

SUMMER VILLAGE OF SUNBREAKER COVE BOAT LAUNCH ENFORCEMENT BYLAW BY-LAW 176-23

BEING A BYLAW OF THE SUMMER VILLAGE OF SUNBREAKER COVE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR LACOMBE COUNTY TO IMPLEMENT CONTROLLED PARKING AND ENFORCEMENT OF PAID PARKING AT THE BOAT LAUNCH IN THE SUMMER VILLAGE OF SUNBREAKER COVE.

WHEREAS, pursuant to the provisions of Section 18 of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000 with amendments, a Municipal Council may pass bylaws respecting the direction, control, and management of all roads within the municipality;

WHEREAS, Lacombe County has a License of Occupation with the Province of Alberta to operate a boat launch in the Summer Village of Sunbreaker Cove; and

WHEREAS, Lacombe County has established paid public parking within the boundaries of the Summer Village of Sunbreaker Cove;

NOW, THEREFORE, the Council of the Summer Village of Sunbreaker Cove, duly assembled, enacts as follows:

1. TITLE

1.1 This bylaw may be cited as the "*Boat Launch Enforcement Bylaw*".

2. DEFINITIONS

2.1 "*Controlled Space*" means that portion of a highway or parking lot where parking is subject to charge, and regulation in accordance with an applicable traffic control device.

2.2 "Highway" has the same meaning as within the Traffic Safety Act, RSA 2000, c T-6 and includes a "road" as defined in the *Municipal Government Act*, RSA 2000, c M-26.

2.3 "*Peace Officer*" means:

- a) a Police Officer,
- b) a person appointed as a Peace Officer pursuant to the Peace Officer Act, S.A. 20063, c. P-3.5, or
- c) a person appointed as a bylaw enforcement officer pursuant to the *Municipal Government Act*, RSA 2000, c M-26.

2.4 "*Second Offence*" means the penalty when any person contravenes the same provision of the Bylaw twice within a consecutive twelve-month period.

- 2.5 “*Third Offence*” means the penalty when any person contravenes the same provision of the Bylaw three times within a consecutive twelve-month period.
- 2.6 “*Traffic Control Device*” has the same meaning as within the *Traffic Safety Act*, RSA 2000, c. T-6 and includes any payment terminal erected for the use of a controlled space.
- 2.7 “*Vehicle*” means the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c. T-6.

3. CONTROLLED PARKING SPACES

- 3.1 Lacombe County may authorize parking spaces within the areas defined in Schedule “A” to be designated as a controlled space and cause to be placed a traffic control device to regulate that space.
- 3.2 No person shall park or allow a vehicle to remain in a controlled space for longer than the period of time prescribed by a traffic control device.
- 3.3 The operator of a vehicle shall pay for the use of a controlled space in accordance with the instructions given on a traffic control device.
- 3.4 Where parking spaces have been marked, no person shall stop or park a vehicle at any place other than:
- a) wholly within the controlled space; or
 - b) between the lines or markings indicating the limits of a single parking space.
- 3.5 No person shall park a vehicle:
- a) where prohibited by a traffic control device; or
 - b) contrary to the instructions given by a traffic control device.
- 3.6 Immediately after parking a vehicle in a controlled space, the operator shall immediately follow the instructions given on a traffic control device for the use of the space.
- 3.7 Fees relating to this Bylaw are established within Schedule “B”.

4. OFFENCE

- 4.1 Any person who contravenes this bylaw is guilty of an Offence and liable on summary conviction as outlined in “Schedule D”.
- 4.2 If a vehicle is involved in a contravention of this bylaw, the owner of that vehicle is guilty of an Offence and liable on summary conviction as outlined in “Schedule D”.

5. MUNICIPAL TAG

5.1 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

5.2 For the purposes of this bylaw, the Municipal Tag shall state:

- a) the Offence,
- b) date and time of the Offence,
- c) location of the Offence,
- d) the name and address of the offender if ascertainable,
- e) any vehicle license plate number and jurisdiction of issue if involved,
- f) the Peace Officer's name and appointment number,
- g) the appropriate penalty for the Offence as in Schedule "C" of this bylaw, and
- h) that the penalty shall be paid within thirty (30) days of the issuance of the Municipal tag.

6. VIOLATION TICKETS

6.1 A Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II 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.

7. SEVERABILITY PROVISION

7.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed, and the remaining Bylaw shall be maintained.

8. EFFECTIVE DATE

8.1 The Bylaw shall take effect from the date of third and final reading.

READ a first time this 22nd day of March 2023.

READ a second time this 22nd day of March 2023.

READ a third and final time this 22nd day of March 2023.

Jim Willmon, Mayor

Tanner Evans, C.A.O.

SCHEDULE 'A'

Geographic Coverage Area of Bylaws

Sunbreaker Cove - Geographic Coverage Area



SCHEDULE "B"

PARKING FEES

Parking Fees

- 1) All parking fees include GST.
- 2) All fees apply from May 1st to October 15th of each year, weather dependent.
- 3) Season passes cover parking from May 1st to October 15th of each year.
- 4) The following rates apply to designated parking areas at Sunbreaker Cove Parking Lot (per vehicle, including trailer).
 - a) Boat Launch Stalls
 - I. Per day \$ 20.00
 - II. Per season \$160.00
 - b) Park Only
 - I. Per day \$ 10.00
 - II. Per season \$ 80.00
 - c) Launch Only
 - I. Per launch \$ 10.00
 - II. Per season \$ 80.00

SCHEDULE "C"

MUNICIPAL TAG FINE SCHEDULE

	<u>Penalty</u>
First Offence	Fine amount of \$75.00
Second Offence	Fine amount of \$150.00
Third Offence	Fine amount of \$300.00

SCHEDULE "D"

VIOLATION TICKET FINE SCHEDULE

	<u>Penalty</u>
First Offence	Fine amount of \$ 150.00
Second Offence	Fine amount of \$ 300.00
Third Offence	Fine amount of \$1,200.00