
A BY-LAW OF THE VILLAGE OF INNISFREE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING THE OPERATION, THE PARKING AND THE USE OF THE HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF INNISFREE

WHEREAS pursuant to Section 7 of the *Municipal Government Act* (MGA), Revised Statutes of Alberta, 2000, Chapter M-26, the Council of a Municipality may pass Bylaws respecting the safety, health and welfare of people and the protection of people and property and, for municipal purposes respecting transport and transportation systems; Section 18(1) states that the Municipality has the direction, control, and management of all roads within the Municipality.

AND WHEREAS, pursuant to Section 13 of the *Traffic Safety Act*, Revised Statutes of Alberta, 2000, Chapter T-6, the Council of a Municipality may, with respect to a Highway under its direction, control and management, pass Bylaws not inconsistent with the *Traffic Safety Act* respecting matters enumerated therein.

AND WHEREAS pursuant to Section 14 of the *Traffic Safety Act*, Revised Statutes of Alberta, 2000, Chapter T-6, the Council of a Municipality may pass Bylaws prescribing speed limits that are different from the speed limits established in the *Act*.

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

Part 1: Short Title and Definitions

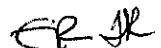
Section 1: Short Title:

1.0 This Bylaw may be cited as the “The Village of Innisfree Traffic Bylaw”.

Section 2: Definitions:

2.0 In this Bylaw, unless the context requires otherwise, all terms defined in the current *Traffic Safety Act*, including associated Regulations, shall apply. For clarification:

- 2.1 “Alley” means a narrow highway intended chiefly to give access to the rear of the building and parcels of land;
- 2.2 “Bicycle” includes any manner of cycle propelled by human power on which a person may ride regardless of the number of wheels it may have;
- 2.3 “Boulevard” means that part of a Highway that is not a roadway and includes a ditch that forms part of a Highway;
- 2.4 “Chief Administrative Officer” means the Person appointed by Council in accordance with the *MGA* and is referred to in this Bylaw as “CAO,” or a Person designated to act on the CAO’s behalf;



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- 2.5 “Commercial Vehicle” means a Commercial Vehicle as defined by the *Traffic Safety Act*, and includes any Vehicle from which sales are made of goods, wares, merchandise or commodities, or a Vehicle by which delivery is made of people, goods, wares, services, merchandise or commodities to a purchaser or consignee thereof;
- 2.6 “Council” means the Municipal Council of the Village of Innisfree;
- 2.7 ‘Corporate Limits’ shall mean all the lands within the Corporate Limits of the Village of Innisfree.
- 2.8 “Crossing” means that area used for, or constructed to provide, access to Private Property from any Highway and shall be all that area from the Curb to the Private Property line;
- 2.9 “Curb” means the actual curb if there is one and, if there is no actual curb in existence, shall mean the division point of Highway between that part thereof intended for the use of Vehicles and that part thereof intended for the use of pedestrians;
- 2.10 “Dangerous Goods” means any product, substance or organism specified or included by its nature in any of the classes listed in the Regulations under the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, c. D-4, as amended or repealed and replaced from time to time;
- 2.11 “Disabled Person Vehicle” means a vehicle identified as such by either an Alberta license plate starting with the letter “A” or an Identification Placard, clearly displayed in the Vehicle bearing the international symbol of the disabled, provided through Alberta Registries;
- 2.12 “Emergency Vehicle” means:
- a. A Vehicle operated by a Police force, a firefighting or other type of Vehicle operated by a fire protection service
 - b. An ambulance operated by a Person or an Organization providing ambulance services
 - c. A Vehicle operated as a gas disconnection unit of the public utilities
 - d. A Vehicle designated as an emergency response unit pursuant to the regulations under the *Traffic Safety Act*.
- 2.13 “Fire or Emergency Lane” means all that portion of a Highway used to provide access to buildings, and so marked by signs stating: “Fire or Emergency Lane.”
- 2.14 “Hazard” means a risk or danger, or to expose to a risk, danger, or peril;
- 2.15 “Heavy Vehicle” means a Vehicle, with or without load, exceeding any one of the following:
- a. 11 metres in length, or
 - b. Maximum allowable weight of 7,200 kilograms; or
 - c. Tractor units which form by attaching as power to semi-trailers;

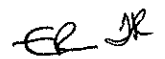
Heavy vehicles do not include Holiday Trailers.



- 2.16 "Highway" means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, causeway, trestle way or any other place, or any part of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
- Secondary Highway 870;
 - Secondary Highway 16A (Railway Avenue South);
 - a sidewalk, including a Boulevard adjacent to the sidewalk;
 - the ditch, if any, lying adjacent to, and parallel with, the roadway, and;
 - if the 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 made be,
But does not include a place declared by Regulation not to be a Highway.
- 2.17 "Highway Right of Way" means all the land between the property line on one side of the Highway and the property line on the other side of the Highway for the entire length of that Highway.
- 2.18 "Holiday Trailer" means a Vehicle designed to provide temporary living accommodation for travel, vacation, or recreation cause, and to be driven, towed, or transported, some examples of which include, without restricting the generality of the foregoing, a motor home, holiday Trailer, camper, tent Trailer, personal watercraft, boats and any bus or truck converted to provide temporary living accommodations;
- 2.19 "Identification Placard" means a placard issued by the Provincial Government for the purpose of identifying a Vehicle as operated or used by a disabled Person;
- 2.20 'Motor Vehicle' shall mean a vehicle, trailer, semi-trailer ascribed as such in the Highway Traffic Act propelled by any power other than muscular power or a moped but does not include a bicycle, an aircraft, an implement of husbandry, or a motor vehicle that runs only on rails.
- 2.21 "Municipal Government Act" or "MGA" means the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended or repealed and replaced from time to time;
- 2.22 "Municipal Tag" means a tag or similar document issued by the Village pursuant to the *Municipal Government Act* that alleges a Bylaw offence and provides the Person the opportunity to pay an amount to the Village in lieu of prosecution;
- 2.23 "Occupy" means to reside in or to be on;
- 2.24 "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:
- 4-wheel drive Vehicles;
 - Low pressure tire Vehicles;
 - Motorcycles and related 2-wheel Vehicles;
 - Amphibious machines;
 - All-terrain Vehicles;

- f. Miniature Motor Vehicles;
 - g. Snow Vehicles;
 - h. Minibikes, zip bikes, pocket bikes, mobility aides; and
 - i. Any other Vehicle exempted from being an Off-Highway Vehicle by Regulation;
- 2.25 "Operator" means the Registered Owner thereof or if not the Registered Owner, the Person driving or in the position of control over the Vehicle;
- 2.26 "Owner" with respect to a Vehicle means:
- a. the Person whose name the Vehicle is registered under the provision of the *Traffic Safety Act*, or
 - b. any Person renting a Vehicle or having the exclusive use of it under a lease or otherwise for a period of more than thirty (30) days;
 - c. and with respect to any other form of property, means the Person registered as Owner, the Person shown on the assessment roll for the Property, or the Person in lawful possession or otherwise exercising control over that property;
- 2.27 "Park," "Parked" OR "Parking" or any word or expression of similar connotation or impart shall mean a Vehicle remaining stationary in one place, whether occupied or not, to remain standing in one place except:
- a. while actually engaging in loading or unloading passengers, or;
 - b. in compliance with a Traffic Control Device or the direction of a Peace Officer;
- 2.28 'Peace Officer' means
- a. any member of the Royal Canadian Mounted Police;
 - b. any member of a Municipal Police Service;
 - c. any Special Constable;
 - d. any Bylaw Enforcement Officer; the Chief Administrative Officer or their Designated Officer.
- 2.29 "Permit" means an authorization issued by the CAO pursuant to this or any other Bylaw of the Village;
- 2.30 "Person" means any of the following:
- a. an individual;
 - b. a legal entity, including a corporation, firm, partnership, association, society, or registered company, and;
 - c. a trustee, executor, administrator, agent or employee of either a. or b.
- 2.31 "Playground Zone" means that portion of a Highway within the Village identified as a Playground Zone by a Traffic Control Device;
- 2.32 "Posted" means to erect, place or mark with Traffic Control Devices;
- 2.33 'Power Turns' means to maneuver a vehicle in such a manner as to cause part of the vehicle to depart from its ordinary line of progress by the sudden use of acceleration and/or braking.

- 2.34 "Private Property" means any property within the Village not owned by or occupied by the Government of Canada, the Government of Alberta or by the Village except as otherwise indicated by express provisions of this Bylaw;
- 2.35 "*Provincial Offences Procedures Act*" means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended or appealed and replaced from time to time.
- 2.36 "Public Place" means any Highway, Park, Land, recreation area, public bridge, road, footway, square, court, Alley, passageway, whether a thoroughfare or not, and includes but is not limited to any open space which the public has or may have access to, owned by or under the direction, control, and management of the Village of Innisfree.
- 2.37 "Roadway" means that part of a Highway intended for use by vehicular traffic;
- 2.38 "Street Furniture" means every Curb, sidewalk, pole, traffic sign, waste receptacle, bench, tree, plant, grass, hydrant, Fence, utility, utility service or any Property belonging to the Municipality capable of being marked, defaced, or damaged;
- 2.39 "School Zone" means that portion of a Highway with the Village, marking the portion of Highway as a School zone;
- 2.40 "Speed Zone" means any portion of highway within the Village of Innisfree as designated therein and identified by a sign erected and maintained at each end therein, indicating the maximum speed and applicable thereto.
- 2.41 "Stop" when prohibited, means to allow a Vehicle (whether occupied or not) to stop, to load or unload, passengers, freight, or goods;
- 2.42 'Stunting' means, whether as a pedestrian, passenger, or driver and whether or not with the use or aid of any vehicle or other thing, performing or engaging in any stunt or other activity on a highway that is likely to distract, startle or interfere with other users of the highway.
- 2.43 "Traffic Control Device" means any authorized sign, signal, marking, or device placed, marked, or erected for the purpose of regulating, warning, or guiding traffic or pedestrian movement;
- 2.44 "*Traffic Safety Act*" means the *Traffic Safety Act*, R.S.A. 2000, c.T-6, as amended or repealed and replaced from time to time;
- 2.45 "Trailer" means a Vehicle so designed that it:
- a. may be attached to or drawn by a motor Vehicle or tractor, and,
 - b. 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;
- 2.46 "Transit Vehicle" means a Vehicle used for public transportation including school buses;



- 2.47 "Vehicle" means any device in or on which a Person or thing may be transported or drawn on a Highway, including a combination of Vehicles, but excludes a mobility aide being used to facilitate the transport in a normal seated orientation of a Person with a physical disability;
- 2.48 "Village" means the municipal corporation of the Village of Innisfree, in the Province of Alberta and includes the geographical area within the boundaries of the Village of Innisfree where the context so requires;
- 2.49 "Violation Ticket" means a Tag or similar documents issued pursuant to Part II and Part III of the *Provincial Offences Procedure Act* and the Regulations thereunder;
- 2.50 "Work Zone" means an area designated by Traffic Control Devices as a Work Zone for the purpose of maintenance, construction, or repairs on or near a Highway.

Part 2 – Control of Highways

3.0 Section 3 – Operations of Vehicles

- 3.1 Every Person shall obey the instructions of all Traffic Control Devices authorized under this or any other Bylaw, Regulation or Policy unless directed by a Peace Officer.
- 3.2 No person shall deface, damage, destroy or remove any sign or marker pursuant to this Bylaw.
- 3.3 Where Traffic Control Devices, including the use of signs and Flag Persons, have been placed in accordance with this or any other Bylaw, Statute or Regulation, every Person shall obey the instructions of those Traffic Control Devices for the period during which those Traffic Control Devices are in place, unless directed by a Peace Officer.
- 3.4 Notwithstanding Section 3.3, where the obstruction caused by a Vehicle is unavoidable due to mechanical failure, a Person shall not be in breach of Section 3.3, provided the Person promptly takes measures to remove the Vehicle from the Highway and does so within 72 hours.
- 3.5 The operator of a vehicle will not perform "power turns" or participate in any "stunting" on any highway within the municipality.
- 3.6 No Person shall drive, pull, or haul upon any Highway a Vehicle, with or without a load, without first having properly cleaned and removed all loose material from the Vehicle body, Vehicle box, hitch, and trailer.
- 3.7 Loads of loose material shall not be hauled on any Highway within the Village unless the load is covered in its entirety by a secure tarpaulin or similar device.
- 3.8 No Person shall drive or pull upon a Highway, any Vehicle containing a load unless that load has been secured in such a manner as to prevent the load from falling onto a Highway or any land adjacent thereto, or otherwise to prevent shifting of the load within the Vehicle.

- 3.9 No Person shall operate a Heavy Vehicle on any Highway, other than a Highway designated and properly marked as a Truck Route, as set out in Public Works Policy - TCD Schedule.
- 3.10 A Heavy Vehicle will not be deemed to be operating in contravention of Section 3.7 if the Heavy Vehicle is on a direct route to/from a construction site. The Heavy Vehicle shall use Truck Routes if the route allows.

4.0 Section 4: Speed

- 4.1 No person shall be permitted to operate a vehicle on any highway within the municipality at a speed greater than 50 km per hour unless otherwise posted.
- 4.2 Notwithstanding any speed limit prescribed by or pursuant to this Bylaw, or any other Act, no Driver shall drive at any rate of speed that is unreasonable, having regard to all of the prevailing circumstances and conditions, including, without restrictions the generality of the foregoing:
- a. the nature, condition, and use of the Highway;
 - b. the atmosphere, weather or other conditions that may impede the visibility of the Driver or control of the Vehicle;
 - c. the amount of Traffic presently on the Highway, or that a Person in similar circumstances would reasonably expect to be upon the Highway; and
 - d. no mechanical condition, construction or other limitations of the Vehicle or any equipment of the Vehicle.
- 4.3 No Person shall operate a Vehicle on any alley within the Village at a speed in excess of Twenty (20) kilometers per hour.
- 4.4 No Person shall operate a Vehicle within a Playground Zone at any rate of speed greater than thirty (30) kilometers per hour during the period of time commencing at 8:30 am and terminating one hour after sunset. (Locations specified in Public Works Policy – TCD Schedule.)

5.0 Section 5 – Cyclists, Inline Skates, Skateboarding, Off-Highway Vehicles

- 5.1 No Person shall ride an Off-Highway Vehicle on any Highway within the Village unless in accordance with the Off-Highway Vehicle Bylaw 596-15, and subsequent amendments or replacements thereto.
- 5.2 Every Person using a bicycle, a skateboard, a sled, roller skates, inline skates, a toy vehicle, or other similar modes of transportation on any Highway, in accordance with the provisions of the Bylaw shall:
- a. yield the right of way to pedestrians;
 - b. when passing a pedestrians use all due care, attention and control required to ensure the safety of the pedestrian;
 - c. give an audible signal before overtaking a pedestrian, produced in a reasonable time prior to the overtaking, by voice, bell or other warning audible to the pedestrian.

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- 5.3 No Person shall drive or operate a Vehicle on a Highway having in tow any of the devices referred to in Section 5.2
- 5.4 No Person shall conduct a rally or race involving any devices noted as per Section 5.2, or any other similar device upon any highway or sidewalk unless authorized by the CAO or their designate. The rally or race shall be conducted in accordance with Council Policy and if required, in accordance with RCMP approval.

6.0 Section 6: Parking

- 6.1 Except as otherwise provided herein, the parking of vehicles is permitted on all highways within the municipality.
- to the provisions of subsection 6.1(b)(ii) no person shall park a vehicle in any lane or in any street to obstruct the entrance to any lane, to a driveway or an approach leading to private premises;
 - notwithstanding the provisions of subsection 6.1(b)(i) a vehicle may be parked on any lane for the purpose of taking on or discharging cargo, provided no such vehicle shall be parked for a period exceeding sixty (60) minutes at any one time, unless written permission has first been obtained from the administrator or a special constable for the municipality for an extension of such time limit.
 - No person shall park a vehicle in any "No Parking" area at any time where such areas are marked on the curb or signs are erected indicating the restriction of parking at such a location.
 - No person shall park any vehicle in excess of 4.5 tonnes on any residential street within the municipality unless written permission has been obtained from the Chief Administrative Officer.
 - upon a Highway or roadway within five (5) metres of a fire hydrant.
- 6.2 No Person shall Park a Vehicle on any portion of a Highway marked by a "No Parking Sign."
- 6.3 No Person shall park a Vehicle in an alley, unless a sign permits Parking, but alleys other than a designated Fire or Emergency Lane may be used for:
- the loading or unloading of goods or passengers from a Vehicle other than a Commercial Vehicle for a period of time not exceeding sixty (60) minutes and/or as permitted by the CAO.
- 6.4 No Person shall Park, Stop, or permit a Vehicle to be Parked, Stopped, in a designated Fire or Emergency Lane.
- 6.5 Unless otherwise designated by Traffic Control Devices:
- No Person shall Park a Vehicle upon any Highway in any manner except parallel to the curb or edge of the Highway, with exceptions as noted in Section 6.5c. below.
 - Notwithstanding Section 6.5.a no Person shall Park a Vehicle upon any Highway in such a manner that any part of the Vehicle is within three (3) metres of the center line of the Highway where the portion thereof intended for vehicular traffic is ten (10) metres or more in width.
 - Without restricting the generality of subsection (a), the Driver of a Vehicle shall angle Park on the following Highways:



- i. both sides of the Street from 50th Avenue from 16A (Railway Avenue South) to 53rd Street and 51st Street from Highway 16A to 49th Avenue.
- ii. as designated in subsection "f" below.
- d. Parking to be restricted to Emergency Vehicles only in front of the Innisfree Fire Hall on 49 Avenue between 51 Street and 50 Street.

Parking of Trailers or Holiday Trailers:

- 6.6 No Person shall occupy, suffer, or permit any other Person to occupy a Trailer, Holiday Trailer upon a Highway or Village-owned Property which has not been designated for Trailer or Holiday Trailer Parking unless for a special occasion and then no longer than 48 hours or a longer time is granted.
- 6.7 Notwithstanding the provisions of 6.6, a Person may Park and occupy a Trailer or Holiday Trailer upon Village-Owned Property provided that written permission has been obtained from the CAO or their designate.
- 6.8 An Owner or Operator of a Vehicle and attached Trailer or Holiday Trailer shall not park the Vehicle and attached Trailer or Holiday Trailer on a Highway or Roadway for more than forty-eight (48) consecutive hours.
- 6.9 An Owner or Operator of a Vehicle and Trailer, or Trailer or Holiday Trailer shall not Park the Vehicle and Trailer, or Trailer or Holiday Trailer or any part thereof on a Roadway, Highway or Highway right-of-way if, in the opinion of a Peace Officer, it constitutes an obstruction, presents a safety concern, or otherwise impedes the progress of other uses of the sidewalk, pathway, Roadway, Highway or Highway right-of-way.

Commercial Vehicles

- 6.10 Any provisions of Sections 6.11 below shall not prohibit Commercial Vehicle from Parking on any Highway within the Village for the purpose of loading or unloading goods to or from the premises abutting such Highway provided that the Commercial Vehicle, or Commercial Vehicle attached shall have all front and rear hazard lights illuminated at all times and they are not blocking Vehicle or Pedestrian Traffic and are not use for the conveyance of Dangerous Goods.
- 6.11 No Person shall Park a Commercial or farm Vehicle over 3 tonnes in any residential district unless the Owner of said Commercial Vehicle has received written authorization from the CAO or their designate.

Parking of Dangerous Goods

- 6.12 Notwithstanding Section 6.10; no Person shall Park a Vehicle or Trailer used for the conveyance of Dangerous Goods except in an industrial area and,
- a. a minimum of Twenty (20) metres from any building.

- 6.13 Parking for all Vehicles transporting Dangerous Goods is solely permitted at the Petro-Can Highway Truck Stop Parking Lot (at 4705 – 53 Street.)

Disabled Person Parking

- 6.14 No Person shall Park in a Parking space designated for the exclusive use of Disabled Persons Vehicle unless such Vehicle has clearly displayed an Identification Placard Issued by the Provincial Government or bears a license plate designating it a Disabled Person Transport Vehicle and is at the time operated by, or transporting the Person to whom the Identification Placard has been issued.

Exemption for Parking Provisions

- 6.15 Notwithstanding anything appearing elsewhere in this Bylaw, the provisions relating to Parking of Vehicles do not apply to:
- a. Emergency Vehicles;
 - b. Vehicles use in conjunction with the servicing of Highways, trails, Parks, and public utilities, including water and sewer systems, telephone systems, electrical systems and communication systems;
 - c. Funeral cars operated by a funeral director, during a funeral;
 - d. Towing services Vehicles,

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

Removal of Vehicles

- 6.16 The CAO or Peace Officer is hereby authorized to remove and impound, or cause to be removed and impounded any Vehicle Parking in contravention of any provision of this Bylaw.

7.0 Section 7 – Obstructions and Work on Highways

- 7.1 No Person shall make, place, or allow an obstruction of any kind in, upon or above any Highways unless authority has been granted by the CAO or their designate pursuant to a Permit.
- 7.2 Every person who fails to obtain or to comply with the provisions of a permit pursuant to Subsection 7.1 shall be guilty of an offence and shall, in addition to any other Penalty, cause the removal of the obstruction within twenty-four (24) hours after being notified to do so by the CAO or their designate. After the expiration of the said twenty-four (24) hours, the CAO or their designate may cause the removal of the obstruction and such removal shall be at the expense of the Person causing, placing, or permitting the obstruction on the Highway.
- 7.3 Every Person making or placing an obstruction of any kind in, upon, or above shall produce the Permit granted pursuant to Subsection 7.1 for inspection upon the request of a Peace Officer or a representative of the CAO or their designate.
- 7.4 Where an obstruction or any kind exists in, upon or above any highway and, in the opinion of the CAO or their designate it creates an unsafe condition, the CAO or their designate shall be

entitled to take such measures as are required for the protection of life or property.

- 7.5 The Village assumes no responsibility for damage to property abutting Village property when work is being done pursuant to Sections 7.1 or 7.3.
- 7.6 No Owner or Occupant of any Premises shall allow a gate of such Premises to swing or project over a Highway.
- 7.7 No Person shall, except as otherwise provided herein or by any other Bylaw, erect or maintain any awning, signpost, or sign, which shall in any way extend over a Highway unless allowed by an Encroachment Agreement.
- 7.8 No Person shall, unless they have first obtained a Permit from the CAO or their designate, perform construction and maintenance on any Highway if the work involves:
- a. Excavation of Roadways, sidewalks, or boulevards.
- 7.9 Pursuant to Section 7.8, the CAO or their designate may revoke a Permit and require the Highway to be made passable to the satisfaction of the CAO or their designate.
- 7.10 In addition to the penalty specified in Schedule "A," all work performed without a Permit is subject to immediate stoppage and all costs incurred in making the Highway passable may be recovered from the Person responsible for the work.
- 7.11 No Person shall, unless they have obtained a Permit, and a Business License, if required, sell, or display goods or place any temporary or permanent structure related to the selling or displaying of such goods on any Highway, unless during a special event as approved by the CAO or their designate.
- 7.12 The size, form, design of structures and location of any structure erected pursuant to Subsection 7.11 must be approved by the CAO or their designate.
- 7.13 No Person shall allow trees, hedges, or shrubs on Private Property within five (5) metres of a Highway intersection, whether planted before or after the date of the passing of this Bylaw, to grow to such a height that good visibility for safe Traffic flow is thereby interfered with.
- 7.14 The CAO or their designate may require compliance with the provisions of Subsection 7.13 hereof within ten (10) days of being notified to do so. If a Person fails to comply with such a notice the CAO or their designate may direct employees or agents of the Village to enter upon the Private Property to carry out the necessary, work and may charge the cost of so doing against the Person in default.

8.0 Section 8 – Authority of Peace Officers and Enforcement

- 8.1 The CAO or any Peace officer is hereby authorized to enforce the provisions of this Bylaw.
- 8.2 A Peace Officer is hereby authorized to remove and impound or cause to be removed and impounded, any Vehicle or Trailer:
- a. parked in contravention of this Bylaw; or



- b. where emergency conditions required that the Vehicle or Trailer be removed.
- 8.3 Any Vehicle removed pursuant to Section 8.2 may be moved to:
 - a. A nearby highway; or
 - b. a place designated by the Village where it will remain impounded until claimed by its Driver/Owner.
- 8.4 No impounded Vehicle shall be released to its Owner or their agent until the removal and impound charges have been paid.
- 8.5 All charges for removal and impounding shall be in addition to any fine or penalty imposed in respect of any such Violation or, to any payment made in lieu of prosecution, as provided for in this Bylaw.
- 8.6 Where a Vehicle is impounded or stored pursuant to Section 8.2 and is not claimed within thirty (30) days of its removal, it may be disposed of in accordance with the provisions of the *Traffic Safety Act* and the Regulations.
- 8.7 In order to determine the time over which a Vehicle has been Parked in a location where Parking is restricted to a specific allotment of time, a Peace officer may place a chalk mark on the tread face of the tire of a Parked or Stopped Vehicle without the Peace Officer or the Village incurring any liability relating thereto.
- 8.8 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person whom the Peace Officer has reasonable grounds to believe has contravened any portion of this Bylaw.
- 8.9 A Violation Tag may be issued to such Person:
 - a. either personally; or
 - b. by attaching it to the Vehicle in respect to which an offense is alleged to have been committed; or
 - c. by mailing a copy to such Person at their last known post office address.
- 8.10 Where a Violation Tag has been attached to a Vehicle, no Person, other than the Owner or Operator of that Vehicle shall remove the Violation Tag so affixed to the Vehicle.
- 8.11 A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the CAO and shall state:
 - a. the name of the Person or Vehicle description and license number
 - b. the offence;
 - c. the appropriate Penalty for the offence and specified in Schedule "B" A" of this Bylaw;
 - d. time period in which the specified penalty must be paid in order to avoid prosecution for the alleged offence; and
 - e. any other information as may be required by the Municipal Manager.

- 8.12 Where a Violation Tag (attached as Schedule "B") has been issued pursuant to this Bylaw, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the village the penalty specified on the Violation Tag.
- 8.13 Nothing in this Bylaw shall prevent an authorized Peace Officer from immediately issuing a Violation Ticket.
- 8.14 In those cases where a Violation Tag has been issued, and if the penalty is not paid within the prescribed time period, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to either Part II or Part III of the *Provincial Offences Procedure Act*, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 8.15 Notwithstanding Section 8.8 of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to either Part II or Part III of the *Provincial Offences Procedure Act*, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

9.0 **Section 9 – Penalties**

- 9.1 Any person who contravenes any of the provisions of this Bylaw is guilty of an offense and liable on summary conviction to the penalties provided in Schedule "A" of this Bylaw.

10.0 **Section 10 – Miscellaneous**

- 10.1 Should any provision of this Bylaw be determined to be invalid, then such provisions shall be severed, and the remaining Bylaw shall be maintained.
- 10.2 Traffic Bylaw 670-22 shall hereby be repealed.
- 10.3 This bylaw shall come into force upon receiving third and final reading and having been signed by the Mayor and CAO.

Bylaw 687-23 comes into force on the date of the third and final reading and passed unanimously by Council the 15th day of August 2023.

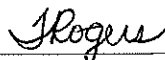
Read a First Time this 15th day of August 2023.

Read a Second Time this 5th day of August 2023.

And with Unanimous Consent of Council, read a Third Time and finally passed this 15th day of August 2023.



Mayor, E. Raycraft



CAO

SCHEDULE "A"
PENALTIES

FOR VIOLATION OF ALL SECTIONS OF THIS BYLAW EXCLUDING SECTIONS 6.4, 4.4 & 4.3:

PENALTIES FOR FIRST OFFENCE	\$ 75
PENALTIES FOR SECOND OFFENCE	\$ 150
PENALTIES FOR SUBSEQUENT OFFENCES	\$ 300

FOR VIOLATION OF SECTION 4.4 & 4.3 OF THIS BYLAW:

PENALTIES FOR A FIRST OFFENCE	\$ 300
PENALTIES FOR A SECOND OFFENCE	\$ 500
ON A SUBSEQUENT OFFENCE	\$2,500

FOR VIOLATION OF SECTION 6.4 OF THIS BYLAW:

PENALTIES FOR FIRST OFFENCE	\$ 175
PENALTIES FOR SECOND OFFENCE	\$ 400
PENALTIES FOR SUBSEQUENT OFFENCES	\$1,000

SCHEDULE "B"

VILLAGE OF INNISFREE
VIOLATION TAG

BYLAW 687-23

DATE: _____ TIME: _____ AM/PM

NAME OF OFFENDER: _____

ADDRESS OF OFFENDER: _____

VEHICLE LICENCE # _____

VEHICLE DESCRIPTION: _____

This Tag is issued for breach of Bylaw No. 687-23

Offence: _____

Section: _____

Penalty: _____

Penalty Due Date: _____

ISSUER: _____ Date _____

Signature

Print Name

*Please make payments to the Village of Innisfree.
Address: Village of Innisfree, Box 69, Innisfree, AB T0B 2G0
Contact Number: 780-592-3886*

Collection and use of personal information: This personal information is being collected in accordance with the **Municipal Government Act, R.S.A. 2000, c.M-26, (MGA)** and is protected by the privacy provisions of the **Freedom of Information and Privacy Act, R.S.A. 2000, c.F25 (FOIP)**, unless disclosures are authorized under the MGA. This information will be used to address the request above. If you have any questions about the collection and use of your information, contact the Village of Innisfree at 780-592-3886.