

**MUNICIPAL DISTRICT OF BIGHORN NO. 8
BYLAW 03/08
PROVINCE OF ALBERTA**

A BYLAW OF THE MUNICIPAL DISTRICT OF BIGHORN NO. 8 IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE TRAFFIC, STREETS/ROADS, AND THE CONVEYANCE OF LOADS ON MUNICIPAL HIGHWAYS.

WHEREAS pursuant to the Traffic Safety Act, being Chapter T-6, and the Dangerous Goods Transportation and Handling Act, being Chapter D-4, both of the Revised Statutes of Alberta 2000 as amended, a Council may, with respect to a highway under its direction, control and management, make bylaws that are not inconsistent with the aforesaid Acts;

AND WHEREAS pursuant to the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta 2000 as amended, a Council may pass bylaws for the peace, order and good government of the M.D. , and for promoting the health, safety and welfare of its residents;

NOW THEREFORE the Council for the Municipal District of Bighorn No. 8 in the Province of Alberta, duly assembled, hereby enacts as follows:

SECTION I: TITLE

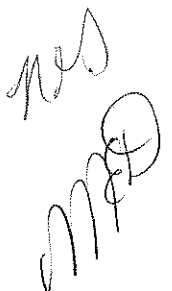
- (1) This Bylaw shall be known as the M.D. of Bighorn "Streets and Roads Bylaw".

SECTION II: DEFINITIONS

- (2) For the purposes of this Bylaw, where applicable and unless another definition is specifically provided, the definitions used in the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta 2000, as amended, shall be used in this bylaw. In addition to the definitions used in the Traffic Safety Act, the following terms, phrases, words and their derivatives shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory. In this Bylaw, unless the context otherwise requires, the following definitions, interpretations and applications shall be used:
- (2)(a) "Act" means the Traffic Safety Act, Chapter T-6, Revised Statutes of Alberta, 2000, as amended.
- (b) "Animal" means any domesticated mammal excluding humans, or any domesticated bird, reptile or amphibian.
- (c) "bicycle" means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:
- (i) may be propelled by muscular or mechanical power;
 - (ii) is fitted with pedals that are continually operable to propel it;
 - (iii) weighs not more than thirty-five (35) kilograms;

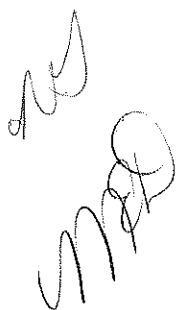


- (iv) may have a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than fifty (50) cubic centimeters;
 - (v) has no hand or foot operated clutch or gearbox driven by the motor that transfers the power to the driven wheel; and
 - (vi) does not have sufficient power to enable it to obtain a speed greater than thirty-five kilometres per hour (35 km/h) on level ground within a distance of two (2) kilometres from a standing start.
- (d) "**commercial vehicle**" means a truck, trailer or semi-trailer, except
- (i) a truck, trailer or semi-trailer that is a public service vehicle, or
 - (ii) a truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle;
- and includes
- (iii) a motor vehicle from which sales are made of goods, wares, merchandise or commodity; and
 - (iv) a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof.
- (e) "**Council**" means the duly elected and assembled Municipal Council of the Municipal District of Bighorn No. 8, in the Province of Alberta;
- (f) "**Crosswalk**" means:
- (i) that part of the roadway at an intersection included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the roadway; or
 - (ii) that part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the road surface;
- (g) "**Culvert**" means a channel or drain of any type construction designed to conduct water under, along or across a road or highway;
- (h) "**Curb**" means the concrete or asphalt edge of a roadway or the division point between the roadway and a boulevard or sidewalk;
- (i) "**Development**" means:
- (i) an excavation or stockpile and the creation of either of them; or
 - (ii) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them; or



- (iii) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
 - (iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
- (j) **“Director”** means the Director of Operations for the Municipal District of Bighorn No. 8, as duly appointed by Council.
- (k) **“Emergency Vehicle”** means a motor vehicle used:
- (i) for police duty;
 - (ii) by a Fire Department;
 - (iii) as an Ambulance; or
 - (iv) for purposes relating to maintenance of a public utility and designated as an emergency vehicle by the Director.
- (l) **“Hamlet”** shall mean any one of the hamlets of Benchlands, Dead Man’s Flats, Exshaw, Harvie Heights, or Lac Des Arcs, and the area contained therein as defined by the Order in Council recognizing said hamlets, and shall also include the Ghost Country Residential Subdivision (Registered Plans 911-1557 and 981-0158).
- (m) **“Heavy Vehicle”** shall mean:
- (i) a Vehicle with or without load weighing 7,000 kilograms or more, or exceeding eleven (11) metres in length; or
 - (ii) a Vehicle with a trailer with or without loads which exceed 7,000 kilograms in total weight or eleven (11) metres in total length.
- (n) **“Highway”** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes
- (i) a sidewalk, including a boulevard adjacent to the sidewalk,
 - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be,

but does not include a place declared by Council not to be a highway;



- (o) **“Load”** means any material, matter, goods, freight, cargo, substance or commodity that is placed on or in a vehicle for the purposes of conveyance from one location to another, and shall include, but not be limited to, the following:
- (i) sand, gravel, dirt, topsoil, loam or humus;
 - (ii) grain, seed, hay, or straw;
 - (iii) drywall, lumber, insulation, or other building or construction items; or
 - (iv) garbage, solid waste, construction/demolition waste, or other material destined for disposal at a waste transfer station, recycling depot, or landfill site;
- (p) **“Occupant”** means the owner, person or corporation residing or carrying on business within any premises, as a lessee of the owner or pursuant to a Licence of Occupation granted by the owner or the owner of any vacant premises.
- (q) **“Off-Highway Vehicle”** or **“OHV”** means any motorized vehicle designed for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain; and without limiting the generality of the foregoing, includes, when designed for such travel the following:
- (i) four-wheel drive or low-pressure tire vehicles;
 - (ii) motor-cycle and related two wheel vehicles;
 - (iii) amphibious machines;
 - (iv) all-terrain vehicles;
 - (v) miniature motor vehicles;
 - (vi) snow vehicles, snow mobiles;
 - (vii) any other means of transportation which is propelled by any power other than muscular or wind power; but does not include motor boats;
- (r) **“Official”** shall mean a duly appointed designated officer of the M.D.;
- (s) **“M.D.”** means the Municipal District of Bighorn No. 8 of the Province of Alberta;
- (t) **“Operator”** includes a person who drives or operates a vehicle as the owner thereof or an agent, employee, or servant of the owner.
- (u) **“Owner”** includes any person renting a motor vehicle or having the exclusive use thereof under a lease or otherwise for a period of more than thirty (30) days;
- (v) **“park”** when prohibited, means allow a vehicle (whether occupied or not) to remain standing in one place; except
- i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
 - ii) when standing in obedience to a Peace Officer;
- (w) **“percentage axle weight”** means the maximum percentage of weight that is applied to the maximum allowable weights of carrying axles to determine the weight they may bare on a highway at the points of contact with the highway;
- (x) **“pipeline”** means a gas line, oil line, fluids line, multiphase line, solids line, distribution line or flow line;

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- (y) "**residential subdivision**" means and includes a hamlet, or any area of the M.D. designated by the Council exclusively for residential purposes, or any grouping of cottages or dwellings;
- (z) "**road use agreement**" means a written understanding reached between the M.D. and others in respect of use of highways under the jurisdiction of the Municipal District of Bighorn No. 8;
- (aa) "**roadway**" means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles;
- (bb) "**sideslope**" means the portion of a highway which extends outward from the roadway for a distance of not less than 2.5 metres or, from the roadway to the bottom of the ditch;
- (cc) "**sign**" means a board, poster or placard displayed in a public place to advertise or to convey information or a direction;
- (dd) "**semi-trailer**" means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests or is carried by another vehicle;
- (ee) "**stop**" means
 - i) when required, a complete cessation from vehicular movement and,
 - ii) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with the directions of a Peace Officer, or person designated for the safe movement on the control of traffic or traffic control device;
- (ff) "**Traffic Control Device**" means a sign, signal, traffic island, marking or device, marked or erected, under the authority of the Act or this Bylaw, for the purpose of regulating, warning or guiding traffic; and includes devices, whether manually, electronically, or mechanically operated, by which traffic is directed to stop, proceed, park, enter/not enter or otherwise function.
- (gg) "**transit permit**" means transportation authorization permit number issued and recorded by the M.D. of Bighorn;
- (hh) "**waste**" means ashes, garbage, household garbage, refuse, trade refuse and any other matter or material suitable for disposal through the M.D. waste collection system.
- (ii) "**yield**" means yield right-of-way to all traffic upon the highway being entered upon.

SECTION III: TRAFFIC CONTROL

- (3) All Persons owning or operating Vehicles shall comply with all Traffic Control Devices authorized by the Director and installed by M.D. staff.
- (4) (i) The speed limit on all Hamlet Municipal Roadways shall be Fifty Kilometres per Hour (50 Km/h), unless otherwise posted by a Traffic Control Device, or as noted on Schedule "A" attached to this Bylaw.

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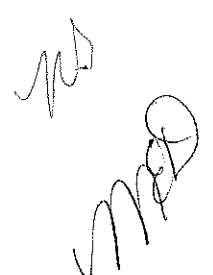
- (ii) The speed limit on all Municipal Alleys and in any park or campsite within the M.D. shall be Twenty-Five Kilometres per Hour (25 Km/h).
- (iii) The speed limit on all rural Municipal Roadways shall be Eighty Kilometres per Hour (80 Km/h), unless otherwise posted by a Traffic Control Device, or as noted on Schedule "A" attached to this Bylaw.

Council may, by Resolution from time to time, amend Schedule "A", by adjusting any or all speed limits listed thereon.

- (5) No Owner of a Vehicle or person operating a Vehicle shall stop said Vehicle or permit said Vehicle to be left upon any Highway within the M.D. in such a manner as to obstruct traffic, unless the obstruction is unavoidable due to mechanical failure of said Vehicle, provided the Owner or Operator of said Vehicle promptly takes measures to remove the Vehicle from the Highway.
- (6) Except as permitted by this Bylaw, or otherwise authorized by the Director, no person shall operate or park a Heavy Vehicle on a Highway other than a Highway designated as a truck route by Traffic Control Devices, installed in accordance with this Bylaw.
- (7) Unless the context otherwise requires, a Person operating a bicycle on a Highway has all of the rights and is subject to all of the duties that any Vehicle Operator has, under this Bylaw.
- (8) No person traveling on a coaster, sled, toboggan, skis, roller-blades, roller-skates, roller-skis, skateboard, tricycle or toy Vehicle of any kind or similar device shall cling to or attach himself or his conveyance to a Vehicle upon a Roadway.
- (9) No person shall stand upon or walk along a Roadway for the purpose of soliciting a ride from the driver of any Vehicle.
- (10) A Pedestrian shall cross a Roadway only in designated crosswalks. Where a crosswalk is not designated a pedestrian shall cross a roadway at an intersection, unless a sign prohibits such a crossing.
- (11) No person shall load or unload goods or merchandise across a Sidewalk or boulevard where alternate loading or unloading facilities have been provided to such premises to which the goods are being delivered or from which they are being taken.
- (12) Notwithstanding anything in this part, no person shall cause or allow or do any act which is liable to or does create an unsafe condition or a traffic hazard to exist on a highway.

SECTION IV: PARKING

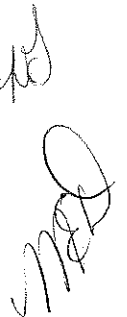
- (13) Unless required or permitted by this Bylaw, by a permit issued by the M.D., by a Traffic Control Device, or in compliance with the directions of a Peace Officer, or to avoid conflict with other traffic, an operator or owner shall not stop, park, nor permit his Vehicle to be stopped or parked:
 - (i) on a sidewalk or boulevard;
 - (ii) on a crosswalk or on any part of a crosswalk;



- (iii) at an intersection nearer than five (5) metres to the projection of the corner property line immediately ahead or immediately to the rear, except when his Vehicle is parked in the space where a Traffic Control Device indicates parking is permitted;
 - (iv) within five (5) metres of the approach to a stop sign or yield sign
 - (v) within five (5) metres of any fire hydrant or, when the hydrant is not located at the curb, within five (5) metres of the point on the curb nearest to the hydrant;
 - (vi) within one point five (1.5) metres of an access to a garage, private road or driveway or a Vehicle crossway over a sidewalk;
 - (vii) within five (5) metres of the near side of a marked crosswalk;
 - (viii) alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - (ix) on any bridge or in any underpass or on the approaches to either of them.
 - (x) at any other place where a Traffic Control Device prohibits stopping or parking, during the time stopping or parking is so prohibited.
 - (xi) on the Roadway side of another Vehicle parked or stopped at the curb or edge of the Roadway;
 - (xii) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder Peace Officers, members of the fire department, ambulance drivers, rescue officers or any of their assistants;
 - (xiii) on a Highway where traffic is designated as two-way, in the opposite direction of the Vehicle traffic, and
 - (xiv) in excess of Seventy-Two (72) consecutive hours on any Highway where parking is permitted.
- (14) Any Vehicle parked on the Roadway prior to the placement of a temporary “No Parking” sign must be removed within Twenty-Four (24) hours of the placement of the sign.
- (15) Where a Traffic Control Device restricts the parking of Vehicles to a certain classification of Vehicles, no Person shall park or leave any other classification of Vehicle other than those Vehicles so designated and marked on the Traffic Control Device.
- (16) Parking in Alleys shall not be permitted unless otherwise posted, but Alleys may be used for:
- (i) the loading or unloading of goods from a Commercial Vehicle for a period not exceeding Thirty (30) minutes with the engine turned off; or
 - (ii) the loading or unloading of goods or passengers from a private non-commercial Vehicle for a period not exceeding Five (5) minutes.

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- (17) No owner or operator shall park or permit to be parked a Vehicle in any loading zone marked with a Traffic Control Device for a period of time greater than that indicated on the Traffic Control Device.
- (18) An owner or operator of a Vehicle using or causing to be used a designated parking space shall park or cause such Vehicle to be parked wholly within the limits of the parking space designated by lines painted or marked upon the surface of the parking lot.
- (19) No owner or operator shall park or permit to be parked a Vehicle in a space where a Traffic Control Device indicates that parking is restricted to a special class of Vehicle only, unless the Vehicle falls within the designated special class for the place. For the purpose of this section, special classes shall include but are not limited to:
- (i) Small cars (cars having a wheel base of 270 centimetres or less);
 - (ii) Police Vehicles;
 - (iii) Transit Vehicles;
 - (iv) Tour buses;
 - (v) School buses;
 - (vi) Residents' Vehicles, pursuant to a Residential Parking Permit program;
 - (vii) Motorcycles;
 - (viii) Taxis;
 - (ix) Recreational Vehicles;
 - (x) Municipal Vehicles.
- (20) A Vehicle or Vehicle with any type of trailer attached which exceeds Seven point Five (7.5) metres in length but does not exceed Eleven (11) metres in length shall only be parked on a Highway in the M.D. under the following conditions:
- (i) On a Roadway in a residential area, for a period not exceeding Twenty-Four (24) hours; or
 - (ii) At a location that has been designated by a sign, installed by municipal forces.
- (21) A Vehicle operating as or designated as a Taxi shall only be parked at such places and at such times as may be designated by the Director.
- (22) No operator of a Taxi shall park and leave his Vehicle unattended in any area designated pursuant to Section IV(15) of this Bylaw for a period exceeding Fifteen (15) minutes.
- (23) No person shall park a Passenger Bus with a capacity of Twenty-Four (24) persons or more on a Highway within the M.D. except at such locations as have been designated by the M.D. with a Traffic Control Device.

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- (24) No Person shall park a Commercial Vehicle overnight on a Highway within the M.D. unless a permit to do so has been issued by the M.D. and the Commercial Vehicle is parked at the location specified in the permit.
- (25) No operator or owner shall leave parked or permit to be parked on any Highway a Trailer, whether the Trailer is designed for the occupancy of persons or the carrying of goods or equipment; a semi-trailer; mobile equipment or any Vehicle which has been detached from the vehicle used to draw it.
- (26) When attached to the Vehicle which used to draw it, a Trailer, semi-trailer or mobile equipment shall be deemed to be part of the Vehicle and subject to the provisions of this bylaw pertaining to Vehicles.
- (27) No person shall park a vehicle upon a highway outside a residential subdivision when it is practicable to park the vehicle off the highway and in no event shall a person park a vehicle on a highway:
- i) Unless a clear and unobstructed width opposite the vehicle is left for free passage of other vehicles thereon, and
 - ii) Unless a clear view of the parked vehicle may be obtained for a distance of sixty (60) metres along the highway in both directions.
- (28) No person shall park a vehicle in any place or area marked by "no parking" signs erected by authority of this part.
- (29) No operator or owner of
- i) any vehicle having a gross weight in excess of Four Thousand Kilograms (4000 kg.);
 - ii) any type of construction machinery or equipment;
 - iii) any machinery used in the process of farm or field husbandry; or
 - iv) a bus
- shall park, or permit to be parked, same on any highway in any area of a Hamlet which is designated or zoned for Residential use under the M.D.'s Land Use Bylaw.
- (30) Unless required or permitted by this bylaw or by a traffic control device, or compliance with the direction of a Peace Officer, or to avoid conflict with other traffic, no person shall stop or park any vehicle:
- i) on a sidewalk or boulevard, in a Hamlet or a residential subdivision;
 - ii) a crosswalk or on any part of a crosswalk, or
 - iii) within an intersection;
 - iv) at an intersection nearer than 4.5 metres of the projection of the corner property line immediately to the rear within a residential subdivision, or
 - v) within 1.5 metres of an access to a garage, private road or driveway, or

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- vi) alongside or opposite any public works excavation, obstruction, road construction or road repair project when the stopping or parking would obstruct traffic or interfere with the said public works, or
 - vii) on any bridge or in any underpass or the approaches thereto.
- (31) No owner or operator shall park or leave or permit to be parked or left a Vehicle on private land or a Highway, in a space reserved for Disabled Persons parking which has been so designated by a Traffic Control Device erected by the M.D. or the lessee, tenant or his agent, as the case may be, unless the Vehicle displays Sign IC-14, as specified in the Canadian Manual of Uniform Traffic Control Devices.
- (32) No person shall place or permit to be placed any sign upon private property indicating that no parking is permitted on a Highway adjacent to such property.
- (33) Nothing in this Section shall be construed to prohibit firefighting vehicles or equipment, police vehicles, ambulances, vehicles engaged in highway repair, maintenance or inspection work or vehicles of a public utility from parking upon a highway when it is advisable to do so to prevent accidents, giving warning of hazards, or to remove injured persons or to repair or build highways or public utility, or for similar purposes.
- (34) Nothing in this part shall be construed to prohibit the driver of a school bus on a highway for the purpose of loading or unloading passengers if he cannot park off the highway and still have a suitable space available on the ground for the passengers being loaded and unloaded.

SECTION V: STREETS AND STREET PROTECTION

- (35) No person shall cause or allow or do any act which is likely to cause damage to one or more of the following:
- (i) a highway;
 - (ii) a culvert;
 - (iii) a bridge;
 - (iv) any public property; or
 - (v) any permitted private property situated within a highway or road allowance.
- (36) No person shall cause or allow or do any act which is likely to cause or does cause an obstruction to be on or within one or more of the following:
- (i) a highway;
 - (ii) a culvert;
 - (iii) a bridge;
 - (iv) any public property; or
 - (v) any permitted private property situated within a highway or road allowance.
- (37) No person shall operate a vehicle on a highway if, in the opinion of a Peace Officer, the cargo is liable to shift, leak or spray, slip, blow off or fall off while being conveyed.
- (38) No person shall dispose of rubbish in a public place or on a highway unless the rubbish is disposed of in a container placed for the purpose of collecting rubbish.



- (39) No person shall operate or move on a highway any vehicle, equipment or machine not equipped with rubber tires which support the weight of the vehicle or equipment or machine while being operated or moved on a highway unless permission to do so has been obtained from the M.D.
- (40) No person without the permission of the M.D. shall operate on a highway any vehicle or any vehicle including the load carried thereon, which exceeds:
- i) Two point six (2.6) metres in width;
 - ii) Four point one five (4.15) metres in height from the highway surface to the top of the vehicle or vehicle load;
 - iii) Twenty-three (23) metres in length.

Unless otherwise provided by Provincial Statute, the provisions of Section V(40) of this Bylaw do not apply to a person operating an implement of husbandry exclusively and directly engaged in the farming of land.

In any case, if deemed to be in the public interest, a Peace Officer may require a vehicle or vehicles and load to be 'escorted' on a highway.

- (41) Where a shipment referred to in Section V(40) of this Bylaw is escorted by a Peace Officer, the vehicle owner or shipper may be required to pay to the M.D. the prescribed fee set by Council.
- (42) No person shall move or cause or allow to be moved any implement, machine or vehicle if such movement is likely to cause the spread of restricted or noxious weeds or weed seeds. For the purpose of this section "restricted or noxious weeds" means a plant designated under the Weed Control Act of Alberta.
- (43) No person shall operate on a highway a vehicle or vehicles and cargo which exceeds the maximum allowable weight for the vehicle without obtaining a transit permit from the M.D. before operating the vehicle on a highway.
- (44) No person shall operate on a highway a vehicle or vehicles and cargo which exceeds the maximum percentage axle weight allowance for the carrying axles of the vehicle without obtaining a transit permit from the M.D. before operating the vehicle on a highway.
- (45) No person shall use any implement or machine to cultivate or harrow or in any way disturb or damage the "sideslope" portion of a highway without permission to do so from the M.D.
- (46) No person shall remove from a highway any gravel, asphalt, pavement or other material used to surface a roadway.
- (48) No person shall:
- (i) cause or do any act which causes seed, grain or other materials used in agricultural or commercial production to be deposited on that portion of a highway normally used for vehicular traffic;
 - (ii) cause, or allow to be deposited or disposed of on a highway any substance or object which may be, or is hazardous to a person or vehicle;

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- (iii) cause or do any act which causes grass, hay or straw clippings and/or stalks to be deposited on the portion of a highway normally used for vehicular traffic;
 - (iv) cause or allow oil or any chemical or any liquid to be placed on a road without obtaining permission to do so from the M.D.;
 - (v) drain or allow to leak any engine, transmission or other chemical fluids out of a vehicle upon a Street, so that said fluids falls upon the Street;
 - (vi) deposit or dispose of rocks, brush, roots, twigs or branches or any other unwanted debris in a ditch or on any portion of a highway without permission to do so from the M.D.
 - (vii) deposit, or in any way cause to be deposited upon any highway, any snow, ice or other material.
- (49) The landowner adjacent to, and on the same side of the road of which rocks, brush or other debris is located shall be responsible for removing the rocks, brush or debris. If it can be established who is responsible for the dumping of any rocks, brush or other debris that person or persons shall incur all costs of the clean up.
- (50) A Vehicle found to be leaking engine, transmission or other chemical fluids or fluids of any type shall be deemed to constitute a danger to public safety and may be towed away, and the fluids removed from the Street, at the expense of the registered owner of the Vehicle.
- (51) No person shall construct an access onto or within a highway right-of-way or road allowance without approval from the Director or his designate in written form.
- (52) No person shall place or cause to be placed any handbill, advertising material or poster on a traffic control device located on a highway.
- (53) No person shall place or cause to be placed any advertising material, poster, placard, sign or any other material on a highway or in a public place unless permission is given in writing by an official of the M.D.
- (54) No person shall live in a motor vehicle on a highway or other public property within the M.D., unless otherwise permitted by Council

SECTION VI: CONSTRUCTION ACTIVITIES

- (55) No person shall install a pipeline on, across, over, under, within or adjacent to any secondary highway, municipal road or road allowance, without the approval of Council or an Official of the M.D.
- (56) An application for approval to construct a pipeline shall:
- (i) be in writing and accompanied by a plan showing the proposed route of the pipeline; and
 - (ii) be accompanied by a specification sheet showing:



1. material to be transmitted;
2. pipe specifications;
3. outside diameter of pipe;
4. maximum operating pressure;
5. protective coating;
6. cathodic protection;
7. tracer wire; and
8. minimum earth cover.

(57) Upon receipt of an application for approval to construct a pipeline, the Council or an official of the M.D. may:

- (i) issue approval to construct as proposed; or
- (ii) in the event that regulations are not complied with, may refuse to issue approval to construct until such time as proposed specifications meet acceptable standards.

(58) All pipelines shall be installed in accordance with regulations under Provincial and Federal statutes, and as herein described:

- (i) where a pipeline is to be placed parallel to a secondary highway, municipal road or road allowance, it shall not at any point be nearer than Thirty (30) metres of the boundary of such secondary highway, municipal road or road allowance, unless otherwise approved by Council or an official of the M.D. ;
- (ii) where a pipeline is to be placed across the secondary highway, municipal road or road allowance;
 1. no bend shall be permitted in that portion of the pipeline within the boundaries of a secondary highway, municipal road or road allowances or within 7.2 metres of the boundaries (13.18 metres where there is a 20 metre right-of-way) unless otherwise approved by Council or an official of the M.D.;
 2. it shall be located so as to be at or near right angles (90 degrees) to the secondary highway, municipal road or road allowance unless otherwise approved by Council or an official of the M.D.;
 3. it shall be placed at the depth of not less than that depth approved by Council or an official of the M.D. The approved depth shall be maintained throughout the entire width of the secondary highway, municipal road or road allowance unless otherwise approved by Council or an official of the M.D.;
 4. it shall be constructed in such a manner so as not to disturb the road grade (shoulders and travel portion) unless otherwise approved by Council or an official of the M.D.

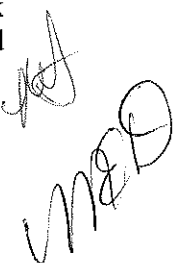


- (59) In the event the graded portion of a municipal road or road allowance must be excavated or disturbed, a road disturbance or indemnity agreement shall be completed by an official of the M.D. before any excavation or surface disturbance takes place.
- (60) Where a pipeline is to be placed in an unimproved Municipal road or road allowance or any municipally owned or administered properties the pipeline shall be placed at a depth previously approved by Council or an official of the M.D.
- (61) For any pipeline installations the owner of such pipeline(s) shall assume full liability and costs for the lowering of the pipeline, in accordance with applicable standards when reasonably required by the M.D. for whatever reason.
- (62) Where a pipeline is placed across or on a municipal road, a road allowance, municipally owned or administered properties all disturbed areas shall be restored to and henceforth maintained in their original condition, or to the satisfaction of the M.D.
- (63) Immediately following the completion of the placing of the pipeline on, across, over, under, within or adjacent to a municipal road, road allowance, municipally owned or administered properties, a sign shall be erected and maintained at each point where the pipeline enters or leaves the limits of the municipal road, road allowance, municipally owned or administered properties and such signs shall indicate ownership and material transported in the pipeline.
- (64) No person shall install a pipeline or a utility line which runs parallel to and within a road allowance, municipal road or road allowance right-of-way without obtaining approval from Council or an official of the M.D.
- (65) No person shall install a pipeline or utility line on lands under the control and management of the M.D. without obtaining approval from Council or an official.

An approval granted pursuant to Sections VI(64) or VI(65) shall be in the form of a written agreement approved by Council.

- (66) The registered owner of a private property adjacent to a Street shall, at the time such property is undergoing development of any manner:
- (i) be responsible for the replacement of any shrubbery or trees located on the Street which have been damaged or removed during the process of development;
 - (ii) be responsible for the rehabilitation of the Boulevard area to the satisfaction of the Director; and
 - (iii) be responsible for any repairs or replacement of the sidewalk, curb and gutter, or pavement; including the removal and rehabilitation of any existing unused driveway crossings and driveway aprons.

Further to Section VI(66) of this Bylaw, any damage or alteration to a Street that a developer fails to rehabilitate, to the satisfaction of the Director, may result in M.D. forces performing such work and all costs will be deemed to be a debt due to the M.D. by the registered owner of the aforesaid private property.



- (67) A person authorized under permit to develop private or public land adjacent to a street, or the general contractor or other person acting on behalf of such person, shall not allow mud, dirt, or other construction debris to be tracked by vehicles onto a Street exiting from said Lands.

A person found in contravention of Section VI(67) of this Bylaw may, in addition to any penalty herein, be served with a warning notice by a Peace Officer to take corrective action to remedy the situation within the time stated therein.

SECTION VII: AGREEMENTS & PERMITS

- (68) The applicable provisions of this Bylaw may be waived where a person obtains a transit permit or enters into a road use agreement, a road protection and dimensional agreement, road disturbance agreement or obtains an access construction approval in written form prescribed by the M.D., before the highway or road allowance is used in a manner contrary to one or more of the aforementioned sections.
- (69) A permit or agreement mentioned in Section VII(68) of this Bylaw shall be in any suitable form established by the M.D. The permit shall be produced on demand, and may be signed on behalf of the M.D. by the C.A.O., or any other person authorized act on behalf of the M.D. relative to this section as stipulated.

Nothing in this part shall obligate the Officials mentioned in Section VII(69) to issue any permit or approval, or sign or enter into the said agreement.

SECTION VIII: SPECIAL CLASSES OF VEHICLES

- (70) No person shall operate a vehicle in excess of the load limits or the size limits as legislated in the Commercial Vehicle and Weight Regulation, or in contravention of any prohibitions as stated in this or any other M.D. Bylaw without first obtaining a permit to do so, as issued by the Director or his delegate, subject to such conditions as specified in the permit.
- (71) No person shall operate a vehicle or combination of vehicles over or on any highway within the M.D. when the vehicle or combination of vehicles is in excess of the allowable weight without first obtaining a permit to do so, as issued by the Director or his delegate.
- (72) No person shall operate a truck over or on any highway within the M.D. where Traffic Control Devices have been erected indicating that truck traffic is prohibited.
- (73) No person shall operate or move upon or over any paved or graveled highway any vehicle or traction engine having cleats, tracks or other devices attached to its wheels or made a part thereof, which may damage the highway, without first obtaining authorization from the Director or his delegate.
- (74) No person shall operate or move upon or over any M.D. highway any vehicle, load, building, machine, contrivance or things which may obstruct traffic, or which would exceed established maximum weight limitations, or any other object or thing which in the opinion of the Director might have some adverse effect on the highway.



- (75) The Director or his delegate may require the Owner or Operator of any such vehicle as noted in Sections VIII(70) – (74) of this Bylaw, as a condition precedent to obtaining a permit, to agree to be responsible for all damages which may be caused to the highway by reason of driving, operating, or moving of any such vehicle and/or load upon the highway, and the M.D. may, as a condition precedent to the granting of such permit, require an irrevocable letter of credit or security bond to cover the cost of repairing such possible injury or damage to the highway. Failure on the part of the Owner, Operator or other such holder of the permit, to comply with the conditions set out in such permit constitutes a breach of this Bylaw.

The Director or his delegate may, in writing, alter, suspend, or revoke a permit whenever it is determined that:

- (i) the permit was issued in error;
- (ii) the permit was issued on incorrect information supplied; or
- (iii) the permit is in violation of any M.D. bylaw or resolution.

SECTION IX: GENERAL

- (76) During the period of May 15th – October 15th in every year, no operator of a Commercial Vehicle shall stop or park or leave his Vehicle at a standstill with the engine running or idling for longer than five (5) minutes, anywhere within a Hamlet in the M.D.
- (77) The provisions of this bylaw pertaining to stopping or parking of Vehicles and the restriction of Idling Vehicles do not apply to any of the following Vehicles while being used in work requiring that the Vehicle be stopped or parked and Idling:
- (i) Emergency Vehicles;
 - (ii) Public Utility Vehicles, including utilities such as telephone systems, electrical systems, natural gas systems, and cable-vision systems.
 - (iii) Municipal and other government public works Vehicles;
 - (iv) Towing service Vehicles.
- (78) The provisions of this bylaw pertaining to the restriction of Idling Vehicles do not apply to a refrigeration Vehicle that, while in use, complies with the stopping and parking requirements of this Bylaw.
- (79) No person shall allow an Animal to be outside of the passenger cab of a Vehicle on a roadway, regardless of whether the Vehicle is moving or Parked.

Notwithstanding the above, a person may allow an Animal to be outside the passenger cab of a Vehicle, including riding in the back of a pick-up truck or flat bed truck if the Animal is:

- (i) in a fully enclosed trailer;
- (ii) in a topper enclosing the bed area of a truck;
- (iii) contained in a ventilated kennel or similar device securely fastened



to the bed of the truck; or

- (iv) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the Vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the Vehicle.

(80) The Owner of a Vehicle involved in an offence referred to in Section (79) is guilty of the offence, unless that Owner satisfies the Court that the Vehicle was:

- (i) not being driven or was not Parked by the Owner; and
- (ii) that the person driving or Parking the vehicle at the time of the offence did so without the vehicle Owner's express or implied consent.

SECTION X: AUTHORITY & DELEGATION OF POWERS

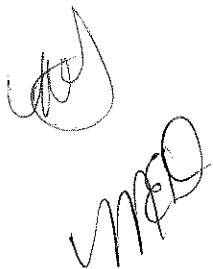
(81) Council hereby delegates the following authorities to the following M.D. officials and employees, which, without limiting the generality of the foregoing, shall include the following:'

(i) to the C.A.O.:

1. the authority to temporarily close a street, road, alley, or any portion thereof, as deemed necessary.
2. the authority to schedule and approve any temporary weight and load restrictions; to determine the location for same; and to post the schedules accordingly.
3. the authority to regulate and control the use of all highways in the M.D. as defined in this Bylaw or the Act, as amended.

(ii) to the Director of Operations:

1. the authority to locate traffic control signs and devices, warning signs, or information signs, as are reasonably required for the purpose;
2. the authority to issue permits for overweight loads;
3. the authority to issue permission for any incidental use of any street, alley, or sidewalk that may interrupt normal traffic movements on a temporary basis.
4. the authority to schedule street-cleaning, snow removal, line painting or any other street maintenance program as may be necessary; and to post the schedule for same accordingly;
5. the authority to remove, impound, or dispose of any signs or any other object located on highways, streets, boulevards or sidewalks, or to order M.D. forces to remove, impound or dispose of same.



6. the authority to establish parking zones, for the exclusive use of special classes of vehicles, which, without restricting the generality of the foregoing, may include taxis, buses and disabled persons' vehicles.
7. the authority to fix a maximum speed limit in respect of any part of a highway under construction or repair or in a state of disrepair which will be applicable to all vehicles while traveling upon that portion of highway; and to post traffic control devices for same, accordingly.
8. the authority to sign, close, barricade or prevent vehicle passages on any highway or bridge which has, in their opinion, become unsafe and may for the purposes of this section, detour traffic for any distance or on any routes deemed expedient by the officials so authorized.
9. the authority to issue special operating permit in cases for the operation of a particular type of vehicle otherwise prohibited by this Bylaw.

(iii) to Peace Officers:

1. the authority to take any action deemed reasonable and necessary to prevent continuation of any act prohibited by this bylaw and may, but is not restricted to the following:
 - a) impound a vehicle or a vehicle and cargo or equipment or machine or object or thing used to commit an offence against this part and hold same until it is, in the opinion of the Peace Officer, rendered inoffensive;
 - b) order the vehicle removed from the highway;
 - c) detour any vehicle or vehicle and cargo or equipment or machine;
 - d) order a person to cease any act which commits an offence against this part.
2. the authority to order a load or cargo being carried on a vehicle to be properly contained before the vehicle is allowed to proceed.
3. the authority to remove, in any reasonable way, any vehicle found in contravention of this part, or which obstructs traffic.
4. the authority to take any action deemed reasonable and necessary to remove or prevent any unsafe condition or traffic hazard from being on a highway.

SECTION XI: VIOLATIONS & ENFORCEMENT

- (82) A person who contravenes any of the provisions of this bylaw is guilty of an offence punishable on summary conviction.



- (83) A person who is guilty of an offence under this bylaw for which a specified penalty is not otherwise provided is liable on summary conviction to a fine of not less than Two Hundred and Fifty Dollars (\$250.00) or not more than Two Thousand Five Hundred Dollars (\$2,500.00) or to imprisonment for a term not exceeding six (6) months, or to both fine and imprisonment.

Council hereby prescribes the specified penalty payable in respect of a contravention of this bylaw shall be as stipulated in Schedule "C" attached to this Bylaw.

- (84) Any fine or penalty imposed under this bylaw shall enure to the benefit of the Municipal District of Bighorn No. 8.
- (85) A Peace Officer may seize and impound for a period not exceeding Forty-Five (45) days a bicycle:
- (i) used or operated in contravention of this Bylaw; or
 - (ii) deemed by a Peace Officer to be lost or abandoned.

Where a bicycle has been seized and impounded by a Peace Officer as provided for in this Bylaw, the owner or operator of such bicycle shall, in addition to any fine or penalty to which he may be subject, be liable for all reasonable costs incidental to the seizure and impounding of the bicycle.

- (86) A person who fails to comply with the conditions of:
- (i) a road weights permit
 - (ii) a road use agreement
 - (iii) a special operating permit
 - (iv) a road protection and dimensional agreement
 - (v) a road disturbance agreement, or
 - (vi) an access construction approval

is guilty of an offence.

Failing to comply with the conditions of a permit or agreement issued under Sections VII and VIII of this Bylaw renders the permit or agreement invalid and any procedure or prosecution subsequently to the violation of a condition of a permit or agreement will proceed as though the permit or agreement did not exist.

SECTION XI: ENACTMENT & REPEAL OF PREVIOUS BYLAWS

- (87) The following Schedules are attached to, and are a part of, this Bylaw:

-Schedule "A"	Rates of Speed
-Schedule "B"	No Parking Locations
-Schedule "C"	Specified Penalties

- (88) Bylaw 08/00, and all amendments thereto, are hereby repealed, upon passage of this Bylaw.

- (89) This Bylaw comes into effect on the date of third and final reading thereof.

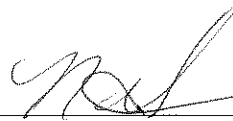


READ A FIRST TIME THIS 14th DAY OF JULY, 2008
READ A SECOND TIME THIS 10th DAY OF NOVEMBER, 2009
READ A THIRD TIME THIS 10th DAY OF NOVEMBER, 2009

Bylaw signed this 18th day of _November, 2009.



REEVE



EXECUTIVE ASSISTANT



Schedule "A"
Bylaw 03-08
Page 1 of 1

RATES OF SPEED

Pursuant to Section III(4) of this Bylaw, the maximum speed limit on M.D. highways, streets and roads shall be Fifty Kilometres per Hour (50 Km/H) within Hamlets, and Eighty Kilometres per Hour (80 Km/H) on rural municipal roadways, unless posted otherwise by a Traffic Control Device, or as noted below:

Ghost River Place (Plan 9111557)
Hamlet of Benchlands
Hamlet of Dead Man's Flats
Hamlet of Harvie Heights
Pears Place (Plan 9810158)
South Exshaw area (area south of Highway 1A within the Hamlet of Exshaw)

MAXIMUM: 30 KILOMETRES PER HOUR

Hamlet of Lac Des Arcs:

MAXIMUM: 40 KILOMETRES PER HOUR

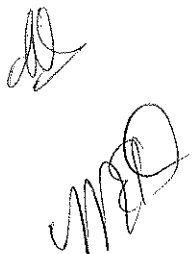
Coyote Creek Road (Road Plan 9710821)

MAXIMUM: 60 KILOMETRES PER HOUR

Burnt Timber Road

MAXIMUM: 90 KILOMETRES PER HOUR

* * * * *

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Schedule "B"
Bylaw 03-08
Page 1 of 1

"NO PARKING" LOCATIONS

In addition to those areas marked with Traffic Control Devices with the message "No Parking" or similar messages that restrict vehicle parking on municipal roads, municipal road allowances, and municipal lands, the following restriction shall apply:

Within the Hamlet of Dead Man's Flats:

1. Vehicles with a licensed gross vehicle weight in excess of 4500 kilograms shall not be allowed to park on any public street in the Hamlet of Dead Man's Flats during the period from 2300 hours one day until 0700 hours the next day.
2. Vehicular parking on 1st Avenue shall be restricted to the southern parking shoulder only.
3. There shall be no vehicular parking on 1st Street, 2nd Street, 3rd Street, 2nd Avenue or 3rd Avenue.
4. Vehicular parking shall be permitted within designated areas on Municipal Reserve Lot 1R, Block 1, Plan 8170HX.
5. There shall be no vehicular parking in that area of 1st Avenue contained within the southern shoulder area south of Lot 2, Block 2, Plan 8170HX and marked by yellow striping.
6. There shall be no vehicular parking in that area of 1st Avenue contained within the southern shoulder area south of Lots 1 and 2, Block 3, Plan 6195JK and marked by yellow striping.
7. That appropriate signage shall be placed to indicate the parking restrictions.

* * * * *

Schedule "C"
 Bylaw 03-08
 Page 1 of 1
SPECIFIED PENALTIES

The following Specified Penalties shall apply and be accepted by the M.D., in lieu of prosecution:

BYLAW SECTION	OFFENCE	SPECIFIED PENALTY
III(4)	speeding	\$ 172.00
III(5)	park vehicle on a highway	\$ 115.00
III(6)	Operate/park heavy vehicle off of a truck route	\$ 115.00
III(8)	Attach conveyance to Vehicle on roadway	\$ 115.00
III(9)	Hitch-hiking	\$ 57.00
III(10)	Jay-walking	\$ 57.00
III(11)	Unloading across a sidewalk/boulevard	\$ 115.00
III(12)	Create an unsafe condition/traffic hazard	\$ 115.00
IV(12) – (30)	Illegally parked/stopped	\$ 57.00
IV(31)	Illegally parked in a designated Disabled Persons parking spot	\$ 115.00
IV(32)	Illegal No Parking sign	\$ 115.00
V(35)(i)-(iii)	cause damage to a highway/culvert/bridge	\$ 2,500.00
V(35)(iv)	cause damage to public property	\$ 115.00
V(35)(v)	cause damage to private property on a highway	\$ 115.00
V(36)	obstruction on a highway/culvert/bridge/public property	\$ 115.00
V(37)	load or cargo likely to shift/slip/blow off/fall off	\$ 345.00
V(38)	dispose of rubbish on a highway	\$ 250.00
V(39)	operate vehicle/machine not equipped with rubber tires on highway	\$ 115.00
V(40)	operate over width/length/height vehicle on a highway	\$ 230.00
V(42)	allow the spread of restricted or noxious weeds	\$ 115.00
V(43)	fail to obtain overweight vehicle permit	\$ 230.00
V(44)	fail to obtain overweight axle group permit	\$ 230.00
V(45)	damage sideslope portion of a highway	\$ 115.00
V(46)	remove surface material from a highway	\$ 115.00
V(48)(i) – (vi)	Deposit/dispose/drain items onto Highway	\$ 115.00
V(51)	unlawfully construct an access on a highway	\$ 230.00
V(52)	placing of hand bills/posters on traffic control devices	\$ 230.00
V(53)	signs on highway	\$ 57.00
V(54)	Living in a motor vehicle on highway/public property	\$ 115.00
VI(55)	unlawfully install pipeline within or adjacent to a highway	\$ 575.00
VI(64)	unlawfully install pipeline parallel to and within a highway	\$ 575.00
VI(65)	unlawfully install pipeline on public land	\$ 575.00
VI(67)	Allow mud, dirt or construction debris to be tracked onto highway	\$ 115.00
VIII(70) – (74)	Operate special class of vehicle without a permit	\$ 575.00
IX(76)	Idling – Commercial vehicle	\$ 115.00
IX(79)	Animal outside cab of vehicle	\$ 115.00

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