by a motor vehicle or tractor, and
  - ii. Is intended to transport property or persons,

and includes a vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.

- ll. **“TRUCK”** means any vehicle, other than a registered Disabled Persons Vehicle, Recreations Vehicle, School Bus or Transit bus, that is:
  - i. Greater than 12 meters in length, or
  - ii. registered (in any jurisdiction) to operate at a maximum gross weight of 4500 kg or more.
- mm. **“PRIVATE PASSENGER VEHICLE”** means a Vehicle used solely for personal transportation.
- nn. **“PUBLIC PLACE”** means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other personal purpose.
- oo. **“RECREATIONAL VEHICLE”** means a vehicle used or intended for primarily recreational use, and without restricting the generality of the foregoing, includes any motor home, holiday trailer, trailer, camper, tent trailer, any van or bus converted for use as a recreational vehicle, boat trailer, ATV trailer or non-commercial utility trailer
- pp. **“RESIDENTIAL AREA”** shall refer to lands districted as Residential, with Residential districts including those districts identified in Sections 6.1 to 6.13 of the Land Use Bylaw, and shall include any Highways or public property abutting such districts.
- qq. **“SCHOOL BUS”** means a bus that is used primarily to transport students to and from school.
- rr. **“VIOLATION TAG”** means a tag or similar document issued by the Town pursuant to the Municipal Government Act.
- ss. **“VIOLATION TICKET”** means a notice issued under Part two (2) or Part three (3) of the Provincial Offences Procedure Act as amended, replaced or repealed.

## 2. PEDESTRIANS

### WHERE TO STAND

A pedestrian waiting for a traffic control signal to change shall not stand on the highway.

### GROUP STANDING



No person shall obstruct or prevent other persons using such highway or sidewalk and forthwith after a request has been made by a Peace Officer or another person duly authorized to do so shall disperse and move away.

### **SITTING ON ROAD**

No person shall stand, sit or lie on any highway in such manner as to obstruct vehicular or pedestrian traffic or as to annoy or incommode any other person lawfully upon the highway.

### **WATCHING PARADE**

Nothing in Section “group standing” or “sitting on road” shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or procession duly authorized by Council.

## **3. TRAFFIC CONTROL DEVICE**

No person may act contrary to any traffic control device, regardless of whether that traffic control device is on public or private property.

- (1) The Town may cause temporary traffic control devices to be placed along a portion of a highway or any other place, for the purpose of facilitating construction, maintenance, repair work or any other reason, including removal of snow and ice.
- (2) All temporary traffic control devices carry the same authority and penalty as a permanent traffic control device.
- (3) Duly placed temporary traffic control devices shall supersede any other traffic control device located in the vicinity.
- (4) A traffic control device may provide an effective time period, for which the provisions of that temporary traffic control device shall go into effect. No person shall act or allow action in a manner contrary to that traffic control device when the time period is in effect.
- (5) No person shall alter, move or in any way change any traffic control device, either permanent or temporary, at any time.
  - i. Subsection 3(5) of this bylaw shall not apply to any person duly designated to alter a traffic control device for the purposes of maintenance, construction or relocation. This exemption includes Town workers and emergency services.

## **4. SIDEWALK AND BOULEVARD**

Unless a traffic control device permits or requires, a vehicle shall not be parked on a sidewalk or boulevard or any part of a sidewalk or boulevard.

5. **CROSSWALKS**

Unless a traffic control device permits or requires, a vehicle shall not be parked:

- (1) on a crosswalk or any part of a crosswalk; or
- (2) within 5 meters of the near side of a marked crosswalk.

6. **STOP OR YIELD SIGNS**

Unless a traffic control device permits or requires, a vehicle shall not be parked in the instance of an approach to a stop sign or yield sign within 5 meters of the stop sign or yield sign.

7. Unless a traffic control device permits or requires, a vehicle shall not be parked:

- (1) at an intersection within 5 meters of the projection of the curb or edge of the roadway;
- (2) within an intersection other than immediately next to the curb or edge of the roadway in a "T" intersection; or
- (3) within 1.5 meters of an access to a garage, private road or driveway or a vehicle crossway over a sidewalk.

8. **FIRE HYDRANTS**

- (1) Except as permitted in this section a vehicle shall not be stopped on a highway within 5 meters of a fire hydrant or, when the hydrant is not located at the curb, within 5 meters from the point on the curb nearest the fire hydrant.
- (2) A taxi may stop within 5 meters of a hydrant identified as a taxi zone only if:
  - i. the operator remains in the vehicle at all times;
  - ii. the operator immediately removes the vehicle from the taxi zone upon the direction of a peace officer or the Fire Chief or designate.

9. **DOUBLE PARKING**

Unless a traffic control device permits or requires, a vehicle shall not be parked on the roadway side of a vehicle that is parked at the curb or edge of the roadway.

10. **DIVIDED HIGHWAY**

Unless a traffic control device permits or requires, a vehicle shall not be parked on that portion of the highway that is to the left of the yellow line if the highway is divided into two or more roadways by a boulevard, ditch or other physical barrier.

## 11. ALLEY PARKING

- (1) A vehicle shall not be parked in an alley unless:
  - i. a traffic control device permits such parking; or
  - ii. the vehicle is a commercial vehicle with hazard warning lights alight and in the process of loading or unloading goods.
- (2) Notwithstanding subsection (1) (ii) a commercial vehicle shall not be parked in an alley for more than 30 minutes.
- (3) Nothing in this section permits a person to park a vehicle in an alley in a manner that blocks or obstructs the movement of traffic.

## 12. MARKED SPACE

A vehicle parked on a highway in a location marked by lines or otherwise shall be parked entirely within the markings.

## 13. OBSTRUCTION

- (1) A vehicle shall not be parked on a highway in a manner that blocks or obstructs:
  - i. the movement of traffic on the highway;
  - ii. a doorway to a building; or
  - iii. the approach to any fire station, police station, hospital or other place where emergency vehicles require regular access.
- (2) Notwithstanding subsection 13(1)(i) of this Bylaw, where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this bylaw provided they take measures as soon as practicable to remove such vehicle from the highway and must activate warning or hazard lights.
- (3) No person shall construct or place an obstruction of any kind, in, upon or above any highway unless granted pursuant to a Town issued permit.
- (4) Any Person who, after having been issued a permit under Subsection 13(3) of this Bylaw, fails to comply with the terms and conditions of that permit shall be guilty of an offence and shall, in addition to any other penalty, remove the Obstruction within twenty-four (24) hours after receiving notice to do so. If an obstruction is not removed within twenty-four (24) hours, the Town may cause the removal of the Obstruction and such removal shall be at the expense of the Person causing, placing or permitting the obstruction on the Highway or public place.
- (5) In the event of an emergency or where the Obstruction is deemed to pose a danger to users of a Highway, the Town may cause the immediate removal of the Obstruction

without notice shall be at the expense of the Person causing, placing or permitting the obstruction on the Highway or public place.

- (6) The permit holder shall be required to produce the permit upon request of the CAO or authorized designate.
- (7) Where an Obstruction of any kind exists in, upon or above a Highway or public place and creates an unsafe condition, the Town shall be entitled to take such measures as are required for the protection of life or property.

#### 14. **RECREATIONAL VEHICLE RISTRICIONS**

- (1) A recreational vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the recreational vehicle owner's residence as shown in the records of the Motor Vehicle Registry.
- (2) A recreational vehicle parked pursuant to this section:
  - i. shall not be parked for more than 72 consecutive hours; and
  - ii. shall be removed to an off-highway location for at least 48 consecutive hours before it may be parked again on a highway.
- (3) A recreational vehicle parked on a highway shall not be occupied.
- (4) As per Bylaw 2020-24 no person shall store a recreational vehicle on any property where there is no principal building.

#### 15. **UNATTACHED TRAILER**

- (1) Notwithstanding any other provision of this bylaw, a trailer shall not be parked on a highway unless the trailer is attached to a vehicle by which it may be drawn.
- (2) No person shall use a mobile unit or permit any other person to use a mobile unit for overnight residency, where that mobile unit is located upon a highway or upon public property unless that property has been designated by the town for use as a mobile unit park or trailer court.

#### 16. **PARALLELEL PARKING**

- (1) A vehicle parked on a highway shall be parked:
  - i. with:
    1. the sides of the vehicle parallel to the curb or edge of the roadway, and
    2. the right wheels of the vehicle not more than 500 millimeters from the right curb or edge of the roadway, or

- ii. in the case of a one-way highway where parking on either side is permitted, with:
  - 1. the sides of the vehicle parallel to the curb or edge of the roadway,
  - 2. the wheels that are the closest to a curb or edge of the roadway not more than 500 millimeters from that curb or edge, and
  - 3. the vehicle facing in the direction of travel authorized for the highway;

(2) Notwithstanding subsection (1) a motorcycle may be parked:

- i. at an angle, other than perpendicular, to the curb or edge of the roadway, and
- ii. with:
  - 1. a wheel of the motorcycle not more than 500 millimeters from the curb or edge of the roadway, and
  - 2. the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is parked.

(3) Subsection (1) does not apply where angle parking is permitted or required.

## 17. ANGLE PARKING

(1) When:

- i. a sign indicates that angle parking is permitted or required, and
- ii. parking guidelines are visible on the roadway, a vehicle shall be parked with the vehicle's sides between and parallel to any two of the guidelines, and
- iii. in the case of a vehicle other than a motorcycle, with one front wheel not more than 500 millimeters from the curb or edge of the roadway, or
- iv. in the case of a motorcycle, with
  - 1. a wheel of the motorcycle not more than 500 millimeters from the curb or edge of the roadway, and
  - 2. the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is parked;

(2) A vehicle with a total length exceeding 5.8 meters shall not be parked at an angle on a highway unless:

- i. a sign specifically permits such parking; or
- ii. the vehicle displays a permit issued by the Town authorizing such parking.

## 18. IDLING VEHICLE



- (1) No person shall park any vehicle with a motor running for more than 10 minutes, in such a manner and such a location as to cause a disturbance.
- (2) A vehicle shall not be deemed to be idling in contravention of section 18(1) if
  - i. a vehicle idling due to traffic, an emergency or mechanical difficulty;
  - ii. armored vehicles engaged in the secure delivery and pick up of goods;
  - iii. emergency vehicles;
  - iv. vehicles that must remain idling to power a heating or refrigeration system required for the preservation of perishable cargo;
  - v. vehicles that must remain idling to power any tools or equipment required for or incidental to the provision of services by a municipality or public utility.

**19. VEHICLE ON JACK**

A vehicle shall not be parked and left unattended on a highway if:

- (1) the vehicle is on a jack or a similar device, and
- (2) one or more wheels have been removed from the vehicle or part of the vehicle is raised.

**20. ABANDONED VEHICLE**

- (1) A vehicle shall not be abandoned on a highway.
- (2) Without restricting the generality of subsection (1) a vehicle that is left standing in one location on a highway for more than 72 consecutive hours is deemed to have been abandoned at that location.

**21. NO PARKING**

- (1) A vehicle shall not stop or be parked on a highway in any location identified as a zone where parking is prohibited.
- (2) A vehicle shall not be stopped on a highway in any location identified as a zone where stopping is prohibited.
- (3) A vehicle shall not be stopped on a highway where the vehicle will obstruct the flow of traffic.
- (4) Notwithstanding any other provision of this bylaw, the following classes of vehicles are exempt from parking prohibitions:
  - i. Emergency vehicles
  - ii. Public utility vehicles
  - iii. Municipal or other government public works vehicles
  - iv. towing service vehicles

while any such vehicle is being used for work requiring that it be stopped or parked in contravention of any such prohibition.

## 22. PARTICULAR CLASS OF VEHICLE

(1) A vehicle shall not be parked on a highway in any location identified as being for the use of a particular class of vehicle unless the vehicle is within the particular class.

(2) For the purpose of subsection (1) particular classes of vehicles may include, but are not limited to:

- i. small cars;
- ii. police or other emergency vehicles;
- iii. tour line buses;
- iv. funeral cars;
- v. school buses;
- vi. taxis;
- vii. motorcycles;
- viii. vending units;
- ix. media vehicles;
- x. Department of Justice vehicles; and
- xi. Solicitor General vehicles.

## 23. EMERGENCY ACCESS

A vehicle shall not be parked on a highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of emergency vehicles.

## 24. DISABILITY PARKING

A vehicle shall not be parked on a highway in any location identified as being for the use of persons with disabilities unless the vehicle:

- (1) displays a valid disabled placard or license plate issued or recognized by the Registrar;  
and
- (2) is being used for the transportation of a person with a disability.

## 25. PARK OVERTIME

(1) A vehicle shall not be parked on a highway in any location identified as a time limited zone for a period of time in excess of the time limit.

- (2) When a vehicle, that has been subject of a Violation Tag or a Provincial Violation Ticket issued for a contravention of Subsection 25 (1) of this Bylaw, remains parked beyond the expiration of the time limit indicated on the traffic control device for more than sixty (60) minutes past the time of the issuance of the Violation Tag or Provincial Violation Ticket, this shall be deemed to constitute a second or subsequent contravention of Subsection 25(1) of this Bylaw, for which a new Violation Tag or Provincial Violation Ticket may be issued.

## 26. PRIVATE PROPERTY WITH PUBLIC ACCESS

- (1) A vehicle shall not be parked on privately owned property to which vehicles driven by members of the public generally have access unless the permission or authorization of the owner of the property or person having possession or control of the property has been given for such parking.
- (2) This section applies only where privately owned property has been clearly identified as having restrictions on parking.
- (3) A vehicle on privately owned property to which vehicles driven by members of the public generally have access parked in contravention of any specific restrictions on parking identified for the location is presumed to be:
  - i. parked without the permission or authorization in subsection (1); and
  - ii. notwithstanding the contravention of subsection (1), subject to any higher penalty for the particular contravention specified in this Part.

## 27. SPEED

- (1) No person shall drive a vehicle in any alley at a speed in excess of twenty-five (25) kilometers per hour.
- (2) No person shall operate a vehicle on any highway within the Town of Millet at a speed in excess of fifty (50) kilometers per hour;
- (3) No person shall drive any vehicle in excess of thirty (30) kilometers per hour within a posted school zone or playground zone between the hours of 7:30 am and 9:00 pm, 7 days a week, 365 days a year.
  - i. Zones begin at the point where the Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone, and
  - ii. Ends at the point where the Traffic Control Device indicates a greater rate of speed or the end of the zone.

**28. SKATEBOARDS, ROLLERBLADES, CYCLISTS, ANIMALS AND ANIMAL POWERED VEHICLES**

(1) Animals or Animal Drawn Vehicle on a Highway

The operator or Person responsible for any animal or animal drawn Vehicle operating on a Highway shall remain responsible for and in control of the animal and the Vehicle at all times including the disposal of any waste material.

(2) Bicycles on Sidewalks

No Person shall operate a Bicycle having a wheel diameter in excess of fifty (50) centimeters on any Sidewalk

(3) Skateboards/Rollerblades/Scooters

No Person shall ride and or operate a skateboard, rollerblade, scooter or similar device on any Public Place, Sidewalk or Highway where prohibited, in any manner to interfere with the safety of other persons that otherwise interferes with another person's use of a sidewalk or highway for its intended purpose.

(4) Seizure of Items

Notwithstanding any other penalty imposed, where a person contravenes Subsection 28(2) or 28(3) of this Bylaw, a Peace Officer may elect to seize and confiscate that person's bicycle, skateboard, roller blades, scooter, or similar device for a period not exceeding thirty (30) days. Anything seized pursuant to this Bylaw that is not claimed by its owner within sixty (60) days of the last day of the period of the seizure may be disposed of or otherwise dealt with in accordance with the Municipal Government Act.

**29. HEAVY VEHICLES**

- 1) No person shall operate a heavy vehicle on any highway that is not designated as a truck route.

Exemptions

The following Persons shall not be deemed to be operating a Vehicle in contravention of Subsection 29(1) of this Bylaw if the Vehicle is being operated on the most direct and practicable route between the premises or location concerned and the nearest Truck Route for the purposes stated herein:

- i. Persons delivering or collecting goods or merchandise or providing services at the premises of a customer of the Person operating the Heavy Vehicle or the owner of that Heavy Vehicle.
- ii. Persons operating a Heavy Vehicle engaged in the moving of a structure or building for which a Permit has been granted by the Town.
- iv. Persons towing or pulling a disabled Vehicle from a Highway that prohibits Heavy Vehicles.
- v. Persons travelling to or from the location of properly authorized construction, maintenance or repair work on a Highway, or while actually performing authorized construction, maintenance or repair work on a Highway.
- vi. Persons operating a bus, including a school bus, chartered bus or transit bus while picking up, transporting, or depositing passengers.
- vii. Person who has a valid TRAVIS permit.

## 2) Engine Retarder Brakes

No Person shall operate engine retarder brakes within the Town limits.

## 3) Length Restrictions

A vehicle or a vehicle with a trailer attached, with a total length exceeding 12.5 meters shall not be parked on a highway:

This section does not apply if the vehicle:

- i. is a recreational vehicle; or
- ii. is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

## 4) Weight Restrictions

- i. A vehicle, or a vehicle with a trailer attached, that is registered for a weight exceeding 4,500 kilograms, or that weighs more than 4,500 kilograms, shall not be parked on a highway:
  - a. in a location adjoining residential property at any time
- ii. This section does not apply if the vehicle:
  - a. is a recreational vehicle; or
  - b. is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

5) In the absence of evidence to the contrary, a school bus is presumed to have a gross weight exceeding 4,500 kilograms.

## 6) Over Dimension Permits

- i. No Person shall operate or permit to be operated a Vehicle within the Town in excess of the size limits established under the



Commercial Vehicle Dimension and Weight Regulation (AR 316/2002 of the Traffic Safety Act) as amended, repealed or replaced without first obtaining the required permit(s) from an authorized agency(s) to do so.

- ii. A Person operating or permitting the operation of an Over-Dimension Vehicle on a Highway without a lawful permit issued from an authorized agency(s), shall be responsible to reimburse the Town for all costs and expenses incurred in correcting any damages done to the Highway or any public works located in, over, under or adjacent to the Highway, resulting from the operation or movement of the over dimension Vehicle on that Highway.
- iii. In addition to reimbursing the Town for any repair costs of an Over Dimension violation, a fine may be issued to the offending party pursuant to Schedule "A" of this Bylaw.

#### 7) Road Bans

No Person shall operate a Vehicle on a Highway in contravention of the weight restrictions imposed pursuant to a Road Ban issued under this Bylaw or any other temporary Road Ban in place.

#### 8) Tracking

- i. No Person shall drive, operate or permit to be driven or operated, any Vehicle or Industrial Vehicle of any nature or kind in such a manner as to Track any material upon a Highway.
- ii. Any Person who Tracks materials upon a Highway shall, in addition to any other penalty imposed under this Bylaw, reimburse the Town for all costs and expenses incurred in the clean-up and removal of the Tracked substances or materials.

#### 9) Vehicle not equipped with Rubber Tires

- i. No person shall operate a Vehicle or Industrial Vehicle having metal spikes, lugs, tracks, cleats, skids or bands projecting from the surface of the wheel or tire of the vehicle, upon a Highway, unless a permit to do so has been issued by the Town Engineer or designate.
- ii. Subsection 9(i) of this Bylaw does not apply to the use of studded tires.

#### 10) Parking Vehicle – Dangerous Goods

- i. No Person shall Park a Vehicle or a trailer used for the conveyance of dangerous goods upon a Highway.
- ii. Except as required in the normal course of making deliveries or receiving goods, no Person shall Park a Vehicle or Trailer used for

the conveyance of dangerous goods closer than fifteen (15) meters to any building or structure.

- iii. Except as otherwise authorized by Provincial or Federal Statute or Regulation, all Vehicles and Trailers used in the conveyance of dangerous goods shall, at all times, bear a warning placard identifying the contents of their dangerous goods.

#### 11) Securing of Loads

- i. No person shall drive or pull onto or upon a roadway a vehicle containing a load unless the load is completely covered by a tarpaulin or other device secured in such a manner that no portion of the load can escape, blow, drop, spill or fall from the vehicle onto a highway or land adjacent thereto.
- ii. In the event that any load or any portion thereof, or other material being carried by a vehicle, becomes loose, detached, blows, drops, spills or falls from any vehicle onto any highway so as to become an obstruction, the operator of that vehicle shall immediately take all reasonable precautions to draw the attention of other users of the highway to the presence of the obstruction and shall take any required action to remove the obstruction material(s) from the highway as soon as safely possible.

### 30. HIGHWAY CONSTRUCTION AND MAINTENANCE

- 1) No Person shall perform any construction or maintenance work on a Highway without a valid permit approving the work to be done.
- 2) In addition to any other penalty imposed for undertaking construction or maintenance on a Highway without a permit, the Person responsible for that construction or maintenance work shall be required to reimburse the Town for all reasonable costs and expenses incurred as a result of the Person's actions.
- 3) Notwithstanding any other section of this Bylaw every Person(s) shall obey any temporary Traffic Control Device dutifully placed for any construction or maintenance required on Highways within the Town.

### 31. SNOW AND ICE CONTROL

- 1) No person shall park a vehicle, or permit a vehicle to be parked on a highway marked as a snow route when a snow route ban has been declared by the CAO or designate and is in effect until either a permanent or temporary traffic control device have been removed. Snow removal bans start at 6:00 am of the day listed on the Traffic Control device and are in effect till the street has been cleared.

- 2) All vehicles parked on signed snow routes after the ban is in effect as indicated in 31(1) are subject to a violation ticket issued or immediate removal at the expense of the registered owner of said vehicle.
- 3) Snow removal signs will be placed in the area of the ban a minimum of 24 hours prior to removal. Signs will have the day of the week of snow removal.
- 4) A published notice in Town of Millet webpage, social media sites or a roadway signage shall constitute reasonable notice.

## 32. MISCELLANEOUS

### 1) Littering

No Person shall dump, discard, abandon or place any substance or thing on any Highway.

### 2) Loading Across Sidewalk

No Person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken.

### 3) Fire/Emergency

No Person shall pass beyond a control point as designated by a Peace Officer, a Member of the Fire Department, appointed flag Person or Traffic Control Device.

### 4) Activities upon Highways

- i. No Person shall ice skate upon a Roadway.
- ii. No Person shall coast on a sled, toboggan, ski or similar winter conveyance upon a Highway.

### 5) Onus of Proof

For the Purposes of this Bylaw, an Owner shall mean the Person named on the certificate of registration for the subject Vehicle.

- i. Where a Vehicle is driven, used, parked or left in contravention of any provision of this Bylaw, the Owner of the Vehicle shall be deemed responsible for the contravention and liable to the penalty provided herein unless he or she proves to the satisfaction of the presiding Traffic Commissioner or Provincial Judge that, at the time of the contravention, the Vehicle was not driven, used, Parked or left by that owner, or any other Person acting under the owner's consent, express or implied.

### 6) Street Furniture

No Person shall climb upon, deface, damage or otherwise interfere with any street furniture, protection system, utility system or public work of the Town.

7) Graffiti and Defacement

No Person shall deface, or make any advertisement, legend, poster or sign of any kind on any Highway, Traffic Control Device, street furniture or Temporary Construction Barricades.

8) Damage to Painted Lines

No Person shall drive or walk on or over a newly painted wet line on any roadway where the wet paint is indicated by signs, flags or other warning device.

### 33. AUTHORITY OF THE CAO

Without restricting any other power, duty or function granted by this Bylaw the CAO may:

- 1) Prescribe and place the location of Traffic Control Devices, whether on a permanent or temporary basis, including Traffic Control Devices restricting the speed of Vehicles, and to maintain a record of all such locations, which shall be open to public inspection during normal business hours.
- 2) Designate the location of Crosswalks upon a Highway and to mark the same by means of Traffic Control Devices.
- 3) Designate Highway intersections or other places on a Highway as a place at which no left-hand turn or no right-hand turn or both shall be made.
- 4) Designate any intersection or place on a Highway, including a place where a railway right-of-way crosses a Highway, as a place where U-turns are prohibited.
- 5) When approved by Council, restrict any Highway or a part of a Highway to one-way traffic.
- 6) council may, by resolution, temporarily close or authorize a designated officer to temporarily close the whole or a part of a road at any time if the council considers that a construction or maintenance project on or adjacent to the road may create a hazard. As Per Section 22(5) of the MGA.
- 7) Divide any roadway into the appropriate number of Traffic Lanes.
- 8) Mark School Zones, Playground Zones, as well as Playground Areas by the appropriate Traffic Control Devices.
- 9) Mark approved Speed Zones on Town Highways by the appropriate Traffic Control Devices.
- 10) Prescribe where temporary Traffic Control Device(s) are to be located on any Highway.
- 11) Prescribe designated Vehicle loading spaces and identify the type or classification of vehicle allowed.
- 12) Designate the distance from any intersection within which no Parking shall be permitted.
- 13) Designate Parking time limits on any portion of a Highway.

- 14) Issue all permits, stickers and special permissions permitted to be issued under this Bylaw.
- 15) Specify the types of Vehicles prohibited from Parking on any Town owned parking lot.
- 16) Designate angle parking on any Highway.
- 17) Establish load limits, through a Road Ban, upon Highways.
- 18) Prohibit or restrict the movement of Vehicles from a private driveway on to a Highway or from a Highway on to a private driveway when required.
- 19) Delegate any powers, duties or functions under this Bylaw to an employee of the Town.

#### 34. ENFORCEMENT AND PENALTY

1) Offence

Except as otherwise provided herein, any Person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable, upon summary conviction, to the fine as set out in Schedule "A" of this Bylaw.

2) Offence Except as otherwise provided herein, any Person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable, upon summary conviction, to the fine as set out in Schedule "A" of this Bylaw.

3) A Violation Tag may be issued to such person:

- i. personally;
- ii. by registered mail sent to the postal address of the person, as shown on the Tax Assessment Roll or on the Certificate of Title for the property; or
- iii. by leaving it with a person apparently over eighteen (18) years of age at the place of residency of the person to whom the Violation Tag is addressed.

4) Any Violation Tag shall conform to a format approved by the CAO and shall include all required content.

5) Subject to the provisions of section "2" and "3", upon issuance and service of a Violation Tag under section (1) the amount the Town will accept for the alleged offences shall be the amount of the specified penalty, and upon payment to a person authorized by the CAO to receive such payment there shall be issued an official receipt therefor and such payment shall be accepted in lieu of prosecution for the alleged offence.

6) In the event that a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the Person to whom the Violation Tag was issued.

7) A Violation Ticket issued with respect to a violation of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the Provincial Offences Procedure Act.



- 8) The person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided within Schedule "A" of this Bylaw.
- 9) When Court records the receipt of a voluntary payment pursuant to Provincial Offences Procedure Act, the act of recording the receipt of that payment constitutes acceptance of the guilty plea and constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 10) Nothing in this Bylaw shall be read or construed as:
  - i. preventing any person from exercising their right to defend an allegation that he has committed an offence listed in Schedule "A" or,
  - ii. preventing a Bylaw Enforcement Officer from issuing a summons or offence notice under the Provincial Offences Procedure Act or otherwise initiating court process in any other manner permitted by law, in respect of an alleged offence which a violation tag may be issued.

## 12) Chalking Tires

In order to determine the time period over which a Vehicle has been parked in a location where Parking is restricted to a specific time limit, a Peace Officer may place an erasable chalk mark on the tread face of the tire of a Parked Vehicle.

## 13) Tow-Away Authority

Where a Peace Officer has reasonable grounds to believe that:

- i. A Vehicle has been left unattended on a Highway in a manner that may obstruct the normal movement of traffic;
- ii. A vehicle is parked on a Highway in contravention of this Bylaw, including the provisions of any Traffic Control Device;
- iii. A vehicle is Parked on a Highway in a manner that impedes or prevents access to a fire hydrant by fire suppression equipment;
- iv. A vehicle is parked in a manner that impedes advertised Town snow removal; or
- v. A vehicle is parked in a manner that impedes emergency or municipal operations.

That Peace Officer may cause that Vehicle to be removed, relocated or impounded by the Town.

## 35. VICARIOUS LIABILITY

For the purpose of this bylaw, an act or omission by an employee or agent for a person is deemed also to be an act or omission of the person if the act of omission occurred in the

course of the employee's employment with the person, or in the course of the agent exercising the powers of or performing duties on behalf of the person under their agency relationship.

**36. SEVERABILITY**

If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of the Bylaw, and the remaining provisions of this Bylaw shall continue to be valid and enforceable.

**37. TRANSITION AND EXECUTION**

- 1) This Bylaw shall repeal Bylaw No. 2009-03 and amendments thereto on the date of final passing.
- 2) This Bylaw shall come into full force and effect on the date of final passing.

Read a first time this 28th day of June 2023

Read a second time this 13th day of September 2023

Read a third time this 13th day of September 2023



MAYOR



CAO

**SCHEDULE "A"**

The description used for each offense listed in this schedule exists solely for purposes of identifying and referencing and referencing the particular offense listed in the Bylaw, and shall not be construed as limiting or altering any provision or offence identified in the text of the Bylaw itself.

Offences	Section	Specified penalty
3(1)	Fail to obey traffic control device	300.00
3(5)	Alter, move or change traffic control device	300.00
4	Park on sidewalk or boulevard	78.00

4(1)	Park on crosswalk	115.00
4(2)	Park within 5m of crosswalk	78.00
6	Park within 5m of stop sign/yield sign	115.00
7(1)	Park within 5m of intersection	78.00
7(2)	Park within 5m of "T" intersection	78.00
7(3)	Park within 1.5m of driveway	78.00
8(1)	Park within 5m of fire hydrant	115.00
8(2)	Taxi driver fail to remain in vehicle by hydrant	350.00
9	Double parking	350.00
10	Park left of yellow line on divided highway	115.00
11(1)	Park in alley	78.00
11(2)	Commercial vehicle parked more than 30 minutes	78.00
11(3)	Block alley	115.00
12	Parked outside markings	78.00
13(1)(i)	Park obstructing flow of traffic	78.00
13(1)(ii)	Park obstructing doorway	78.00
13(1)(iii)	Park obstructing emergency access	350.00
13(3)	Construct or place obstruction on Highway	115.00
13(6)	Fail to produce obstruction permit	115.00
14(1)	Fail to park RV at residents' location	115.00
14(2)(i)	Parked for more than 72 hours	115.00
14(2)(ii)	Rv not removed for 48 consecutive hours	115.00
14(3)	Occupied RV	78.00
15(1)	Unattached trailer	78.00
15(2)	Mobile unit on highway	115.00
16(1)(i)(1)	Vehicle not paralleled parked to curb	78.00
16(1)(i)(2)	Vehicle more than 500mm from curb	78.00
17(1)(i)	Vehicle not angle parked were permitted	78.00
17(1)(ii)	Vehicle not parked in lines	78.00
17(1)(iii)	Vehicle right tire more than 500mm from curb	78.00
17(2)	Vehicle exceed 5.8m parked on angle	78.00
18(1)	Allow vehicle to idle more than 10 minutes	200.00
19(1)	Vehicle on jacks or similar device	115.00
19(2)	Vehicle on jack with wheel(s) removed	115.00
20(1)	Abandoned vehicle	115.00
21(1)	Park where prohibited	78.00
21(2)	Stopped on highway where prohibited	78.00
21(3)	Park where obstructing traffic	78.00
23	Park in fire lane	300.00
24	Park in handicap zone	250.00
25(1)	Park in excess of timed parking	78.00
26(1)	Park on private property	78.00
28(1)	Animal or animal drawn vehicle on highway	78.00
28(2)	Bicycle on sidewalk	78.00
28(3)	Skateboard/rollerblade/scooter on sidewalk	78.00
29(1)	Commercial vehicle off truck route	250.00
29(1)(viii)	Fail to produce permit for commercial vehicle of truck route	600.00
29(2)	Use engine retarder brakes	150.00
29(3)	Total length exceeding 12.5 m in residential property	250.00
29(4)	Commercial vehicle overweight	\$27.00/100kg for overloads to 5000kg and \$47.00 over 5000kg plus 15%

		victim fine surcharge
29(6(i))	Over dimensional load without Permit	500.00
29(7)	Operate overweight during road ban	\$34.00/100kg for overloads to 5000kg and \$47.00 over 5000kg plus 15% victim fine surcharge
29(8)	Tracking on highway	115.00
29(9)	Vehicle with improper tire on highway	115.00
29(10)(i)	Park vehicle with dangerous goods	500.00
29(10)(ii)	Park vehicle with dangerous goods within 15m of any building	500.00
29(10)(iii)	Fail to display placard	150.00
29(11)	Unsecured load	300.00
30(1)	Perform construction/maintenance on highway without permit	600.00
31(1)	Park in snow removal route	200.00
32(1)	Littering	115.00
32(2)	Loading across sidewalk	150.00
32(3)	Cross Fire/Emergency line	100.00
32(4)(i)	Ice skate on roadway	78.00
32(4)(ii)	Coast sled/toboggan/ski on highway	78.00
32(6)	Climb/interfere with street furniture	100.00
32(7)	Graffiti/Defacement	230.00
32(8)	Damage to painted lines	78.00

