

# **SUMMER VILLAGE OF HALF MOON BAY TRAFFIC BYLAW BY-LAW #176-23**

A Bylaw of the Summer Village of Half Moon Bay in the Province of Alberta for the regulation and control of motor vehicle and pedestrian traffic within the boundaries of the Summer Village.

WHEREAS by authority of the Municipal Government Act, Chapter M-26, R.S.A. 2000, and amendments thereto, the Council of the Summer Village of Half Moon Bay may pass a bylaw for the health, safety, and welfare of people and protection of property in, on, or near public lands;

AND WHEREAS the Council of the Summer Village of Half Moon Bay deems it necessary and in the public interest to pass a bylaw to regulate and enforce all manner of traffic within the Summer Village, including penalties;

NOW THEREFORE the Council of the Summer Village of Half Moon Bay, in the Province of Alberta, duly assembled, hereby enacts as follows:  
This Bylaw may be referred to as the *Traffic Bylaw*.

## **SECTION 1.0 – DEFINITIONS**

- 1.1 “**Act**” means the Traffic Safety Act, R.S.A. 2000, Chapter T-6 as amended or repealed and replaced from time to time;
- 1.2 “**Bicycle**” means a mechanical device propelled by muscular power on which a person may ride;
- 1.3 “**Bus**” means a motor vehicle that is designed for carrying eleven (11) or more persons, including the driver;
- 1.4 “**CAO**” means the Chief Administrative Officer, or his/her designate, that is appointed by Council;
- 1.5 “**Crosswalk**” means any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by any other marking on the road surface;
- 1.6 “**Council**” means the elected municipal Council of the Summer Village of Half Moon Bay;
- 1.7 “**Ditch**” means any area that is designed or artificially shaped for water drainage;
- 1.8 “**Emergency Vehicle**” means a motor vehicle used:
  - a) used for police/peace officer duty;
  - b) by a fire department;
  - c) as an ambulance; and
  - d) for purposes relating to maintenance of a public utility;

- 1.9 “**Gross Weight**” means:
- a) in respect of a single axle of a vehicle, the total weight that a single axle transmits to a roadway;
  - b) in respect of an axle group of a vehicle, the sum of the weights transmitted to a roadway by all of the axles within the axle group;
  - c) in respect of a tire of a vehicle, the total weight that the tire transmits to a roadway; and
  - d) in respect of a vehicle, the total weight of a vehicle or combination of vehicles calculated as the sum of the weights transmitted to a roadway through each of the axles;
- 1.10 “**Heavy Vehicle**” means any vehicle with the exception of recreational vehicles, with or without a load, exceeding any of the following criteria:
- a) two (2) axles;
  - b) seven (7) meters in length;
  - c) a gross weight of 4500 kilograms;
- 1.11 “**Motor Vehicle**” means any vehicle propelled by any power other than muscular power;
- 1.12 “**Municipal Land**” means any property owned by the Summer Village including but not limited to:
- a) ditches;
  - b) environmental open spaces;
  - c) public reserves; and
  - d) pathways.
- 1.13 “**Obstruction**” means an obstacle or event which interferes with, or prevents the vision, passage, or use of any public property by vehicles or pedestrians;
- 1.14 “**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 natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel,
- a) 4-wheel drive vehicles,
  - b) low pressure tire vehicles,
  - c) motorcycles and related 2-wheel vehicles,
  - d) amphibious machines,
  - e) all-terrain vehicles,
  - f) miniature motor vehicles,
  - g) snow vehicles,
  - h) minibikes, and
  - i) any other means of transportation that is propelled by any power other than muscular power or wind, but does not include motor boats,
  - j) and any other vehicle exempted from being an off-highway vehicle by regulation;
- 1.15 “**Operator**” means a person who drives or operates a vehicle as the owner thereof or as an agent, employee, or servant of the owner;
- 1.16 “**Peace Officer**” means a person who is:
- a) a Royal Canadian Mounted Police Officer;

- b) a Community Peace Officer;
  - c) a Bylaw Enforcement Officer; and
  - d) any other person appointed by Council to enforce the provisions of this Bylaw;
- 1.17 **“Pedestrian”** means a person on foot, in a wheelchair or using rollerblades, skateboards, or non-motorized scooters;
- 1.18 **“Person”** means any individual, business, partnership, firm, corporation, occupant of a residence, or owner of a vehicle;
- 1.19 **“Provincial Offences Procedure Act”** means the Provincial Offences Procedure Act, c P-34, R.S.A. 2000, as amended or repealed and replaced from time to time;
- 1.20 **“Recreational Vehicle”** means any vehicle designed for travel with temporary living accommodation for holidays or camping purposes;
- 1.21 **“Road Ban”** means the gross axle weight allowance permissible on public roadways within the boundaries of the Summer Village;
- 1.22 **“Roadway”** means any thoroughfare, street, road, trail, avenue, driveway, lane or any other place or part of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage of vehicles;
- 1.23 **“Special Event”** means any public or private event, gathering, celebration, festival, competition, contest or similar type of activity that takes place in whole or in part on a public roadway which may involve pedestrians, bicycles, or vehicles where traffic flow could be obstructed;
- 1.24 **“Speed Limit”** means the maximum allowable speed a motor vehicle is able to travel within the boundaries of the Summer Village indicated by a traffic control device or as specified in Section 2.3 of this Bylaw;
- 1.25 **“Summer Village”** means the municipal corporation of the Summer Village of Half Moon Bay, the territory contained within the corporate limits, its administration, and staff;
- 1.26 **“Traffic Control Device”** means any sign, signal, marking, or device placed, marked or erected under the authority of the Summer Village and this Bylaw for the purpose of regulating, warning, or guiding traffic;
- 1.27 **“Trailer”** means a vehicle without motive power that is designed to transport property and is meant to be towed by another vehicle;
- 1.28 **“Vehicle”** means a mechanical device in, on or by which a person or property may be transported either under its own propulsion or drawn on a roadway and can include a combination of thereof;
- 1.29 **“Violation Ticket”** means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act.

## **Section 2.0 – General**

- 2.1 Any schedules attached to this Bylaw, will form a part of this Bylaw.
- 2.2 Nothing in this Bylaw will operate to relieve any person from complying with any Provincial or Federal regulations, or other Summer Village Bylaws.
- 2.3 The maximum allowable speed limit in the Summer Village of Half Moon Bay shall be 30km/h unless otherwise specified by a traffic control device.
- 2.4 Nothing in this Bylaw prohibits any emergency vehicle as well as vehicles engaged in roadway maintenance and inspection, or Summer Village staff from being parked on the roadways in the performance of their duties.

## **Section 3.0 – Traffic Control Devices**

- 3.1 All “no parking” zones shall be indicated by traffic control devices installed by the Summer Village.
- 3.2 The Summer Village shall have appropriate traffic control devices installed and maintained to regulate traffic and speed limits.
- 3.3 The location, style, and placement of all traffic control devices shall be determined in accordance with standards derived from the Transportation Association of Canada.
- 3.4 No person shall contravene any traffic control device within the Summer Village under authority of this Bylaw.
- 3.5 No person shall be permitted to remove or tamper with any traffic control device that is installed or placed within the boundaries of the Summer Village.

## **Section 4.0 – Summer Village Parking**

- 4.1 No operator of:
  - a) a heavy vehicle;
  - b) any type of construction machinery or heavy equipment;
  - c) a bus;
  - d) a recreational vehicle; or
  - e) a trailer;shall park or be permitted to be parked on any public roadway or municipal land within the boundaries of the Summer Village.
- 4.2 No person shall park a vehicle in a “no parking” zone unless authorized by the Summer Village for a special event.
- 4.3 Parking on a public roadway shall be permitted when standing in obedience to a peace officer.
- 4.4 A vehicle left parked in the same location on a public roadway or municipal land in excess of 72 hours shall be deemed to have been abandoned for the

purposes of this Bylaw. A peace officer may cause the vehicle to be removed and impounded at the operator's expense. In lieu of, or addition to, the removal and impounding of the abandoned vehicle, a peace officer may elect to issue a violation ticket to the operator of the vehicle.

### **Section 5.0 – Off-Highway Vehicles**

- 5.1 A peace officer, Summer Village staff, or agent of the Summer Village may operate an off-highway vehicle on public roadways or municipal lands where such operation is required in performance of their duties.
- 5.2 No person shall operate an off-highway vehicle between the hours of 22:00 of any day until 07:00 the next day succeeding.
- 5.3 A person may operate an off-highway vehicle on a public roadway within the Summer Village for the purpose of access and egress to Community Beach Shelters and their residence as long as the person obeys all provisions in this Bylaw including the Alberta Traffic Safety Act, and the Alberta Off Highway Vehicle Regulation.
- 5.4 When a person operates an Off-Highway Vehicle within the Summer Village municipal land they shall only be permitted to travel along designated primary pathways.
- 5.5 The use of any motorized vehicle or Off-Highway Vehicle on the Summer Village of Half Moon Bay municipal reserve shoreline adjacent to the lake is strictly prohibited between April 1st and October 31st in any year;  
Exceptions;
  - The use of an Off-Highway Vehicle is permitted to bring a boat lift or dock to the water's edge but is strictly prohibited from entering the lake; and
  - HMB approved shoreline and beach maintenance activities.
- 5.6 No person shall operate an off-highway vehicle in any area marked by an off-highway vehicle prohibited sign.

### **Section 6.0 – Restrictions**

- 6.1 No vehicle shall be permitted to operate engine retarder brakes within the boundaries of the Summer Village.
- 6.2 No operator shall exceed the vehicle weight restrictions, commonly referred to as the "Road Ban", established by the Summer Village on all public roadways within the Summer Village of Half Moon Bay as outlined in Schedule "B" of this Bylaw.
- 6.3 No person shall place, pile, or store any snow, ice, gravel, dirt, or other obstruction on any public roadway or municipal land.
- 6.4 Any person placing or causing to be placed any snow, ice, gravel, dirt, or other obstruction on all public roadways and municipal lands shall remove or cause the removal thereof in any event no later than 24 hours after notification to do so by a peace officer or the CAO or his/her designate. After 24 hours, a peace officer may issue a violation ticket or elect to have the

Summer Village remove the obstruction and perform all necessary repairs. The Summer Village's expenses required to remediate the issue may be charged to the property tax of the land subject to the order under Section 553 of the Municipal Government Act.

- 6.5 No person shall operate a vehicle having spikes, metal tracks, chains, lugs, corks, grousers, skids, or bands that connects to their vehicle that will make contact on any public roadway. This prohibition does not apply to studded winter tires.
- 6.6 No person shall leave a vehicle unattended on a public roadway while it is supported by a jack or similar device.

### **Section 7.0 – Violations & Penalties**

- 7.1 Any Peace Officer, in that Officer's sole discretion, is hereby authorized and empowered to issue a violation ticket to any person whom the Peace Officer has reasonable and probable grounds to believe has contravened or failed to comply with any provision of this Bylaw. In this Bylaw, Peace Officer shall have the same definition as contained in the Provincial Offences Procedure Act and all amendments thereto.
- 7.2 Any person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine, as outlined in Schedule "A" of this Bylaw.
- 7.3 Service of such violation ticket shall be sufficient if it is:
- a) personally served;
  - b) mailed to the address of the registered owner of the vehicle;
  - c) attached to the vehicle in respect of which an offence is alleged to have been committed; or
  - d) mailed to the address of the registered owner of the property in respect of which an offence is alleged to have been committed.
- 7.4 Upon production of a violation ticket issued, pursuant to this Bylaw, within fourteen (14) consecutive days from the date of issue, together with the payment, to the Summer Village of the penalties as provided in Schedule A of this Bylaw, the person to whom the violation ticket was issued shall not be liable for prosecution for the contravention in respect of which the violation was issued.

AND THAT this Bylaw shall repeal Bylaw No. 114-11 and shall take full force and come into effect from and after the date of 3<sup>rd</sup> Reading thereof.

Given first reading this 11<sup>th</sup> day of June 2024.

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Jon Johnston, Mayor

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Tanner Evans, CAO

GIVEN second reading this 23<sup>rd</sup> day of July 2024.

Upon unanimous consent, given third and final reading this 24<sup>th</sup> day of July 2024.

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Jon Johnston, Mayor

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Tanner Evans, CAO

**SCHEDULE “A”**

**PENALTIES**

Penalties that will be accepted by the Summer Village in lieu of prosecution.

The Penalties shall apply to:

<b>Section</b>	<b>Offense</b>	<b>Penalty</b>
2.3	Driving beyond posted speed limit	Traffic Safety Act
3.5	Illegal removal or tampering of traffic control devices	\$200 per occurrence
4.1	Illegal parking	\$100 per occurrence
4.4	Abandoned vehicle on public roadway or municipal land	\$350 per occurrence
5.2	Operating vehicle between 22:00 and 07:00	\$200 per occurrence
5.5	Operating vehicle between April 1 <sup>st</sup> and October 31 <sup>st</sup> in any given year	\$200 per occurrence
5.6	Operating vehicle in area marked by an off-highway vehicle prohibited sign	\$200 per occurrence
6.1	Use of engine retarder brakes	\$250 per occurrence
6.2	Violation of vehicle weight restrictions	Traffic Safety Act & Commercial Vehicle Dimension and Weight Regulation Act
6.3	Depositing obstructions on public roadways and municipal lands	\$200 per occurrence
6.5	Use of prohibited tire/wheel accessories	\$150 per occurrence
6.6	Leaving a vehicle unattended on a jack or similar device	\$150 per occurrence



**SCHEDULE "B"**

**ROAD VEHICLE WEIGHT RESTRICTION**

<b>Time of Year</b>	<b>Road Ban</b>
March 15 – May 30	No Heavy Vehicles
June 1 – March 14	75% G.V.W.