

**LETHBRIDGE COUNTY
IN THE PROVINCE OF ALBERTA**

BYLAW NO. 20-017

**A BYLAW OF LETHBRIDGE COUNTY FOR THE
REGULATION AND CONTROL OF PARKING**

WHEREAS the *Traffic Safety Act*, Chapter T-6 of the Revised Statutes of Alberta, 2000 and amendments thereto, makes provision for passage of bylaws to the regulation and control of vehicles;

AND WHEREAS pursuant to the *Municipal Government Act*, RSA 2000, c M-26 Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and the enforcement of bylaws.

NOW THEREFORE, THE COUNCIL OF LETHBRIDGE COUNTY DULY ASSEMBLED HEREBY ENACTS THE FOLLOWING:

1. SHORT TITLE

1.1 This Bylaw may be cited as the "Highway Parking Bylaw".

2. DEFINITIONS

2.1 In this Bylaw, words shall have the same meaning as in the *Traffic Safety Act* and the regulations under the *Traffic Safety Act* except as otherwise defined herein.

2.2 In this Bylaw:

- a) **"Alley"** means a narrow Highway intended mainly to give access to the rear of buildings and parcels of land.
- b) **"Bicycle"** means any cycle propelled by human power on which a person can ride, regardless of the number of wheels it may have.
- c) **"Boulevard"** means:
 - i. That part of a Highway that is not a Roadway; and
 - ii. That part of a Sidewalk that is not especially adapted to the use or ordinarily used by Pedestrians.
- d) **"CAO"** means the Chief Administrative Officer of Lethbridge County, or his or her delegate.
- e) **"Council"** means the municipal council of Lethbridge County.
- f) **"Court"** means a Court of competent jurisdiction in Alberta.
- g) **"Dangerous Goods"** has the same meaning as in the Dangerous Goods Transportation and Handling Act.
- h) **"Commercial Vehicle"** means a vehicle, or a vehicle with a trailer attached that has a Gross Weight or a Gross Registered vehicle Weight of 4500 kilograms or more, with or without a load, or exceeds 6 meters in overall length, excluding Recreational Vehicles.
- i) **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, alley, driveway, viaduct, lane, square, bridge, causeway, trestle-way 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:

- 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 but does not include a place declared by regulation not to be a highway,
 - iv. 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 but does not include a place declared by regulation not to be a highway.
- j) **“Locality”** means an unincorporated community recognized by Lethbridge County as a locality, including but not limited to a hamlet located within Lethbridge County.
- k) **“Violation Tag”** means a tag or similar document issued by Lethbridge County pursuant to the Municipal Government Act for the purpose of notifying a Person that an offence has been committed for which a prosecution may follow.
- l) **“Owner”** means the person who owns a vehicle and includes any person renting a vehicle or having the exclusive use of a vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a vehicle for a period of more than 30 days.
- m) **“Park”, “Parking”, or “Parked”** means to allow a vehicle, whether occupied or not, to remain stationary in one place, except;
 - i. when standing temporarily for the purpose of and while engaged in loading or unloading passengers, goods or within a designated loading zone, or
 - ii. when complying with a direction given by a Peace Officer or traffic control device.
- n) **“Peace Officer”** means a member of the Royal Canadian Mounted Police, a Community Peace Officer whose appointment includes enforcement of Lethbridge County's Bylaws, or a Bylaw Enforcement Officer appointed by Lethbridge County.
- 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, and to be driven, towed or transported, some examples of which include, without restricting the generality of the foregoing, a motor home, holiday trailer, camper, tent trailer and any bus or truck converted to provide temporary living accommodation.
- q) **“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 the Curb line (or the edge of the Roadway, where there is no Curb line) and the adjacent property line, whether or not paved or improved.
- r) **“Traffic Control Device”** Device means any temporary or permanent sign, signal, marking, or device whether manually, electrically or

mechanically operated placed, marked or erected under the authority of this Bylaw for the purposes of regulating, warning or guiding traffic.

- s) **"Trailer"** means a vehicle so designed that it:
 - i. may be attached to or drawn by a motor vehicle or tractor, and
 - ii. is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.
- t) **"Undeveloped Road Allowance"** means any land dedicated as a road right of way that has not been developed, whether the right of way is shown on a road plan registered with the Land Titles Registry.
- u) **"Violation Ticket"** means a ticket issued pursuant to either Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

3. RULES OF INTERPRETATION

- 3.1 Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order, or licence.
- 3.2 Any heading or sub-headings in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
- 3.3 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court, all other provisions of this Bylaw shall remain valid and enforceable.
- 3.4 Any reference to the provisions of a statute of Alberta is a reference to that statute and any regulations thereunder, associated, as amended, or appealed and replaced over time.

4. APPLICATION

- 4.1 The provisions of this Bylaw do not apply to the following vehicles:
 - a) emergency vehicles
 - b) vehicles owned or within the lawful possession of Lethbridge County
 - c) vehicles engaged in maintenance or repair of a public utility, as defined in the Municipal Government Act
 - d) a vehicle operated by a federal, provincial, or municipal government, or with the approval of the federal, provincial, or municipal government, for the purpose of constructing or maintaining a highway
 - e) school buses, when authorized or buses for the handicapped, while transporting, loading, or unloading passengers during the ordinary course of business

5. TRAFFIC CONTROL DEVICES

- 5.1 The CAO or their designate are authorized to prescribe where traffic control devices are to be located, including traffic control devices restricting the parking of any class of vehicles:

- a) restricted to any class or classes of Vehicles
- b) prohibited parking at any time
- c) restricted to a specified amount of time via a traffic control device.

5.2 The CAO or their designate shall authorize the placement of traffic control devices at such locations and may from time to time alter the location for the following purposes:

- a) To prohibit, restrict or regulate the parking of Vehicles or any class of Vehicles on any Highway or other public place or any portion thereof during such hours as may be determined
- b) To designate and mark guidelines for angle or parallel parking on any Highway or other public place or any portion thereof.

5.3 Lethbridge County shall create a formal record to be kept of the location of all traffic control devices, which shall be open to public inspection during normal business hours.

5.4 Notwithstanding any provisions of this Bylaw, all traffic control devices placed, erected, or marked in Lethbridge County prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant to the provisions of this Bylaw.

6. SIGNAGE TAMPERING

6.1 No Person shall climb upon, interfere with, damage, deface, remove, alter, or destroy a traffic control device.

7. PARKING ON COUNTY PROPERTY

7.1 No person shall park any vehicle upon land owned by Lethbridge County except:

- a) on such thereof as may be designed by the CAO or their designate with a sign for vehicle parking.
- b) When actively engaged in Lethbridge County business.
- c) Where on street parking is permitted.

8. PARKING IN LANES

8.1 No driver of a vehicle shall park a vehicle or permit a vehicle to be parked in a lane unless a traffic control device otherwise permits such parking for the following purposes:

- a) the loading or unloading of small non bulk goods or passengers from a vehicle other than a commercial vehicle used for the purpose of the transportation of commercial goods/materials at its designated drop-off pick-up point.

8.2 Notwithstanding Section 8.1, no driver of a vehicle while loading or unloading passengers or goods shall park a vehicle or permit a vehicle to be

parked in such a manner as may obstruct the passage of other vehicles in the lane.

9. PARKING/STOPPING

- 9.1 No driver of a vehicle shall stop or park a vehicle contrary to a posted traffic control device.
- 9.2 No person shall park on a Highway for the purpose of a vehicle being displayed for sale.
- 9.3 No person shall park or stand any vehicle on any highway for a period of more than seventy-two (72) hours unless signage permits otherwise.
- 9.4 No Vehicle may be parked at an angle to the Curb in a cul-de-sac unless that Vehicle is parked in such a manner as not to interfere with the free flow of traffic in the cul-de-sac.

10. CONSTRUCTION AND MAINTENANCE

- 10.1 No person shall park a Commercial Vehicle or Trailer on a Highway unless the vehicle and/or trailer is being used for the purpose of the Highway being maintained, repaired or sanctioned work of any kind is being performed, including snow removal/winter maintenance when specified with posted notice.
- 10.2 Notwithstanding Section (10.1), trailers used for construction or maintenance purposes may be left on a roadway directly adjacent to a work site for a maximum 10-hour period between 7:00am and 7:00pm provided:
- a) Workers are actively engaged at that site
 - b) The trailers are properly supported at their hitch points so as not to mar the surface of the road; wheels are properly chocked; and warning cones are set out on the roadway both in front and behind the corners of the trailers that are furthest from the curb or roadway edge
 - c) It does not interfere with any laneway or driveway.

11. BUSES

- 11.1 No driver of a vehicle shall stop or park a vehicle in any bus stop properly marked by signage.

12. ALLEY/LANE ACCESS

- 12.1 No driver of a vehicle shall park a vehicle in an alley unless a person is actively engaged in the loading or unloading of passengers or goods from a vehicle, provided that the vehicle concerned is such loading or unloading of passengers or goods does not so obstruct the lane as to prevent other vehicles or persons from passing freely through the alley.

13. TRAILERS/HIGHWAYS

13.1 No person shall park any trailer (whether designed for occupancy by person or for the carrying of goods and equipment), upon any highway unless said trailer is attached to a motor 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:

- a) Despite Section (10.1) if the trailer is being used on a Highway when such Highway or any portion thereof is being maintained, repaired or sanctioned work of any kind is being performed, including snow removal/winter maintenance, then it may be parked for the duration of the work provided it does not obstruct the lane or prevent other vehicles or persons from passing freely.

14. RECREATIONAL TRAILER/VEHICLES

14.1 Subject to Section 10.1, a person may park a recreational trailer or recreational vehicle upon a highway during the months of May through to September provided that in doing so no obstruction is caused to vehicular or pedestrian traffic and such vehicle shall only be parked adjacent to the registered owner's registered property and;

- a) Rented or leased property are deemed "registered" owners.

15. DIMENSIONAL/WEIGHT RESTRICTION

15.1 No person shall park any heavy vehicle or commercial vehicle, bus, truck tractor, tractor trailer or registered weight of over 4500kg or a length of more than Six (6) meters upon any highway:

- a) Notwithstanding section (10) where applicable.

16. INTERSECTION PARKING

16.1 A person driving a vehicle shall not park any vehicle, unless

- a) required or permitted by this bylaw or by a traffic control device
- b) in compliance with a direction given by a peace officer, or
- c) to avoid conflict with other traffic, stop or park the vehicle at the following locations:
 - i. on a sidewalk or boulevard;
 - ii. on a crosswalk or on any part of a crosswalk;
 - iii. within an intersection other than immediately next to the curb in a "T" intersection;
 - iv. at an intersection nearer than 5 metres to the projection of the corner property line immediately ahead or immediately to the rear, except when the vehicle is parked in a space where a parking meter or other traffic control device indicates parking is permitted;
 - v. in the case of an approach to a stop sign or yield sign, within 5 metres from the stop sign or yield sign;

- vi. within 5 metres from any fire hydrant, or when the hydrant is not located at the curb, within 5 metres from the point on the curb nearest the hydrant;
- vii. within 1.5 metres from an access to a garage, private road or driveway or a vehicle crossway over a sidewalk;
- viii. within 5 metres from the near side of a marked crosswalk;
- ix. alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
- x. on any bridge or in any subway or on the approaches to either of them;
- xi. at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited;
- xii. on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway; or
- xiii. at or near the site of any fire, accident, or other emergency, if stopping or parking would obstruct traffic or hinder emergency vehicles or peace officers, firemen, ambulance drivers or assistants or rescue officers or volunteers.

17. PARALLEL PARKING

17.1 When parking a vehicle on a roadway, a person may only park a vehicle

- a) with:
 - i. the sides of the vehicle parallel to the curb or edge of the roadway; and
 - ii. the right wheels of the vehicle not more than 500 millimetres from the right curb or edge of the roadway.

17.2 Notwithstanding subsection (1), a person may park a motorcycle:

- a) at an angle, other than perpendicular, to the curb or edge of the roadway, and
- b) with:
 - i. a wheel of the motorcycle not more than 500 millimetres from the curb or edge of the roadway; and
 - ii. the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is parked.

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

18. ANGLE PARKING

18.1 When:

- a) a sign indicates that angle parking is permitted or required, and
- b) parking guide lines are visible on the roadway, a person may only park a vehicle with the vehicle's sides between and parallel to any 2 of the guide lines

- c) in the case of a vehicle other than a motor cycle, with:
 - i. wheel of the motor cycle not more than 500 millimetres from the curb or edge of the roadway; and
 - ii. the motor cycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.

18.2 When:

- a) a sign indicates that angle parking is permitted or required; and
- b) no parking guide lines are visible on the roadway, a person may only park a vehicle with the vehicle's sides at an angle of between 30 and 60 degrees to the curb or edge of the roadway; and
- c) in the case of a vehicle other than a motorcycle, with one front wheel not more than 500 millimetres from the curb or edge of the roadway, or
- d) in the case of a motorcycle; with
 - i. a wheel of the motorcycle not more than 500 millimetres from the curb or edge of the roadway; and
 - ii. the motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motor cycle is parked.

19. PARKING ON HILLS

19.1 A person shall not permit a vehicle to stand unattended on any grade or slope without:

- a) turning the front wheels of the vehicle towards the nearest curb or edge of the roadway in such a manner to impede any movement of the vehicle; and
- b) effectively setting the vehicle's parking brake or other mechanism with which the vehicle is equipped that is designed to hold the vehicle in a stationary position while the vehicle is unattended.

20. PERPENDICULAR PARKING

20.1 A person shall not park any vehicle or trailer perpendicular:

- a) to a sidewalk or;
- b) curb;
- c) Section (20.1) does not apply if signage permits perpendicular parking or there are marked lines for perpendicular parking.

21. VEHICLE ON JACK

21.1 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.

22. OWNER LIABLE

22.1 Owner Liable

- a) If a vehicle or trailer is involved in an offence referred to in this Bylaw, the owner of that vehicle or trailer is guilty of an offence,
- b) Subsection (22.1) does not apply if the owner of the vehicle or trailer satisfies the Court that the owner did not park the vehicle or trailer, and that the person who parked the vehicle or trailer did so without the owner's express or implied consent.

23. PENALTIES

23.1 Any Person who contravenes any provision of this Bylaw by:

- a) doing any act or thing which the Person is prohibited from doing; or
- b) failing to do any act or thing the Person is required to do;

is guilty of an offence.

23.2 Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.

23.3 Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw that amount is the minimum penalty for the offence.

23.4 Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00.

23.5 Nothing in this Bylaw shall be construed as curtailing or bridging the right of Lethbridge County to obtain compensation or to maintain any action for loss of or damage to property from or against the person or persons responsible.

24. AUTHORITY OF PEACE OFFICER AND VIOLATION TAGS AND VIOLATION TICKETS

24.1 Where a Peace Officer believes that a vehicle or trailer is parked in contravention of this Bylaw, he may:

- a) place a violation tag on the vehicle or trailer; or
- b) send a violation tag to the registered owner of the vehicle or trailer by ordinary mail.

24.2 A violation tag shall be in a form approved by Lethbridge County and shall state:

- a) The registered owner of the vehicle
- b) the licence plate of the vehicle or trailer
- c) the offence
- d) the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw

- e) that the penalty shall be paid within twenty-two (22) days of issuance of the violation tag
- f) failing to pay will result in the issuance of a violation ticket

24.3 If a person who is responsible for a contravention of a provision of this Bylaw pays the specified penalty amount within the times and in the manner set out on the tag, such payment will be accepted in lieu of prosecution.

24.4 If payments referred to in subsection (24.3) are not made within the times and in the manner set out on the tag, a Violation Ticket may be issued to the registered owner of the vehicle or trailer in accordance with the Provincial Offences Procedures Act, R.S.A 2000, c. P-34.

24.5 Nothing in this Section shall:

- a) prevent any person from exercising his right to defend any charge of committing a breach of any Section of this Bylaw; or
- b) prevent any Peace Officer, in lieu of serving a tag, from issuing a Violation Ticket to a person or owner pursuant to the *Provincial Offences Procedures Act*, R.S.A 2000, c. P-34.
- c) from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, or from laying an information instead of issuing a violation ticket.

24.6 A person other than the owner or operator of a vehicle shall not remove any tag or notice placed on or affixed to a vehicle by a Peace Officer in the course of his duties.

24.7 No person other than a Peace Officer shall place a tag on any vehicle.

24.8 Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by a Peace Officer provided that no more than one violation tag is issued for each day that the contravention continues.

24.9 In order to determine the time which a vehicle or trailer has been parked a Peace Officer may place a sticker or an erasable chalk mark on the tire of the parked or stopped vehicle or trailer without such Peace Officer or other person or Lethbridge County incurring any liability for so doing.

24.10 No person shall remove a sticker, or an erasable chalk mark placed under Subsection (24.9), while the vehicle or trailer remains parked in the location where it was marked.

25. SEVERABILITY

25.1 If any Section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

26. EFFECTIVE DATE

26.1 This Bylaw shall come into effect upon third and final reading.

GIVEN first reading this _____ day of _____, 20____.

Reeve

Chief Administrative Officer

GIVEN second reading this _____ day of _____, 20____.

Reeve

Chief Administrative Officer

GIVEN third and final reading this _____ day of _____, 20____.

Reeve

Chief Administrative Officer

Schedule "A"
PENALTIES

Section 6	Signage Tampering	\$500.00
Section 7	Parking on County Property	\$81.00
Section 8	Parking in Lanes	\$81.00
Section 9	Parking/Stopping	\$81.00
Section 11	Bus Stops	\$81.00
Section 12	Alley/Lane Access	\$81.00
Section 13	Trailer Parking	\$81.00
Section 14	Recreational Trailers/Vehicles	\$155.00
Section 15	Dimensional/Weight Restriction	\$310.00
Section 16	Intersection Parking	\$81.00
Section 17	Parallel Parking	\$81.00
Section 18	Angle Parking	\$81.00
Section 19	Parking on Hills	\$81.00
Section 20	Perpendicular Parking	\$81.00
Section 21	Vehicle On Jack	\$81.00