



Summer Village of Gull Lake

TRAFFIC BYLAW NO. 356/14

Office Consolidation

October 2014

Important Notice:

This document is a consolidation of the original Traffic Bylaw and amending bylaws into a single publication for the convenience of users. The official Bylaw and all amendments are available at the Summer Village of Gull Lake Municipal Office.

Office Consolidated Version Date: October 30, 2018

Bylaw Number	Purpose	Effective Date
356.1/18	Amendment and Additions to Definitions, Parking, General Provisions, Adding "Off Highway Vehicles" Section	Oct. 26, 2018

BYLAW NO. 356-14
OF THE
THE SUMMER VILLAGE OF GULL LAKE

BEING A BYLAW OF THE SUMMER VILLAGE OF GULL LAKE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING STREET, MOTOR VEHICLE AND PEDESTRIAN TRAFFIC IN THE SUMMER VILLAGE OF GULL LAKE.

WHEREAS the Municipal Government Act, R.S.A. 2000, C M-26 and amendments thereto allows a municipality to pass bylaws and delegate authority with respect to streets, parks, green spaces or Summer Village-owned land under its direction, control and management and transportation thereon; and

WHEREAS under the authority of the Traffic Safety Act, RSA 2000, Chapter T-6 and amendments thereto, Summer Village Council deems it necessary to regulate and control motor vehicles and pedestrian traffic within the Summer Village Corporate Limits;

WHEREAS Council of the Summer Village of Gull Lake deems it expedient and in the public's interest to pass a bylaw to regulate and enforce traffic within the Summer Village Of Gull Lake;

NOW THEREFORE the Municipal Council of the Summer Village of Gull Lake duly assembled enacts as follows:

SHORT TITLE

1. This Bylaw shall be cited as "The Traffic Bylaw"

DEFINITIONS

2. Definitions in the Traffic Safety Act and the Provincial Procedures Act are hereby incorporated as part of this Bylaw.

3. In this Bylaw, including this section, unless the context otherwise requires:

- a) "Act" means the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000 as amended, and any amendment or substitutions thereof.
- b) "Boulevard" means grassed/graveled open, level area between property line and road.
- c) "Bylaw Enforcement Service" means the Bylaw Enforcement Service contracted to the Summer Village of Gull Lake.
- d) "Chief Administrative Officer" means the Chief Administrative Officer for the Summer Village of Gull Lake and whatever subsequent title may be conferred on that officer by Council or Statute.
- e) "Council" means the Municipal Council of the Summer Village of Gull Lake.
- f) "Ditch" means the area is designed/shaped for water drainage.

g) “Emergency Vehicle” means a motor vehicle used;

- (i) for police/peace officer duty
- (ii) by a fire department
- (iii) as an ambulance
- (iv) for purposes relating to maintenance of a public utility and designated as an emergency vehicle by the R.C.M.P.

h) “Gross Weight” includes both:

- (i) the total weight transmitted to the road by a single axle group on a vehicle placed on public roads as determined in accordance with the Traffic Safety Act and the regulations made thereunder; and
- (ii) the total maximum weight transmitted to the road by all the axles of a vehicle used on the public roads aforesaid determined in accordance with the Traffic Safety Act and the regulations thereunder.

i) “Heavy Vehicle” means a vehicle with or without load, exceeding any of the following:

- (i) 2 axles;
- (ii) 6 metres in length;
- (iii) a gross weight of 5500 kilograms;
- (iv) motor homes or recreational vehicles; which is a vehicle or combination of vehicle and trailer designed for vacation, camping, or similar recreation purposes shall be excluded from heavy vehicles. [\(356.1/18\)](#)

j) “Motor Vehicle” means

- (i) a vehicle propelled by any power other than muscular power, or
- (ii) a moped,

but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.

k) “Obstruction” means an encroachment, excavation, structure or other obstacle which interferes with, or prevents the vision, passage, maintenance or use of any public property by vehicles or pedestrians.

l) “Off-Highway Vehicle” means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,

- (i) 4-wheel drive vehicles,
- (ii) low pressure tire vehicles,
- (iii) motor cycles and related 2-wheel vehicles,
- (iv) amphibious machines,
- (v) all-terrain vehicles,
- (vi) miniature motor vehicles,
- (vii) snow vehicles,
- (ix) minibikes, and
- (x) any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats, or any other vehicle exempted from being an off-highway vehicle by regulation. [\(356.1/18\)](#)

- m) “Operator” includes, but is not limited to, a person who drives or operates a vehicle as the owner thereof or as an agent, employee or servant of the owner.
- n) “Peace Officer” means
 - (i) a member of the Royal Canadian Mounted Police;
 - (ii) a Bylaw Officer as appointed by the Summer Village to enforce bylaws of the Summer Village, or
 - (iii) a Community Peace Officer as appointed by the Solicitor General of Alberta;
- o) “Person” means any individual, business, partnership, firm, corporation, occupant of a residence, or owner of a vehicle.
- p) “Recreation Vehicle” means a motor vehicle designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place.
- q) “Residential” means that part of the Summer Village of Gull Lake which is designated residential by the Land Use Bylaw.
- r) “Roadway” means that part of a highway intended for use by vehicular traffic.
- s) “Speed Limit” means any speed limit posted, prescribed by or pursuant to this Bylaw.
- t) “Summer Village” means the Summer Village of Gull Lake, a Municipal Corporation of the Province of Alberta and includes the area contained within the corporate boundaries of the SUMMER VILLAGE OF GULL LAKE where the context so requires.
- u) “Traffic Control Device” means any sign, signal, marking or device placed, marked or erected under the authority of this bylaw for the purpose of regulating, warning or guiding traffic.
- v) “Trailer” means a vehicle so designed that it
 - (i) may be attached to or drawn by a motor vehicle or tractor, and
 - (ii) is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.
- wv) “Vehicle” means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.

ENGINE RETARDER BRAKES

4. No vehicle shall operate engine retarder brakes in the Summer Village of Gull Lake.

ROAD RESTRICTIONS

5. The maximum weight in the Summer Village is determined at 75% of the the maximum allowable axle weights. The roads will be posted with signs showing the percentage of the allowable licensed axle weight.

6. Deleted (356.1/18)

EMERGENCY VEHICLES

6. Nothing in this Bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks or any other emergency vehicle as well as vehicles engaged in road repair, maintenance or inspection from being parked on the roadways by their operators in the performance of their duties.

PARKING WITHIN THE SUMMER VILLAGE

Parking on Private Property

7. No person shall park or leave any vehicles parked on private land without approval from the owner.

Parking on Summer Village Lands

8. No person shall park or drive any vehicle on/in ditches, public parks or green spaces at any time without getting written permission prior to doing so.

Trailers and Recreational Vehicles

9. Recreational vehicles or trailers shall not be parked on any road in the Summer Village of Gull Lake.

Prohibited Parking

10. No person shall park a vehicle in a “no parking zone.”

11. All “no parking” zones shall be indicated by signs posted by the Summer Village of Gull Lake.

12. Parking in a prohibited parking zone shall be permitted when standing in obedience to a peace officer.

Heavy Vehicles (356.1/18)

13. No person shall park any heavy vehicle in any residential area within the Summer Village.

- (a) This Section shall not apply to:

- (i) a vehicle being parked on a roadway while unloading or loading goods to or from a premises or in the course of their normal business when providing services in residential areas

- (ii) a vehicle being parked on a roadway while unloading or loading goods to or from a premises or in the course of their normal business when providing services in residential areas;
- (iii) a utility or other trailer being temporarily used for the purpose of construction, demolition, or landscaping, providing that such utility or other trailer does not obstruct other users of the roadway and is clearly visible and attended at all times.
- (iv) no person shall park or allow to be parked a heavy vehicle for a period exceeding 8 (eight) hours.

SPEED LIMIT

14. The maximum speed limit in the Summer Village of Gull Lake shall be 30 km/h unless authorized road signs order a lesser or greater speed. Every driver shall obey the speed limit fixed by signs.

TRAFFIC CONTROL DEVICES

Sign Placement

15. The Council or the Chief Administrative Officer or designate shall have appropriate traffic control devices placed and maintained where necessary on the roads of the Summer Village to indicate; Playgrounds, Speed Limits and/or devices deemed necessary to provide proper control of traffic.

16. The location, type and placement of all traffic control devices shall be determined in accordance with the standards set by the Roads and Transportation Association of Canada. The maps and schedules pertaining to the location, type and placement of traffic control devices shall be updated accordingly.

17. No person shall contravene any traffic control device posted under the authority of this Bylaw.

Sign Removal

18. No person shall remove or interfere with any traffic control device or barricade or notice of closing or suspension erected or posted under authority of this Section.

OBSTRUCTIONS

Snow, Ice and Dirt

19. No person shall place, pile or store any snow, ice, gravel, dirt, equipment or other obstruction, on any road or Summer Village property without first applying for and obtaining a permit for such purpose from the Chief Administrative Officer.

20. Any person placing or causing to be placed any snow, ice, gravel, dirt, equipment or other obstruction on Summer Village property without a permit shall remove or cause the removal thereof as soon as reasonably possible and in any event no later than 24 hours after notification to do so by the Chief Administrative Officer or designate. After 24 hours, or such lesser time as specified by the Chief Administrative Officer or designate, the Summer Village may remove the obstruction, perform all necessary repairs and charge the costs thereof to the person causing the obstruction.

GENERAL PROVISIONS

21. Unless a permit to do so has been issued by the Chief Administrative Officer or designate, no person shall operate on a road a vehicle, trailer, construction equipment or machinery having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire or track for such vehicle. This prohibition does not apply to the use of studded tires or tires with chains.
Amended (356.1/18)
22. No person shall leave a vehicle unattended on a road while it is supported by a jack or similar device.
23. No person shall wash a vehicle on a road thereby depositing mud or creating such or ice upon a road.
24. No person shall undertake vehicle repairs that cause any oil, liquid or other material to be deposited upon any road or ditch within the summer village limits.

OPERATION OF OFF-HIGHWAY VEHICLES (356.1/18)

25. A peace officer, Summer Village employee or agent of the Summer Village may operate an off-highway vehicle on roads or lands owned by the Summer Village where such operation is required in connection with the patrol or maintenance duties of such person or in case of emergency.
26. Off-Highway Vehicles may be operated on Summer Village roadways. All operations of Off-Highway Vehicles on Summer Village roadways, must conform with all provisions of this Bylaw and all other Provincial legislation and regulations that relate to the operation of Off-Highway Vehicles.
27. No Person shall operate an Off-Highway Vehicle unless the Off-Highway Vehicle is registered and insured.
28. No Person shall operate an Off-Highway Vehicle if the license plate is not securely attached, legible, and clearly visible.
29. No Person shall operate or be a passenger on an Off-Highway Vehicle where the number of persons on the Off-Highway Vehicle exceeds the number of persons that the Off-Highway Vehicle is designed to carry.
30. No person shall operate an off-highway vehicle unless they are 16 years old or older and can provide a valid Driver's License on demand.
31. Except as otherwise provided in this Bylaw, an Operator of an Off-Highway Vehicle is permitted to operate the Off-Highway Vehicle on the extreme side of the roadway and shall travel in single file at all times. Off-highway vehicles shall travel in the same direction as vehicles travelling on that side of the roadway closest to the Off-highway vehicle.
32. No Person shall operate an Off-Highway Vehicle within the Summer Village between the hours of 12:00 AM (midnight) and 6:00 AM the following day.

33. No Person shall operate an Off-Highway Vehicle on public property within the Summer Village.
34. No Person shall park or place an Off-Highway Vehicle where such parking is prohibited by a Traffic Control Device or otherwise.
35. No Person shall operate an Off-Highway Vehicle in a careless manner. For the purposes of this section, driving carelessly includes, without limitation the following:
 - a. (i) Without due care and attention; or
 - b. (ii) Without reasonable consideration for other persons or property.

PENALTIES AND POWERS OF PEACE OFFICER

Breach

36. Any person who contravenes any of the provisions or requirements of this Bylaw is guilty of an offense and is liable for and subject to the penalties herein provided.

Offense Ticket

37. Where a Peace Officer has reasonable grounds to believe a person has contravened any of the sections of this Bylaw he may issue and serve upon such person an offense ticket.
38. Service of an offense ticket shall be sufficient if it is:

- (i) personally served;
- (ii) attached to the vehicle in respect of which an offense is alleged to have been committed;
- (iii) mailed to the address of the registered owner of the vehicle or to the person in possession of the vehicle; or
- (iv) mailed to the address of the registered owner of the property or to the person in possession of the property.

Provincial Offenses Procedure Act

39. Should a person not pay the penalty provided for contravention of any Section of this Bylaw and a prosecution has been entered against him, he shall be liable on summary conviction to pay the minimum fine equal to the penalty stated in the said offense ticket, and in default of payment of the penalty imposed by the Court and subject to Section 160(1) & (2) of the Traffic Safety Act.

40. Nothing in this part shall:
 - (i) prevent any person from exercising his right to defend any charge laid for contravention of any Section of this Bylaw, or;
 - (ii) prevent any Peace Officer in lieu of serving an offense ticket, or any other person, from laying an information or complaint against any person for contravention of any Section of this Bylaw, or;
 - (iii) prevent any person from laying an information against any other person, whether such person had made payment under the provision of this Bylaw or not, for contravention of any of the Sections of this Bylaw.

General Penalty

41. Any person who contravenes any provisions of this Bylaw for which no penalty has herein been specified, shall be liable by the Provincial Offenses Procedures Act of a fine not exceeding \$500.00 exclusive of costs, and in case of nonpayment of the penalty and costs imposed by the Court, and subject to Section 160(1) & (2) of the Traffic Safety Act.

42. Any Peace Officer or RCMP Officer is hereby authorized by the Summer Village to enforce the provisions of this Bylaw and to issue offense tickets to any person to whom they reasonably believe has contravened the provisions of this Bylaw.

SEVERABILITY & REPEAL

43. If any part of this Bylaw is found to be invalid, then that part shall be severed and the remaining Bylaw shall be maintained.

Schedule A attached hereto shall form part of this bylaw.

Read a First time in Council assembled this 1st day of August, 2014.

Read a Second time in Council assembled this 19th day of September 2014.

Read a Third time in Council assembled and passed this 31st day of October 2014.

Mayor

Chief Administrative Officer

SCHEDULE A PENALTIES

<u>SECTION</u>	<u>PARTICULARS</u>	<u>PENALTY</u>
4 5	<u>ENGINE RETARDER BRAKES, ROAD RESTRICTIONS</u> Use of Engine Retarder Brakes Contravenes Road Restrictions	\$250.00 115.00/500 kg
7 8 9 10 13	<u>PARKING WITHIN THE SUMMER VILLAGE</u> Illegally parked on private property Illegally parking or driving on Summer Village land Illegally parking a trailer or recreation vehicle on Summer Village roads Illegally parked in no parking zones Illegally parking a heavy vehicle (356.1/18)	\$57.00 \$57.00 \$57.00 \$57.00 \$57.00
14	<u>SPEEDING</u> Driving beyond posted speed limit	Traffic Safety Act
18	<u>TRAFFIC CONTROL DEVICES</u> Illegally removing Summer Village signs	\$115.00
19	<u>OBSTRUCTIONS</u> (356.1/18) Illegally placing snow, ice, dirt or other obstruction on a Summer Village roadway	\$57.00
21 22 23 24	<u>GENERAL PROVISIONS</u> Operation of vehicles, trailers, construction equipment or machinery with spikes, lugs, cleats, skids or bands Leaving a vehicle unattended on a jack or similar device Washing vehicles on a roadway (356.1/18) Undertake vehicle repairs that cause oil, liquid or other material to be deposited upon any roadway within the Summer Village (356.1/18)	\$115.00 \$115.00 \$115.00 \$115.00
27 28 29 30 31 32 33 34 35	<u>OPERATION OF OFF-HIGHWAY VEHICLES</u> (356.1/18) Operate Off-Highway Vehicle without registration and/or insurance Operate Off-Highway Vehicle without license plate security attached/legible/visible Operator/Passenger exceeds number of persons that Off-Highway Vehicle is designed to carry Operate an off-highway vehicle under age and/or without a valid Driver's license Failure to operate Off-Highway Vehicle on right side of road or travel in correct direction Operate Off-Highway Vehicle outside of prescribed hours Operate an Off-Highway Vehicle on public property Park Off-Highway Vehicle in a prohibited location Carelessly operate an Off-Highway Vehicle	\$57.00 \$57.00 \$57.00 \$57.00 \$57.00 \$57.00 \$57.00 \$57.00 \$115.00

A person found guilty of an offence against this Bylaw of the Summer Village of Gull Lake where no penalty has been specifically provided is liable on Summary Conviction to a fine not exceeding five hundred (\$500.00) dollars exclusive of costs. (356.1/18)