

**BYLAW NUMBER 2013 – 5
VILLAGE OF HALKIRK
PROVINCE OF ALBERTA**

WHEREAS The Municipal Government Act R.S.A. 2000, c.M-26 provides the Municipality with certain powers regarding public places and highways, and

WHEREAS The Traffic Safety Act R.S.A. 2000, c. T-6 authorizes a municipal Council to pass Bylaws for the regulation and control of vehicle traffic;

NOW THEREFORE The Municipal Council of the Village of Halkirk, in the Province of Alberta, duly assembled enacts as follows:

Part 1 - Short Title:

1. The short title of this bylaw shall be the "Trailer Parking Bylaw"

Part 2 - Definitions:

- (1) In this bylaw words shall have the definitions set out in the Traffic Safety Act and its regulations, unless otherwise defined herein;
- (2) In this bylaw the following terms shall have the meanings shown:
 - a. "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
 - b. "Boulevard" means that portion of a highway which is located on either side of the actual driving surface of the highway and is that portion of the edge of the driving surface to the property line.
 - c. "Administrator" means the Administrator for the Village of Halkirk.
 - d. "Council " means Council of the Village of Halkirk
 - e. "Curb" means the actual curb, if there is one, and if there is no curb in existence, it shall mean the division of a highway between the roadway and the sidewalk or boulevard as the case may be.
 - f. "Highway" means any thoroughfare, street, road, trail, avenue, driveway, lane, alley, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles; and includes:
 1. the sidewalk, including the boulevard portion of the sidewalk
 2. if the ditch lies adjacent to and parallel with the roadway, the ditch,
 3. if a highway right of way is contained between fences or between the fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be.
 - g. "Peace Officer" means a member of the Royal Canadian Mounted Police, a Special Constable, or a Bylaw Enforcement Officer.
 - h. "Recreation Vehicle" means a vehicle used or intended for use as a shelter, and without restricting the foregoing, includes any motor-home, holiday trailer, camper, or tent trailer.
 - i. "Slide" means any extension or movable section of any recreation vehicle or trailer.
 - j. "Trailer" means a vehicle so designed that it may be attached or drawn by a motor vehicle and intended to transport property, persons, or animals.

- k. "Village" means the Village of Halkirk.
- l. "Winter" means the period of time beginning on November 1 and continuing through to April 30 of the following year.

Part 3 - Parking:

A Trailer or Recreation Vehicle shall not be parked:

1. On or over a sidewalk.
2. In a driveway, or blocking a driveway used for emergency vehicles.
3. In any manner that would obstruct or interfere with a fire exit or emergency exit from any building, provided the exit is marked indicating an Emergency Exit or Fire Exit.
4. In a parking space where a sign, curb painting, or pavement painting indicates that it is for the exclusive use of persons with disabilities who display on their vehicles a handicap placard or license plate that is issued or recognized by the Alberta Government.
5. Within Five (5) meters (16.4 feet) upon any approach to any stop or yield sign.
6. Within Five (5) meters (16.4 feet) of any fire hydrant or when the hydrant is not located at the curb, within Five (5) meters (16.4 feet) of the point on the curb nearest to the fire hydrant.
7. In such a manner as to obstruct access to a garage, private road, or driveway.
8. In such a manner as to wholly or partly block free and unrestricted access to public property.
9. On the roadway side of a vehicle parked or stopped at the curb or edge of a highway.

Part 4 - Parking in an Alley

1. No trailer shall be parked in any alley, except a commercial vehicle engaged in loading or unloading goods.
2. Exceptions:
 - a. Within the Village of Halkirk, a portion of the alley located north of Block Eleven, Plan 7822147 will be designated to allow for winter parking of recreational vehicles.
 - b. With the permission of the Administrator each year, recreational vehicles owned by current residents of the Village of Halkirk may be parked in the designated area.
 - c. The Village of Halkirk will assume no liability for any recreational vehicle parked in the designated winter parking area.
 - d. Recreational vehicles are to be removed from the winter parking area in the non-winter months.

Part 5 - Parking of Commercial, Heavy, or Farm Trailers:

1. No Commercial trailer or Heavy load trailer may be parked on any private property or on any street in any residential area.
2. No Heavy Farm trailer may be parked on any private property or on any street in any residential area.
3. No Commercial or Heavy load Trailer or Heavy Farm Trailer may be parked on any street in the Village for any period longer than Seventy Two (72) hours.

Part 6 - Parking of Recreational Vehicles:

1. Recreation vehicles parked on any street shall not be parked in front of any residence other than the residence of the owner of the recreation vehicle.

2. No person shall occupy or suffer or permit any other person to occupy a trailer or recreation vehicle upon a highway or upon public property unless such property has been designated for use as a trailer park.
3. No trailer may be parked on any property unless it is wholly contained on the property.
4. No trailer or recreation vehicle shall be parked upon any highway in the Village during the winter time period as specified November 1 through to April 30 of the following year, with the exception that Recreation vehicles may be parked as per Section 4.2 of this Bylaw.
5. No trailer or recreation vehicle shall be parked on any street with a slide extended, except for the period of time required for packing or unpacking the recreational vehicle, and provided that the slide will not interfere with traffic.
6. No person shall suffer or permit any vehicle to park on the roadway side of a recreational vehicle parked or stopped at the curb or edge of the highway.

Part 7 - Authority of Peace Officers:

1. Any Peace Officer of the Village is hereby authorized to remove and impound, or cause to be removed and impounded, any trailer or recreation vehicle parked on any highway when in contravention of any provision of this Bylaw or when interfering with any public works being carried out by or for the Village.
2. Any trailer or recreation vehicle impounded under this section may be released to the owner or their agent upon proof that any traffic tag charges or costs imposed for towing and/or storage have been paid.
3. The owner of any trailer or recreation vehicle impounded under this section, upon release of said vehicle from the place of impound, shall be responsible for the transport of said vehicle from the point of release.
4. A Notice of form, commonly called a Traffic Tag, may be issued by a Peace Officer to any person who contravenes any provision of this bylaw, and served as per Section 7.5 of this Bylaw, and the Traffic Tag shall require the payment to the Village for the amount specified for that particular breach of this Bylaw.
5. A Traffic Tag 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 the person concerned, or
 - c. if attached to or left upon the vehicle in respect of which the offense is alleged to have been committed.
6. In those cases where a Traffic Tag has been issued and the penalties specified on the Traffic Tag have not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the Provincial Offence Procedure Act R.S.A. 2000, c.P-34 as amended or repealed from time to time.
7. Notwithstanding Section 7.4 of this Bylaw a Peace Officer is hereby authorized and empowered to immediately issue a violation ticket to any person whom the officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

Part 8 – Penalties:

1. Except as otherwise provided herein, every person who contravenes any provision of this Bylaw is guilty of an offence, and shall be liable on conviction to a fine of not less than Fifty dollars (\$50.00) or more than Five Hundred dollars(\$500.00).
2. Every person who contravenes any provision of this Bylaw, as enumerated in Schedule “A” attached hereto, is guilty of an offense and shall be liable on conviction to the penalty specified therein for such offence.
3. When a voluntary penalty ticket is issued by a Peace Officer for an offence which is not enumerated in Schedule “A” attached hereto, the monetary penalty shall be the minimum fine that may be imposed under Section 8.1 of this Bylaw.
4. Any person who contravenes any section of this bylaw for a second or third and subsequent time within a twelve (12) month period is guilty of a second or third and subsequent offence and liable to the fines as outlined in Schedule “A”.

Part 9 - General

1. It is the intention of Council, that each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provision of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable
2. This Bylaw shall come into full force and effect on the date it is finally passed by Council.

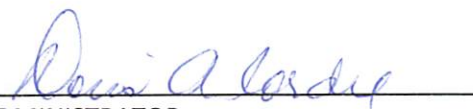
INTRODUCED AND GIVEN FIRST READING THIS 23RD DAY OCTOBER, 2013;

GIVEN SECOND READING THIS 23RD DAY OF OCTOBER, 2013;

AND WITH UNANIMOUS CONSENT OF COUNCIL, GIVEN A THIRD READING AND PASSED THIS 23RD DAY OF OCTOBER, 2013.



MAYOR



ADMINISTRATOR

**BYLAW 2013 – 5
SCHEDULE A
PENALTIES AND COSTS**

| VIOLATION | FIRST OFFENSE | SECOND OFFENSE | THIRD OFFENSE |
|---|----------------------|-----------------------|----------------------|
| Any violation Under Part 3 Except as noted Below | \$50.00 | \$100.00 | \$200.00 |
| Part 3. 4 Parking in a Handicap space. | \$75.00 | \$150.00 | \$300.00 |
| Any violation Under Part 4 | \$50.00 | \$100.00 | \$200.00 |
| Any violation Under Part 5 | \$50.00 | \$100.00 | \$200.00 |
| Any Violation | | | |

Under Part 6

\$50.00

\$100.00

\$200.00

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PENALTIES AND COSTS**

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|---|----------------------|-----------------------|----------------------|
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| Any violation Under Part 5 | \$50.00 | \$100.00 | \$200.00 |
| Any Violation Under Part 6 | \$50.00 | \$100.00 | \$200.00 |