

**Corporation of the Town of Bow Island  
Traffic Bylaw No. 2011 02**

**A BYLAW, OF THE TOWN OF BOW ISLAND, TO PROVIDE FOR THE CONTROL AND REGULATION OF PEDESTRIAN AND VEHICULAR TRAFFIC WITHIN THE TOWN;**

**NOW THEREFORE THE MUNICIPAL CORPORATION OF THE TOWN OF BOW ISLAND IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

This Bylaw shall be called "The Traffic Bylaw" and shall be taken to apply within the municipal boundaries of the Town of Bow Island.

**2. DEFINITIONS**

1. In this Bylaw the definitions described in Section (1) of the *Traffic Safety Act*, R.S.A.2000, c.T-6, as amended (hereinafter referred to as the *Traffic Safety Act*) shall apply to this Bylaw and in addition the following definitions shall apply:
  - a. **"Bus"** means a motor vehicle designed for carrying more than 13 passengers that is used or intended to be used for the transportation of persons.
  - b. **"Bylaw Enforcement Officer"** means any Police Officer, Peace Officer or Bylaw Enforcement Officer of the Town of Bow Island.
  - c. **"Bus Stop" or "Bus Zone"** means that portion of a highway adjacent to the curb designated as being reserved exclusively for the loading and unloading of buses.
  - d. **"Commercial Vehicle"** means a motor vehicle registered as a commercial vehicle and is defined as such within the meaning of the *Traffic Safety Act*.
  - e. **"Council"** means the municipal council of the Town, duly assembled and acting as such.
  - f. **"Cul-de-Sac"** means local roads which are terminated at one end, with the provision for turning vehicles.
  - g. **"Curb"** means the concrete or asphalt edge of a highway or the division point between the highway and boulevard or sidewalk.
  - h. **"Director"** means the person appointed to the position of Town Manager.

- i. **"Heavy Truck"** means all motor vehicles (including trucks commonly referred to as 1 ton, 3 ton, 5 ton or *highway* tractor) which:
  - i. have a registered gross vehicle weight (GVW) of 12,000 kilograms or more, **OR**
  - ii. in excess of seven (7) meters in length, **OR**
  - iii. has more than two (2) axles, **OR**
  - iv. is commonly referred to a highway tractor as defined in section 2(m) of this bylaw.
  
- j. **"Heavy Truck Route"** means the heavy truck route outlined in Schedule "B" of this Bylaw.
  
- k. **"Heavy Truck Area"** means the area outlined in Schedule "B" of this Bylaw designated for the parking of heavy trucks.
  
- l. **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes
  - (i) a sidewalk, including a boulevard adjacent to the sidewalk,
  - (ii) if a ditch lies adjacent to and parallel with 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 fences, or 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.
  
- m. **"Highway Tractor"** means a motor vehicle commonly referred to as a semi-trailer tractor (pulling unit only) but does not include a semi-trailer.
  
- n. **"Holiday"** means and includes every Sunday, and any other day defined as holiday in the *Interpretation Act* R.S.A. 2000 c. I-8 and any day or portion of a day proclaimed by the Mayor or by the Council of the Town as a Civic Holiday.
  
- o. **"Gross Vehicle Weight (GVW)"** means the maximum weight of a motor vehicle or combination of attached motor vehicles and the load thereon specifically.

- p. **“Loading Zone”** means that portion of a highway adjacent to the curb designated by the Sign Bylaw as reserved exclusively for the loading and unloading of commercial vehicles.
- q. **“Manager”** means a person appointed to the position of Town Manager by the Town of Bow Island.
- r. **“Parade”** or **“Procession”** shall mean any group of pedestrians other than a military or funeral procession numbering more than fifty (50) and marching or walking on the highway or on the sidewalk or any group of vehicles other than a military or funeral procession and numbering ten (10) or more, or both.
- s. **“Permit”** means a valid handicap placard or license plate that is issued or recognized by the Solicitor General of Alberta;
- t. **“Public Parking Area”** means public property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- u. **“Private Parking Area”** means private property that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- v. **“Public Property”** means publicly owned land including land owned by the Town.
- w. **“Private Property”** means land that is privately owned.
- x. **“Recreational Vehicle”** as defined in the *Traffic Safety Act*.
- y. **“Restricted Heavy Truck Area”** means the area outlined in Schedule "B" of this Bylaw.
- z. **“Restricted Heavy Truck Route”** means the restricted heavy truck route shown on Schedule "B" of this Bylaw.
- aa. **“Semi-Trailer”** means any trailer pulled by a heavy truck and includes a trailer commonly referred to as a "pup" or "pup trailer".
- bb. **“Second Offence”** means an offence under this bylaw for which the person has been charged with the same offence within the preceding twelve (12) months of the date of the offence in question.
- cc. **“Town”** means the Municipal Corporation of the Town of Bow Island of the area contained within the Town boundaries as the context requires.

- dd. **“Traffic Control Device”** means any sign, signal, marking or device placed, marked or erected by the Town or pursuant to any act of Alberta, and shall include, but is not limited to, no parking signs, road closed signs, detour signs or hand held signals.

### **3. STOPPING STANDING PARKING**

1. No person shall park a motor vehicle in an alley, unless he is actively engaged in:
  - a) the loading or unloading of goods from a **COMMERCIAL VEHICLE** for a period not exceeding thirty(30) minutes, or,
  - b) the loading or unloading of goods or passengers from a vehicle other than a commercial vehicle for a period not exceeding five (5) minutes, provided the vehicle described in subsections (a) or (b) does not obstruct the free passage of pedestrian and vehicular traffic through such alley.
2. No person shall stop a motor vehicle in a **LOADING ZONE** except:
  - a) for a period not exceeding five (5) minutes for the purpose of, and while actively engaged in loading or unloading passengers, or,
  - b) for a period not exceeding thirty (30) minutes for the purpose of, and while actively engaged in loading or unloading of merchandise or other materials.
3. No person shall park a trailer on a highway unless the trailer is attached to a motor vehicle by which it may be drawn. This provision does not apply to a tent, vacation or holiday trailer provided the tent, vacation or holiday trailer is being loaded or unloaded and is parked for that purpose for a period not exceeding forty-eight (48) hours.
4. No person who sells, repairs, or services motor vehicles, for compensation, shall park or leave any such motor vehicle, in his control, on a highway.
5. No person shall leave any motor vehicle parked on a highway for a continuous period exceeding seventy-two (72) hours.
6. No person shall park a motor vehicle, other than a passenger vehicle, of a length together with any trailer attached thereto, greater than seven (7.0) meters on any highway unless:
  - a) such person is **ACTIVELY** engaged in loading or unloading passengers, merchandise or personal effects,
7. No person shall park a motor vehicle:

- a) on private property without the express consent of the owner thereof or other person in charge of the property;
  - b) on a boulevard unless it is an existing paved boulevard;
  - c) in a park or on other public property unless specifically authorized to do so by the Director or Manager;
  - d) in such a manner that it interferes with use or access of a public sidewalk.
8. No person shall leave a motor vehicle on a highway indicated by a no parking sign.
  9. No person shall park a motor vehicle at an angle to the curb or to a sidewalk adjacent to a boulevard in an area prohibiting, at the direction of a traffic control device, the parking of a vehicle at an angle to the curb or to the sidewalk adjacent to a boulevard.
  10. No persons shall park parallel to a curb or to a sidewalk adjacent to a boulevard in an area prohibiting, at the direction of a traffic control device, to park a vehicle parallel to the curb or to a sidewalk adjacent to a boulevard.
  11. No person shall park a motor vehicle in such a way as to obstruct an emergency exit from any building or posted fire lane around a building.
  12. No person shall unload a commercial vehicle on a highway or public property unless such public property is designated for that purpose by the Manager.
  13. No person shall park a vehicle in an area where the town is actively engaged in road maintenance, or public utility construction or repairs and traffic control devices have been temporarily placed prohibiting the parking of vehicles.
  14. Notwithstanding the provisions of the *Traffic Safety Act*, a motor vehicle may be parked at an angle to the curb in a cul-de-sac provided that the vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.
  15. Where any type of motor vehicle has removable camping accommodation, installed on it, the operator or owner of the motor vehicle or any person in charge of the motor vehicle shall not, either permanently or temporarily, leave the camping accommodation or other removable portion of the motor vehicle used for this purpose on any portion of a highway after the same has been removed from the motor vehicle.
  16. Notwithstanding any other provision of this Bylaw, the following classes of motor vehicles are exempt from parking prohibition:

- a) emergency vehicles;
- b) public utility vehicles,
- c) municipal or other government public works vehicles,
- d) towing service vehicles while any such vehicle is being used in work requiring that it be stopped or parked in contravention of any such prohibition.

#### **4. PARKING FOR PERSON WITH DISABILITIES**

1. The Manager is hereby authorized to designate parking places on public parking areas for the exclusive use of persons with disabilities.
2. The Manager shall cause any parking place, so designated to be marked with a sign or other marking approved by the Manager.
3. The owner, tenant, occupant or person in control of private parking area may designate any number of parking places, on the property, for the exclusive use of persons with disabilities.
4. An owner, tenant, occupant or person in control of private property who designates a parking place pursuant to subsection 4(3) shall cause the parking place to be marked with a sign or other marking approved by the Manager, or similar to that approved by the Manager.
5. No person shall stop or park a vehicle in a parking area designated for the parking of a person with a disability pursuant to this Section, unless:
  - a) a permit is displayed on the vehicle, and the vehicle is operated by, or
  - b) is being used to transport a person with a disability.

#### **5. MUNICIPAL PUBLIC PARKING**

1. No person shall park any motor vehicle upon land designated as a Municipal Public Parking area in such a manner as to occupy more space than such a motor vehicle should normally occupy if parked properly in a parallel position to the motor vehicles that may be parked on either side of the said motor vehicle.
2. No person shall park any motor vehicle in excess of seven (7) meters in length on any Municipal Public Parking area, unless in a portion of that Municipal Public Parking area

so designated by signs as being reserved for motor vehicles in excess of seven (7) meters.

3. No person shall park any motor vehicle in a Municipal Public Parking area in such a manner as to block obstruct, impede or hinder the access or egress of any other vehicle.

## **6. OPERATION OF A VEHICLE**

1. No person shall drive a vehicle over an unprotected fire hose.
2. No person shall drive a motor vehicle by which a second vehicle is being towed, unless attached by a fixed hitch.
3. Notwithstanding the direction of a traffic control device, no one shall drive a vehicle into an intersection unless the condition of traffic in and adjacent to the intersection is such that he may drive through the intersection without impeding the passage of other vehicles or pedestrians on the highway.
4. No person shall drive a vehicle in an alley at a speed greater than twenty (20) kilometers an hour.
5. No person shall operate a vehicle on a highway contrary to a traffic control device.
6. No person shall operate a vehicle in an area where the town is actively engaged in road maintenance, public utility construction or repairs for which traffic control devices have been temporarily placed prohibiting the operation of vehicles.

## **7. PARADES/PROCESSIONS**

1. A driver of a motor vehicle in the lead of a funeral procession approaching an intersection, where a stop sign or traffic control device is posted requiring the motor vehicle to stop, shall stop the motor vehicle as required by the *Traffic Safety Act* and shall not drive the motor vehicle into the intersection until it is safe to do so. Motor vehicles that follow in the funeral procession may then proceed through the intersection without stopping, subject to the direction of a Bylaw Enforcement Officer.
2. No person shall park a vehicle on a highway that has been cleared for a parade or funeral procession and is marked by a traffic control device.

## **8. BICYCLES AND MOTORCYCLES**

1. A person traveling upon any sled, toboggan, skis, roller skates, or any toy vehicle, tricycle, bicycle or similar device shall not cling to or attach himself or his conveyance to any motor vehicle upon a highway.
2. No person shall leave a two wheeled vehicle on a highway other than at the curb or edge of the highway other than in an upright position.
3. A Bylaw Enforcement Officer may impound any bicycle or motorcycle parked in contravention of this Bylaw and the provisions of the Bylaw relating to the removal and impoundment of vehicles shall apply with the necessary modifications.
4. No person shall ride or park a bicycle on any sidewalk except where expressly permitted to do so by this Bylaw. Children's bicycles or tricycles having a wheel diameter of less than fifty (50) centimeters are exempted from this provision.

#### **9. NON REGISTERED MOTOR VEHICLES - DEFINITION**

1. A motor vehicle, which does not have a registration certificate with a specified gross vehicle weight (GVW) shall be deemed to have a gross vehicle weight (GVW) in excess of 10,000 kilograms unless established otherwise. The onus or burden of establishing that the motor vehicle has a gross vehicle weight (GVW) of less than 10,000 kilograms in any court proceedings shall be on the person charged with the offence under the Bylaw.

#### **10. PARKING AND OPERATION OF HEAVY TRUCKS**

1. Except where heavy trucks are specifically mentioned elsewhere in this bylaw section 10 applies to all heavy trucks.
2. No person shall operate a heavy truck on a highway other than a heavy truck route or a restricted heavy truck route.
3. No person shall park a heavy truck or semi-trailer on private property or public property except in the area designated as a "heavy truck area" or other public property designated for that purpose.
4. No person shall park a heavy truck or semi-trailer on any restricted heavy truck route.
5. Notwithstanding Sections 11(1) a person shall be exempt from prosecution under this section if:
  - a) the heavy truck was being operated on the most direct route between two points, one point being the nearest heavy truck route or restricted heavy truck route and, the other point being a location where:

- i. goods or merchandise are being delivered or collected for a commercial purpose; or
  - ii. heavy trucks are authorized to park; or
  - iii. a building is being moved, provided the necessary permits have been issued by the Town; or
  - iv. an authorized business premise is located and used for the repair or service of heavy trucks; or
  - v. the person is operating a bus registered or commonly referred to as a school bus and are engaged in providing the service of a school bus; or
  - vi. the person is operating a bus providing service of transporting people or merchandise to a community event or in service of a person with a disability; or
  - vii. the person is operating a motor home; and
  - viii. the person is operating a heavy truck owned by or contracted for service by the Town, while actively engaged in providing that service.
6. No person, while operating a heavy truck off of the heavy truck route, for any of the reasons set forth in Section 5(a) shall exceed a speed of thirty (30) kilometers per hour.
7. No person shall operate an engine brake within the Town limits.
8. Notwithstanding any other provision of the Bylaw, no person shall operate a heavy truck on any highway when the weight of the vehicle or any combination of vehicles and the load thereon is in excess of the maximum specified weight indicated by a sign erected pursuant to Schedule "B" or by public notice that such restriction is in effect.
9. Wherever in his opinion, there is a contravention of section 10, a Bylaw Enforcement Officer may order the driver or other person in charge or control of a motor vehicle, or combination of attached motor vehicles, suspected of being on a highway in contravention of such section to take such motor vehicle or combination of attached motor vehicles to the nearest adequate weigh scale to determine the gross weight of such motor vehicle or combination of attached motor vehicles. The weight slip or slips shall be given to the Bylaw Enforcement Officer and may be retained by him, and if the gross weight of the motor vehicle or combination of attached motor vehicles is in excess of the maximum gross weight for the motor vehicle or combination of attached motor vehicles, the Bylaw Enforcement Officer, in addition to any prosecution for contravention by the Bylaw, may require that any load or portion thereof in excess of

maximum gross weight for the motor vehicle or combination of attached motor vehicles shall be removed before the motor vehicle or combination of attached motor vehicles is again taken upon a highway.

10. A weight slip given to a Bylaw Enforcement Officer and submitted by him in evidence in court shall be *prima facie* proof of the authenticity of the weight slip and of the particulars thereon submitted in evidence, and of the accuracy of the weight scale used.
11. Particulars obtained by a Bylaw Enforcement Officer from a registration certificate produced to him and submitted by him as evidence in court shall be *prima facie* proof of the authenticity of such certificate and of the particulars thereon submitted in evidence.
12. A person may apply to the Manager for a permit to allow on a highway a motor vehicle or combination of attached motor vehicles with a gross weight in excess of maximum gross weight for the motor vehicle or combination of attached motor vehicles. The Manager may grant such a permit for such periods as he may set out therein or refuse to grant a permit and from any such refusal there shall be an appeal to the Council of the Town.

#### **11. DANGEROUS GOODS**

1. Dangerous goods, as defined under the Transportation of Dangerous Goods Act, shall only be transported on the routes designated by appropriate signage and as indicated on Schedule "B" of this Bylaw.
2. Any motor vehicle that is transporting dangerous goods that need to leave the dangerous goods route for the purpose of making a delivery must contact the Town Office at 545-2522 during regular business hours or 580-9840 after hours prior to leaving the truck route.

#### **12. RESTRICTIONS ON DIMENSIONS OF VEHICLES**

1. No person shall drive or have on a roadway a motor vehicle or combination of attached motor vehicles with any dimension, either including or excluding any load thereon, greater than the following:
  - a) width - two meters sixty centimeters (2.60m),
  - b) height from road surface - four meters fifteen centimeters (4.15m),
  - c) length (total length of motor vehicle, or combination of attached motor vehicle) - twenty three (23) meters.

2. Notwithstanding subsections 12(1), a person may apply to the Bylaw Enforcement Officer or his Agent for a permit to allow, on a public thoroughfare in the Town, a motor vehicle or combination of attached motor vehicles with one dimension or more in excess of the maximum dimensions referred to in subsection 12(1)(a-c) of this bylaw and the Bylaw Enforcement Officer or his Agent may;
  - a) grant a permit for such purpose and for such periods as he may set out therein,
  - b) refuse to grant such a permit, but the person applying for the permit may appeal from such refusal to the Council of the Town.

Said permit shall take the form as provided for in schedule "C" of this bylaw.

3. Notwithstanding the provisions of subsection 12(2) upon receiving permission from the Bylaw Enforcement Officer and subject to the owner of the motor vehicle assuming the full responsibility for damage to his own motor vehicle, property or cargo as well as any damage to underpasses, bridges, telephone, telegraph or power wires or any overhead structure a person may drive on a public thoroughfare a motor vehicle which is not more than four meters fifteen centimeters (4.15 m) in height from the pavement or road.
4. The maximum width of two meters sixty centimeters (2.60 m) referred to in subsection 12(1)(a) does not apply to buses, mobile homes or house trailers, any of which type of motor vehicles may have a maximum width not in excess of three meters five centimeters (3.05 m) can be operated on a highway without a permit.

### **13. POWERS OF BYLAW ENFORCEMENT OFFICERS/ OFFENCES & PENALTIES**

1. Any person who contravenes any provision of the Bylaw is **guilty of an offence**.
2. A person who is guilty of an offence under this Bylaw is liable to pay a fine of not less than the specified penalty for that offence and not more than \$2,000.00 or, in default of payment, to imprisonment for a period of not more than six (6) months.
3. Where a Bylaw Enforcement Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach or contravention of the Bylaw, he may commence proceedings by issuing either a summons/violation ticket (Part 2) or an offence notice/violation ticket (Part 3) in accordance with the provisions of the *Provincial Offences Procedure Act*, R.S.A. Chapter P-34
4. Notwithstanding the provisions of Section 13(3), if a Bylaw Enforcement Officer believes on reasonable and probable grounds that an offence has taken place consisting of a breach or a contravention of this Bylaw relating to any section of this bylaw then the

Bylaw Enforcement Officer may issue a violation tag in such form as may be prescribed from time to time by the Manager.

5. Service of the violation tag is sufficient if the violation tag is:
  - a) personally served; or
  - b) attached to the vehicle in respect of which the offence is alleged to have occurred, in which case the violation tag need not specify the name of the person alleged to have committed the offence if the vehicle is described on the violation tag by license plate number; or
  - c) Mailed to the owner of the vehicle, by registered mail.
6. The Manager may authorize a person other than a Bylaw Enforcement Officer to issue and serve a violation tag in respect of any alleged offence and in such cases all of the provisions of the Bylaw relating to violation tags shall apply mutatis as though the violation tag had been issued and served by a Bylaw Enforcement Officer.
7. No person shall remove a violation tag placed upon or affixed to a vehicle pursuant to the provisions of this bylaw, unless they are a Bylaw Enforcement Officer or a person lawfully entitled to possession of the vehicle.
8. In order to determine the time which a motor vehicle has been parked in a location where parking is restricted, to a specific time, or pursuant to section 3(5) of this bylaw, a Bylaw Officer, Peace Officer or a Member of the RCMP may place an erasable chalk mark on the tread face of the tire of a parked or stopped motor vehicle without such Bylaw Enforcement Officer, Peace Officer or the Town incurring any liability for so doing. (moved)
9. The penalty amounts that the Town will accept as payment for the alleged offences under this bylaw may be fixed from time to time by ordinary motion of council.
10. A person driving or in charge or control of a motor vehicle, or combination of attached motor vehicles, suspected by a Bylaw Enforcement Officer of being on a highway in contravention of the Bylaw, shall when requested by the Bylaw Enforcement Officer, produce for such officer's inspection any official registration certificate or interim registration certificate for such motor vehicle or combination of attached motor vehicles that may have been issued by the Government of the Province of Alberta or any other documents as the Bylaw Enforcement Officers feels is required for the investigation of any contravention of this bylaw. Any person who fails to produce said registration certificate, interim registration certificate or documents shall be **guilty of an offence**.

#### **14. PAYMENTS REDUCED PENALTIES FOR PROMPT PAYMENT**

1. Upon the issuance and service of a violation tag, the Town will accept payment of the penalty amount prescribed therein and upon payment to a person authorized by the Manager to receive such payment, there shall be issued an official receipt and such payment shall be accepted in lieu of prosecution for the alleged offence.
2. The Manager may, upon approval from time to time by an ordinary motion of Council, prescribe in the violation tag reduced penalty amounts for prompt and early payment.
3. Upon payment of the reduced penalty amount to a person authorized by the Manager to receive such payment, within the time specified in the violation tag, there shall be issued an official receipt and such payment shall be accepted in lieu of the prosecution of the alleged offence.
4. Nothing in this Bylaw shall be read or construed as:
  - a) preventing any person from exercising his right to defend an allegation that he has committed an offence under the Bylaw, or
  - b) preventing any Bylaw Enforcement Officer from issuing a summons or offence notice under the *Provincial Offences Procedure Act* or otherwise initiating court process in any manner permitted by law, in respect of an alleged offence for which a violation tag may be issued; or
  - c) If any provision of the Bylaw provides for an exemption, the onus or burden of establishing the exception in any Court proceedings shall be on the person charged with the offence under the Bylaw.

## **15. SPECIFIED PENALTIES**

1. If a vehicle is involved in an offence referred to in this Bylaw, the registered owner of that vehicle is guilty of an offence.
2. Subsection 15(1) does not apply if the owner of the vehicle satisfies the Court that the owner did not park the vehicle or was not driving the vehicle at the time of the offence, and that the person who parked the vehicle or was driving the vehicle at the time of the offence did so without the owner's express or implied consent.
3. If a summons or offence notice under Part 2 or Part 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000 c. P-34 is issued in respect of an alleged contravention of a provision of the Bylaw, the summons or offence notice may provide for a specified penalty. The specified penalties or amount shall be set out in Schedule "A" in the case of offences listed in that Schedule.

4. Notwithstanding section 3, 4 and 5 or the parking provisions of section 10 any person who has been issued a violation tag, a section 2 summons or a section 3 offence notice who allows the vehicle to remain parked in the way that raised the issue of an offence shall be deemed to have committed another offence for everyday the vehicle remains parked in contravention of this or any other bylaw.

## **16. REMOVAL AND IMPOUNDMENT OF VEHICLES**

1. If a Bylaw Enforcement Officer forms the opinion on reasonable and probable grounds that a vehicle is parked in contravention of any provision of the Bylaw, the Bylaw Enforcement Officer may cause the vehicle to be removed to a place of impoundment designated for that purpose by the Manager and the vehicle shall there remain impounded until it is claimed by the owner or his agent.
2. When a vehicle is removed and impounded pursuant to the Bylaw, the registered owner or other person alleged to have committed the parking offence shall be served with a summons or offence notice under the *Provincial Offences Procedure Act* in respect of the alleged offence, as soon as practicable after the removal and impoundment of the vehicle.
3. A vehicle impounded pursuant to this Bylaw shall remain impounded, notwithstanding that it may have been claimed by the owner or his agent, until all towing and storage charges in respect of removal and impoundment of the vehicle have been paid in full.

## **17. GENERAL**

1. A Bylaw Enforcement Officer or a person authorized by the Town may enforce the provisions of this Bylaw without the Bylaw Enforcement Officer or person authorized by the Town, the owner of the property on which an alleged offence has occurred, or the Town incurring liability for doing so.
2. Each separate provision of this Bylaw shall be deemed to be independent of all other provisions and if any provision of the Bylaw is deemed or declared to be invalid all other provisions shall remain valid and enforceable.
3. Should a provision of this Bylaw conflict with a provision of any other Bylaw of the Town, the provisions of this Bylaw shall prevail.
4. Bylaw No. 2008:01 is hereby repealed

Read a first time this 14<sup>th</sup> day of February, 2011.

Read a second time this 14<sup>th</sup> day of February, 2011.

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**MAYOR**  
**Date: February 15, 2011**

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**TOWN MANAGER**  
**Date: February 15, 2011**

Read a third and final time this 28<sup>th</sup> day of February, 2011.

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**MAYOR**  
**Date: February 28, 2011**

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**TOWN MAANGER**  
**Date: February 28, 2011**

**Schedule "A"**  
**Voluntary Penalty Section**

<b>OFFENCE</b>	<b>SECTION</b>	<b>PENALTY</b>	<b>Specified Penalty for a 2<sup>nd</sup> offence and/or subsequent offence</b>
Parking in an alley other than as and when specifically permitted	3(1)	\$50.00	\$75.00
Parking in a loading zone other than as and when specifically permitted	3(2)	\$50.00	\$75.00
Parking a trailer on a highway	3(3)	\$50.00	\$75.00
Parking a motor vehicle for sale or being repaired or serviced on a highway	3(4)	\$50.00	\$75.00
Parking a vehicle on a highway for a continuous period exceeding 72 hours	3(5)	\$50.00	\$75.00
Parking a motor vehicle, with or without a trailer attached, greater than 7 meters in length on a highway	3(6)	\$50.00	\$75.00
Parking a vehicle on private property without consent	3(7)(a)	\$50.00	\$75.00
Parking a vehicle on an unpaved boulevard	3(7)(b)	\$50.00	\$75.00
Parking a vehicle in a park or on other public property without consent of the Director or Manager	3(7)(c)	\$50.00	\$75.00

Parking a vehicle in a manner that interferes with a public sidewalk	3(7)(d)	\$50.00	\$75.00
Leaving a vehicle on a highway indicated by a no parking sign	3(8)	\$50.00	\$75.00
Parking in such a manner to obstruct emergency exit or posted fire lane	3(11)	\$50.00	\$75.00
Unloading a commercial vehicle on a highway or public property	3(12)	\$50.00	\$75.00
Parking a vehicle in an area prohibited by a traffic control device	3(13)	\$200.00	\$300.00
Parking improperly in a cul-de-sac	3(14)	\$50.00	\$75.00
Leaving camping accommodation on a highway	3(15)	\$50.00	\$75.00
Parking in a area designated for parking by a person with a disability	4(5)	\$50.00	\$75.00
Illegally parking in a municipal public parking area	5(1)	\$50.00	\$75.00
Parking a vehicle in excess of 7 meters in a municipal parking area	5(2)	\$50.00	\$75.00
Parking in a municipal parking area in a manner as to block, obstruct, impede or hinder the access or egress of another vehicle	5(3)	\$50.00	\$75.00
Parking a motor vehicle in excess of a specified time		\$50.00	\$75.00
Driving over an unprotected fire hose	6(1)	\$1000.00	\$2500.00
Towing a vehicle improperly	6(2)	\$100.00	\$125.00
Blocking an intersection	6(3)	\$100.00	\$125.00
Driving a vehicle in an alley in excess of speed limit	6(4)	\$100.00	\$125.00
Operating a vehicle contrary to a traffic control device	6(5)	\$200.00	\$300.00
Operating a vehicle in an area where maintenance is being preformed	6(6)	\$200.00	\$300.00
Parking on a highway cleared for a parade or funeral processions	7(2)	\$50.00	\$75.00
Attaching himself or his conveyance to a motor vehicle	8(1)	\$100.00	\$125.00
Leaving a 2 wheeled vehicle illegally parked	8(2)	\$50.00	\$75.00
Riding a bicycle with a wheel diameter in excess of 50 cm on a sidewalk	8(4)	\$50.00	\$75.00
Operating heavy truck off of heavy truck route or restricted truck route	10(1)	\$200.00	\$300.00
Parking heavy truck in an area other than the designated area	10(2)	\$200.00	\$300.00
Parking more than one heavy truck in restricted heavy truck area	10(3)	\$200.00	\$300.00
Parking more than two heavy trucks or combination of heavy truck and semi-trailers in a restricted heavy truck area		\$200.00	\$300.00

Parking heavy truck or semi-trailer on restricted heavy truck route	10(4)	\$200.00	\$300.00
Operating a heavy truck on a restricted heavy truck route except as permitted		\$200.00	\$300.00
Operate a heavy truck in excess of the speed limit	10(6)	\$200.00	\$300.00
Operating an engine brake within Town boundaries	10(7)	\$200.00	\$300.00
Operating a motor vehicle on a highway in excess of the allowed weight (sign of public notice)	10(8)	\$200.00	\$300.00
Operating a motor vehicle in excess of allowed width	12(1)(a)	\$200.00	\$300.00
Operating a motor vehicle in excess of allowed height	12(1)(b)	\$200.00	\$300.00
Operating a motor vehicle in excess of allowed length	12(1)(c)	\$200.00	\$300.00
Bus, Mobile Home, or House Trailer in excess of dimensions	12(4)	\$200.00	\$300.00
Unlawful removal of a tag	13(7)	\$250.00	\$350.00
Obstruction of a Bylaw Enforcement officer	13(10)	\$200.00	\$300.00

*The specified penalties in this Schedule will be accepted by the town in lieu of prosecution for an offence*



**Schedule "C"**  
**Permits**

**PERMIT TO OPERATE OVER DIMENTION VEHICLE OR COMBINATION OF VEHICLES**

*Issued pursuant to section 12(2) of the Town of Bow Island Traffic Bylaw 2011:01*

\_\_\_\_\_ with \_\_\_\_\_ is hereby authorized, by the Town of Bow Island, to operate a vehicle in excess of dimension pursuant to section 12(1) ss. \_\_\_\_ of the Town of Bow Islands Traffic Bylaw, being bylaw 2011:01.

\_\_\_\_\_ has been advised and **ASSUMES** all responsibility for any damage to his own motor vehicle, property or cargo as well as any damage to underpasses, bridges, telephone, telegraph or power wires or any overhead structure or town owned sidewalk, drive-way or highway or any vehicle.

This permit shall take affect and be in force from \_\_\_\_\_ through \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

*SIGNATURE*

*Position*