

**BY-LAW NO. 14-2003
OF THE
TOWN OF VERMILION
(hereinafter referred to as the "Municipality")
IN THE PROVINCE OF ALBERTA**

THIS BY-LAW AUTHORIZES THE COUNCIL OF THE TOWN OF VERMILION TO
REGULATE HIGHWAYS AND PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF
VERMILION

TRAFFIC, HIGHWAYS AND PUBLIC PLACES BYLAW

WHEREAS the Traffic Safety Act, R.S.A. 2000, c.T-6, as amended or repealed and replaced from time to time, empowers the Council of the Town of Vermilion to pass Bylaws not inconsistent with the Traffic Safety Act, respecting highways under its direction, control and management, for the regulation and control of vehicles, animals and pedestrian traffic within the Town of Vermilion; and

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time authorizes the Council of the Town of Vermilion to pass Bylaws with respect to the safety, health and welfare of people, the protection of people and property; activities or things done in or near public places and places open to the public, transport and transportation systems, and the enforcement of Bylaws within the Town of Vermilion; and

WHEREAS the Council of the Town of Vermilion deems it to be in the best interest of the residents of the Town to regulate and control activities in relation to highways, public places and parking on private property within the Town of Vermilion;

NOW THEREFORE, the Municipal Council of the Town of Vermilion, in the Province of Alberta, duly assembled and pursuant to the authority conferred upon it by the Traffic Safety Act and the Municipal Government Act hereby enacts as follows:

PART I SHORT TITLE AND DEFINITIONS

SECTION 1: SHORT TITLE:

- 1.01. This Bylaw may be cited as "**The Town of Vermilion Traffic, Highways and Public Places Bylaw**".

SECTION 2: DEFINITIONS:

- 2.01. "**Bicycle**" includes any manner of cycle propelled by human power on which a person may ride regardless of the number of wheels it may have;
- 2.02. "**Commercial Loading Zone**" means the area parallel to the curb side of the roadway and falling within two Traffic Control Devices marking the area as a Commercial Vehicle Loading Zone, or within ten metres of either side of such a sign, if only a single sign is present;

- 2.03. "**Commercial Vehicle**" means a commercial vehicle as defined by the Traffic Safety Act, and includes any Vehicle from which sales are made of goods, wares, merchandise or commodities, or a Vehicle by which delivery is made of goods, wares, services, merchandise or commodities to a purchaser or consignee thereof;
- 2.04. "**Crossing**" means that area used for, or constructed to provide, access to Private Property from any Highway and shall be all that area from the Curb to the Private Property line;
- 2.05. "**Curb**" means the actual curb if there is one and, if there is no actual curb in existence, shall mean the division point of Highway between that part thereof intended for the use of Vehicles and that part thereof intended for the use of pedestrians;
- 2.06. "**Dangerous Goods**" means any product, substance or organism specified in or included by its nature in any of the classes listed in the Regulations under the Dangerous Good Transportation and Handling Act, R.S.A. 2000, c.D-4, as amended or repealed and replaced from time to time;
- 2.07. "**Dangerous Goods Route**" means a highway so designated in Schedule "E" and Posted in accordance with this Bylaw;
- 2.08. "**Disabled Person Vehicle**" means a vehicle identified as such by either an Alberta license plate starting with the letter "A" or an Identification Placard, clearly displayed in the vehicle bearing the international symbol of the disabled;
- 2.09. "**Emergency Vehicle**" means:
- a Vehicle operated by a police force;
 - a firefighting or other type of Vehicle operated by a fire protection service;
 - an ambulance operated by a Person or organization providing ambulance services;
 - a Vehicle operated as a gas disconnection unit of the public utilities;
 - a Vehicle designated as an emergency response unit pursuant to the regulations under the Traffic Safety Act,
- 2.10. "**Firearm**" means a firearm as defined in the *Criminal Code of Canada*, R.S.A. 1985, c.C-46, as amended or repealed and replaced from time to time;
- 2.11. "**Fire Chief**" means a person appointed by Council of the Town of Vermilion;

- 2.12. "**Fireworks**" means all manner of flammable or explosive devices designed for entertainment purposes and includes, but is not limited to, fireworks as defined by the Alberta Fire Code, 1997, as amended or repealed and replaced from time to time;
- 2.13. "**Fire or Emergency Lane**" means all that portion of a Highway used to provide access to buildings, and so marked by signs stating "Fire or Emergency Lane";
- 2.14. "**Hazard**" means a risk or danger, or to expose to a risk, danger or peril;
- 2.15. "**Heavy Vehicle**" means a Vehicle, with or without load, exceeding anyone of the following:
 8 metres in length; and
 a maximum allowable weight of 4025 kilograms; but does not include recreational vehicles;
- 2.16. "**Highway**" means the term *Highway* as defined in the Traffic Safety Act,
- 2.17. "**Highway Right of Way**" means all of the land between the property line on one side of the Highway and the property line on the other side of Highway for the entire length of that Highway;
- 2.18. "**Hoarding**" includes any manner of covered walkway, fencing, railing, boarding, barricade, guard, tinder buffer, temporary walkway or any other similar structure or material;
- 2.19. "**Holiday**" means:
- a. New Year's Day;
 - b. Good Friday;
 - c. Victoria Day (the First Monday immediately preceding the 25th day of May in each year);
 - d. Canada Day;
 - e. Family Day (3rd Monday in February);
 - f. Any civic Holiday proclaimed by the Council or by the Mayor;
 - g. Labour Day (first Monday in September);
 - h. Thanksgiving Day (second Monday in October) when proclaimed as a Holiday by the Government of Canada or the Government of the Province of Alberta;
 - i. Remembrance Day;
 - j. Christmas Day;
 - k. Boxing Day; and
 - l. Heritage Day (the first Monday of August);
- 2.20. "**Identification Placard**" means a placard issued by the Province of Alberta for the purpose of identifying a Vehicle as operated or used by a disabled Person;

- 2.21. "**Municipal Government Act**" means Municipal Government Act, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time;
- 2.22. "**Municipal Manager**" means the Person holding the position of Chief Administrative Officer for the Town;
- 2.23. "**Operator**" means the registered Owner thereof or if not the registered Owner, the Person driving or in the position of control over the Vehicle;
- 2.24. "**Owner**" with respect to a Vehicle means:
- a. the person in whose name the Vehicle is registered under the provisions of the Traffic Safety Act, or
 - b. any person renting a Vehicle or having the exclusive use of it under a lease or otherwise for a period of more than thirty (30) days;
 - c. and with respect to any other form of property, means the Person registered as owner, the Person shown on the assessment roll for the property, or the Person in lawful possession or otherwise exercising control over that property;
- 2.25. "**Parade**" or "**Procession**" means a group of Vehicles, animals, pedestrians or combination thereof on a Highway which is likely to block, obstruct, impede, hinder or otherwise interfere with pedestrian or vehicular traffic on a Highway, excluding a funeral procession and military parade;
- 2.26. "**Parade Marshall**" means the Person designated as "Parade Marshall" by Council from time to time;
- 2.27. "**Park**", "**Parked**", and "**Parking**" or any word or expression of similar connotation or import shall mean a Vehicle remaining stationary in one place whether or not the Vehicle is occupied, excluding vehicles stationary in one place:
- a. while actually engaged in loading or unloading passengers; or
 - b. in compliance with a Traffic Control Device or the direction of a peace officer;
- 2.28. "**Passenger Loading or Unloading Space**" shall mean a space on a portion of a Highway posted with a Traffic Control Device permitting parking therein for a period necessary to load or unload passengers, provided such period is fifteen (15) minutes or less, except in front of a hotel when only ten (10) minutes Parking may be allowed and the traffic control device shall indicate the time or times when the space is restricted to these purposes;
- 2.29. "**Peace Officer**" means a member of the Royal Canadian Mounted Police, a member of a municipal police service, a Special Constable appointed by the Town of Vermilion pursuant to the provisions of the Police Act, R.S.A. 2000, c.P-17, as amended or repealed and replaced from time to time, or a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act,
- 2.30. "**Permit**" means an authorization issued by the Municipal Manager pursuant to this or any other Bylaw of the Town;
- 2.31. "**Person**" means any individual, corporation, society, association, partnership or firm;
- 2.32. "**Playground Zone**" means that portion of a Highway within the Town falling between two Traffic Control Devices, or that portion of a Highway falling within 15 metres of either side of a single Traffic Control Device, marking the portion of Highway as a Playground Zone;

- 2.33. "**Posted**" means to erect, place or mark with Traffic Control Devices;
- 2.34. "**Private Property**" means any property within the Town not owned by or occupied by the Government of Canada, the Government of Alberta or by the Town, except as otherwise indicated by express provision of this Bylaw;
- 2.35. "**Provincial Offences Procedure Act**" means the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.
- 2.36. "**Public Place**" means any Highway, park land, recreation area, public bridge, road, footway, square, court, alley, passageway, whether a thoroughfare or not, and includes but is not limited to any open space to which the public has or may have access to, owned by or under the direction, control and management of Town of Vermilion;
- 2.37. "**Recreational Vehicle**" means a Vehicle or Trailer that is designed, constructed and equipped, either temporary or permanent, as a temporary accommodation for travel, vacation or recreational use, and includes duly licensed travel Trailers, motorized homes, slide-in campers, chassis-mounted campers, boats, personal watercraft, all-terrain Vehicles, snowmobiles and tent trailers.
- 2.38. "**Roadway**" means that part of a Highway intended for use by vehicular traffic;
- 2.39. "**School Zone**" means that portion of a Highway within the Town falling between two Traffic Control Devices, or that portion of a Highway falling within 15 metres of either side of a single Traffic Control Device, marking the portion of Highway as a School Zone;
- 2.40. "**Stop**" when prohibited, means to allow a Vehicle (whether occupied or not) to stop, to load or unload, passengers, freight, or goods;
- 2.41. "**Street Furniture**" means every Curb, sidewalk, pole, traffic sign, waste receptacle, bus bench, bus enclosure, tree, plant, grass, hydrant, fence, utility, utility service or any other property belonging to the Municipality capable of being marked, defaced or damaged;
- 2.42. "**Taxi Zone**" means a portion of a Roadway adjacent to the Curb authorized and posted for the exclusive use of taxicabs or taxicab companies;
- 2.43. "**Town**" means the Town of Vermilion;
- 2.44. "**Track**" means to allow, cause or permit any dirt, soil, mud, gravel, sand, clay, lime, fertilizer, manure, substance or material of any nature or kind whatsoever to become loose or detached or blow, drop, spill or fall from any Vehicle, appurtenances, or tires onto any Highway;
- 2.45. "**Traffic Control Device**" means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement;
- 2.46. "**Traffic Safety Act**" means Traffic Safety Act, R.S.A. 2000, c.T-6, as amended or repealed and replaced from time to time;
- 2.47. "**Trailer**" means a Vehicle so designed that it may be attached to or drawn by a Vehicle and intended to transport property or Persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in constructions or maintenance of Highways;
- 2.48. "**Transit Vehicle**" means a Vehicle used for public transportation including school buses;

- 2.49. “**Transit Zone**” means the area parallel to the Curb side of the Roadway and within fifteen (15) meters of either side of a Transit Zone sign;
- 2.50. “**Vehicle**” means a device in, on or by which a Person or thing may be transported or drawn on a Highway;
- 2.51. “**Violation Tag**” means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act,
- 2.52. “**Violation Ticket**” means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, and the regulations thereunder;
- 2.53. “**Work Zone**” means an area designated by Traffic Control Devices as a Work Zone for the purpose of maintenance, construction, or repairs on or near a Highway.

PART II CONTROL OF HIGHWAYS

SECTION 3: OPERATION OF VEHICLES:

- 3.01. Every person shall obey the instructions of all Traffic Control Devices authorized under this or any other bylaw, unless otherwise directed by a Peace Officer or Parade Marshall during a Parade or Procession.
- 3.02. Where temporary Traffic Control Devices, including the use of signs and flag Persons, have been placed in accordance with this or any other bylaw, Statute or Regulation every Person shall obey the instructions of those temporary Traffic Control Devices for the period of time during which those temporary Traffic Control Devices are in place.
- 3.03. No Person shall Stop a Vehicle or permit a Vehicle to be left upon any Highway in such a manner as to block, obstruct, impede or hinder traffic on the Highway unless the Person has been granted the authority in writing to do so by the Municipal Manager, or his or her delegate, the council, or by Statute, and then only in strict compliance with the authority granted
- 3.04. Notwithstanding Section 3.03, where the obstruction caused by a Vehicle is unavoidable due to mechanical failure, a Person shall not be in breach of Section 3.03, provided the Person promptly takes measures to remove the Vehicle from the Highway.
- 3.05. No Person shall drive, pull or haul upon any Highway a Vehicle, with or without a load, without first having properly cleaned and removed all loose material from the Vehicle body, Vehicle box, hitch and trailer.
- 3.06. All loads of loose material shall not be hauled on any Highway within the Town unless that load is covered in its entirety by a tarpaulin or other similar device.
- 3.07. No Person shall drive or pull upon a Highway any Vehicle containing a load unless that load has been secured in such a manner as to prevent the load from falling onto a Highway or any land adjacent thereto, or otherwise to prevent shifting of the load within the Vehicle.
- 3.08. The Operator of a Transit Vehicle or school bus shall not, at the locations identified in Schedule “B”:
- a. activate the alternately flashing amber lights when they begin to slow down the Transit Vehicle or school bus for the purpose of stopping on a highway to load or unload passengers, or
 - b. activate the alternately flashing red lights and the stop arm when they are stopped on a highway for the purpose of loading or unloading passengers,
- 3.09. No Person shall operate a Heavy Vehicle on any Highway, other than a Highway designated and properly marked as a truck route.

- 3.10. A Heavy Vehicle will not be deemed to be operating in contravention of Section 3.09, if the Heavy Vehicle has been issued a Permit pursuant to this or another bylaw authorizing the Heavy Vehicle to operate outside of a designated truck route.

SECTION 4: SPEED:

- 4.01. Notwithstanding any speed limit prescribed by or pursuant to this Bylaw, no driver shall drive at any rate of speed that is unreasonable, having regard to all of the prevailing circumstances and conditions, including without restricting the generality of the forgoing,
- a. The nature, condition and use of the Highway;
 - b. The atmospheric, weather or other conditions that may impede the visibility of the driver or control of the Vehicle;
 - c. The amount of traffic presently on the Highway, or that a person in similar circumstances would reasonably expect to be upon the Highway; and
 - d. The mechanical condition, construction or other limitations of the Vehicle or any equipment of the Vehicle.
- 4.02. No Person shall operate a Vehicle at a speed greater than fifty (50) kilometres per hour on any Highway within the Town unless otherwise permitted in this Bylaw or Posted by a Traffic Control Device.
- 4.03. No Person shall operate a Vehicle within any alley within the Town at a speed in excess of thirty (30) kilometres per hour.
- 4.04. On any day on which school is held, no Person shall operate a Vehicle within a School Zone at any rate of speed greater than thirty (30) kilometres per hour during the following periods:
- a. the period between 8:00 a.m. and 9:30 a.m.
 - b. the period between 11:30 a.m. and 1:30 p.m.
 - c. the period between 3:00 p.m. and 4:30 p.m.
- 4.05. No Person shall operate a Vehicle within a Playground Zone at any rate of speed greater than thirty (30) kilometres per hour during the period of time commencing at 8:30 a.m. and terminating one hour after sunset.
- 4.06. No Person shall operate a Vehicle in excess of thirty (30) kilometres per hour on any Highway within the Town that is specified in Schedule "C" to this Bylaw.
- 4.07. No Person shall operate a Vehicle in excess of sixty (60) kilometres per hour on any Highway within the Town that is specified in Schedule "C" to this Bylaw.
- 4.08. No Person shall operate a Vehicle in excess of seventy (70) kilometres per hour on any Highway within the Town that is specified in Schedule "C" to this Bylaw.
- 4.09. No Person shall operate a Vehicle in excess of eighty (80) kilometres per hour on any Highway within the Town that is specified in Schedule "C" to this Bylaw.
- 4.10. No Person shall operate a Vehicle in excess of one hundred (100) kilometres per hour on any Highway within the Town that is specified in Schedule "C" to this Bylaw.

SECTION 5: PEDESTRIANS:

- 5.01. Subject to Section 5.02, no pedestrian shall cross a Highway at any point other than at an intersection or crosswalk.
- 5.02. No pedestrian shall cross an intersection if a Traffic Control Device prohibits such a Crossing.
- 5.03. Notwithstanding Sections 5.01 and 5.02, the driver of a Vehicle is not relieved of his or her obligation to exercise due care and attention at all times when operating a Vehicle on a

Highway.

- 5.04. No Person shall stand in a group of three (3) or more Persons or so near to each other on any Highway as to obstruct the entrance to a building or to obstruct or prevent other Persons from using the Highway, and forthwith after a request has been made by a Peace Officer, all such Persons shall disperse and move away from the area.
- 5.05. No Person shall conduct him or herself or otherwise position him or herself on a Highway in such a manner as to obstruct vehicular or pedestrian traffic or as to otherwise inconvenience any other Person upon the Highway.
- 5.06. Nothing in this Bylaw shall be construed as prohibiting the assembling of Persons for the purpose of watching a duly authorized parade or Procession, or as otherwise permitted by the Town.
- 5.07. No Person shall hitchhike or solicit a ride from a driver of a Vehicle on a Highway.

**SECTION 6: CYCLISTS, INLINE SKATES, SKATEBOARDING
AND HORSE-DRAWN VEHICLES**

- 6.01. Every person using inline skates, roller skates, skateboards, skis or other similar devices on any Highway, Roadway, or Sidewalk in accordance with the provisions of the Bylaw shall:
 - a. yield the right-of-way to pedestrians;
 - b. when passing a pedestrian use all due care, attention, and control required to ensure the safety of a pedestrian;
 - c. give an audible signal before overtaking a pedestrian, produced in a reasonable time prior to the overtaking, by voice, bell, or other warning device audible to the pedestrian.
- 6.02. No Person travelling on a Bicycle, skateboard, sled, roller skates, inline skates, skis, toy vehicle, tricycle or similar device shall cling to or attach him or herself or the device to a Vehicle on a Highway.
- 6.03. No Person shall drive or operate a Vehicle on a Highway having in tow any of the devices referred to in Section 6.02.
- 6.04. No person shall ride a bicycle having a wheel diameter in excess of fifty (50) centimeters on any sidewalk except where permitted so by a traffic control device.
- 6.05. Every Person operating a Bicycle in accordance with the provisions of the Bylaw shall:
 - a. yield the right-of-way to pedestrians;
 - b. when passing a pedestrian, use all due care, attention and control required to ensure the safety of a pedestrian;
 - c. give an audible signal before overtaking a pedestrian, produced in a reasonable time prior to the overtaking, by voice, bell or other warning device audible to the pedestrian.
- 6.06. No Person shall ice skate upon any Highway or sidewalk.
- 6.07. No Person shall ride a Bicycle, or where permitted pursuant to this Bylaw, roller skate, inline skate, skateboard or operate any other similar device, at any rate of speed that is unreasonable having regard to the nature, condition and use of the Highway or sidewalk, and the amount and kind of pedestrian traffic that is or might reasonably be expected to be upon that Highway or sidewalk.
- 6.08. No Person shall conduct a rally or race involving any Bicycle, roller skates, inline skates, skateboard, or any other similar device upon any Highway or sidewalk unless authorized to do so by the Municipal Manager or his or her delegate.

- 6.09. The driver or any other Person having care, control or charge of any horse-drawn Vehicle on any Highway shall remain upon the Vehicle while it is in motion or shall walk beside the horse drawing such a Vehicle, while operated within the Town.
- 6.10. The driver or rider or any person having care or control of any horse on any highway or roadway, shall remain in control by being on the horse or, shall walk beside the horse, and in any situation where there are more than one horse each horse shall require one person in care and control and in situations where there is more than one horse the horses shall be required to be in a single column or single file.

SECTION 7: PARKING

- 7.01. No Person shall Park or permit to be Parked any Vehicle for any period of time whatsoever in any of the following locations:
- a. upon a Highway in front of, adjacent to, or abutting any building, structure, place or premises, in the course of construction or repair, when such Parking will impede or obstruct traffic; or
 - b. in any Transit Zone except Transit Vehicles; or in any Commercial Loading Zone properly marked by a sign indicating the restrictions which apply thereto, except a Commercial Vehicle lawfully engaged in loading or unloading of goods.
 - c. in the entrance way to any fire hall or to any police station or ambulance station, or the ambulance entrance to any health care facility.
 - d. upon a highway or roadway within three (3) metres of a fire hydrant.
- 7.02. Except when actually loading or unloading passengers, no Person shall Park a vehicle on any portion of a Highway marked by a "No Parking" sign.
- 7.03. Except in the event of a breakdown, no Person shall stop a Vehicle on any portion of a Highway marked by a "No Stopping" sign.
- 7.04. No Person shall park a Vehicle in a Lane, unless a sign permits Parking, but Lanes other than a designated Fire or Emergency Lane may be used for:
- a. the loading or unloading of goods or passengers from a Commercial Vehicle for a period of time 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 of time not exceeding five (5) minutes, provided that the Vehicle concerned in such loading or unloading of passengers or goods does not obstruct the Lane as to prevent other Vehicles or Persons from passing along such Lanes.
- 7.05. No Person shall Park or Stop or permit a Vehicle to be Parked or Stopped in a Fire or Emergency Lane
- 7.06. No Person shall Park or Stop a Vehicle in excess of a time designated and marked on a sign Posted for the purpose of restricting the time for Parking or Stopping a Vehicle.
- 7.07. No person shall park a vehicle on any parking lot privately owned, of which the public is ordinarily entitled or permitted to use for the parking of vehicles, except
- a. in accordance with signs indicating the area, stalls or space where parking is permitted.
 - b. wholly within the limits of the space marked out or designated upon the surface of the parking area.
- 7.08. Unless otherwise designated by signs,
- a. no person shall park a vehicle upon any highway in any manner except parallel to the curb or edge of the highway with the right wheels (passenger side) of the vehicle being a maximum of .30 m from the curb or edge of the highway.

b. notwithstanding Section 7.08 a. no person shall park a vehicle upon any highway in such a manner that any part of the vehicle is within three (3) metres of the centre line of the highway where the portion thereof intended for vehicular traffic is ten (10) metres or more in width.

c. without restricting the generality of subsection (a), the driver of a vehicle shall angle park on the following highways:

- (i) 49th Avenue from 50th Street to 51st Street, and
- (ii) 50th Avenue from 49th Street to 51st Street.

d. where a vehicle parking space is marked out or designated upon a highway, every driver of a vehicle using same shall park such vehicle wholly within the limits of the space.

e. no person shall park or permit to be parked any vehicle where curbs are marked or painted yellow or orange including prohibited parking in the space where the painted curb exists.

Portable "No Parking" Signs

7.09. No person shall park or leave parked a vehicle on a highway or roadway for more than forty eight (48) consecutive hours:

- a. Notwithstanding Section 7.09 a property owner or occupant of property may park a vehicle registered to the owner or occupant, adjacent to property owned or occupied by the vehicle owner or occupant.

7.10. Notwithstanding any other provisions of this Bylaw, the Town may cause portable "No Parking" signs be placed on or near a Highway, and when so placed such signs shall take precedence over all other Parking signs. Section 7.02 does not apply to signs erected pursuant to Section 7.10.

7.11. No Person shall Park, or leave Parked, a Vehicle on a Highway after the expiration of twenty-four (24) hours from the time a sign or signs referred to in Section 7.10 have been placed, and such sign or signs have been removed.

7.12. Any Vehicle found on a Highway in contravention of Section 7.11 may, in addition to the issuance of a Violation Tag or Violation Ticket, be removed in accordance with Section 7.33 of this Bylaw.

Parking on Private Property:

7.13. For the purposes of Sections 7.13 to 7.16, property located in the Town and owned or occupied by the Government of Canada, Government of Alberta or by the Town shall be considered to be Private Property.

7.14. No Person shall park a Vehicle on Private Property which has been clearly marked as such by a Traffic Control Device erected thereon with the prior permission of the Owner, tenant, occupant or Person in charge of the Private Property.

7.15. No Person shall Park any Vehicle upon land owned by the Town or which the Town uses or permits to be used as Playground, School Ground, Boulevard, Sidewalk, Pedestrian Pathway, Recreation Area or Reserve Land, except on such part thereof as may be designated by a Traffic Control Device or Devices allowing Vehicle Parking, and only in accordance with any restrictions so indicated on such Traffic Control Devices.

7.16. No Person other than the Person to whom the space is assigned shall Park any Vehicle in a Parking space on Town-owned property, where such space has been reserved as indicated by a Traffic Control Device.

Parking of Trailers:

7.17. No Person shall Park any Trailer upon any Highway unless the Trailer is attached to a Vehicle by which it may be propelled or drawn, and when so attached the Trailer shall be deemed part of the Vehicle and subject to the requirements set out in this Bylaw pertaining to Vehicles unless otherwise authorized by an Order of the Council.

- 7.18. No Person shall park any trailer upon land owned by the Town or which the Town uses or permits to be used as a Playground, School Ground, Boulevard, Sidewalk, Pedestrian Pathway, Recreation Area, or Reserve Land, except on such part thereof as may be designated by a Traffic Control Device or Devices allowing trailer parking and only in accordance with any restrictions so indicated on such Traffic Control Devices.
- 7.19. No person shall occupy or suffer or permit any other person to occupy a Trailer or Recreational Vehicle upon a highway or upon Town owned property, which has not been designated for a Trailer or Recreational Vehicle parking;
- 7.20. Notwithstanding the provisions of Section 7.19, a Person may Park and occupy a Trailer or Recreational Vehicle upon Town-owned property provided that written permission has been obtained from the Municipal Manager or his or her designate.
- 7.21. Notwithstanding Section 7.17, an Owner or Operator of a Vehicle and Trailer or Recreational Vehicle shall not Park the Vehicle and Trailer or Recreational Vehicle on a Highway or Roadway for more than forty-eight (48) consecutive hours.
- 7.22. Notwithstanding Section 7.17, an owner or operator of a Trailer for which the Trailer registration shows a Town of Vermilion address, shall not park the Trailer on a Highway in the Town except in the area of the roadway immediately adjoining the owner or operator's place of residence and for no more than twenty four (24) consecutive hours following which the owner or operator shall move the trailer to an off-highway location for a period of not less than six (6) consecutive days before the Trailer may be parked again in the area of the roadway immediately adjoining the owner or operator's place of residence.
- 7.23. An Owner or Operator of a Vehicle and Trailer or Recreational Vehicle shall not be entitled to rely upon the provisions of Sections 7.20 and 7.21 more than twice in any seven (7) day period commencing from the date that the Vehicle and Trailer or Recreational Vehicle is first observed to be Parked in accordance with Section 7.17.
- 7.24. Notwithstanding Section 7.21, 7.22, and 7.23 an Owner or Operator of a Vehicle and Trailer or Trailer or Recreational Vehicle shall not Park the Vehicle and Trailer or Trailer or Recreational Vehicle or any part thereof on a Roadway, Highway or Highway right-of-way if, in the opinion of a Peace Officer, the Vehicle and Trailer or Trailer or Recreational Vehicle constitutes an obstruction, presents a safety concern or otherwise impedes the progress of other uses of the Roadway, Highway or Highway right-of-way.

Commercial Vehicle Parking:

- 7.25. No Person shall park a Commercial Vehicle on a Highway or any part of the Highway right-of-way within the Town between the hours of 7:00 p.m. in any one day and 7:00 a.m. of the next succeeding day, if the overall length of the Commercial Vehicle or Commercial Vehicle with Trailer exceeds eight (8) metres.
- 7.26. No Person shall park a Commercial Vehicle or Commercial Vehicle with a Trailer exceeding ten (10) metres in length or two-point-six (2.6) metres in width on a Highway or any part of a Highway right-of-way within the Town.
- 7.27. Notwithstanding Sections 7.25 and 7.26, a Person may Park a Commercial Vehicle or Commercial Vehicle with Trailer exceeding the lengths or widths indicated therein, upon a portion of the Highway or Highway right-of-way, in an area designed by a Traffic Control Device for such purposes.
- 7.28. No Person shall Park a Heavy Vehicle on a Highway or any part of the Highway right-of-way within the Town unless a Traffic Control Device authorizes such Parking.
- 7.29. Any provisions of Sections 7.25, 7.26 and 7.28 shall not prohibit Commercial Vehicles from Parking on any Highway within the Town for the purpose of loading or unloading goods to or from premises abutting such Highway provided that the Commercial Vehicle or Commercial Vehicle with Trailer attached shall have all front and rear hazard lights illuminated at all times.

Dangerous Goods:

- 7.30. No Person shall park on a Highway a Vehicle or Trailer used for the conveyance of Dangerous Goods unless authorized by a Traffic Control Device.
- 7.31. No Person shall park a Vehicle or Trailer used for the conveyance of Dangerous Goods nearer than:
- a. Fifty (50) metres from any building designed or used for residential, institutional or assembly occupancies; or
 - b. Twenty (20) metres from any other building.
- 7.32. Section 7.31 shall not apply where a Vehicle or Trailer is obliged to be Parked while being loaded or unloaded or while being used as a "onsite" fuel source in the course of its ordinary business, provided the Vehicle or Trailer has a warning notice or notice clearly displayed.

Disabled Parking:

- 7.33. No Person shall park a Vehicle in a Parking space designed for the exclusive use of disabled persons unless such Vehicle has clearly displayed an Identification Placard, or bears a license plate designating it a Disabled Person Vehicle, and is at that time being operated by or transporting the Person to whom the Identification Placard has been issued.

Exemption from Parking Provisions:

- 7.34. Notwithstanding anything appearing elsewhere in this Bylaw, the provisions relating to Parking of Vehicles do not apply to:
- a. Emergency Vehicles;
 - b. Vehicles used in conjunction with the servicing of Highways, trails, parks and public utilities, including water and sewer systems, telephone systems, electrical systems and cable vision systems;
 - c. Funeral cars being operated by a funeral director, during a funeral;
 - d. Towing service vehicles;

while any such Vehicles is being used in work requiring that it be Stopped or Parked.

Removal of Vehicles:

- 7.35. A Town Peace Officer is hereby authorized to remove and impound or cause to be removed and impounded any Vehicle Parked in contravention of any provision of this Bylaw.
- 7.36. Notwithstanding Section 7.10 to 7.12, where portable "No Parking" signs have been placed on or near a Highway by the Town or with permission of the Town, removal of Vehicles may be required to facilitate the activities proposed in support of which the portable "No Parking" signs have been placed. The Town, its employees, servants, agents or representatives may tow such Vehicles at the expense of their Owner and Park the same on an adjacent Highway without impounding the Vehicles, after the expiration of twenty-four (24) hours from the time the portable "No Parking" signs are erected.

SECTION 8: PARADES & PROCESSIONS

- 8.01. No Persons shall hold, join, march or participate in any Parade or Procession unless a Permit has been obtained from the Municipal Manager or his or her delegate. The Municipal Manager or his or her delegate may issue a Parade Permit to a Person where the Person has complied with the requirements of Section 8.02 below.
- 8.02. Any Person desiring to hold a Parade or Procession within the Town shall, at least two (2) weeks prior to the time he or she desires to hold the Parade or Procession, make an application in writing to the Municipal Manager or his or her delegate containing the following information:
- a. The name and address of the Person wishing to hold or sponsor the Parade or Procession, and if the Person is an organization, the name and address of a contact Person for that organization;
 - b. The day, date and times during which the Parade or Procession will be held;
 - c. The route of the Parade or Procession and written certification from the police department of jurisdiction that the proposed route is satisfactory to that police department;
 - d. The approximate number of Persons and Vehicles participating in the Parade or Procession;
 - e. The nature and object of the Parade or Procession;
 - f. The approximate size, number and nature of flags, banners, placards, and such other similar items to be carried or displayed;
 - g. The wording and symbols to be exhibited on the items listed in subsection (f) above; and

- h. Proof of liability insurance in a form and amount satisfactory to the Municipal Manager or his or her delegate.
- i. Where parade routes indicate the use of Highway 41 or cross Highway 41, written certification shall be provided by Alberta Transportation that the proposed route is satisfactory to that Department.
- 8.03. The Municipal Manager or his or her delegate may unconditionally approve, approve of conditions, or refuse an application for a Parade Permit at his or her sole discretion.
- 8.04. Where a Parade Permit is granted allowing floats, Vehicles or animals to be placed in or on the route of a Parade or Procession, the Person or Persons sponsoring the Parade or Procession shall indemnify and save harmless the Town from and against any and all claims for injury to any Person or Persons and damage to any real or personal property arising by reason of, or in any way connected with, the entry, placing or operation of the Vehicles, floats or animals in the Parade or Procession and whether arising out of, directly or indirectly caused by any act, omission or negligence of the Town, its authorities or agents.
- 8.05. Where a Parade Permit has been granted:
- a. Any Person may congregate on the sidewalks or a portion of the Highway designated for the purpose of viewing the Parade or Procession;
 - b. The Municipal Manager or his or her delegate may temporarily close for all or specific types of traffic, all or a portion of the Highway along or near the route set out in the Permit for the anticipated time of the Parade or Procession and for such an additional time as necessary to clear the Highway or Highways of normal traffic; and
 - c. The Municipal Manager or his or her delegate may temporarily suspend Parking and loading privileges on all or a portion of the Highways on the proposed route of the Parade or Procession.
- 8.06. No Parade or Procession shall obstruct any Highway for a period longer than is required to hold the Parade or Procession in accordance with the application submitted and the Permit issued.
- 8.07. Any Vehicle in a funeral procession, except the lead Vehicle, may, during the daylight hours, enter an intersection without Stopping if:
- a. The headlamps of the Vehicle are a light;
 - b. The Vehicle is travelling immediately behind the Vehicle in front of it so as to form a continuous line of traffic; and
 - c. The passage into the intersection can be made in safety.
- 8.08. A Peace Officer or Parade Marshall may regulate and direct traffic in the vicinity of any Parade or Procession and all Persons shall obey the orders and directions of the Peace Officer.
- 8.09. No pedestrian or Person operating any Vehicle or Person riding a horse shall:
- a. Break through the ranks of a military or funeral procession; and
 - b. Break through the ranks of any authorized Parade or Procession.

This Section shall not apply to Emergency Service Vehicles.

- 8.10. Any Person holding, organizing, leaving or participating in any Parade or Procession not authorized in accordance with the provisions of this Bylaw shall be guilty of an offence and subject to a penalty as set out at Schedule "A" to this Bylaw.

PART III USE AND MAINTENANCE OF**PUBLIC PLACES****SECTION 9: CROSSINGS AND MAINTENANCE OF HIGHWAYS AND PUBLIC PLACES**

- 9.01. No Person shall place or permit to be placed an electrical cord or cable, above the surface of any Highway.
- 9.02. Notwithstanding Section 9.01 of this Part, an electrical cord or cable may be suspended from Private Property to a Highway if said cord is suspended not less than 2.4 metres above the surface of a sidewalk and supported by sturdy poles or stanchions firmly and suitably anchored in the owner's property. The said poles or stanchions may only be erected and remain in place from November 1 to March 30 of any year.
- 9.03. Each Owner or Occupant of any premises or real property within the Town, who is required to drive any Vehicle across any sidewalk or boulevard for the purpose of entering the premises or real property, may cause to be constructed in place of the sidewalk and/or boulevard to be crossed, and of full width thereof, a Crossing, so designed and maintained as to be suitable for pedestrians using the sidewalk and Vehicles using the driveways.
- a. No construction of such a Crossing shall commence unless a development Permit for the Crossing has first been obtained from the Town.
- b. Every Person who obtains a development Permit for a crossing shall comply with all terms and conditions of the Permit.
- 9.04. The Owners of any premises or real property served by a Crossing shall be responsible for its maintenance or replacement, except that part of the Crossing known as the sidewalk which runs parallel to the Roadway and the Curb.
- 9.05. Where it is determined by the Municipal Manager or his or her delegate that a Crossing has come into disrepair, the Municipal Manager or his or her delegate may give written notice to the registered or assessed Owner of the property served by such Crossing. If that Owner does not take the corrective measures directed by the Municipal Manager or his or her delegate within thirty (30) days of the mailing of said notice, then the Town may cause the required repairs to be done. The cost of these repairs may be charged to the Owner as a debt owing to the Town and may be added to the tax roll for the property.
- 9.06. The Municipal Manager or his or her delegate may close and fill in all unused Crossings and charge the cost thereof to the owner of the property served by said Crossing, provided that the Municipal Manager or his or her delegate shall have given thirty (30) days notice of intention to do so, in writing, to the registered or assessed owner of such property.
- 9.07. The Municipal Manager or his or her delegate may issue temporary Crossing permits to temporarily serve construction sites or special events, provided that the applicant or the Owner of the property thus served will undertake to indemnify and save harmless the Town by reason of the existence of said temporary Crossing.
- 9.08. If, in the opinion of the Municipal Manager or his or her delegate any portion of the Curb, sidewalk, boulevard or other Street Furniture is damaged by the temporary use allowed pursuant to a permit issued under Subsection 9.07, the applicant, its principal or the Owner of the property served by the said Crossing shall pay for the repair carried out by a Person retained by the Town.
- 9.09. No Person shall in any way damage or otherwise vandalize any Street Furniture on any Highway, park, or Public Place.

- 9.10. No Person shall place, abandon, throw, deposit or allow to be placed, abandoned, thrown or deposited any litter, which shall include but not be limited to nails, tacks, glass, crockery, barbed or other wire, scrap metal, bottle, paper, paper carton or other paper or any other container, substance or thing on any Highway or Public Place or from any bridge or overpass structure onto any Highway, Public Place, river or stream.
- 9.11. In the event that any load or any portion thereof becomes loose or detached or blows, drops, spills or falls from any Vehicle onto any Highway, it shall be the duty of the driver of the Vehicle forthwith to take all reasonable precautions to safeguard traffic and also to remove such material from such Highway.
- 9.12. The Municipal Manager or his or her delegate may order the Person who left, or allowed to be left or placed litter or a load on a Highway or Public Place, to remove same within a period of twenty-four (24) hours and, in default, the Municipal Manager or his or her delegate have the Town remove the litter. The cost of removal shall be charged to the Person who left or allowed to be left the litter upon the Highway or Public Place. In cases where an immediate public Hazard is created in the opinion of the Town or its duly authorized representative, notice as provided for above is not required.
- 9.13. No Person shall drive, operate or permit to be driven or operated, any Vehicle or equipment or any nature or kind in such a manner as to Track upon a Highway.
- 9.14. Any Person who Tracks upon a Highway shall, in addition to any penalty that may be specified at Schedule "A" to this Bylaw, be liable to clean up or remove the substance or material. Tracked upon the Highway in default of which the Town may clean up or remove such substance or material at the expense of the Person Tracking.
- 9.15. Except as authorized by the Municipal Manager or his or her delegate,
- a. no Person shall deface, paint, chalk, stencil or mark any Highway or Street Furniture.
 - b. no Person shall place any advertising, legend or sign of any kind upon any Highway.
 - c. no Person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printing or other type of notice whatsoever upon any Highway, Public Place, or Street Furniture, without the express permission of the Town.
 - d. no Person shall remove any Traffic Control Device or other Street Furniture.
 - e. no Person shall climb or interfere with any bridge, telephone, signal service, fire alarm, electric wire, lamp, post, tower or pole connected with the lighting, gas, telephone, transit, fire protection system or any other utility system or work of the Town.
- 9.16. Except as authorized by the Municipal Manager or his or her delegate, no Person shall encroach, place or construct any object so that it encroaches or obstructs any Highway, or other Public Place.
- 9.17. Any Person placing or causing any obstruction to be placed in or upon any Highway, Curb or Public Place shall remove or cause the removal of such obstruction within twenty-four (24) hours of his being notified to do so by the Municipal Manager or his or her delegate. After the expiration of the said twenty-four (24) hours, the Municipal Manager or his or her delegate may remove or cause the removal of such obstruction.

The cost of removal may be charged to the Person who left the obstruction on the street or Public Place.

- 9.18. Except as authorized by the Town, no Person shall break, tear or remove any planking, pavement, sidewalk, Curbing, concrete, cement or other road surface nor make any excavations in or under any portion of any Highway, lane, park or Public Place in the Town without first obtaining a Utility Installation Permit issued by the Municipal Manager or his or her delegate.
- 9.19. Every Person who obtains a Utility Installation Permit shall comply with all terms and conditions of the Utility Installation Permit.
- 9.20. The Municipal Manager or his or her delegate may establish and levy service charges for any work done by the Town or its agents as a requirement under the Utility Installation.
- 9.21. The Municipal Manager or his or her delegate is hereby authorized to temporarily close any street, road, lane, alley or Highway or any part thereof at any time where a construction or maintenance project adjacent to the street, road, lane, alley or Highway may create a Hazard.
- 9.22. No Person shall plough, dig up, take, carry away or in any way interfere with any earth, gravel, sand, turf, soil or grass on any street, lane or Public Place without first having obtained a Utility Installation Permit.
- 9.23. No owner, tenant or occupier of any residential property shall erect, obstruct, use, or permit to remain upon or along the boundary of his lane or premises, any fence constructed with the use of an electrical current.
- 9.24. No owner, tenant or occupier of any property shall erect, obstruct, use, or permit to remain upon or along the boundary of his lane or premises near any Highway in the Town, any fence wholly constructed of barbed wire with the exception of:
- a. any land used strictly for agricultural purposes.
- 9.25. Where a fence is partly constructed of barbed wire, and otherwise approved by the Town, the barbed wire part shall be no closer to the ground than 1.6 metres.
- 9.26. The Owner, assessed owner, tenant or Occupant of any land adjoining any Highway or Public Place in the Town shall cause all trees, shrubs and bushes which overhang the Highway or Public Place to be properly trimmed, and cut back, so as to prevent the obstruction of pedestrians or Vehicles and/or the interference with good visibility for safe traffic flow.
- 9.27. Any Person who fails to comply with Section 9.26 may be given notice in writing by the Municipal Manager or his or her delegate stating that if Section 9.26 is not complied with within twenty-four (24) hours after being served notice, the Town may carry out said work, charging the costs of such work to the owner of the property.
- 9.28. All Owners, Occupants or tenants of property shall remove or cause to be removed and cleared away dirt, debris or other obstruction from any sidewalk adjoining their property Owned or Occupied by them, within forty-eight (48) hours of the time when the dirt, debris, or other obstruction was formed or deposited thereon.
- 9.29. All Owners, Occupants or tenants of property shall remove or cause to be removed and cleared away snow or ice from any sidewalk adjoining their property Owned or Occupied by them, within forty-eight (48) hours following cessation of the time when the snow or ice was formed or deposited thereon.

- 9.30. Where a Person being the Owner, Occupant or tenant of any property fails or neglects to comply with Sections 9.28 and 9.29 of this Part, the Town, in addition to any other remedy available for non-compliance with this Bylaw, may clear the sidewalk and the cost thereof shall be paid to the Town by the Owner or Occupant upon demand and failing payment such cost may be added to the tax roll of the property.
- 9.31. No Person shall remove dirt, debris or any other obstruction from any sidewalk by causing such material to be placed upon any other portion of the Highway or other Public Place adjacent to such property.
- 9.32. Every owner, occupant, or tenant of property with a land use designation other than R1, R2, R3 and RMH1 in the Town Land Use Bylaw shall not place, or permit to be placed, any snow, ice, dirt, debris or other material removed from Private Property onto the Highways or other Public Places of the Town except as authorized in writing by the Municipal Manager or his or her delegate.
- 9.33. Every Owner or Occupant of every house, shop, building, church or chapel, abutting on or erected within three (3) metres of any Highway or Public Place shall, whenever snow or ice shall accumulate on the roof or eaves of such building, to an extent that a potential danger is created to Persons passing, cause the same to be removed at once, and every Person, while removing the same shall take due and proper care and precaution for the warning and safety of Persons passing.
- 9.34. A Person who has an awning extending from a portion of his property over a Highway or Public Place or portion thereof shall keep the awning free from snow or ice to prevent water dripping to the sidewalk or other area accessible to the public below.
- 9.35. If water drips from an awning upon a Highway, or Public Place the Owner or Occupier of the property shall clean the sidewalk or Roadway portion thereof to prevent ice from forming thereon.
- 9.36. The Owner or Occupant of any property fronting or adjoining any sidewalk shall sweep or clean the same or cause that sidewalk to be swept or cleaned as to keep the sidewalk from becoming dangerous or unsightly.
- 9.37. Where, in the opinion of a Peace Officer, or other Person authorized to enforce this Bylaw, a sidewalk has become dirty or otherwise covered in debris to an extent such as to be unsightly or pose a danger to any Person, the Peace Officer or other Person authorized to enforce this Bylaw may issue an Order pursuant to Section 545 of the Municipal Government Act ordering the Owner or Owner and Occupant of the property to take such steps as are necessary to clean the portion of the sidewalk abutting their property or to take such other steps as are necessary to remove the danger to the public. Nothing in this Section shall prohibit a municipality from issuing a Violation Tag or Violation Ticket pursuant to this Bylaw against the Owner or occupant of such premises.
- 9.38. No Person shall cast, project or throw any stones or other projectiles dangerous to the public or use bow and arrow, catapult or other such contrivance on any Highway or other Public Place.
- 9.39. Every property Owner or Occupant shall mow and otherwise maintain the grassed boulevard area or laneway directly adjacent to their Private Property.
- 9.40. No Person shall drive or operate a motor Vehicle on or across any boulevard, park, utility lot, utility right-of-way or Town reserve or other Public Place (excluding Highways), without the permission of the Municipal Manager or his or her delegate.

SECTION 10: OBSTRUCTIONS AND WORK ON HIGHWAYS AND PUBLIC PLACES

- 10.01. No Person shall make, place or allow an obstruction of any kind in, upon, or above any Highways or Public Place unless authority has been granted by the Municipal Manager or his or her delegate pursuant to a permit.
- 10.02. Every Person who fails to obtain or to comply with the provisions of a permit pursuant to Subsection 10.01 shall be guilty of an offence and shall, in addition to any other penalty, cause the removal of the obstruction within twenty-four (24) hours after being notified to do so by the Municipal Manager or his or her delegate. After the expiration of the said twenty-four (24) hours, the Municipal Manager or his or her delegate 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.
- 10.03. Every Person making or placing an obstruction of any kind in, upon or above Highways or Public Place shall produce the permit granted pursuant to Subsection 10.01 for inspection upon the request of a Peace Officer or a representative of the Municipal Manager or his or her delegate.
- 10.04. Where an obstruction of any kind exists in, upon, or above any Highway or Public Place and, in the opinion of the Municipal Manager or his or her delegate it creates an unsafe condition, the Municipal Manager or his or her delegate shall be entitled to take such measures as are required for the protection of life or property.
- 10.05. The Town assumes no responsibility for damage to property abutting Town property when work is being done pursuant to Sections 10.01 or 10.04.
- 10.06. No Person shall place any Hoarding or any other structures, materials or equipment upon a Highway or Public Place without first obtaining the written approval of the Municipal Manager or his or her delegate for the location of the Hoarding on the Highway or Public Place.
- 10.07. No owner or occupant of any premises shall allow a gate of such premises to swing or project over a Highway or Public Place.
- 10.08. No Person shall, except as otherwise provided herein or by any other bylaw, erect or maintain any awning, sign post or sign, which shall in any way extend over a Highway or other Public Place.
- 10.09. No Person shall, unless he has first obtained a Permit from the Municipal Manager or his or her delegate, perform construction and maintenance work on any Highway or Public Place if the work involves:
- a. Excavation of Roadways, sidewalks or boulevards,
 - b. Non-excavation work that may interfere with traffic flows on arterial Roadways during the hours of 07:00 - 09:00 and/or 15:30 - 18:00.
- 10.10. Pursuant to Subsection 10.09, the Municipal Manager or his or her delegate may revoke the Permit and require the Highway or Public Place to be made passable to the satisfaction of the Municipal Manager or his or her delegate.
- 10.11. In addition to the penalty specified in Schedule "A", all work performed without a Permit is subject to immediate stoppage and all costs incurred in making the Highway or Public Place passable may be recovered from the Person responsible for the work.
- 10.12. No Person shall, unless he has obtained a Permit, sell or display goods or place any temporary or permanent structure related to the selling or displaying of such goods on any Highway or Public Place.
- 10.13. The size, form, design of structures and location of any structure erected pursuant to Subsection 10.12 must be approved by the Municipal Manager or his or her delegate.

- 10.14. No Person shall allow trees, hedges or shrubs on Private Property within five (5) metres of a highway intersection, whether planted before or after the date of the passing of this Bylaw, to grow to such a height that good visibility for safe traffic flow is thereby interfered with.
- 10.15. The Municipal Manager or his or her delegate may require compliance with the provisions of Subsection 10.14 hereof within ten (10) days of being notified to do so. If a Person fails to comply with such a notice, the Municipal Manager or his or her delegate may direct employees or agents of the Town to enter upon the Private Property to carry out the necessary work and may charge the cost of so doing against the Person in default.
- 10.16. No Person shall erect or cause to be erected, built or placed, a fence, wall or other object on Private Property within five (5) metres of a Highway intersection so that good visibility for safe traffic flow is thereby interfered with.
- 10.17. No Person shall continue the existence of a fence, wall or other object on Private Property within five (5) metres of a Highway intersection in such a manner that good visibility for safe traffic flow is thereby interfered with.
- 10.18. Every owner or occupier of Private Property who erects, builds, places or continues the existence of a fence, wall, or other object on said property contrary to Subsections 10.16 or 10.17 hereof shall cause the removal or reduction in height of the said fence, wall or other object within ten (10) days after being notified to do so by the Municipal Manager or his or her delegate. After the expiration of the said ten (10) days, the Municipal Manager or his or her delegate may cause the removal or reduction in height and such work shall be at the expense of the Owner or Occupier of the said property.
- 10.19. Notwithstanding Subsection 10.17 where any fence, wall or other object that adversely affects good visibility for safe traffic flow was in existence at the date of the coming into force of Bylaw No. 14-2003, the fence, wall or other object may only be removed or reduced in height at the expense of the Town.

SECTION 11: ACTIVITIES IN PUBLIC PLACES

- 11.01. No Persons shall in any way injure any tree, shrub, flower or grass on any Public Place within the Town.

Firearms:

- 11.02. No Person shall carry any loaded or unloaded Firearm of any kind or description within any Public Place within the Town.
- 11.03. No person shall discharge a Firearm of any kind or description within the Corporate Limits of the Town of Vermilion without the written consent of a Peace Officer.
- 11.04. Section 11.02 and 11.03 shall not apply to any Person having lawful authority pursuant to any Federal or Provincial Statute or Regulation, to carry Firearms in the ordinary course of the exercise of their duties and responsibilities.
- 11.05. Section 11.02 and 11.03 shall not apply to any Person transporting in the most direct route to or from a Firearm retail sales or maintenance place or transporting to or from or discharging a Firearm at an authorized shooting range or gun club or any similar facility, designated and operated as such in accordance with the Town's Land Use Bylaw and all Federal, Provincial and Municipal Laws and Regulations.

Fireworks:

- 11.06. No Person shall use or explode any form of Firework on any Highway or Public Place under the authority of the Town except where authorized pursuant to a permit lawfully issued to that individual by the Town.
- 11.07. No Person shall use or explode Fireworks or permit a Firework to be used or exploded, on

property Owned or Occupied by that Person unless permitted to do so in accordance with a lawful permit issued by the Town.

- 11.08. Where a Person has been issued a permit by the Town authorizing the use or explosion of Fireworks, that Person shall at all times comply with the terms and conditions set out on that Permit, and any Person who fails to do so shall be guilty of an offence and subject to a penalty as set out at Schedule "A" of this Bylaw.
- 11.09. Notwithstanding that a Permit has been issued or that the Person in receipt of the Permit is in compliance with the terms and conditions of that Permit, the Fire Chief may where, in his or her opinion, the prevailing weather or other conditions increases the likelihood of fire, revoke all existing Permits and issue a complete ban on the use of Fireworks for a period of time which, in the opinion of the Fire Chief, is warranted under the circumstances.
- 11.10. Where the Fire Chief has determined to issue a complete ban in accordance with the provisions of Section 11.09 above, the Fire Chief shall cause notice of his or her decision to be published in at least one edition of a newspaper having general circulation within the boundaries of the Town, advertising the imposition of the ban and the time period for which the ban is in force, and such an advertisement will be deemed good and sufficient notice to all Permit holders of the of the revocation of their Permits.
- 11.11. Any Person using or exploding Fireworks, or permitting the use or explosion of Fireworks, on their property contrary to a ban issued by the Fire Chief and advertised in accordance with Sections 11.09 and 11.10 above, shall be guilty of an offence and subject to a penalty as set out at Schedule "A" of this Bylaw.

PART IV AUTHORITIES

SECTION 12: POWERS OF THE MUNICIPAL MANAGER

- 12.01. The Municipal Manager is hereby granted the authority to delegate all or a portion of his or her powers granted pursuant to this Bylaw to the Director of Engineering & Public Works or such other municipal officer or employee as is appropriate in the discretion of the Municipal Manager or Council.
- 12.02. The Municipal Manger or his or her delegate is hereby delegated the authority to prescribe where Traffic Control Devices are to be Posted within the Town, including, but not limited to, Traffic Control Devices restricting the speed of Vehicles.
- 12.03. The Posting of Traffic Control Devices by the Municipal Manager or his or her delegate is hereby deemed to be made pursuant to this Bylaw.
- 12.04. The Municipal Manager or his or her delegate shall provide a record of all the locations of Traffic Control Devices, which shall be open to public inspection during normal business hours.
- 12.05. The Municipal Manager or his or her delegate is hereby authorized to designate crosswalks upon any Highway and to Post Traffic Control Devices designating those crosswalks.
- 12.06. The Municipal Manager or his or her delegate is hereby authorized to designate any Highway intersection or other place on a Highway as a place at which no left hand turn or no right hand turn or both shall be made and may Post such intersections or other places with appropriate Traffic Control Devices prohibiting such turns.
- 12.07. The Municipal Manager or his or her delegate is hereby authorized to designate any intersection or other place on a Highway, including, but not limited to where a railway right-of-way crosses a Highway, as a place where U-turns are prohibited and shall cause the same to be Posted with a Traffic Control Device.

- 12.08. The Council may designate a Highway or any portion thereof, for one way traffic only and instruct the Municipal Manager or his or her delegate or his delegate to Post a Traffic Control Device designating one way traffic.
- 12.09. The Municipal Manager or his or her delegate or his delegate is hereby authorized to designate School Zones and Playground Zones and may post such zones with appropriate Traffic Control Devices.
- 12.10. The Municipal Manager or his or her delegate or his delegate is hereby authorized to designate Transit Zones and may post such zones with appropriate Traffic Control Devices.
- 12.11. The Municipal Manager or his or her delegate or his delegate is hereby authorized to designate any Highway upon which no parking is permitted and to cause the same to be posted.
- 12.12. The Municipal Manager or his or her delegate is hereby authorized to designate a portion of a Highway where Parking is limited or prohibited to a period of time or wholly prohibited and to cause the same to be posted.
- 12.13. The Municipal Manager or his or her delegate is hereby authorized to designate Town employee parking areas and to cause the same to be posted.
- 12.14. The Council may designate angle or parallel parking on any Highway and to cause the same to be posted.
- 12.15. The Municipal Manager or his or her delegate is hereby authorized to Post Traffic Control Devices stating the minimum distance a Vehicle may be parked from any intersection.
- 12.16. The Municipal Manager or his or her delegate is hereby authorized to Post Traffic Control Devices designating Truck Routes or Dangerous Goods Routes as approved by the Council and described in Schedules "D" and "E" of this Bylaw.
- 12.17. The Municipal Manager or his or her delegate, during unfavourable road conditions, is hereby authorized to impose limits on loads travelling on Highways and may post such Highways with appropriate Traffic Control Devices.
- 12.18. The Municipal Manager or his or her delegate is hereby authorized to designate the maximum loading permitted on any Highway and bridge and to cause the same to be posted with appropriate Traffic Control Devices.
- 12.19. The Council may close or open any existing median or divider on any Highway.
- 12.20. The Municipal Manager or his or her delegate is hereby authorized to designate:
- a. any Highway as one which is closed temporarily in whole or in part to traffic and shall cause such Highway to be so marked;
 - b. any area on any Highway or Public Place as one in which Parking privileges are temporarily suspended and shall cause such area to be so marked.
- 12.21. The Council may designate any Highway as one to be divided into traffic lanes as such number as may be considered appropriate in the circumstances.
- 12.22. The Municipal Manager or his or her delegate is hereby authorized to designate passenger or Commercial Vehicle loading or unloading zones and shall cause the same to be posted with the appropriate Traffic Control Devices.
- 12.23. The Municipal Manager or his or her delegate is hereby authorized to restrict the movement

of Vehicles from a Private Driveway onto a Highway from a Highway onto a Private Driveway where such restrictions deemed advisable in the public interest and for the better regulation of traffic, and shall cause the imposed restriction to be Posted with the appropriate Traffic Control Devices.

SECTION 13: AUTHORITY OF PEACE OFFICERS AND ENFORCEMENT

- 13.01. Any Peace Officer is hereby authorized to enforce the provisions of this Bylaw.
- 13.02. A Peace Officer is hereby authorized to remove and impound or cause to be removed and impounded any Vehicle or Trailer:
- a. parked in contravention of this Bylaw; or
 - b. where emergency conditions require that the Vehicle or Trailer be removed.
- 13.03. Any Vehicle removed pursuant to Section 13.02 may be moved to:
- a. a nearby Highway; or
 - b. a place designated by the Town where it will remain impounded until claimed by its Owner.
- 13.04. No Impounded Vehicle shall be released to its Owner or his or her agent until the removal and impounding charges have been paid.
- 13.05. All charges for removal and impounding shall be in addition to any fine or penalty imposed in respect of any such Violation or to any payment made in lieu of prosecution as provided for in this Bylaw.
- 13.06. Where a Vehicle is impounded or stored pursuant to Section 13.02, and is not claimed within thirty (30) days of its removal, it may be disposed of in accordance with the provisions of the Traffic Safety Act, and the Regulations thereunder.
- 13.07. In order to determine the time over which a Vehicle has been Parked in a location where Parking is restricted to a specific allotment of time, a Peace Officer may place a chalk mark on the tread face of the tire of a Parked or Stopped Vehicle without the Peace Officer or the Town incurring any liability relating thereto.
- 13.08. A Peace Officer is hereby authorized and empowered to issued a Violation Tag to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 13.09. A Violation Tag may be issued to such Person:
- a. either personally; or
 - b. by attaching it to the Vehicle in respect to which an offence is alleged to have been committed; or
 - c. by mailing a copy to such Person at his or her last-known post office address.
- 13.10. Where a Violation Tag has been attached to a Vehicle, no Person other than the Owner or Operator of that Vehicle shall remove the Violation Tag so affixed to the Vehicle.
- 13.11. A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the Municipal Manager and shall state:
- a. the name of the Person or vehicle description and license number;
 - b. the offence;

- c. the appropriate penalty for the offence and specified in Schedule “A” of this Bylaw;
- d. the time period in which the specified penalty must be paid in order to avoid prosecution for the alleged offence; and
- e. any other information as may be required by the Municipal Manager.

- 13.12. Where a Violation Tag has been issued pursuant to this Bylaw, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Director of Finance and Administration, the penalty specified on the Violation Tag.
- 13.13. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.
- 13.14. In those cases where a Violation Tag has been issued, and if the penalty is not paid within the prescribed time period, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to either Part II or Part III of the Provincial Offences Procedure Act, as is applicable, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 13.15. Notwithstanding Section 13.14 of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to either Part II or Part III of the Provincial Offences Procedure Act, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

Article I. SECTION 14: MISCELLANEOUS

- 14.01. Should any provision of this Bylaw be determined to be invalid, than such provisions shall be severed and the remaining Bylaw shall be maintained.
- 14.02. Bylaws 12-68, 11-77, 22-79, 9-82, 21-83 7-84, 5-85, and 11-86 are hereby repealed.

14.03. This Bylaw shall come into force upon receiving third and final reading and having been signed by the Mayor and Municipal Manager.

READ A FIRST TIME IN COUNCIL THIS ____ DAY OF _____, A.D. 20__

Mayor

Town Manager

READ A SECOND TIME IN COUNCIL THIS ____ DAY OF _____, A.D. 20__

Mayor

Town Manager

READ A THIRD TIME IN COUNCIL THIS _____ DAY
OF _____, A.D. 20__

Mayor

Town Manager

SCHEDULE "A"
to Bylaw 14-2003

<i>OFFENCE</i>	<i>SECTION</i>	<i>FINE</i>
Vehicle block, obstruct, or hinder traffic	3.03	\$ 50.00
Failure to brush or clean outside of Vehicle	3.05	\$100.00
Failure to tarp load	3.06	\$200.00
Failure to properly secure load	3.07	\$200.00
Improperly activating transit flashing lights or stop arm	3.08	\$100.00
Drive heavy vehicle off truck route	3.09	\$300.00
Drive at unreasonable speed	4.01	\$250.00
Improper crossing	5.01	\$ 50.00
No crossing if sign prohibits	5.02	\$ 50.00
Obstructing highway - public meeting	5.04	\$ 50.00
Obstructing highway	5.05	\$ 50.00
Hitchhiking	5.07	\$ 30.00
No Inline skates, roller skates, skateboards, or skis, on a highway	6.01	\$ 30.00
Cling or attach to a vehicle	6.03	\$ 30.00
Vehicle in tow of device	6.04	\$100.00
Bicycle over 50 cm on sidewalk	6.05	\$ 30.00
Bicycle failure to yield right of way	6.05(a)	\$ 30.00
Bicycle failure to pass with care and control	6.05(b)	\$ 30.00
Bicycle failure to give credible signal	6.05(c)	\$ 30.00
No ice skating	6.06	\$ 30.00
Ride Inline skates, roller skates, skateboards, or a similar device at unreasonable speed	6.07	\$ 30.00
No racing	6.08	\$ 30.00
Control of horse drawn vehicle	6.09	\$ 40.00
Control of horse	6.10	\$ 40.00
Parking Prohibited Construction	7.01(a)	\$ 50.00
Parking Prohibited Loading Base	7.01(b)	\$ 50.00
No Parking - entrance	7.01(c)	\$100.00
No Parking - fire hydrant	7.01(d)	\$100.00
No Parking	7.02	\$ 50.00
No stopping	7.03	\$ 50.00
No parking lane	7.04	\$ 50.00
Lane parking commercial	7.04(a)	\$ 50.00
Lane parking non-commercial	7.04(b)	\$ 50.00
Prohibited parking - fire lane	7.05	\$250.00
Parking over designated time	7.06	\$ 50.00

*SCHEDULE "A"***to Bylaw 14-2003**

Failure parking as indicated by signs	7.07(a)	\$ 50.00
Failure parking as indicated by markings	7.07(b)	\$ 50.00
Failure to parallel park appropriately - curb	7.08(a)	\$ 50.00
Failure to park appropriately - centre line	7.08(b)	\$ 50.00
Failure to angle park appropriately	7.08(c)	\$ 50.00
Failure to park as designated	7.08(d)	\$ 50.00
Failure to park appropriately - yellow line	7.08(e)	\$ 50.00
Parking forty eight hours	7.09	\$ 50.00
Temporary parking restriction	7.11	\$ 50.00
Parking on private property	7.14	\$ 50.00
No parking area	7.15	\$ 75.00
Reserved parking	7.16	\$ 50.00
Park unattached trailer	7.17	\$ 50.00
Park unattached trailer - highway unauthorized land	7.18	
Occupy trailer or recreation vehicle	7.19	\$ 50.00
Failure to obtain permission to park	7.20	\$ 75.00
Park over 48 hours Vehicle & Trailer or Recreational Vehicle	7.21	\$ 50.00
Park over 48 hours Trailer	7.22	\$ 50.00
Park over time limit in 7 days	7.23	\$ 50.00
Obstruction of safety	7.24	\$150.00
Prohibited parking - commercial 8 meters	7.25	\$ 75.00
Prohibited parking - commercial 10 meters	7.26	\$ 75.00
Prohibited parking - heavy vehicles	7.28	\$250.00
Prohibited parking - dangerous goods	7.30	\$250.00
Prohibited parking - specific distance - dangerous goods	7.31	\$250.00
Prohibited parking - disabled designation	7.33	\$100.00
Unauthorized parade	8.01	\$100.00
Parade non-compliance	8.06	\$100.00
Obstruction of parade	8.09	\$ 75.00
Electrical cord or cable obstruction	9.01	\$ 75.00
Electrical cord - suspended inappropriately	9.02	\$ 75.00
Improper crossing construction	9.03	\$100.00
Improper crossing maintenance	9.04	\$100.00
Interference with street furniture	9.09	\$100.00
Littering	9.10	\$150.00
Failure to clean up or remove material	9.11	\$150.00
Tracking	9.13	\$100.00
Unauthorized markings	9.15(a)	\$100.00
Unauthorized sign or display	9.15(b)	\$100.00

*SCHEDULE "A"***to Bylaw 14-2003**

Unauthorized posting	9.15(c)	\$100.00
Removal of traffic device or furniture	9.15(d)	\$200.00
Interference with works of Town	9.15(e)	\$200.00
Encroachment of public place	9.16	\$150.00
Unauthorized excavation	9.18	\$150.00
Interference with public property	9.22	\$150.00
Unauthorized fence - electrical	9.23	\$100.00
Unauthorized fence	9.24	\$100.00
Non-compliance - fence	9.25	\$100.00
Tree and shrubbery obstructions	9.26	\$ 75.00
Failure to remove dirt and debris	9.28	\$ 75.00
Failure to remove ice and snow	9.29	\$ 75.00
Removal of dirt and debris to highway	9.31	\$ 50.00
Removal of snow or ice from private property	9.32	\$100.00
Failure to remove snow or ice on eaves	9.33	\$ 75.00
Failure to remove snow or ice from awning	9.34	\$ 75.00
Failure to control awning drainage	9.35	\$ 75.00
Failure to clean sidewalk	9.36	\$ 75.00
Throwing objects	9.38	\$100.00
Failure to maintain boulevard or lane	9.39	\$ 50.00
Unauthorized access on public place	9.40	\$100.00
Unauthorized obstruction	10.01	\$100.00
Failure to produce permit	10.03	\$ 50.00
Unauthorized Hoarding	10.06	\$100.00
Swinging gate	10.07	\$ 50.00
Unauthorized sign etc.	10.08	\$100.00
Unauthorized excavation	10.09(a)	\$200.00
Interference with traffic	10.09(b)	\$200.00
Unauthorized display or sale of goods	10.12	\$200.00
Unauthorized structures	10.13	\$200.00
Tree or shrubbery obstruction	10.14	\$ 75.00
Erection of fences at intersections	10.16	\$ 75.00
Existing fences at intersections	10.17	\$ 75.00
Damage to trees, shrubs, flowers	11.01	\$200.00
Unauthorized transport of firearm	11.02	\$200.00
Unauthorized discharge of firearm	11.03	\$400.00
Discharge of fireworks in public place	11.06	\$100.00
Unauthorized use of fireworks	11.07	\$100.00
Unauthorized use of fireworks during ban	11.09	\$400.00
Removal of violation tag	13.10	\$200.00

SCHEDULE "B"

to Bylaw 14-2003

Section 3.08

- a) 49th Avenue between 44th Street and 46th Street
- b) 46th Street between 48A Avenue and 49th Avenue

SCHEDULE "C"

to Bylaw 14-2003

Section 4.06 - 30 kilometres per hour

1. Airport Drive
2. Airport Crescent
3. 48A Avenue from Airport Drive to 43rd Street
4. 43rd Street north from 48A Avenue
5. 43rd A Street

Section 4.07 - 60 kilometres per hour

Section 4.08 - 70 kilometres per hour

Section 4.09 - 80 kilometres per hour

1. No person shall drive a vehicle on 47th Avenue (otherwise commonly referred to as "the old Highway 16") from a point of 90 meters east of the intersection of 44th Street to the junction with Provincial Highway 16, at a rate of speed in excess of eighty (80) kilometres per hour.

Section 4.10 - 100 kilometres per hour

*SCHEDULE "D"***to Bylaw 14-2003
TRUCK ROUTES**

1. On 52nd Street from South Corporate Limits to North Corporate Limits.
2. On 47th Avenue from 32nd Street to Beckie Scott Trail.
3. On 44th Street from 47th Avenue to 52nd Avenue.
4. On Railway Avenue from 38th Street to 53rd Street.
5. On 53rd Street from Railway Avenue to 50th Avenue.
6. On 50th Avenue from 52nd Street to 53rd Street.
7. On 48th Avenue from 32nd Street to 41st Street.
8. On 41st Street from 48th Avenue to Railway Avenue.
9. On 40th Street from 48th Avenue to 52nd Avenue.
10. On 52nd Avenue from 39th Street to 44th Street.
11. On 39th Street from Railway Avenue to 47A Avenue.
12. On 47A Avenue from 38th Street to 41st Street.
13. On 32nd Street from 47th Avenue to 48th Avenue.
14. On 45th Street from 46th Avenue to 47th Avenue.
15. On 46th Avenue from 45th Street to 47th Street.
16. On 47th Street from 46th Avenue to 47th Avenue.

SCHEDULE "E"

to Bylaw 14-2003

DANGEROUS GOODS ROUTES

1. On 52nd Street from South Corporate Limits to North Corporate Limits.
2. On 47th Avenue from 32nd Street to 52nd Street.