

**Village of Warburg  
Bylaw # 133/14**

**A BYLAW OF THE VILLAGE OF WARBURG IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE THE USE OF HIGHWAYS WITHIN THE VILLAGE, THE TRAFFIC, PEDESTRIANS AND ANIMALS MOVING THEREON, AND THE PARKING OF VEHICLES THEREON.**

**WHEREAS**, the Council of the Village of Warburg deems it necessary to regulate the traffic within the Village;

**AND WHEREAS**, the Traffic Safety Act R.S.A. 2000 c. T-6 and the Municipal Government Act R.S.A. 2000 c. M-26 provide authority for the Village to regulate such matters;

**NOW THEREFORE**, the Council of the Village of Warburg in the Province of Alberta hereby enacts as follows:

**PART 1 – TITLE**

1.1 This Bylaw may be cited as the “Traffic Bylaw”.

**PART 2 – DEFINITIONS**

2.1 Except as other wise defined in this Bylaw, all words in this Bylaw shall have the same meaning as the *Traffic Safety Act, R.S.A. 2000 c. T-6*.

2.2 “Act” means the *Traffic Safety Act R.S.A. 2000 c. T-6*.

2.3 “Bicycle” means any device propelled by human power upon which any person may ride, regardless of the number of wheels it may have but shall not include a wheel chair.

2.4 “Crosswalk” means:

- a) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite side of the Highway measured from the Curbs or, in the absence of Curbs, from the edges of the roadway, or
- b) any 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.

- 2.5 “Curb” means the actual Curb if there is one, and if there is no Curb in existence shall mean the division of a Highway between the roadway and a boulevard or sidewalk.
- 2.6 “Heavy Vehicle” means a vehicle or a vehicle with a trailer attached with or without load weighing 5,500 kilograms or exceeding 12.5 meters in total length, used for the purpose of commercial activities, but shall not include Recreation Vehicles or Buses.
- 2.7 “Highway” means any road, street, lane or alley.
- 2.8 “Intersection” means the area embraced within the prolongation or connection of:
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- a) The lateral Curb lines or:
- b) if no lateral Curb lines exist, the exterior edges of the roadways, of 2 or more Highways which join one another at an angle whether or not one Highway crosses the other.
- 2.9 “Park” means to allow a vehicle (whether occupied or not) to remain standing in one place except:
- a) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
- b) when standing in obedience to a peace officer or traffic control device.
- 2.10 “Parades or Processions” means any group or train of persons or vehicles using the Highway within the Village for show or display but shall not include any military or funeral parade or procession.
- 2.11 “Peace Officer” means a Bylaw Enforcement Officer, appointed by the Village, Special Constable or a member of the R.C.M.P.
- 2.12 “Person” shall include corporation, firm or partnership.
- 2.13 “Public Place” means any highway, parkland, public bridge, road, lane, footway, square, court, alley or passage whether a thoroughfare or not, including any open space owned by or under the direction, control and management of the Village.

- 2.14 “Road Ban” means the seasonal axle weight allowance prescribed in respect of a Highway.
- 2.15 “Stop” means:
- a) when required a complete cessation from vehicular movement, and
  - b) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or traffic control device.
- 2.16 “Traffic” means pedestrians, animals or vehicles while using a Highway for the purpose of travel.
- 2.17 “Truck” means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis-cab, crawler mounted vehicle, trailer, machinery or equipment used in construction or maintenance of Highways or an off-Highway vehicle as defined in the *Off-Highway Vehicle Act*.
- 2.18 “Truck Tractor” means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of the vehicle drawn, and includes a vehicle that is designed to accommodate a 5<sup>th</sup> wheel coupling, but does not include a crane equipment breakdown vehicle.

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- 2.19 “Truck Route” means a Highway so designated in “Schedule B” of this Bylaw. A truck route shall only be deemed to include the main thoroughfare and shall exclude all side streets and service roads adjacent to them.
- 2.20 “Village” means the Village of Warburg.

### **PART 3 - GENERAL**

- 3.1 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.

- 3.2 The power to decide the necessity and location of Traffic Control Devices within the Village is hereby delegated to the Municipal Administrator or his or her designate.

#### **PART 4 – PARKING**

- 4.1 No Person shall Park or permit a Vehicle to be Parked on a Highway contrary to a Traffic Control Device or in a manner that impedes the flow of traffic.
- 4.2 No Person shall Park or permit to be parked, a Vehicle on the roadway side of a Vehicle already parked at the Curb or edge of a Highway.
- 4.3 All vehicles shall be parked parallel to the Curb with the right hand wheels not more that 500 millimetres from the right hand Curb or edge of the roadway, except where otherwise permitted.
- 4.4 No person shall park any motor vehicle:
- a) on any frontage but that which abuts property which they own;
  - b) so as to obstruct the use of a crossing or driveway to reach private property;
  - c) within five meters of any intersection, except where otherwise permitted;
  - d) within five meters of a line drawn at right angles to the Curb from a fire hydrant;
  - e) in such a manner as to interfere with the proper operation of any vehicle used by the fire department or other department of the Village of Warburg;
  - f) at any place where traffic control devices or marks prohibit parking;
  - g) on a sidewalk or boulevard;
  - h) on a Crosswalk or within 5 meters of either side of a marked Crosswalk;
  - i) within 5 meters of a stop or yield sign;
  - j) within a fire lane or emergency lane;

- k) in an area designated by a traffic control device or marked as a parking place for persons with disabilities unless that person displays a disabled placard or license plate issued or recognized by the Registrar of Motor Vehicle Service.
  - l) on the opposite side of a Highway contrary to traffic flow.
- 4.5 No Person shall Park or permit to be parked a truck-tractor unit on any Highway within the Village whether or not a trailer is attached to the truck-tractor, except where such parking is expressly permitted or except for the purpose of loading or unloading such vehicle.
- 4.6 No Person shall park a vehicle in an Alley or Lane except when actively loading or unloading goods or passengers from the vehicle provided also that the vehicle concerned does not so obstruct the alley or lane as to prevent other vehicles from passing.
- 4.7 No Person shall park any trailer, whether designed for occupancy or load carrying, unless such trailer is attached to a vehicle by which it may be propelled or drawn and when so attached, the trailer shall be a part of the vehicle and subject to any regulations pertaining to the vehicle, for more than 24 hours, for such purpose of loading or unloading such trailer.
- 4.8 No commercial, farm, school bus, holiday unit, or public vehicle shall be parked on any of the streets of the Village of Warburg in the residential areas except in the conduct of its business.
- 4.9 No Person shall leave a vehicle unattended on the Highway or private driveway if the vehicle has been placed on a jack or a similar device and:
- a) one or more wheels have been removed from the vehicle; and
  - b) part of the vehicle is raised off the ground.
- 4.10 All vehicles parked on any roadway must be moved after a snow fall accumulation of 6 inches or more to allow for cleaning of the snow from the roadway.
- 4.11 When a vehicle is parked on any Highway, parking lot or public place in violation of a provision of this Bylaw, that vehicle may be removed and impounded and the cost thereof charged against the owner and/or operator of the vehicle.

## **PART 5 - PARKING ON PRIVATE LAND**

- 5.1 No Person shall park a vehicle on private land which has been clearly marked as such by a sign erected by the owner or occupant unless such person has obtained the permission of the owner or occupant.
- 5.2 An owner or occupant may report to a Peace Officer the license number and location of a vehicle parked on private land in contravention of this Bylaw. A person making such

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a report to a Peace Officer shall provide their name and address to the Peace Officer.

- 5.3 No Person shall park any holiday trailer, motor coach, 5<sup>th</sup> Wheel etc.. in their front yard except on a driveway.
- 5.4 A truck tractor may park on private property only if all the following conditions are met:
- a) parking is only to take place for the winter months, namely October 15<sup>th</sup> to March 31<sup>st</sup>;
  - b) a parking permit is purchased at a price of \$500.00 per winter;
  - c) approval must be obtained from all the neighbours within audio distance of the driveway;
  - d) parking will be of the truck tractor unit only;
  - e) parking will be on a driveway only.
- 5.5 A truck tractor which has been registered as a recreational vehicle may park on private property only if all the following conditions are met;
- a) parking may be year-round;
  - b) a parking permit is purchased at a price of \$100.00 per calendar year;
  - c) approval must be obtained from all the neighbours within audio distance of the driveway;
  - d) no parking in the front yard will be allowed except on a driveway.

## **PART 6 – PARADES AND PROCESSIONS**

- 6.1 The driver of the lead vehicle of a funeral procession shall obey all traffic control devices. Drivers of vehicles following the lead vehicle of a funeral procession may, during daylight hours, proceed through intersections without stopping if the vehicle is traveling immediately behind the vehicle in front of it, the flashers are alight and passage into the intersection can be done safely.

## **PART 7 – SIDEWALKS, PEDESTRIANS**

- 7.1 No person shall run, ride a bicycle, roller skate, in-line skate, skateboard or ride a scooter upon a sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian traffic that is or might reasonably be expected to be on the sidewalk.
- 7.2 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.
- 7.3 No person shall play any games on any Highway.
- 7.4 No person shall cast, project or throw any stones or balls of snow or ice or other missiles dangerous to the public including; or use any bow or arrow, catapult or other such contraptions on any of the Highways or public places of the Village.
- 7.5 No person shall climb any railing, fence or tree or any post, pole or structure lawfully erected on a street unless they have authority to do so.

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- 7.6 No person shall pull down, deface or destroy any traffic control device, sign, board, or notice lawfully placed on any street.
- 7.7 No person shall deface any public or private property in or adjoining any street by cutting, breaking, painting or in any other way causing damage to that property.
- 7.8 No person shall attach any poster, handbill or sticker to any traffic control device, sign, tree, or to any building except with the consent of the owner or Village.
- 7.9 No person shall place temporary signs on boulevards unless these signs received approval from both the owner of the property whose frontage abuts the boulevard and the Village.
- 7.10 No person shall break, injure, dig up or destroy the earth, and/or grass on any boulevard or other public place, nor shall any person plant any plants other than grass, without approval of the Village.

- 7.11 No person shall leave, store or deposit or permit to accumulate on any highway or sidewalk any article or thing that may create a nuisance or danger or interfere with the proper use of the highway or sidewalk.
- 7.12 No person shall physically attach themselves to a moving motor vehicle or toboggan/ski on any highway or sidewalk.
- 7.13 No person shall drive any Vehicle upon a sidewalk or boulevard. The foregoing restrictions shall not apply so as to any vehicle used for the purpose of snow removal, to employees or agents of the Village in the performance of their duties.
- 7.14 No person shall ride a horse, horse drawn vehicle, or walk beside the horse drawn vehicle or any other livestock upon a highway, sidewalk or boulevard, excepting where special permission is obtained from a Village of Warburg representative.
- 7.15 No person shall place any electric cord, hose, ropes, pipe or like obstruction across a sidewalk or boulevard either on or above the sidewalk or boulevard, in such a manner as to endanger or impede pedestrians.
- 7.16 No person shall dispose of waste, paper, debris or other material on a Highway.
- 7.17 No person shall drive a vehicle with tires equipped with metal spike, lugs or cleats on a Highway.
- 7.18 The owner or occupant of a parcel of land abutting a sidewalk shall be responsible for removing all snow, ice, dirt debris or other obstruction within 24 hours of the snow, ice, dirt or other obstruction is deposited thereon.

#### **PART 8 – PARKS, SQUARES, PUBLIC PLACES**

- 8.1 No person shall drive a motor vehicle, horse-drawn vehicle or ride a horse or other animal upon any baseball diamond, football ground or other sports arena. The foregoing restrictions shall not apply so as to employees or agents of the Village in the performance of their duties.

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#### **PART 9 – CONSTRUCTION, EXCAVATING, BUILDING**

- 9.1 No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface or make excavation in or under any sidewalk or



street for the purpose of building or otherwise, without first having obtained permission from the Village to do so and, such permission being granted, the work shall be carried out in accordance with the directions of the Village or its designate. Such work shall be carried out as expediently as possible and without unnecessary delay.

9.2 The Village is entitled to inspect all such work and, upon termination of the work, the person who created the damage shall replace all materials and repair any damages to the Highway.

9.3 Any person or party to whom permission has been granted to carry out any work by the Village shall be liable for any injury or loss to persons or property by reason of their work, and shall keep and maintain such lights, barricades or watchman or other precautions to safeguard

and protect persons or property from injury or loss and shall be responsible for all costs therein.

## **PART 10 – SPEED LIMITS**

10.1 The maximum rate of speed within the Village of Warburg shall not exceed 50 km/hr unless a Traffic Control Device indicates otherwise.

10.2 Regardless of any other section in this Bylaw, no driver shall travel at any rate of speed that is unreasonable having regard to all the circumstances including by not limited to:

- a) the nature, condition and use of the Highway;
- b) the weather or other conditions that might affect the visibility of the driver or the control of the vehicle;
- c) the amount of traffic on the Highway; and
- d) the mechanical condition of the vehicle or any equipment of the vehicle.

10.3 No person shall drive a motor vehicle in or on any Alley (intended chiefly to give access to the rear of buildings and/or parcels of land) at a greater speed than 15 km/hr.

10.4 Temporary Traffic Control Devices may be posted along a Highway setting a temporary maximum speed limit in respect of any part of the Highway under construction or repair or in a state of disrepair.

## **PART 11 – TRUCK ROUTES**

- 11.1 No person shall operate a Heavy Vehicle on a Highway other than that specified in “Schedule B” of this Bylaw.

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- 11.2 No person shall operate a vehicle in excess of 1 ton G.V.W.R., and for the purpose of commercial activities, on any Highway, except solely upon those portions of the Highways expressly designated as Truck Routes except where:
- a) engaged in the delivery or collection of goods, wares or merchandise to or from customers;
  - b) going to or from the business premises abutting a Highway for the purpose of servicing or repair to such vehicles and that they travel along the most direct and practicable route between the premises and the designated Truck Route;
  - c) pulling a motor vehicle disabled by accident or otherwise;
  - d) public utility vehicles are being operated for the purpose of installation, servicing or repair of public utilities.

## **PART 12 – ROAD BANS**

- 12.1 The Municipal Administrator or his or her designate may impose a Road Ban restricting the maximum weight of classes of Vehicles traveling on the Village Highways.

## **PART 13 – CREATION OF HAZARDS**

- 13.1 No person shall drive, upon a roadway or on any Highway, any Vehicle so as to result in depositing mud, slush, ice or any other object or debris as to cause a hazard to other users of the Highway. Any violators are responsible for the clean up.
- 13.2 No person shall wash a Vehicle upon a roadway or Highway so as to result in depositing mud, slush, ice or any other object or debris as to cause a hazard to other users of the Highway. Any violators are responsible for the clean up.

- 13.3 No person shall wash or drain any article in such a manner as to result in mud, grease, oil or any other contaminant to be placed on a Highway or into the storm sewage system. Any violators are responsible for the clean up and all other associated costs.

#### **PART 14 – SIGHTLINES AT INTERSECTIONS**

- 14.1 No person shall place, or allow to remain, a tree, hedge or shrub or a fence, wall or other structure that may obstruct the vision of pedestrians or drivers of vehicles on the Highway, or create a hazard to traffic on the Highway.
- 14.2 No person shall permit any tree, hedge or shrub on the property to grow or remain at a height greater than 1 metre within 5 metres of a corner or intersection of a Highway.
- 14.3 No person shall build, place, erect or allow to continue in existence a fence, wall or other structure with a height greater than 1 metre within 5 metres of a corner or intersection of a Highway.

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#### **PART 15 – AUTHORITY OF PEACE OFFICER**

- 15.1 A Peace Officer is hereby authorized to enforce the provisions of this Bylaw.
- 15.2 In the case of fire or other emergency, or in order to expedite traffic or safeguard pedestrian, Peace Officers are hereby authorized to direct traffic in such a manner as they deem necessary, whether or not in conformity with the provisions of this Bylaw.
- 15.3 In the case of fire or other emergency, If no Peace Officer is present, officers of the fire department are hereby authorized to direct traffic in such a manner as they deem necessary, or authorize other individuals as they see fit whether or not in conformity with the provisions of this Bylaw.
- 15.4 Every Peace Officer is, and is deemed to be, duly authorized and entitled to place an erasable chalk mark on the tread face of the tire of a parked or stopped vehicle without that Peace Officer or the Village incurring any liability for doing so in order to enforce the parking provisions of this Bylaw.

- 15.5 Any Peace Officer is, and is deemed to be, duly authorized to impound and remove from the Highway or parking lot or other public place; a vehicle in violation of provisions of this Bylaw and all costs incurred being the responsibility of the vehicle owner.

## **PART 16 – ENFORCEMENT AND PENALTIES**

- 16.1 A person who violates any section of this Bylaw is guilty of an offence and liable to a fine as set out in the “Schedules” of this Bylaw.
- 16.2 Where any Peace Officer believes that any person has committed a breach of any of the sections of this Bylaw set out in Table “A” hereto, he may serve upon such person a notice or tag as provided herein.
- 16.3 Notice or tag shall be in such form as provided for in the regulations pursuant to the *Provincial Offences Procedure Act* and service of any such notice tag shall be sufficient if it is:
- a) personally served;
  - b) served by registered mail;
  - c) attached to the vehicle in respect of which the offence is alleged to have been committed.
- 16.4 If the person upon whom any such notice or tag is served fails to pay the said sum within the allotted time, the person may be prosecuted pursuant to the provisions of the *Provincial Offences Procedure Act*.
- 16.5 No person, other than the owner or driver of the vehicle, shall remove any notice placed on or fixed to such vehicle by a Peace Officer in the course of his duties.

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## **PART 17 – ENACTMENT**

- 17.1 Bylaw **#92/09** of the Village of Warburg and all amendments thereto are hereby repealed in their entirety.
- 17.2 This Bylaw shall come into full force and effect upon third and final reading thereof.

17.3 Should any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining Bylaw shall remain valid and enforceable.

17.4 The "Schedules" to this Bylaw may be amended by resolution of Council of the Village of Warburg.

Read a first time this 28<sup>th</sup> day of April, A.D. 2014.

VILLAGE OF WARBURG

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Mayor Ralph van Assen

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Christine Pankewitz  
Municipal Administrator

Read a second time this 12<sup>th</sup> day of May, A.D. 2014.

Read a third time and finally and unanimously passed this 12<sup>th</sup> day of May, A.D. 2014.

VILLAGE OF WARBURG

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Mayor Ralph van Assen

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Christine Pankewitz  
Municipal Administrator

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**SCHEDULE "A"**

Where no fine is suggested for a particular section of this Bylaw the minimum amount of the fine shall be \$50.00.

Offence	Penalty
<u>Section No.</u>	
3.1 Fail to obey Traffic Control Device	172.00
4.1 Park vehicle contrary to Traffic Control Device	57.00
4.2 Double Park	57.00
4.3 Park within 500mm of Curb	57.00
4.4 Parking Offences (a to l)	57.00
4.5 Truck-tractor Parking	500.00
4.6 Park in alley way	57.00
4.7 Park trailer on road way	57.00
4.8 Park farm vehicle, school bus, holiday trailer	57.00
4.9 Leave vehicle on Highway on jacks	57.00
5.1 Park on Private property	57.00
7.1 Ride on sidewalk in unsafe manner	100.00
7.2 Ride bicycle with wheel diameter in excess of 50 cm	57.00
7.4 Throw missiles or objects on Highway	100.00
7.5 Climb fence, tree, railing	100.00
7.6 Willfully destroy sign	200.00
7.7 Deface public/private property	200.00
7.8 Attach poster to post, sign post	57.00
7.9 Place sign on Boulevard without permission	57.00
7.10 Dig up, destroys boulevard	200.00
7.11 Deposit, store debris on road	57.00
7.12 Coast, Toboggan, ski on road	57.00
7.13 Drive motor vehicle on sidewalk	100.00
7.14 Ride horse, horse drawn vehicle in town	100.00
7.15 Obstacles across sidewalk	57.00
7.16 Litter on Highway, roadway, sidewalk	200.00
7.17 Drive vehicle on roadway with metal lugs	100.00
7.18 Fail to remove snow, dirt, debris on sidewalk	57.00
8.1 Drive motor vehicle, horse, horse drawn vehicle on sports field	200.00
9.1 Conduct construction on any town property without authorization	200.00

10.1	Speeding	As per Table A
10.2	Unreasonable speed as per road conditions	172.00
10.3	Speeding in back alley	As per Table A
11.1	Park Heavy Vehicle off truck route	500.00
11.2	Drive Heavy Vehicle off truck route	500.00
12.1	Drive vehicle contrary to road ban	500.00
13.1	Deposit, mud or debris on roadway/highway	115.00
13.2	Wash vehicle deposit mud & debris	115.00
13.3	Wash or drain grease or contaminant	115.00
14.1	Tree, shrubs, fence, wall obstruct view	100.00
14.2	Tree, shrub, hedge to above height	100.00
14.3	Build fence, wall to obstruct view	100.00

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**TABLE "A"**

Amount of Specified <u>Kilometers over Limit</u>	Penalty	Amount of Specified <u>Kilometers over Limit</u>	Penalty
1	57.00	26	156.00
2	59.00	27	161.00
3	62.00	28	166.00
4	64.00	29	172.00
5	66.00	30	177.00
6	69.00	31	187.00
7	71.00	32	194.00
8	73.00	33	203.00
9	75.00	34	211.00
10	78.00	35	219.00
11	80.00	36	228.00
12	82.00	37	236.00
13	85.00	38	247.00
14	87.00	39	255.00
15	89.00	40	264.00

16	103.00	41	273.00
17	110.00	42	281.00
18	113.00	43	290.00
19	120.00	44	299.00
20	124.00	45	307.00
21	129.00	46	316.00
22	136.00	47	325.00
23	140.00	48	333.00
24	147.00	49	342.00
25	150.00	50	351.00

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**TABLE "B"**

DESIGATED TRUCK ROUTES (see attached map)











