

SUMMER VILLAGE OF WAIPAROUS  
BYLAW NUMBER 15-88  
(Office Consolidation – with amendments up to June 22, 1989)

BEING THE TRAFFIC BYLAW OF THE SUMMER VILLAGE OF WAIPAROUS IN THE PROVINCE OF ALBERTA

WHEREAS the Municipality is empowered to pass bylaws for the safety of those using the streets within the Municipality, to control and regulate the use of those streets, to control and regulate the vehicle traffic and pedestrians moving thereon, and to control and regulate the parking of vehicles thereon.

NOW THEREFORE, the Council of the Summer Village of Waiparous, in the Province of Alberta, hereby enacts as follows:

1. This bylaw may be cited as the “Waiparous Traffic Bylaw, 1988”.
2. (1) In this bylaw:
  - (a) “Act means the Highway Traffic Act, R.S.A. 1980, Chapter H-7 and amendments thereto;
  - (b) “alley” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;
  - (c) “bicycle” means a vehicle for the carriage of persons which is propelled by human power, and includes a unicycle, bicycle, tricycle and any device adapted from any of those by the addition of one or more wheels;
  - (d) “block” means a portion of a street which lies between two other blocks neither of which is any alley and which both intersect the first named street;
  - (e) “Council” means the Municipal Council of the Summer Village of Waiparous, in the Province of Alberta, duly assembled and acting as such;
  - (f) “Crosswalk” means that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs, or by lines or by other markings on the road surface;
  - (g) “emergency vehicle” means a vehicle which is used by:
    - (i) an employee of the Village;
    - (ii) an employee of the Government of the Province of Alberta;
    - (iii) an employee of the Government of Canada;
    - (iv) a Councillor or the Mayor of the Village;
    - (v) a person engaged in road maintenance or road construction within the Village; or
    - (vi) a person engaged in the construction of a public utility within the Village,where that employee, Councillor, Mayor or person is, while using the vehicle, performing the duties of his or her employment or office;
  - (i) “Land Titles Office” means the Land Titles Office of record for the South Alberta Land Registration District under the Land Titles Act;
  - (j) “Maximum weight” means:
    - (i) the maximum weight of an vehicle as recorded on the Official Registration Certificate or Interim Registration Certificate for such vehicle issued by the Government of the Province of Alberta; or
    - (ii) if there is no such Official Registration Certificate or Interim Registration Certificate for the vehicle then the combined weight of the vehicle and the heaviest load that may be carried in accordance with the Motor Transport Act of the Province of Alberta and the Regulations thereunder;
  - (k) “motor vehicle” means a vehicle propelled by any power other than muscular power but does not include a bicycle or a motor vehicle which runs only on rails;

- (l) “Municipal Administrator” means the Municipal Administrator appointed by the Council pursuant to the Municipal Government Act;
  - (m) “Municipality” or “Village: means the Summer Village of Waiparous in the Province of Alberta;
  - (n) “operator” includes a person who drives or operates a vehicle as the owner thereof or an agent, employee or servant of the owner;
  - (o) “Police Officer” means a peace officer carrying on the duties of his or her employment as such;
  - (p) “private road or driveway” means a way or place in private ownership and used for vehicular traffic from private property to a highway;
  - (q) “roadway” means that part of a highway intended for use by vehicular traffic;
  - (r) “street” means any public highway, thoroughfare, street, road, trail, avenue, lane, alley, bridge or other place, any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles and pedestrians and the parking of vehicles, and includes the whole of the area between the boundaries of the street as recorded in the Land Titles Office;
  - (s) “S.R. 940” means the street which passes through the Village and which is or has been identified by the Department of Transportation and Utilities of the Government of the Province of Alberta as “Proposed Secondary Road 940”, or “Proposed S.R. 940” or Secondary Road 940 (Forestry Trunk Road)” and which is shown on Road Plans 7808 HX, 7809 HX and 8221 GX in the Land Titles Office;
  - (t) “traffic” means pedestrians, animals or vehicles while using a street for the purpose of travel;
  - (u) “traffic control device” means a sign, a signal, a marking or a device placed, marked or erected under the authority of the Act or of this bylaw for the purpose of regulating, warning or guiding traffic;
  - (v) “truck” means a vehicle designed primarily for the transportation of property or equipment, or a vehicle drawing another vehicle so designed, and for purposes of this bylaw a truck shall include both the truck and the drawn vehicle;
  - (w) “vehicle” means a device in, or by which a person or thing or property may be transported or drawn on a highway;
- (2) Words which have been defined by the Act have the same meaning when used in this bylaw unless they have been otherwise defined in subsection (1) or unless the context expressly requires otherwise.

#### TRAFFIC CONTROL DEVICES AND CROSSWALKS

3. The Council may from time to time by resolution prescribe where a traffic control device or a crosswalk is to be located on any street in the Village;
4. The Municipal Administrator shall keep a record of the location of every traffic control device and crosswalk in the Village and the record shall be open to public inspection at the office of the Village during normal business hours;
5. No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printed or written matter whatsoever on any traffic control device, without the prior written approval in writing by the Municipal Administrator;

#### PARKING AND STOPPING ON STREETS

6. No person shall stop or park a vehicle other than an emergency vehicle or an exempt vehicle on S.R. 940.
7. No person shall park any vehicle on a street within 10 metres of a traffic control device.

8. No person shall park any vehicle other than an emergency vehicle or an exempt vehicle on a roadway of a street.
9. No person shall park any vehicle other than an emergency vehicle within 3 metres of a private road or driveway or an alley.

#### BICYCLES

10. A person operating a bicycle on a highway has all the rights and is subject to all the duties that the operator of any vehicle has under this bylaw.

#### RESTRICTION OF USE OF S.R. 940

11. No person shall operate a motor vehicle on S.R. 940 which has a maximum weight in excess of 16 Tonnes Tandem Truck; 28 Tonnes Tractor Trailer Unit and 42 Tonnes Truck Train Unit.
12. No person shall operate a motor vehicle of S.R. 940 which has a maximum weight of 15 Tonnes or greater at any time between the hours of 10 o'clock in the afternoon and 8 o'clock in the forenoon of the next following day.

#### SPEED LIMIT

13. No person shall operate a vehicle on any street at a speed in excess of 30 kilometers per hour unless otherwise posted.

(20-89)

#### OWNER TO DISPROVE LIABILITY

14. (1) The owner of a motor vehicle which is involved in any contravention of this bylaw is guilty of an offence unless he proves to the satisfaction of the judge that at the time of the offence the motor vehicle was not being driven or was not parked or left by him or by any other person with his consent, express or implied.  
(2) Notwithstanding subsection (1), if the owner was not at the time of the offence driving the motor vehicle he is not in any event liable to imprisonment.

#### COST INCURRED BY THE MUNICIPALITY

15. If by reason of any contravention of any provision of this bylaw or the Act, the Municipality is authorized or required to move the motor vehicle from a place where it is parked in contravention of the bylaw or of the Act and to impound the same the amount of the expense so incurred shall be paid by the person concerned.

#### OFFENCES AND PENALTIES

16. (1) A person who contravenes any section of this bylaw is guilty of an offence punishable on Summary Conviction and, subject to the provisions of subsection (2), shall upon Summary Conviction before a Court of competent jurisdiction be liable to a fine not exceeding Five Hundred (\$500.00) Dollars exclusive of costs or in the event of non-payment of the fine and costs to imprisonment for a period not exceeding sixty (60) days.  
(2) Notwithstanding subsection (1), no person convicted of an offence by reason of contravention of a provision of this bylaw shall be liable to imprisonment for non-payment of a fine and costs imposed upon Summary Conviction therefore unless he was the person actually driving the motor vehicle at the time the contravention of the bylaw occurred.

17. This bylaw shall come into force upon final reading thereof.

READ A FIRST TIME THIS 14<sup>TH</sup> DAY OF JUNE A.D. 1988

READ A SECOND AND THIRD TIME AND DECLARED FINALLY PASSED THIS 25<sup>TH</sup> DAY OF AUGUST A.D. 1988.

“Shirley Begg”  
Mayor

“Sharon Plett”  
Municipal Administrator