

**MOUNTAIN VIEW COUNTY  
BYLAW NO. 58/03  
General Traffic Bylaw**

**A Bylaw to regulate, manage, and control vehicle, and pedestrian  
traffic within Mountain View County**

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WHEREAS by virtue of the authority vested in the Council of Mountain View County, and by virtue of the *Traffic Safety Act* being Chapter T-6, Revised Statutes of Alberta 2000, and amendments thereto, that provides a municipality may make Bylaws to regulate, manage, and control vehicle, animal and pedestrian traffic within the municipality; and

WHEREAS the *Municipal Government Act*, Chapter M-26, Statutes of Alberta 2000, and amendments thereto, gives a municipality certain powers with respect to highways within the municipality; and

WHEREAS the *Public Highways Development Act*, Chapter P-38 Revised Statutes of Alberta 2000, and amendments thereto, gives a municipality certain powers with respect to highways within the municipality; and

WHEREAS the *Transportation of Dangerous Goods Act*, Chapter D-4 Revised Statutes of Alberta 2000, and amendments thereto, authorizes a municipality to regulate the transportation of Dangerous Goods within the municipality.

NOW THEREFORE the Council of Mountain View County, in the Province of Alberta, duly assembled, enacts as follows:

1. That Mountain View County Bylaw No. 8/97, and amendments thereto being Bylaw No. 35/03, and Bylaw No. 9/97, are hereby rescinded.
2. This Bylaw may be cited as “the Mountain View County General Traffic Bylaw”.

**PART I - INTERPRETATION**

3. (a) In this Bylaw, including this section, unless the contrary context otherwise requires:

“Centre Line” means:

- (i) the centre of a roadway measured from the curbs or in the absence of curbs, from the edges of the roadway, or
- (ii) the line dividing the lanes for traffic moving in opposite directions.

“Certificate Weight” (C.W.) shall mean the gross weight of all axles for which a vehicle is, or could be registered as the maximum allowable weight for the various configurations defined in the Traffic Safety Act as amended from time to time.

“Council” means the Council of Mountain View County duly assembled and acting as such.

“County” means Mountain View County.

“Cultivate” means to loosen or break up the soil.

“Curb” means the actual curb if there is one, and if there is no such curb in existence shall mean the division of a highway between the roadway and the sidewalk or boulevard, as the case may be.

“Driver” or “Operator” means a person who drives or is in actual physical control of a vehicle.

“Emergency” means a present or imminent event that requires prompt, co-ordination action or special regulation or persons or property, to protect the health, safety and welfare of people and to limit damage to property.

“Heavy Vehicle” means a vehicle that has a certificate weight of more than 5500kg.

“Maximum Allowable Weight” means the weight that may be borne by a single axle, an axle group or all of the axles of a vehicle or combination of vehicles.

“Owner”

- (i) in the case of a vehicle, is the registered owner and includes any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than 30 days.
- (ii) In the case of land, any person who is registered under the Land Titles Act as the owner of the land, or the occupier of the land.

“Peace Officer” means a member of the Royal Canadian Mounted Police, a Special Constable, or anyone appointed as a Bylaw Officer by Council.

“Public Service Vehicle”

- (i) means a motor vehicle, trailer or semi-trailer operated on a highway by or on behalf a person, firm, association or corporation for compensation, whether such operation is regular or only occasional or for a single trip, and
- (ii) includes a motor vehicle kept by a person for the purpose, subject to the regulations, of being rented without a driver, but
- (iii) does not include a motor vehicle used solely as an ambulance or hearse or for the transportation of the Royal Mail.

“Recreational Vehicle” means a vehicle or trailer that is designed, constructed, and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.

“Residential Area” means all or any of the following:

Resort Residential District, Country Residential District, or Hamlet Residential District as defined in the Mountain View County Land Use Bylaw.

“Road Right-of-Way” means

- (i) a road allowance established by a survey, made under the Alberta Surveys Act, or
- (ii) a road widening road diversion, highway, road, street, avenue, lane, alley, walkway, or other public Right-of-Way as shown on a plan of survey registered in the North Alberta Land Registration District or the South Alberta Land Registration District

“Snow Vehicle” means a motor vehicle designated or intended to be driven exclusively or chiefly upon snow or ice or both.

“Track” means to allow, cause or permit any substance or material of any nature or kind whatsoever, to become loose or detached or blow, drop, spill, or fall from any vehicle, appurtenances, or tire onto any highway.

“Trailer” means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed, and equipped as a dwelling place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.

“Truck” means a vehicle designed primarily for the transportation of property or equipment but does not include a trailer, or equipment used in the construction or maintenance of highways.

“Truck Tractor” means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of the vehicle drawn, and includes a vehicle that is designed to accommodate a fifth wheel coupling, but does not include a crane equipment breakdown vehicle.

- (c) Words, which have been defined in the *Alberta Traffic Safety Act* or its regulations have the same meaning when they are used in this Bylaw, unless they have been otherwise defined in subsection 3.(a) or unless the context expressly requires otherwise

## **PART II – RULES FOR OPERATION OF VEHICLES**

4. WHEN the County has caused any highway intersection or other place on a highway to be marked by traffic control devices, or otherwise indicating that no left turn or no right turn, or both, shall be made, no operator of a vehicle shall make such prohibited turn.
5. NO PERSON when driving a vehicle on a bridge, having not more than two lanes for traffic, shall drive or attempt to drive such vehicle past any other vehicle proceeding in the same direction.
6. (a) NO VEHICLE OPERATOR shall drive or park a vehicle upon a highway in such a manner as to block, obstruct, impede or hinder traffic thereon;  
  
(b) WHERE the obstruction is unavoidable, due to the mechanical failure, the operator will not be in breach of this section provided he/she promptly takes measures to clear the faulty vehicle from the road.
7. (a) WHEN any construction or repairs or alterations are in progress on or adjoining any roadway or highway within the County, and such work is being indicated by barricades or traffic control devices, or by a flagman, no persons shall disregard the warning given thereby and every operator shall obey any signal of a flagman on duty at the site of the work.  
  
(b) WHEN a vehicle is engaged in such roadway or highway construction, repairs or alterations within an area controlled by a flagman, the provisions of this Bylaw relating to backing, turning, stopping, crossing the center line and making other movements, shall not apply to such vehicle.

### **PART III – SPEED**

8. This part shall be deemed to be in force when traffic control devices have been placed at the direction and discretion of the County Commissioner or his delegate, notifying drivers of rates of speed on County Highways.
9. Unless otherwise posted, the rate of speed for motor vehicles on County highways is 80 km per hour.
10. (a) The Supervisor of the County Public Works department or designate is hereby authorized 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 travelling upon that part of the highway.  
  
(b) Where speed limits are fixed pursuant to subsection (a), the Supervisor of the County Public Works Department or designate shall cause signs to be erected along the highway indicating the speed limit so prescribed.
11. (a) No person shall drive at a greater rate of speed than the maximum rate designated by signs erected along a highway.  
  
(b) No person shall fail to follow directions of signs erected along a highway.

### **PART IV – PEDESTRIANS**

12. (a) NO PERSON shall cross any highway at a point where a sign prohibits such crossing.  
  
(b) NO PERSON shall stand, sit or lie on any highway in such a manner as to obstruct vehicular or pedestrian traffic or to annoy or inconvenience any other person lawfully upon the highway.  
  
(c) NOTHING in subsection 2 shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or procession.  
  
(d) NOTHING shall be construed as prohibiting the congregating or assembling of individuals to attend and listen to street preaching or public speaking so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the highway to allow free movement of the ordinary traffic; but should any highway at or near such assembly become in consequence thereof so obstructed as to impede such ordinary traffic, the persons so obstructing or impeding shall forthwith move away upon being requested to do so by any peace officer. Any person failing to do so shall be in breach of this bylaw.

### **PART V – PARKING**

13. NO PERSON shall park a vehicle upon any highway in such a manner that any portion of the vehicle is within three (3) meters of the centre line of the highway, whether or not such centre line is marked on the highway.
14. UNLESS required or permitted by this Bylaw, by a traffic control device, or in compliance with the directions of a peace officer, or to avoid conflict with other traffic, an operator shall not stop or park his vehicle.
  - (a) on a sidewalk or boulevard,
  - (b) on a crosswalk or on any part of a crosswalk,
  - (c) within 5 meters on the approach to a stop sign or yield sign,

- (d) within 1.5 meters of an access to a garage, private road or driveway, or a vehicle crossways over a sidewalk,
  - (e) alongside or opposite any highway excavation or obstruction when the stopping or parking would obstruct traffic,
  - (f) on any bridge or on the approach to it,
  - (g) at any other place where a traffic control device prohibits stopping or parking,
  - (h) at or near the site of any fire, explosion, accident or other incident, if stopping or parking would obstruct traffic or hinder police officers, fireman, ambulance drivers or assistants or rescue officers or volunteers.
15. (a) NO PERSON shall park or leave a vehicle in a space reserved for disabled persons parking, which has been designated by a traffic control device, unless such person has marked the vehicle with an appropriate symbol and permit, issued by the proper authorities, indicating it as a disabled persons vehicle;
- (b) NO PERSON shall park or leave a vehicle on private land in a space reserved for disabled persons parking, which has been designated by a traffic control device erected by the land owner, tenant or their agent, unless such person has marked the vehicle with an appropriate symbol and permit, issued by the proper authorities, indicating it as a disabled persons vehicle;
- (c) NO PERSON shall park or leave a vehicle in a space reserved for disabled persons parking, which has been designated by a traffic control device, when such person is not permitted to use the displayed symbol and permit indicating it as a disabled persons vehicle; and
- (d) A VEHICLE parked contrary to subsection (a), (b) or (c), will be tagged with a violation or traffic tag and may be impounded and removed.
16. (a) NOTWITHSTANDING any other provision in this Bylaw, the Council or their authorized representative may cause movable traffic control devices to be placed on or near a roadway or highway for any reasonable purpose.
- (b) After such sign is placed on or near a roadway or highway, no unauthorized person shall park or leave a vehicle on that portion of the road so prohibited to parking.
- (i) Any non-authorized vehicle that is on such roadway or highway when such traffic control devices are placed shall be removed promptly by its owner or operator.
  - (ii) When any emergency snow removal or highway clearing commences on the thusly designated roadway or highway, then the owner shall be charged with unlawful parking and the vehicle may be removed.
17. NO PERSON shall park any trailer (whether designated for occupancy by persons or for the carrying of goods or equipment), upon any highway, unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached, the trailer shall be deemed part of the vehicle and subject to the regulations pertaining to vehicles.
18. NO PERSON shall park a commercial vehicle in any residential area, without written authorization from the County, when the commercial vehicle's

Certificate Weight is in excess of 16,000 Kilograms with the exception of a Truck Tractor.

19. (a) NO PERSON shall park a vehicle or a vehicle with any type of trailer attached thereto upon any highway if the overall length of the vehicle or the vehicle with the trailer exceeds seven (7) metres, under the following conditions:
  - (i) Between the hours of sunset and sunrise.
  - (ii) At any hour of the day or night when the said parked vehicle or vehicle and trailer, would be located either in front of or across from or on the flankage of residential property or causes an impediment to other traffic.
- (b) THE foregoing restrictions shall not apply so as to prohibit such vehicles being parked on a highway for the purpose of unloading or loading goods to or from premises abutting such highway, provided that if the loading or unloading is taking place during a period of restricted visibility, then the vehicle and its trailer shall have all front and rear parking lights illuminated.
20. NO PERSON shall occupy a recreational vehicle as a temporary or permanent dwelling place, living abode, or sleeping place on a highway or public place that is not a County Park.
21. NO PERSON shall park a vehicle or combination of vehicles used for the conveyance of flammable liquid or an explosive material
  - (a) at any time upon a highway unless the area is designated for flammable liquid and/or explosive material;
  - (b) at any time within a residential area;
  - (c) this section shall not apply where a vehicle or combination of vehicles is obliged to be parked while making deliveries in the course of its ordinary business and having warning placards clearly displayed on all sides of the vehicle.
22. NO PERSON shall park or direct any other person to park a vehicle upon land or Right-of-Way owned or controlled by the County without authorized written permission from the County.

#### **PART VI – SPECIAL CLASSES OF VEHICLES**

23. THE Senior County Constable or his designate is hereby appointed officer of the County to issue permits on behalf of the County under this part.
24. (a) NO PERSON shall operate a vehicle or combination of vehicles in excess of the load limits, or the size limits, or in contravention of any prohibitions as stated in this or any other County Bylaw or the Traffic Safety Act or its regulations without first obtaining from the County a permit to do so, subject to such conditions as specified in the permit;
- (b) NO PERSON shall operate a vehicle or combination of vehicles over or on any highway within the County in excess of their allowable axle weight or certificate weight without obtaining a permit from the Alberta Transportation Safety Board prior to the operation of the overloaded vehicles.
- (c) NO PERSON shall operate a vehicle or combination of vehicles over or on any highway within the County when that person has obtained a permit issued by the Motor Transport Board without first obtaining a permit from the County.

- (d) ANY PERSON who operates a vehicle or combination of vehicles over or on any highway within the County when that person has obtained a permit issued by the Alberta Transportation Safety Board and or the County and fails to follow the conditions or route set out in the permit is guilty of an offence.
25. (a) NO PERSON shall operate a truck over or on any highway within the County where signs have been erected indicating that truck traffic or a specified size of truck or type of vehicle is prohibited.
- (b) The following shall be exempt from subsection (a):
- (i) vehicles loading and unloading at destinations within the County where signs indicate Trucks Prohibited, using the shortest distance from and to a truck route;
  - (ii) vehicles used for the express purpose of moving household effects;
  - (iii) a holder of a Development Permit issued pursuant to the Land Use Bylaw, which authorizes such use;
  - (iv) emergency vehicles (fire fighting equipment, road repairs and construction).
26. (a) NO PERSON, except under the authority of a permit issued by the County, shall operate or move upon or over any County highway any vehicle, load, building, machine, or property which may obstruct traffic, or which exceeds the maximum height, weight or length limitations as set out in the Traffic Safety Act or its regulations, or any other object or property which in the opinion of the County may have adverse effect on the highway, or persons using the highway.
- (b) Any person in contravention of subsection (a) above shall exit the road upon demand of a Peace Officer.
- (c) Before granting permission to move the load, object, or thing over any highway as prescribed in subsection (a), the County may, if in their opinion deem necessary, direct the applicant as to conditions under which such load, object or thing may be moved.
27. (a) The County may issue a permit in special cases for the operation of a particular type of vehicle and for a load, or the movement of any other class of traffic otherwise prohibited by this Bylaw.
- (b) The County may require the owner, operator, driver, or mover of such vehicle and/or load, or any of them as a condition precedent to obtaining such a permit to agree to be responsible for all damages which may be caused to the highway by reason of driving, operation or moving of any such vehicles and/or load upon the highway, and the County may, as a condition precedent to the granting of such permit, require a bond SUFFICIENT to cover the cost of repairing such possible injury or damage to the highway.
- (c) Nothing in this Bylaw shall be construed as to require the entering into of an agreement by the County.
28. WHERE a person violates or contravenes any provision of this by-law with respect to the transportation of a piece of equipment or a machine on a County Highway for which a permit for an overload is required, the shipper and the carrier shall for the purpose of Section 24(a),(b),(c),(d), Section 25 and Section 26(a) be deemed to be jointly and severally responsible for the violation or contravention, unless the shipper or the carrier, as the case may be, produces evidence to show that he did not violate or contravene the provision.

29. Failure on the part of the holder of the permit, the owner, or the operator, driver or mover of the vehicle and/or load, to comply with the condition(s) set out in a permit issued by the County, regarding this Part, shall constitute a breach of this Bylaw and make any permit null and void.

#### **PART VII – MISCELLANEOUS**

30. NO PERSON shall drive or pull onto or upon a highway a vehicle containing a load unless such load has been secured in such a manner as to prevent the load from falling onto the highway or land adjacent thereto or shifting within the vehicle.
31. IN THE event that any part of a vehicle, load or other materials becomes loose or detached or blows, spills or falls from any vehicle onto a highway,
- (a) THE DRIVER of the vehicle or owner, if the driver can not be determined, shall forthwith take all reasonable precautions to safeguard traffic and also to remove such materials from the highway, and
32. (a) NO PERSON shall deposit rocks, gravel, sand, soil, trees, branches, shrubs, straw, hay, manure, sewage, dead animals or parts, or dead birds on a County Road Right-of-Way without prior written approval of the County.
- (b) NO PERSON shall cultivate or cause to be cultivated a road Right-of-Way or any portion thereof without prior written approval of the County.
  - (c) NO PERSON shall grade, ditch, or otherwise change the contour of a road Right-of-Way without prior written approval of the County.
  - (d) NO PERSON shall remove, cut, or otherwise destroy trees or shrubs located on a Road Right-of-Way without prior written approval from the County.
  - (e) NO PERSON shall graze a developed road Right-of-Way unless:
    - (i) they are the landowner adjacent to, and on the same side of the road of which the grazing is taking place, and
    - (ii) all liability is accepted by the landowner, and
    - (iii) temporary fencing, sufficient to contain the livestock is in place, and
    - (iv) the temporary fencing is erected for a period no longer than 14 consecutive days.
33. (a) NO PERSON shall deposit or dispose of, or allow to be deposited or disposed of on a highway, any substance or object which may be damaging, or is hazardous to a person or vehicle.
- (b) NO PERSON shall deposit or dispose of oil, any chemical, or any liquid to be on a highway, or allow the same to be deposited on a highway, without prior written approval of the County.
34. (a) NO PERSON shall allow trees, hedges or shrubs on private property within seventy-five (75) 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.
- (b) NO PERSON shall allow limbable trees on private property within seventy-five (75) 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.

- (c) NO PERSON shall erect or cause to be erected, built or placed, a fence, wall, or other object on private property within seventy five (75) metres of a highway intersection, so that good visibility for a safe traffic flow is thereby interfered with.
  - (d) NO PERSON shall continue the existence of a fence, wall or other object on private property within seventy five (75) metres of an intersection after the passing of this bylaw so that good visibility for safe traffic flow is thereby interfered with.
  - (e) NOTHING contained in this section shall affect the liability of any person to prosecution for breach of this section.
35. (a) NO PERSON shall erect a fence or gate across or on any part of a Road Right-of-Way, unless authorized by an Undeveloped Road Allowance License with the County.
- (b) NO PERSON who has been granted an Undeveloped Road Allowance License shall contravene conditions of the license.
36. NO PERSON shall drive, operate or permit to be driven or operated, any vehicle or equipment of any nature of kind in such a manner as to track upon a highway.
37. (a) NO Person, except with the permission of the County, shall operate or move upon or over any paved or graveled highway any vehicle or traction engine having metal cleats, metal tracks, tire chains or other metal devices attached to its wheels or made a part thereof, and
- (b) NO PERSON shall move an engine, tracked vehicle, traction engine or other machine not equipped with rubber tires on a highway, without taking proper steps to prevent damage to the highway.
38. NO PERSON owning or occupying property within the County, to which entry or exit for vehicles is made onto a County highway, shall allow water, mud, slush, ice, frozen snow or snow to be pushed onto the County highway or let such materials remain on the County highway as a result of clearing or cleaning the exit or entry to the said property.
39. (a) NO PERSON shall allow himself to be drawn by a moving vehicle while he is riding upon a sled, toboggan, bicycle, skis or other conveyance upon a roadway or highway.
- (b) NO PERSON shall coast on a sled, toboggan or skis or other conveyance, except a bicycle, upon a roadway or highway.
40. (a) NO PERSON shall wash a vehicle upon a highway or so near a highway as to result in depositing mud or creating slush or ice upon public sidewalk or roadway.
- (b) NO PERSON operating premises for the sale of new or used vehicles or for washing vehicles shall wash such vehicles so as to result in water, mud or slush upon the public sidewalk or highway.
- (c) NO PERSON operating a business premise to which entry or exit for vehicles is made by a crossing located between the highway curb and the private property line shall allow water or mud, slush or ice or icy or frozen snow to remain on the public sidewalk or roadway portion of such crossing, but will keep the same clean and clear of all such matter, liquids or substances as may be or become a hazard to pedestrians.

41. (a) NO PERSON shall place any sign, notice or structure upon a highway, Road Right-of-Way or post to which a traffic control device is attached, without prior written approval of the County.
- (b) ANY SIGN, notice or other object placed on a highway, Road Right-of-Way, or post to which a traffic control device is attached, shall be liable to removal and immediate disposal by the County without notice or warning to the owner thereof.
42. NO PERSON or COMPANY shall construct an access onto or within a Road Right-of-Way or road allowance without written approval from the County.
43. NO PERSON shall remove from a highway any gravel, asphalt, pavement or other material used to surface a roadway.
44. NO PERSON or COMPANY shall install a pipeline on, across, over, under, within, or adjacent to any highway or Road Right-of-Way without written approval of the County.
45. EVERY PERSON who leaves an excavation on a road allowance in which he has charge or supervision is under legal duty to guard it in a manner that is adequate to prevent persons from falling in by accident and is adequate to warn them that the excavation exists.
46. NO PERSON without the consent of the County, shall take any material from any County property including:
  - (a) lumber, firewood, materials, or equipment from any County Park; or
  - (b) gravel, sand, rock or screenings from any gravel pit under the jurisdiction of the County without first obtaining a gravel permit; or
  - (c) any other material or property from any County Property.
47. NO PERSON or ORGANIZATION shall hold, conduct, manage or organize an event which utilizes or impacts a County Road Right-of-Way unless that person or organization has:
  - (a) first obtained written authorization from the County, which may include conditions under which the event must be conducted, and,
  - (b) abided by the conditions set out in the authorization.
48. EVERY PERSON who contravenes the provisions of this part, shall, in addition to any other penalty, remove any material(s) forthwith after being directed by the County Commissioner or his representative. If the person fails to comply with the directive, the County Commissioner may remove, or cause to be removed, any materials. The costs of the removal may be recovered directly from the owner or person who placed or failed to remove the item or material; or the items or material may be sold to recover the costs of removal.

**PART VIII – AUTHORITY OF COUNTY COMMISSIONER**

49. (a) THE COUNCIL hereby delegates to the County Commissioner or his designate the power to prescribe where traffic control devices and traffic control signals are to be located. Without restricting the foregoing, traffic control devices and traffic control signals shall be deemed to mean and include all stop signs, yield signs, speed limit signs, weight restriction signs and other signs regulating the use of any roadway or highway located within the jurisdiction of the County.
- (b) THE COUNCIL hereby directs that a record shall be kept which shall be open to public inspection during normal business hours.

50. THE County Commissioner is hereby authorized to designate:
- (a) in the case of unfavorable road conditions, reduced vehicle and/or load weights,
  - (b) maximum vehicle weight restrictions on bridges, and cause the same to be indicated by placing appropriate, traffic control devices.
51. THE County Commissioner is hereby authorized to designate any intersection or place on a highway as a place:
- (a) where a railway Right-of-Way crosses a highway,
  - (b) a place where U-turns are prohibited,
  - (c) a place where at which no left hand or right turn or both shall be made,
- and shall cause the same to be marked with an appropriate traffic control device.
52. THE County Commissioner or his designate is hereby authorized to designate:
- (a) Any highway as one which is closed temporarily in whole or in part to traffic.
  - (b) Any area as one in which parking privileges are temporarily suspended,
- and shall cause such highway or area to be marked with appropriate traffic control devices.
53. THE County Commissioner or his designate is hereby authorized to designate:
- “School Zones” and “Playground Zones”. Such zones shall be marked by traffic control devices and traffic control signals posted along the highway, or by markings on the pavement or by lights posted or suspended over the highway. A record of the locations of such zones shall be kept by the County Commissioner and shall be open to inspection during normal business hours.
54. THE County Commissioner or his designate is hereby authorized to designate:
- (a) In accordance with s. 108 of the Traffic Safety Act, vehicle speed on any highway or portion of a highway and shall cause the same to be so designated by traffic control devices.
  - (b) Any boulevard upon which parking is permitted and shall cause traffic control devices to be erected so designating.
  - (c) Passenger or truck loading spaces and shall cause the same to be marked by traffic control devices.
  - (d) “Bus stops” including “School bus stops” and shall cause the same to be marked by traffic control devices.
  - (e) Parking stalls or areas for persons with disabilities and shall cause the same to be marked by traffic control devices.
55. THE County Commissioner is hereby authorized to designate:
- (a) distance from any intersection within which no parking is permitted,
  - (b) portion of a highway where parking is limited,

(c) parking areas for County employees,

and shall cause the appropriate traffic control devices to be erected.

56. THE County Commissioner is hereby authorized to prohibit or restrict by traffic control devices the movement of vehicles from a private driveway on to a highway or from a highway on to a private driveway where such prohibition or restriction is deemed advisable in the public interest and for better regulation of traffic.
57. THE County Commissioner may require any person concerned to remedy damages or contraventions and comply with the provisions of Part VII or hereof within ten days of being notified to do so. If the person fails to comply with such notice, the County Commissioner may direct employees or agent(s) of the County 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.

#### **PART IX – ENFORCEMENT**

58. ANY person who contravenes this Bylaw is guilty of an offence.
59. ANY persons contravening certain sections of this Bylaw shall be liable for the penalties set out in Schedule “A”.
60. ANY Peace Officer is hereby authorized to enforce this Bylaw.
61. ANY Peace Officer, who may be in contravention of this Bylaw while enforcing it, is exempt from the provisions thereof.
62. (a) ANY Peace Officer is hereby authorized to remove or cause to be removed any vehicle or trailer:
- (i) parked in contravention of a provision of this Bylaw or the Traffic Safety Act and its Regulations; or
  - (ii) where emergency conditions may require such removal from a highway.
- Any vehicle or trailer removed under this section will remain impounded by the towing firm until claimed by the owner.
- (b) NO impounded vehicle shall be released to its owner or his agent until all impounding charges have been paid to the towing firm; these charges shall be in addition to any fine or penalty imposed in respect of the said violation.
63. A notice or form commonly called an Offence Notice or Traffic Tag having printed wording approved by the County Commissioner, may be issued by a Peace Officer to any person alleged to have breached any provision of this bylaw, and the said notice shall require the payment of the County in the amount specified in this bylaw or in the Traffic Safety Act, as amended or the regulations pursuant to the Provincial Offences Procedure Act, as amended.
64. A Traffic Tag or Offence Notice shall be deemed to be sufficiently served:
- (a) If served personally on the accused; or
  - (b) If mailed to the address of the registered owner of the vehicle concerned; or
  - (c) If attached to or left upon the vehicle in respect of which the offence is alleged to have been committed.

65. WHERE a vehicle is driven, used, parked or left in contravention of any provision of this Bylaw, the owner of the vehicle is responsible for the contravention and liable to the penalty provided in "Schedule A" unless the owner proves to the satisfaction of the Provincial Court Judge or Justice trying the case, that at the time of the contravention, the vehicle was not driven, used, parked or left by him or by any other person with his consent, express or implied.
66. (a) A peace officer who, on reasonable and probable grounds, believes that any offense enumerated in Parts V, VI and VII of this bylaw has been committed, may seize and detain any motor vehicle, vehicle, load, building, machine, contrivance or thing, in respect of which the offense has been committed until the final disposition of any proceeding that may be taken under this bylaw.
- (b) A peace officer seizing a motor vehicle, vehicle, load, building, machine, contrivance or thing, pursuant to subsection (a) may cause the same to be removed and taken to and stored in a suitable place and cause such tests and examinations thereof to be made as he considers proper.
- (c) EXCEPTING where subsection (d) applies, all costs for removal and storage of the motor vehicle, vehicle, load, building, machine, contrivance or thing, are a lien upon the same which may be enforced in a manner provided in *The Possessory Liens Act*.
- (d) IF proceedings are not taken under this Bylaw within 10 days after the motor vehicle, vehicle, load, building, machine, contrivance or thing, is seized and detained pursuant to subsection (a), the said motor vehicle, vehicle, load, building, machine, contrivance or thing shall forthwith be returned to the owner thereof.
- (e) NOTWITHSTANDING standing anything in this section, where a motor vehicle, vehicle, load, building, machine, contrivance or thing is seized pursuant to subsection (a), any Provincial Court Judge or Justice having jurisdiction in the place within which the offense is suspected of having been committed, may, in his discretion, release the motor vehicle, vehicle, load, building, machine, contrivance or thing, pending the disposition of any proceedings that may be taken under this bylaw, if security is given therefore in a sum which shall not exceed \$500.
67. ANY PERSON contravening any provision of this Bylaw shall, upon conviction, be subject to the penalties prescribed by, either of:
- (a) Schedule "A" of this Bylaw as amended from time to time; or
- (b) The Traffic Safety Act and regulations thereunder as amended from time to time; or
- (c) Any other provincial statute or regulation dealing with the use of highways, roadways and streets, the traffic and pedestrians moving thereon and the parking of vehicles on highways, roadways and streets.
68. Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than \$100.00 and not more than \$500.00 and in default of payment, is liable to imprisonment for a Term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.

Bylaw 58/03, passed by Council December 23, 2003

**SCHEDULE "A"**  
**Mountain View County's Specified Penalties**

Section	Offence Description	Penalty
<b>PART II – RULES FOR OPERATION OF VEHICLES</b>		
4	Make left/right turn when prohibited	\$50.00
5	Pass vehicle on bridge	\$75.00
6(a)	Drive/park vehicle on highway in a manner that obstructs/impedes other traffic	\$75.00
7(a)	Fail to follow directions of flagman	\$75.00
<b>PART III – SPEED</b>		
11(a)	Drive at a greater rate of speed than the maximum rate designated by signs erected along a highway.	\$100.00
11(b)	Fail to follow directions of signs erected along a highway	\$100.00
<b>PART IV - PEDESTRIANS</b>		
12(a)	Cross highway when prohibited by signs	\$50.00
12(b)	Stand/sit/lie on highway in a manner that obstructs/annoys users of highway	\$75.00
<b>PART V – PARKING</b>		
13	Park vehicle on highway within 3 metres of center line	\$50.00
14(a)	Park vehicle on sidewalk/boulevard	\$25.00
14(b)	Park vehicle on/part of crosswalk	\$25.00
14(c)	Park vehicle within 5 metres of stop/yield sign	\$50.00
14(d)	Park vehicle within 1.5 metres of an access to garage/private road/driveway	\$25.00
14(e)	Park vehicle that obstructs traffic	\$75.00
14(f)	Park vehicle on bridge or bridge approach	\$75.00
14(g)	Park vehicle where traffic control device prohibits	\$50.00
14(h)	Park vehicle at site of fire/explosion/accident and obstructing emergency personnel	\$100.00
15(a)	Park vehicle in disabled person parking spot without visible symbol and permit	\$50.00
15(b)	Park vehicle in disabled person parking spot without visible symbol and permit	\$50.00
15(c)	Park vehicle in disabled person parking spot when not authorized or permitted	\$75.00
16(b)	Owner/operator fail to promptly remove illegal parked vehicle from highway	\$75.00
17	Park unattached trailer on highway	\$75.00
18	Park commercial vehicle in excess of 16,000 kgs in residential area	\$75.00
19(a)(i)	Park vehicle in excess of 7 m upon highway between 5:00 p.m. and 8:00 a.m.	\$50.00
19(a)(ii)	Park vehicle that exceeds 7m in residential area	\$50.00
20	Occupy RV as dwelling place on highway/public place	\$50.00
21(a)	Park dangerous goods vehicle on highway	\$100.00
21(b)	Park dangerous goods vehicle in residential area	\$150.00
22	Park/or direct other person to park on County-owned lands	\$75.00
<b>PART VII – SPECIAL CLASSES OF VEHICLES</b>		
24(a)	Operate vehicle/combination of vehicles on highway in excess of legal limits without County Overload Permit/fail to follow conditions of County overload permit	\$250.00
24(b)	Operate vehicle/combination of vehicles on highway in excess of legal limits without Provincial Overload Permit	\$250.00
24(c)	Fail to obtain County Overload Permit when permitted by Province	\$250.00
24(d)	Fail to follow conditions of County/Provincial permit	\$200.00
25(a)	Operate truck when prohibited by sign	\$100.00
26(a)	Move vehicle/load/machine/building that obstructs traffic/ exceeds max. weight limitation/has adverse effect on highway	\$200.00
26(b)	Fail to exit road upon demand of Peace Officer	\$250.00
27(a)	Owner/operator/mover fail to follow conditions of special permit	As per section

**PART VII – MISCELLANEOUS**

30	Allow load to fall on to/adjacent to highway	\$50.00
31(a)	Fail to safeguard/remove insecure load from highway	\$75.00
32(a)	Deposit (see bylaw) on County road right-of-way	\$100.00
32(b)	Cultivate road right-of-way	\$75.00
32(c)	Change contour of road right-of-way	\$75.00
32(d)	Remove, cut, or destroy trees or shrubs	\$75.00
32(e)	Unlawfully graze road right-of-way	\$75.00
33(a)	Deposit or allow to be deposited a hazardous substance on a highway	\$150.00
33(b)	Deposit or allow to be deposited a chemical/liquid on a highway without County permission	\$100.00
34(a)	Allow trees/shrubs/hedges to exist on private property within 75m of an intersection to obscure visibility	\$100.00
34(b)	Allow/erect fence on private property within 75 m of an intersection to obscure visibility	\$100.00
34(c)	Continue the existence of a fence on private property within 75m of an intersection to obscure visibility	\$100.00
35(a)	Erect fence or gate across or on road right-of-way	\$100.00
35(b)	Fail to follow conditions of undeveloped road allowance license	\$125.00
36	Drive/permit vehicle to track on highway	\$150.00
37(a)	Move vehicle/traction engine on highway with metal cleats/tracks/devices/tire chains	\$150.00
37(b)	Fail to take proper steps to prevent injury to highway	\$100.00
38	Allow water/mud/slush/snow/ice/frozen snow to be pushed on to highway or allow to remain as a result of clearing highway	\$75.00
39(a)	Allow to be drawn by moving vehicle on a highway	\$50.00
39(b)	Coast on a sled/toboggan/skis on a highway	\$50.00
40(a)	Wash vehicle upon a highway	\$50.00
40(b)	Wash vehicle upon a highway (operator of vehicle sales)	\$50.00
40(c)	Owner of a business allow sidewalk to not be clear of snow/mud/slush/water	\$50.00
41(a)	Place sign/notice/structure on highway without permission	\$50.00
42	Unauthorized access construction on to/within County road right-of-way	\$150.00
43	Remove road surface material	\$150.00
44	Unauthorized pipeline crossing	\$150.00
46(a)	Take without consent lumber/firewood/materials/equipment from County property	\$100.00
46(b)	Take without consent gravel/sand/rock/screenings	\$100.00
46(c)	Take without consent any material or property from County property	\$100.00
47(a)	Person/organization fail to obtain written authorization to conduct event involving County highway	\$150.00
47(b)	Person/organization fail to follow conditions of written authorization relating to event involving County highway	\$200.00