Date of Consolidation: August 28, 2017

Consolidation of Bylaw No. 878-2014

CITY OF LEDUC TRAFFIC BYLAW

Adoption February 23, 2015

As Amended By:

Bylaw No. 954-2017 adopted August 21, 2017

This Consolidation is not an Official Bylaw. It is prepared by the City Clerk's Office for assistance only. Copies of the Official Bylaw(s) may be purchased from the City Clerk's Office.

This Consolidated Bylaw was authorized pursuant to Bylaw No. 389-97.

Bylaw No. 878-2014
TRAFFIC BYLAW

A BYLAW OF THE CITY OF LEDUC IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE OF HIGHWAYS UNDER THE DIRECTION, CONTROL AND MANAGEMENT OF THE CITY AND THE PARKING OF VEHICLES ON PRIVATE PROPERTY

Whereas, pursuant to section 13 of the Traffic Safety Act, R.S.A. 2000, c T-6, a Council may pass bylaws with respect to highways under its direction, control and management governing: the use of highways; the parking of vehicles; the establishment and use of parking places that are for the exclusive use of persons with disabilities; access to highways from private land; fees charged with respect to the parking of vehicles; the turning of vehicles at intersections; the licensing of bicycles; the encumbering of highways; the impounding and removal of vehicles, bicycles, skateboards and similar devices; parades and processions; closing or restricting the use of a highway; the issuing of tags, tickets or other documents; the placing of tags, tickets or other documents on vehicles; the marking of tires on vehicles for the purpose of enforcing parking bylaws; the employing of or engaging the services of persons to enforce bylaws made with respect to the parking of vehicles; classifying motor vehicles and other vehicles and pedestrians for any purposes involving the use of streets, lanes and other public places; defining and prohibiting objectionable noise from vehicles; permitting the issuance of permits for temporary use of a highway; restricting the use of specific traffic lanes to vehicles carrying a prescribed number of passengers or to specific vehicles or classes of vehicles; designating routes for vehicles or classes of vehicles; restricting the weight of vehicles or of vehicles and the goods being carried by the vehicles; and prescribing or otherwise providing for penalties with respect to the contravention of this bylaw;

And Whereas, pursuant to section 14 of the Traffic Safety Act a Council may pass bylaws with respect to privately owned property that is located within the municipality to which vehicles driven by members of the public generally have access, governing: parking on the property without the permission or authorization of the owner of the property or a person having possession or control of the property; the parking of vehicles in manufactured home communities; and the establishment and use of parking places that are for the exclusive use of persons with disabilities. Also with respect to private property that is located within the municipality to which vehicles driven by members of the public generally do not have access but on which the owner of the property or a person having possession or control of the property may park or otherwise keep vehicles, prohibiting the parking of vehicles on that property without the permission or authorization of that person or the parking of vehicles so that the access to that property is denied or otherwise restricted.

Also with respect to a vehicle parked or driven in contravention of this bylaw governing the issuing of tags or tickets or other documents and the placing of tags, tickets or other documents on vehicles;

And Whereas, pursuant to section 7(i) of the Municipal Government Act, R.S.A. 2000, c. M-26 a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under any enactment, including: the creation of offences; for each offence, imposing a fine not exceeding $10 000 or imprisonment for not more than one year, or both; providing for the imposition of a penalty for an offence that is in addition to a fine or imprisonment so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence; providing that a specified penalty prescribed under section 44 of the Provincial Offences Procedure Act is reduced by a specified amount if the penalty is paid within a specified time; providing for imprisonment for not more than one year for non-payment of a fine or penalty; providing that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid, the person will not be prosecuted for the contravention; providing for inspections to determine if bylaws are being complied with; and remedying contraventions of bylaws.

Leduc City Council enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE

1. The purpose of this bylaw is to regulate the use of highways under the direction, control and management of the City and the parking of vehicles on private property.

DEFINITIONS

2. In this bylaw, unless the context otherwise requires:

   a. "**alley**" means a narrow highway intended primarily to give access to the rear of buildings and parcels of land;

   b. "**boulevard**" means that part of a highway that is:

      i. not a roadway, and
      ii. that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians;

   c. "**bus"** means a public passenger vehicle that is owned or operated

as part of a municipal bus system;

d. "**centre line**" means:

i. the line dividing the lanes of traffic moving in opposite directions; or

ii. where there is no such line, the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway;

e. "**City**" means the municipal corporation of the City of Leduc;

f. "**City Manager**" means the chief administrative officer of the City;

g. "**commercial vehicle**" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation but does not include a vehicle used solely for personal transportation;

h. "**crosswalk**" means:

i. that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway, or

ii. any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface;

i. "**highway**" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any 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:

i. a sidewalk, including a boulevard adjacent to the sidewalk,

ii. if a ditch lies adjacent to and parallel with the roadway, the ditch, and

iii. if a 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 may be;

j. "**Holiday**" means:

i. New Year's Day,
ii. Alberta Family Day,
iii. Good Friday,
iv. Easter Monday,
v. Victoria Day,
vi. Canada Day,
vii. the first Monday in August,
viii. Labour Day,
ix. Thanksgiving Day,
x. Remembrance Day,
xi. Christmas Day,
xii. December 26, or when that date falls on a Sunday or a Monday, then December 27, and
xiii. any other day declared by the City to be a holiday;

k. "**intersection**" means the area embraced within the prolongation or connection of:

i. the lateral curb lines, or
ii. if there are not any lateral curb lines, the exterior edges of the roadways,

of two or more highways which join one another at an angle whether or not one highway crosses the other;

l. "**maximum gross weight**" means the maximum gross weight for a vehicle shown in the records of the Motor Vehicle Registry;

m. "**park**" means allowing a vehicle, whether occupied or not, to remain stationary in one place, except:

i. while actually engaged in loading or unloading passengers, or
ii. when complying with a direction given by a peace officer or traffic control device;

n. "**peace officer**" means:

i. a police officer or member of a police service under the *Police Act*, R.S.A. 2000, c. P-17, as amended, or

ii. a peace officer appointed under the *Peace Officer Act*, S.A. 2006, c. P-3.5, as amended;

o. "**person**" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;

p. "**recreational vehicle**" means a vehicle designed to provide temporary living accommodation for travel, vacation or recreational use;

q. "**roadway**" means that part of a highway intended for use by vehicular traffic;

r. "**sidewalk**" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between:

i. the curb line, or
ii. where there is no curb line, the edge of the roadway, and the adjacent property line, whether or not it is paved or improved;

s. "**stop**" means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with a direction given by a peace officer or traffic control device;

t. "**traffic control device**" means any sign, signal, marking or device regulating, warning or guiding traffic;

u. "**trailer**" means a vehicle designed so that it may be attached to or drawn by a vehicle and intended to transport property or persons; and

v. "**vehicle**" means a device in, upon or by which a person or thing may be transported or drawn upon a highway.

RULES FOR INTERPRETATION

3. The marginal notes and headings in this bylaw are for reference purposes only.

PART II – PARKING

NO PARKING

4. A vehicle shall not be parked on a highway in any location identified as a zone where parking is prohibited.

NO STOPPING

5. A vehicle shall not be stopped on a highway in any location identified as a zone where stopping is prohibited.

DISABLED PARKING

6. A vehicle shall not be parked on a highway in any location identified as being for the use of persons with disabilities unless the vehicle:

   (a) displays a valid disabled placard or license plate issued or recognized by the Alberta Registrar of Motor Vehicle Services; and
   (b) is being used for the transportation of a person with a disability.

EMERGENCY ACCESS

7. A vehicle shall not be parked on a highway in any location identified as a fire lane, emergency access zone or otherwise being for the use of emergency vehicles.

CROSSWALKS

8. A vehicle shall not be parked:

   (a) on a crosswalk or any part of a crosswalk; or
   (b) within 5 metres of a marked crosswalk;

   unless a traffic control device permits or requires such parking.

INTERSECTIONS

9. A vehicle shall not be parked:

   (a) within 5 metres of an intersection;
   (b) within an intersection, other than immediately next to the curb edge or edge of the roadway in a "T" intersection; or
   (c) within 1.5 metres of any vehicle crossway over a sidewalk;

   unless a traffic control device permits or requires such parking.

STOP SIGNS

10. A vehicle shall not be parked within 5 metres of the approach to a stop or yield sign, unless a traffic control device permits or requires such parking.

FIRE HYDRANTS

11. A vehicle shall not be stopped within 5 metres of a fire hydrant or, when the fire hydrant is not located at the curb, within 5 metres or the point on the curb nearest to the fire hydrant.

BOULEVARD PARKING

12. A vehicle shall not be on a sidewalk or boulevard, or any part of a sidewalk or boulevard, unless a traffic control device permits or requires such parking.

TIME LIMITED PARKING

13. (1) A vehicle shall not be parked on a highway in any location identified as a time limited zone for a period of time longer than the time limit.

(2) Notwithstanding subsection (1), a vehicle may be parked on a highway in a location identified as a time limited zone for any length of time on a Holiday.

COMMERCIAL LOADING ZONE

14. A vehicle shall not be parked on a highway in any location identified as a commercial loading zone unless the vehicle is a commercial vehicle.

PASSENGER LOADING ZONE

15. A vehicle shall not be parked on a highway in any location identified as a passenger loading zone.

BUSES

16. (1) Except as permitted in this section a vehicle shall not be stopped on a highway in any location identified as a bus zone unless the vehicle is a bus.

(2) A taxi may stop in any bus zone while in the process of actually loading or unloading passengers.

(3) When a bus is signaling a right hand turn, whether the bus is in motion or stopped, a person operating a vehicle on the highway shall not overtake or pass on the right hand side of the bus.

VEHICLE OBSTRUCTION

17. A vehicle shall not be parked on a highway in a manner that blocks or obstructs:

(a) the movement of traffic on the highway;
(b) a doorway to a building; or
(c) the approach to any fire station, police station, hospital of other place where emergency vehicles require access.

BRIDGES

18. A vehicle shall not be parked on any bridge or in any tunnel or any approach to a bridge or tunnel.

HILLS

19. A vehicle shall not be parked on any grade or slope unless:

(a) the front wheels of the vehicle are turned toward the curb or edge of the roadway; and
(b) the parking brake is engaged.

DOUBLE PARKING

20. A vehicle shall not be parked on the roadway side of a vehicle that is parked at the curb or edge of the roadway.

MARKED SPACE

21. A vehicle parked on a highway in a location marked by lines or otherwise shall be parked entirely within the markings.

ALLEYS

22. (1) A vehicle shall not be parked in an alley unless:

(a) a traffic control device permits parking; or
(b) the vehicle is in the process of loading or unloading goods.

(2) Notwithstanding subsection (1)(b):

(a) a commercial vehicle shall not be parked in an alley for more than 30 minutes; and
(b) a vehicle other than a commercial vehicle shall not be parked in an alley for more than 5 minutes.

(3) Nothing in this section permits a vehicle to be parked in an alley in a manner that blocks or obstructs the movement of traffic.

CENTRE LINE

23. A vehicle shall not be parked on a highway within 3 metres of the centre line of the roadway where the width of the roadway is 12 metres or more.

CLASS OF VEHICLE

24. (1) A vehicle shall not be parked on a highway in any location identified as being for the use of a particular class of vehicle unless the vehicle is within the particular class.

(2) For the purposes of this section particular classes of vehicles include, but are not limited to:

(a) cars having a wheel base of 270 centimetres or less;
(b) police or other emergency vehicles;
(c) Leduc Transit vehicles;
(d) tour line buses;
(e) funeral cars;
(f) school buses;
(g) bookmobiles; and
(h) taxis.

PRIVATE PROPERTY

25. (1) A vehicle shall not be parked on private property that is clearly identified as having restrictions on parking unless the permission or authorization of the owner or person having possession or control of the property has been given for such parking.

(2) A vehicle parked on private property in contravention of any specific restriction on parking identified for the location is presumed to be parking without the permission or authorization of the owner or person having possession or control of the property.

UNATTACHED TRAILER

26. A trailer shall not be parked on a highway unless the trailer is attached to a vehicle by which it may be drawn.

RECREATIONAL VEHICLES

27. (1) A recreational vehicle shall not be parked on a highway unless it is parked in a location completely adjoining residential property where the permission or authorization of the owner or person in possession or control of the property has been given for such parking.

(2) A recreational vehicle parked pursuant to this section:

(a) shall not be parked for more than 72 consecutive hours; and
(b) shall be removed to an off-highway location for at least 48 consecutive hours before it may be parked again on a highway.

(3) A recreational vehicle parked on a highway shall not be occupied.

PARALLEL PARKING

28. (1) A vehicle shall be parked on a highway with:

(a) the sides of the vehicle parallel to the curb or edge of the roadway; and
(b) the wheels of the vehicle that are the closest to the curb or edge of the roadway not more than 500 millimetres from the curb or edge of the roadway; and
(c) the vehicle facing in the direction of travel authorized for the traffic lane adjacent to the vehicle.

(2) Notwithstanding subsection (1), a motor cycle may be parked:

(a) at an angle, other than perpendicular, to the curb or edge of the roadway;
(b) with a wheel of the motor cycle not more than 500 millimetres from the curb or edge of the roadway; and
(c) with the motor cycle angled in the direction of travel authorized for the traffic lane adjacent to the motor cycle.

(3) Subsection (1) does not apply where angle parking is permitted or required.

ANGLE PARKING

29. (1) When a traffic control device indicates that angle parking is permitted or required a vehicle shall be parked on a highway:

(a) with one front wheel not more than 500 millimetres from the curb or edge of the roadway; and
(b) if there are no markings on the roadway, with the vehicle's sides at an angle of between 30 and 60 degrees to the curb or edge of the roadway.

(2) Notwithstanding subsection (1), when a traffic control device indicates that angle parking is permitted or required a motor cycle may be parked with:

(a) a wheel of the motor cycle not more than 500 millimetres from the curb or edge of the roadway, and
(b) the motor cycle angled in the direction of travel authorized for the traffic lane adjacent to the motor cycle.

ANGLE PARKING LENGTH

30. A vehicle, or a vehicle with a trailer attached, with a total length exceeding 6 metres shall not be parked at an angle on a highway unless a traffic control device permits such parking or the vehicle displays a valid permit issued by the City.

PERMIT PARKING

31. A vehicle shall not be parked on a highway in any location where a permit to park is required unless a valid permit is clearly displayed on the vehicle.

LENGTH

32. (1) A vehicle, or a vehicle with a trailer attached, with a total length exceeding 7 metres shall not be parked on a highway in a location adjoining residential property or on any of the following highways:

(a) 50th Avenue from 47th Street to Highway No. 2;
(b) 59th Avenue from 47th Street to 50th Street;

(c) the east side of 48th Street from 49th Avenue to 50th Avenue; and
(d) 48th Street from 50th Avenue to 51st Avenue.

(2) This section does not apply if the vehicle:

(a) is a recreational vehicle;
(b) is a school bus, if parked between the hours of 9:00 AM and 3:00 PM on a day in which school is in session; or
(c) is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

WEIGHT

33. (1) A vehicle, or a vehicle with a trailer attached, with a maximum gross weight exceeding 4,500 kilograms shall not be parked on a highway:

(a) in a location adjoining residential property at any time; or
(b) in any other location between 7:00 PM and 7:00 AM.

(2) This section does not apply if the vehicle:

(a) is a recreational vehicle; or
(b) is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

(3) In the absence of evidence to the contrary, a school bus is presumed to have a maximum gross weight exceeding 4,500 kilograms.

HORSE-DRAWN VEHICLES

34. A horse-drawn vehicle shall not be parked or left unattended on a highway.

RESTRICTIONS

35. Notwithstanding any other provision of this Part, a vehicle shall not be parked on a highway in contravention of any specific restrictions on parking identified for the location.

PART III – VEHICLE OPERATION

CROSSING PERMIT

36. (1) A person shall not operate or permit the operation of a vehicle so as to cross over a sidewalk or boulevard except at a crossing authorized by the City.

(2) A person shall not construct, cause or permit the construction of any crossing of a sidewalk or boulevard unless a valid permit has been issued by the City.

(3) In the absence of evidence to the contrary, the owner or occupier of land adjacent to a crossing constructed over a sidewalk or boulevard is presumed to have constructed, caused or permitted the construction of the crossing.

TRACKING

37. A person shall not operate or permit the operation of a vehicle on a highway so as to track any material on the highway.

FUNERAL PROCESSION

38. A person driving a vehicle in a funeral procession, other than the lead vehicle in the funeral procession, may, during day time hours, drive the vehicle into an intersection without stopping the vehicle if:

(a) the vehicle's headlamps are alight;
(b) the vehicle is travelling immediately behind the vehicle in front of it in the funeral procession so as to form a continuous line of traffic; and
(c) the passage into the intersection can be made safely.

JACKS

39. A person shall not leave a vehicle unattended on a highway if

(a) the vehicle is on a jack or a similar device, and
(b) one or more wheels have been removed from the vehicle or part of the vehicle is raised.

CONSTRUCTION TRAFFIC

40. A person shall not operate, or permit the operation of, any vehicle being used to transport construction materials, including building, electrical, plumbing, landscaping and related materials, on a highway in a residential area.

SLOW MOVING VEHICLES

41. (1) For the purpose of this section a slow moving vehicle is a vehicle required to display a slow moving vehicle sign pursuant to the *Commercial Vehicle Safety Regulation*, Alta. Reg. 315/2002, as amended.

(2) A person shall not operate a slow moving vehicle on a highway on weekdays between:

(a) 7:00 AM and 9:00 AM; or
(b) 4:00 PM and 6:00 PM.

TRACKED VEHICLES

42. A person shall not operate a vehicle on a highway with:

(a) spikes, lugs, cleats, bands or other items projecting from the surface of the wheel or tire; or
(b) skids, unless using triple grouser or flat surface tracks.

TRUCK ROUTES

43. (1) A person shall not operate a vehicle:

(a) with a maximum gross weight of 8,000 kilograms or more; or
(b) with a length exceeding 12.5 metres;

on a highway unless the highway is designated as a truck route.

(2) This section does not apply to vehicles being operated on the most direct and practical route between a location and the nearest truck route for:

(a) providing services to, delivering goods to, or collecting goods from a customer;
(b) traveling to or from the business premises of the owner of the vehicle;

(c) moving a building pursuant a valid permit issued by the City;
(d) travelling to or from premises for the servicing or repair of the vehicle;
(e) removing a disabled vehicle from a highway not designated as a truck route;
(f) travelling to or from a hotel or motel; or
(g) travelling to or from performing work on a highway not designated as a truck route.

(3) This section does not apply to:

(a) buses;
(b) recreational vehicles;
(c) emergency vehicles; or
(d) public utility vehicles performing the installation, servicing or repair of public utilities.

OVER-DIMENSIONAL VEHICLE

44. (1) A person shall not operate or permit the operation of a vehicle on a highway if any dimension of the vehicle is in excess of the dimensions set out in Part 1 of the *Commercial Vehicle Dimension and Weight Regulation*, Alta. Reg. 315/2002, as amended, unless a permit has been issued by the City.

(2) The municipal fee for a permit required pursuant to this section is $15.

(3) The provincial fees for a permit required pursuant to this section are as set out in Part 5 of the *Commercial Vehicle Dimension and Weight Regulation*, Alta. Reg. 315/2002, as amended.

OVERWEIGHT VEHICLE

45. (1) A person shall not operate or permit the operation of a vehicle on a highway if the weight of the vehicle is in excess of the weights set out in Part 2 of the *Commercial Vehicle Dimension and Weight Regulation*, Alta. Reg. 315/2002, unless a permit has been issued by the City.

(2) The municipal fee for a permit required pursuant to this section is $15.

(3) The provincial fees for a permit required pursuant to this section are as set out in Part 5 of the *Commercial Vehicle Dimension and Weight Regulation*, Alta. Reg. 315/2002, as amended.

WEIGHT TOLERANCES

46. (1) Two-axle vehicles designated by the manufacturer to be equipped with only single tires on the rear axle and that have a maximum gross weight not exceeding 3,600 kilograms are permitted a weight tolerance of 50%.

(2) All other vehicles are permitted a weight tolerance of 5% in excess of the maximum gross weight.

DIRECTION

47. A person operating a vehicle on a highway shall comply with any direction provided by a traffic control device or a peace officer.

PART IV - ACTIVITIES ON HIGHWAYS

LOADING

48. A person shall not load or unload goods across a sidewalk or boulevard where other loading or unloading facilities exist on the property.

JAYWALKING

49. (1) A person shall not cross, or attempt to cross, from one side of a roadway to another at any location other than a crosswalk.

(2) A person shall not cross, or attempt to cross, a roadway within a crosswalk when a traffic control device prohibits such crossing.

HITCHHIKING

50. A person shall not hitchhike or otherwise solicit a ride on a highway.

OTHER VEHICLES

51. (1) A person shall not ice skate, roller skate, skateboard or ride any similar vehicle on any roadway other than at a crosswalk.

(2) A person shall not ride a sled, toboggan, skis or similar vehicle on any highway.

ITEMS ON A ROADWAY

52. A person shall not place, cause or permit to be placed any mud, grease, oil, ice, slush or any other material upon any sidewalk or roadway.

HIGHWAY MARKINGS

53. (1) A person shall not place, cause or permit to be placed any mark on a highway.

(2) For the purposes of this section any individual or corporation referred to in a mark, whether directly or indirectly, is presumed to have placed the mark or permitted the mark to be placed.

53.1. A person operating a school bus at the edge of the roadway adjacent to a school shall not use alternating flashing lights and stop arm while loading or unloading passengers. ***Addition – Bylaw No. 954-2017, adopted August 21st, 2017.***

OBSTRUCTION

54. (1) A person shall not stand or be in any other position on a highway so as to obstruct the entrance to a building or to prevent other persons from using the highway.

(2) This section does not apply to persons participating in or assembled to watch a parade for which a permit has been issued by the City.

OVERHANGING PLANTS

55. A person shall not cause or permit any tree, shrub, bush or other plant to overhang or extend onto a highway adjacent to land they own or occupy in manner that may interfere with the safe use of the highway by vehicles or pedestrians.

GATES

56. A person shall to cause or permit any gate to project over a highway adjacent to property that they own or occupy.

SIGNS AND AWNINGS

57. A person shall not cause or permit any sign, sign post or awning to overhang or extend onto or over a highway adjacent to land they own or occupy unless a permit has been issued by the City.

CROWDING

58. A person shall not crowd, jostle or harass any other person on a highway.

PARADES

59. A person shall not organize, conduct, or participate in a parade or procession unless a permit has been issued by the City.

PART V - ENFORCEMENT

OFFENCE

60. A person who contravenes this bylaw is guilty of an offence.

CONTINUING OFFENCE

61. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established in this bylaw for each such day.

OWNER LIABLE

62. (1) In this section "owner" includes any person registered as an owner at the Motor Vehicle Registry.

(2) If a vehicle is involved in an offence under this bylaw, the owner of that vehicle is guilty of that offence.

(3) This section does not apply if the owner of the vehicle satisfies the court that, at the time that the vehicle was involved in the offence:

(a) the owner of the vehicle was not driving or did not park the vehicle, and
(b) no other person was driving or parked the vehicle with the owner's expressed or implied consent;

(4) An owner who is guilty of an offence by operation of this section is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

VICARIOUS LIABILITY

63. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent exercising the powers of or performing duties on behalf of the person under their agency relationship.

CORPORATIONS AND PARTNERSHIPS

64. (1) When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

(2) If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

FINES AND PENALTIES

65. (1) A person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding $10,000, and to imprisonment for not more than six months for non-payment of a fine.

(2) Without restricting the generality of subsection (1), the following fine amounts are established for use on violation tickets if a voluntary payment option is offered:

(a) $50 for any offence for which a fine is not otherwise established in this section;
(b) $150 for any offence under sections 6, 7, 36, 37, 40, and 42; and
(c) $500 for any offence under sections 43, 44, 45 and 53.

MUNICIPAL TAG

66. Notwithstanding section 65, if a municipal tag is issued in respect of an offence the municipal tag must specify the following fine amounts:

(a) $45 for any offence for which a fine is not otherwise established in this section;
(b) $135 for any offence under sections 6, 7, 36, 37, 40, and 42; and
(c) $450 for any offence under sections 43, 44, 45 and 53.

PAYMENT IN LIEU OF PROSECUTION

67. A person who commits an offence may, if a municipal tag is used in respect of the offence, pay the fine amount established by section 66, and if the amount is paid on or before the date specified on the municipal tag, the person will not be prosecuted for the offence.

VIOLATION TICKET

68. If a violation ticket is issued in respect of an offence, the violation ticket may:

(a) specify the fine amount established in section 65 for the offence; or
(b) require the person charged to appear in court without the alternative of making a voluntary payment.

VOLUNTARY PAYMENT

69. A person who commits an offence may:

(a) if a violation ticket is issued in respect of the offence; and
(b) if the violation ticket specifies the fine amount established in section 65 for the offence;

make a voluntary payment equal to the specified fine.

ORDER TO COMPLY

70. (1) If the City Manager believes, on reasonable grounds, that a person is contravening any provision of this bylaw, the City Manager may, by written order, require any person responsible for the contravention to remedy it.

(2) The order may:

(a) direct a person to stop doing something or to change the manner in which the person is doing it;
(b) direct a person to take any actions of measures necessary to remedy the contravention of the bylaw and, if necessary, to prevent a re-occurrence of the contravention;
(c) state a time within which the person must comply with the directions;
(d) state that if the person does not comply with the directions within a specified time, the City will take the action or measure.

(3) A person named in and served with an order issued pursuant to this section shall comply with any action of measure required to be taken within the time specified.

(4) An order issued pursuant to this section may be served:

(a) in the case of an individual:
  i. by serving it personally to the individual;
  ii. by leaving it for the individual at their apparent place of residence with someone who appears to be 18 years of age; or
  iii. by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the City or at the Land Titles registry; and

(b) in the case of a corporation:
  i. by delivering it personally to any director or officer of the corporation;
  ii. by delivering it personally a person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
  iii. by mail addressed the registered office of the corporation.

OBSTRUCTION

71. A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

PART VI - GENERAL

POWERS OF THE CITY MANAGER

72. Without restricting any other power, duty or function granted by this bylaw the City Manager may:

(a) carry out any inspections necessary to determine compliance with this bylaw;
(b) take any steps or carry out any actions necessary to enforce this bylaw;
(c) take any steps or carry out any actions necessary to remedy a contravention of this bylaw;

(d) establish areas where activities restricted by this bylaw are permitted;
(e) establish forms for the purposes of this bylaw;
(f) issue permits with such terms and conditions as are deemed appropriate;
(g) establish the criteria to be met for a permit pursuant to this bylaw;
(h) designate where traffic control devices are to be erected and, for purposes of greater certainty, this includes traffic control devices restricting the speed of vehicles;
(i) designate crosswalks upon any highway;
(j) designate any intersection, or place on a highway, as a place at which no left hand turn or no right hand turn, or both, shall be made;
(k) designate any intersection, or place on a highway, as a place at which only a left hand turn or a right hand turn shall be made;
(l) designate any intersection or place on a highway as a place where u-turns are prohibited;
(m) designate any highway or portion thereof for one-way traffic only;
(n) temporarily close any highway or portion thereof;
(o) designate “School Zones” and “Playground Zones”;
(p) designate highways or any portion thereof as passenger or commercial vehicle loading and unloading spaces and set time limits for those spaces;
(q) designate school bus loading or unloading zones;
(r) designate portions of any highway as no parking or no stopping;
(s) designate portions of any highway as time limited parking spaces and set time limits for those spaces;
(t) designate certain parking locations for the exclusive use of persons with disabilities;
(u) designate any parking restrictions on property owned by the City;
(v) designate angle parking on any highway or portion thereof;
(w) designate highways as truck routes;
(x) designate portions of any highway where the use of bicycles is prohibited;
(y) designate portions of any highway for the use of bicycles only;
(z) designate any roadway as one to be divided into traffic lanes of such number as is proper;
(aa) prohibit or restrict the movement of vehicles from a private driveway onto a highway or from a highway onto a private driveway where such prohibition or restriction is in the public interest for the regulation of traffic;

(bb) close any existing median or divider on a highway;
(cc) designate maximum loads for any bridge; and
(dd) delegate any powers, duties or functions under this bylaw to an employee of the City.

CERTIFIED COPY OF RECORD

73. A copy of a record of the City, certified by the City Manager as a true copy of the original, shall be admitted in evidence as *prima facie* proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

PERMITS

74. (1) A person to whom a permit has been issued pursuant to this bylaw, and any person carrying out an activity otherwise regulated, restricted or prohibited by this bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.

(2) A person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this bylaw.

(3) If any term or condition of a permit issued pursuant to this bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the City Manager may immediately cancel the permit.

(4) A person shall immediately produce a permit issued pursuant to this bylaw when requested to do so by a peace officer.

PROOF OF PERMIT

75. The onus of proving a permit or approval has been issued in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.

REPEALS

76. The following bylaws are repealed:

(a) City of Leduc Traffic Bylaw, No. 46-85; and
(b) A Bylaw to Regulate Highways and Public Places in the City of Leduc, No. 47-85.

EFFECTIVE DATE

77. This bylaw comes into force on April 1, 2015.

READ A FIRST TIME IN COUNCIL THIS 12TH DAY OF JANUARY, 2015.

READ A SECOND TIME IN COUNCIL THIS 12TH DAY OF JANUARY, 2015.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 23RD DAY OF FEBRUARY, 2015.

'original signed'

Greg Krischke
MAYOR

'original signed'

Sandra Davis
CITY CLERK

February 23rd, 2015

Date Signed