



**BYLAW #2019-826
VILLAGE OF CARBON
IN THE
PROVINCE OF ALBERTA
TRAFFIC BYLAW**

A BYLAW of the Village of Carbon in the Province of Alberta **REGULATING TRAFFIC** in the Village of Carbon.

WHEREAS, Council deems it necessary to regulate traffic within the Village;

AND WHEREAS, the *Traffic Safety Act*, R.S.A. 2000 c. T-6 and the *Municipal Government Act*, R.S.A. 2000 c. M-26 provide authority for the Village to regulate such matters;

NOW THEREFORE, the Council of the Village of Carbon, in the Province of Alberta, duly assembled, hereby enacts as follows:

SECTION 1 - SHORT TITLE

1.1 This Bylaw may be cited as the Village of Carbon "Traffic Bylaw".

SECTION 2 - DEFINITIONS

- 2.1 Except where otherwise defined in this Bylaw or in a context otherwise required by this Bylaw, all defined terms shall have the same meaning as is ascribed to them in the *Traffic Safety Act*, R.S.A. 2000, Chapter T-6, and all amendments and Regulations thereto.
- 2.2 "**Alley**" means a narrow Highway providing access to the rear of buildings and parcels of land.
- 2.3 "**Boulevard**" means that part of the Highway in an urban area that is not the roadway and is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
- 2.4 "**Chief Administrative Officer (CAO)**" means that person appointed to the position and title by the Municipal Council of the Village of Carbon and includes any person appointed by the CAO to act as his/her delegate;
- 2.5 "**Council**" means the Municipal Council of the Village of Carbon.
- 2.6 "**Dangerous Goods**" means a product, substance or organism so designated by the Dangerous Goods Transportation and Handling Act as amended.
- 2.7 "**Director of Emergency Management**" shall mean an authorized individual tasked with supervising

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- the services offered before, during, and/or after a disaster strikes, whether natural or man-made.
- 2.8 **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way 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:
- 2.8.1 a sidewalk, including a Boulevard adjacent to the sidewalk;
- 2.8.2 if a ditch that lies adjacent to and parallel with the roadway, the ditch; and
- 2.8.3 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
- 2.8.4 does not include a place declared by regulation not to be a Highway.
- 2.9 **"Mobility Aid"** means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability.
- 2.10 **"Municipal Tag"** means a written notice, on a form approved by the CAO, issued by a Peace Officer, to advise a person that a violation of this Bylaw has occurred and that, by payment of a specified amount for the offence within a set time period, that person will avoid prosecution for the offence.
- 2.11 **"Off-Highway Vehicle"** means an Off-Highway vehicle as defined in Section 117 of the Off-Highway Vehicle Regulation 319/2002, and amendments thereto. It should be noted that the *Traffic Safety Act* does not consider Golf Carts to be Off Highway Vehicles
- 2.12 **"Owner"** means the person named on the Certificate of Registration.
- 2.13 **"Parade or Procession"** means any group of pedestrians numbering more than twenty (20) and marching or walking on the street or any group of vehicles numbering ten (10) or more, except for funerals for the purpose of this Bylaw.
- 2.14 **"Park or Green Space"** means an area of grass, trees, or other vegetation set apart for recreational or aesthetic purposes.
- 2.15 **"Peace Officer"** means any member of the RCMP, Special Constable, Community Peace Officer or Bylaw Enforcement Officer.
- 2.16 **"Prohibited Vehicles"** means any vehicle or type of vehicle that's use on Alberta Highways is specifically prohibited by the *Traffic Safety Act* and includes but is not limited to golf carts, pocket bikes, go-carts, electric scooter and motorized skateboard.
- 2.17 **"Provincial Offences Procedures Act"** means the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.

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- 2.18 **"Provincial Violation Ticket"** means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended, and any regulations thereunder.
- 2.19 **"Remedial Order"** means an order as described in Section 545 or Section 546 of the *Municipal Government Act*.
- 2.20 **"School Patrol"** means a group of crossing guards assisting pedestrians, including but not limited to students, in crossing the street.
- 2.21 **"Traffic Control Device"** means any authorized sign, signal, marking or device placed, marked or erected for the purpose of regulating, warning or guiding traffic or pedestrian movement, whether of a permanent or temporary nature, and includes a school crossing guard or patrol.
- 2.22 **"Truck Route"** means the Highways within the Village that have been posted with signs indicating Truck Route.
- 2.23 **"Vehicle"**, other than in Part 6 of the *Traffic Safety Act*, R.S.A. 2000, means a device in, on or by which a person or thing may be transported or drawn on a Highway and includes a combination of vehicles: Truck 1500,2500,3500 and 5500, Car, SUV or Minivan but does not include a mobility aid.
- 2.24 **"Village"** means the Village of Carbon and its corporate boundaries.

SECTION 3 - AUTHORITIES

- 3.1 The Council may, by resolution, designate any Highway to be a Truck Route or part of a Truck Route. A record of such Truck Routes approved by the Council shall be kept by the CAO.
- 3.2 Temporary Traffic Control Devices may be placed on a Highway by Village authorized road maintenance personnel in the course of their duties. Village employees may remove or cause to be removed vehicles from any Village Highway when maintaining or repairing same.
- 3.3 A Peace Officer is hereby authorized to control and regulate vehicles and Highway traffic on all Highways within the Village.
- 3.4 Any Peace Officer or any member of the Fire Department may, in case of fire or other emergency, designate a point beyond which no person shall pass.
- 3.5 Notwithstanding anything else contained in this bylaw, the Village of Carbon maintains complete control over the Highways within the Village and the CAO of the Village of Carbon shall have complete authority to prohibit any activities that he or she believes to be unsafe and/or destructive to Village property, regardless of whether such activity is specifically excluded by the provisions of this bylaw.

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SECTION 4 - RULES FOR THE OPERATION OF VEHICLES

- 4.1 Every person operating a motor vehicle, a bicycle, a tractor, an implement of husbandry or other type of vehicle upon a Highway in the Village shall, insofar as they are applicable, obey the rules of the road as set out in Use of Highway and Rules of the Road Regulation AR 304/2002 of the *Traffic Safety Act*, as amended.
- 4.1.1 Vehicles which are defined as Prohibited Vehicles under the *Traffic Safety Act* are not permitted to be operated on any Highway within the Village of Carbon.
- 4.2 Every person operating a motor vehicle, a bicycle, a tractor, and implement of husbandry or any other type of vehicle upon a Highway in the Village shall not exceed a speed of thirty (30) kilometres an hour, with the following exceptions:
- 4.2.1 Highways posted with a speed other than thirty (30) kilometres an hour; and,
- 4.2.2 An Alley, where the speed shall not exceed fifteen (15) kilometres an hour;
- 4.3 No person shall drive over or upon any curb, gutter or sidewalk unless that curb has been lowered to allow vehicle access (commonly described as depressed crossing, curb cut, lowered curb, lowered or sloped sidewalk, pictured in Schedule "B").
- 4.3.1 Residents wishing to install a parking pad or driveway must apply for relevant Development Permits and are responsible for all costs associated with lowering the curb to allow vehicle access.
- 4.4 Permanent and Temporary driveway ramps are prohibited without written permission from the CAO. Ramps must not impede the flow of water through drainage channels and must not interfere with street sweeping or snow removal.

SECTION 5 - RIGHTS AND DUTIES OF PEDESTRIANS

- 5.1 Every person shall, insofar as they are applicable, obey the rules for pedestrians as set out in Part 3 of the Use of Highway and Rules of the Road Regulation AR 304/2002 of the *Traffic Safety Act*, RSA 2000 c. T-6, as amended.
- 5.2 No person shall cross at an intersection at any place where a Traffic Control Device prohibits the crossing.

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SECTION 6 - PARKING

- 6.1 Every person parking a motor vehicle, a tractor, an implement of husbandry or any other type of vehicle upon a Highway in the Village shall, insofar as they are applicable, obey the parking regulations as *Traffic Safety Act*, RSA 2000 c. T-6 as amended and the regulations thereunder.
- 6.2 No person shall park a vehicle at any place where a Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.
- 6.3 No person shall park a vehicle at any place where a temporary Traffic Control Device prohibits stopping or parking during the times stopping or parking is so prohibited.
- 6.4 The marking of a curb with yellow paint, placed by the Village, shall be deemed to be a Traffic Control Device to prohibit stopping and/or parking on the roadway immediately adjacent to the marked curb.
- 6.5 No person shall obstruct an Alley as to prevent other vehicles or persons from passing in the Alley.
- 6.6 No person shall park in an area designated by a sign as a parking place for persons with disabilities unless that person displays a disabled placard or licence plate issued or recognized by the Registrar of Motor Vehicle Services.
- 6.7 No person shall park any vehicle upon any land owned by the Village including, but not limited to, Boulevards, Parks or Green Spaces at any time without getting written permission prior to doing so from the CAO, apart from land on which parking is permitted.
- 6.8 No person shall park any unattached trailer (whether designated for occupancy by persons or for carrying of equipment or goods) or camper upon any Highway within the Village for more than 72 hours, for any reason without the written approval of the CAO.
- 6.9 No person shall park or stop any vehicle:
 - 6.9.1 on a sidewalk or Boulevard;
 - 6.9.2 on a crosswalk or any part of a crosswalk;
 - 6.9.3 within the intersection other than immediately next to the curb in a "T" intersection;
 - 6.9.4 at an intersection nearer than five (5) metres to the projection of the lateral curb line of the Highway at right angles to the direction of travel of the vehicle;
 - 6.9.5 within five (5) metres on the approach to a stop sign or yield sign;

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- 6.9.6 within five (5) metres of any fire hydrant, or when the hydrant is not located at the curb, within five (5) metres of the point on the curb nearest the hydrant;
 - 6.9.7 within one-and-one-half (1.5) metres of an access to a garage, private road or driveway, or a vehicle crossway over a sidewalk;
 - 6.9.8 within five (5) metres of the near side or of a marked crosswalk;
 - 6.9.9 alongside or opposite any street excavation or obstruction when the stopping or parking would obstruct traffic;
 - 6.9.10 on the roadway side of a vehicle parked or stopped at the curb edge of a roadway;
 - 6.9.11 which are unregistered or inoperative by reason of disrepair, removed parts or missing equipment, or any vehicles which are otherwise not in a roadworthy condition on any street, public property and or contrary to the flow of traffic.
- 6.10 Vehicles, trailers, campers and equipment parking on private property in a residential district may be parked on prepared for parking areas such as grass (must be maintained by trimming and cutting grass and be free from weeds), graveled (free from grass and weeds), concrete or asphalt parking pads or driveways.
- 6.11 When parking on the roadway, a driver of a vehicle shall park that vehicle with the sides of it parallel to the curb or edge of the roadway and with the right-hand wheels of it not more than fifty (50) centimetres from the right-hand curb or edges of the roadway.
- 6.12 When angle parking is permitted or required and parking guidelines are visible on the roadway, a driver of a vehicle shall park that vehicle with its sides between and parallel to any two (2) of the guidelines and with one front wheel not more than fifty (50) centimetres from the curb or edge of the roadway.
- 6.13 When angle parking is permitted or required and no parking guidelines are visible on the roadway, a driver of a vehicle shall park that vehicle with its sides at an angle of between thirty (30) and sixty (60) degrees to the curb or edge of the roadway, and with one front wheel not more than fifty (50) centimetres from the curb or edge of the roadway.
- 6.14 The Village, after clearly posting or signing a roadway or public parking lot a minimum of twenty-four (24) hours prior, may cause a roadway or public parking lot to be cleared of vehicles for the purpose of street cleaning, snow removal or Highway repair. In such cases, the Village may tow and impound

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vehicles blocking street cleaning or repair equipment at the vehicle owners' expense.

- 6.15 Except as otherwise provided in this bylaw, no person shall park a bus, other than a school bus, on any Highway within the Village.
- 6.16 Except as otherwise provided in this bylaw, no person shall park a school bus on any Highway within the Village, except a driver of a school bus may park a school bus in the immediate vicinity of their home unless otherwise directed by a Peace Officer as a consequence of a complaint by a directly affected person.

SECTION 7 - OFF-HIGHWAY VEHICLES

- 7.1 No person shall operate an Off-Highway Vehicle within the corporate boundaries, except to proceed to and from his/her place of residence to a recreation location outside the corporate boundaries, taking the shortest route possible.
- 7.2 An Off-Highway Vehicle may cross a Highway including the roadway, parking lane, Alley or sidewalk portion thereof if:
 - 7.2.1 the operator stops the Off-Highway Vehicle before entering onto the Highway or portion thereof to be crossed;
 - 7.2.2 the operator yields the right of way to all other vehicles and persons on the Highway; and
 - 7.2.3 the operator crosses over the Highway or portion thereof to be crossed from the most direct and shortest route of travel available.
 - 7.2.4 The operator of the Off-Highway Vehicle does not exceed a rate of speed of twenty (20) kilometers per hour.
- 7.3 The operator of an Off-Highway Vehicle shall always yield the right of way to all other traffic on any Highway and to all pedestrians and places within the corporate boundaries.
- 7.4 No Off-Highway Vehicles shall operate between the hours of 11:00 pm and 7:00 am without permission from the CAO.
- 7.5 No person shall operate an Off-Highway Vehicle upon any Parks or Green Spaces within the Village of Carbon without permission from the CAO.

SECTION 8 - MOBILITY AID

- 8.1 Certified Mobility Aids shall be driven on sidewalks whenever possible.

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SECTION 9 - SPECIAL CLASSES OF VEHICLES

- 9.1 For the purpose of Special Classes of Vehicles, a "Heavy Vehicle" is defined as a vehicle which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with trailer which exceeds a gross vehicle weight of 5,500 kg, or a vehicle with or without a trailer that exceeds seven (7) meters in total length but does not include a recreational vehicle.
- 9.2 No person shall park a Heavy Vehicle upon any Highway, unless otherwise posted or after receiving approval from the CAO. This restriction 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 vehicles and its trailer shall have all front and rear parking lights illuminated.
- 9.3 No person shall operate a Heavy Vehicle on a Highway other than a Truck Route except for the purposes of obtaining goods from or delivering goods to a location off a designated Truck Route. The Heavy Vehicle shall then take the most direct route between the delivery or collection point and a designated Truck Route.
- 9.4 Highway #836 (Rosebud Street), Aberdeen Avenue, Bruce Ave, Caradoc Avenue and Glengarry Street, are designated as truck routes for the purposes of this Bylaw.
- 9.5 No person shall drive on, or haul on or over, any hard surfaced or graveled Highway in the Village, any tractor or motor vehicle or any type of equipment or building or thing which may in anyway damage the said Highway.
- 9.6 No vehicle or trailer having metal spikes, lugs, cleats, steel cleated tracks, or bands projecting from the surface of the wheel or tire, or having caterpillar tracks or skids, may be operated on any Highway within the Village. This restriction shall not apply to studded tires on passenger vehicles.
- 9.7 No person shall utilize engine retarder brakes while operating Heavy Vehicles within the Village.
- 9.8 Section 9 of this Bylaw shall not apply to Village vehicles or vehicles under hire by the Village for snow removal, road building or maintenance, or maintenance of Village property.
- 9.9 No person shall park a vehicle or trailer used for the conveyance of Dangerous Goods upon a Highway or on residential property without prior consent from the CAO.
- 9.10 No person shall park a vehicle or trailer used for the conveyance of Dangerous Goods within fifty (50) feet of a building likely to contain persons or valuable goods. This prohibition specifically includes the

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Carbon School, All Recreation Facilities and all churches within the community unless given written permission from the CAO.

SECTION 10 - RULES FOR PARADES AND PROCESSIONS

- 10.1 No person shall hold or take part in Parade or Procession without first having obtained written permission from the Village.
- 10.1.1 Any person desiring to hold a Parade or Procession within the Village shall, at least thirty (30) calendar days prior to the desired date, make application in writing to the Village providing the following information:
- 10.1.1.1 the name and address of the applicant and, if such applicant is an organization, the names and addresses of the executives thereof;
 - 10.1.1.2 the nature and object of such Parade and Procession;
 - 10.1.1.3 the day, date and hours during which same will be held;
 - 10.1.1.4 the intended route thereof;
 - 10.1.1.5 the approximate number of persons and vehicles who will take part therein; and
 - 10.1.1.6 the signature(s) and address(es) of the person(s) who will be in control of such Parade or Procession and who undertake to be responsible for the good order and conduct thereof.
- 10.2 The approval of Council may specify the hours and route of a Parade or Procession and give such directions to the applicants in regard to such Parade or Procession as in his/her opinion will prevent any unnecessary or unreasonable obstruction to the Highway or tend to prevent a breach of the peace.
- 10.3 During a Parade or Procession, all pedestrians not taking part therein shall be restricted to the use of the sidewalk.

SECTION 11 - SKATEBOARDS, LONGBOARDS, ROLLERSKATES, ROLLERBLADES, BICYCLES, HORSES AND HORSEDRAWN VEHICLES

- 11.1 The driver, rider or other person in charge of any horse or horse-drawn vehicle on a Highway shall remain upon such vehicle while it is in motion or shall walk beside the horse drawing such vehicle.
- 11.1.1 Anyone operating a horse drawn vehicle or riding a horse within the Village of Carbon shall immediately clean up all excrement deposited by said horse.

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- 11.1.2 Anyone operating a horse drawn vehicle or riding a horse within the Village of Carbon shall assume full liability for any injury or loss which may occur as a result of said activity.
- 11.2 No person shall operate a bicycle having a wheel diameter in excess of fifty (50) centimetres on any sidewalk.
- 11.3 No person shall ride a bicycle, roller skate, in-line skate, skateboard, longboard or ride a scooter upon a sidewalk at any rate of speed that is unreasonable having regard to the nature, condition, and use of the sidewalk and the amount and kind of pedestrian traffic that is or might reasonably be expected to be on the sidewalk.
- 11.4 Every person roller skating, in-line skating, skateboarding, longboarding or riding a scooter upon a sidewalk shall:
- 11.4.1 yield the right-of-way to pedestrians;
- 11.4.2 when passing a pedestrian, or other person on a sidewalk, use care and control required to ensure the safety of the pedestrian or other person;
- 11.4.3 stay at a reasonable distance from other persons using the sidewalk; and
- 11.4.4 give an audible signal before overtaking a pedestrian, which signal will be produced a reasonable time prior to overtaking, by voice, bell or other warning device, which is audible to the pedestrian.
- 11.5 Notwithstanding any penalty specified, any person who operates a bicycle, skateboard or longboard within the corporate limits of the Village in contravention of any of the provisions of this Bylaw or any other Bylaw of the Village, or any Act of Alberta, may have the said bicycle or skateboard impounded by and at the discretion of any Peace Officer for a period not exceeding sixty (60) days.

SECTION 12 - MISCELLANEOUS

- 12.1 No person shall load or unload goods or merchandise across a sidewalk or Boulevard where loading and unloading facilities have been provided on the premises to which the goods are being delivered or from which they are being taken.
- 12.2 No unauthorized person shall place upon any Highway or upon any structure abutting a Highway any sign, mark or notice relating to the use of the Highway.
- 12.3 No person, other than a Village employee in the normal course of his/her duties, shall mark any curb with paint or any other substance.

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- 12.4 No person shall stand or park any vehicle on any Highway for the purpose of maintaining or repairing such vehicle except for emergency repairs.
- 12.5 No person shall wash or drain any vehicle or article in such a manner as to result in mud, grease, oil, ice or any item being placed upon a Highway, Boulevard or sidewalk.
- 12.6 Every person shall comply with any traffic signal or direction of a School Patrol.
- 12.7 Any electrical cord over a sidewalk shall be erected by a sanction at least two-and-one-half (2.5) metres or eight (8) feet over the sidewalk and in no event, shall an electrical cord be laid on or obstructing passage of a sidewalk.
- 12.8 No person shall, when a firehose of the Fire Department has been laid down on any Highway or Driveway for use at a fire or fire practice, drive any vehicle over such hose except with the consent of the Fire Department Official in Command.
- 12.9 No pedestrian or person operating a vehicle shall stand or park to prevent or impede access to the zone of a fire or other emergency or pass beyond a point designated by a Peace Officer or a Director of Emergency Management.
- 12.10 No person shall place or cause to be placed any unauthorized structure or object which projects into or obstructs the use of any Highway.

SECTION 13 - ENFORCEMENT

- 13.1 The Owner of a vehicle which is involved in any contravention of this Bylaw is guilty of an offense.
- 13.2 A Peace Officer is hereby authorized and empowered to issue a Remedial Order, Municipal Tag and/or Provincial Violation Ticket to any Person, whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 13.3 A Peace Officer may, for the purpose of ensuring that the provisions of this Bylaw are being complied with, enter in or upon any Property, in accordance with Section 542 of the Municipal Government Act, to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the Municipal Government Act, or other statute.
- 13.4 When exercising their authority to enter onto Property for inspection or enforcement under Section 5.2, a Peace Officer shall provide the Owner or Occupant of the Property with reasonable notice as required by the Municipal Government Act.
- 13.5 If a Municipal Tag is issued in respect of an offence, the Person receiving the Municipal Tag may pay the fine amount as per the amount specified on the Municipal Tag on or before the required date in

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order to avoid further prosecution for the offence.

- 13.6 If a Provincial Violation Ticket is issued in respect of an offence, the Person receiving the Provincial Violation ticket may pay the fine amount as per the amount specified on the Violation Ticket on or before the required date in order to avoid further prosecution for the offence.
- 13.7 No Person shall obstruct, hinder or impede any authorized representative of the Village in the exercise of their powers or duties pursuant to this Bylaw.
- 13.8 A Peace Officer is authorized to remove or cause to be removed any vehicle or trailer operated or parked in contravention of any provision of this Bylaw, or where emergency conditions may require such removal from a Highway;
 - 13.8.1 Such vehicle may be seized and removed to a suitable place where it will remain until claimed by the owner thereof or his agent or disposed of if not claimed within 15 days of removal.
 - 13.8.2 No seized vehicle shall be released to its owner or his agent until the storage and removal charges on the vehicle have been paid; such charges shall be in addition to any fine or penalty imposed in respect of any such violation or to any payment made in lieu of prosecution as provided. The Village is not responsible for towing or storage charges.

SECTION 14 - OFFENCES AND PENALTIES

- 14.1 Any person violating a provision of this Bylaw is guilty of an offence and is liable to pay the amount as set out in Schedule "A" Specified Penalties of this bylaw, or any enforcement costs described in Section 16 of this Bylaw.

SECTION 15 - DEEMED SERVED

- 15.1 A Municipal Tag issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:
 - 15.1.1 being personally delivered to the person named on the Municipal Tag; or
 - 15.1.2 upon sending the Municipal Tag by regular mail to the address as is shown on the assessment roll. A Municipal Tag will be considered served after 5 (five) business days upon mailing.
- 15.2 A Remedial Order issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the person whom it is addressed:

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- 15.2.1 being personally delivered to the person named on the Remedial Order; or
 - 15.2.2 upon sending the Remedial Order by regular mail to the address as is shown on the assessment roll. A Remedial Order will be considered served after 5 (five) business days upon mailing; or
 - 15.2.3 upon being posted on a conspicuous place on the property that is in contravention.
- 15.3 A Provincial Violation Ticket issued by a Peace Officer pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served:
- 15.3.1 on the Person to whom it is addressed pursuant to the Provincial Offences Procedures Act or;
 - 15.3.2 swearing an Information and Complaint against the person; or
 - 15.3.3 by leaving a copy for such person at his/her residence with an individual at the residence who appears to be at least 18 years of age, and such service shall be adequate for the purposes of this Bylaw.
- 15.4 A Provincial Violation Ticket may be served on a Person which is a corporation, either:
- 15.4.1 by sending it by registered mail to the registered office of the corporation. A Provincial Violation Ticket will be considered served after 5 (five) business days upon mailing; or
 - 15.4.2 by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address, and such service shall be adequate for the purposes of this Bylaw.
- 15.5 This Section does not prevent a Peace Officer from issuing a Provincial Violation Ticket requiring a Court appearance by the Defendant in accordance with the Provincial Offences Procedures Act.

SECTION 16 - RECOVERY OF ENFORCEMENT COSTS

- 16.1 The expenses incurred by the Village in carrying out enforcement action pursuant to this Bylaw constitutes a debt owing to the Village from the Person responsible for the Bylaw contravention and may be collected by civil action for debt in a court of competent jurisdiction, in accordance with the Municipal Government Act.
- 16.2 In the event of the Village carrying out enforcement action pursuant to a Remedial Order, the CAO is responsible for sending a demand for payment of enforcement expenses incurred by the Village, per

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Schedule A, to the Owner of the property where the infraction took place. If the Owner fails to pay the enforcement expenses incurred by the Village within the time frame set out in the demand for payment, the CAO shall place the unpaid expense amount onto the tax roll of the subject Property and that amount:

16.2.1 is deemed to for all purposes to be a tax imposed under Division 2 of Part 10 of the Municipal Government Act from the date it was added to the tax roll, and

16.2.2 forms a special lien against the Land in favour of the Village from the date it was added to the tax roll for the Land, in accordance with the Municipal Government Act.

SECTION 17 - GENERAL

17.1 If any Section or parts of this Bylaw are found in any court of law to be illegal, or are otherwise invalid and 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.

17.2 This Bylaw repeals all previous Bylaws including Bylaw 2008-759, Bylaw 2013-783, and Bylaw 2019-820.

17.3 This Bylaw comes into full force and effect upon receiving third and final reading thereto.

READ a first time this 16th day of September, 2019.

READ a second time this 7th day of October, 2019.

READ a third and final time and passed this day 7th of October, 2019.


MAYOR BRYAN PEEVER


CAO VANESSA VAN DER MEER



SCHEDULE "A" – Specified Penalties

Specified Penalties

The following penalties are in addition to any costs incurred by the Village of Carbon as a result of a violation.

Section	Description of Violation	Penalty Amount
4.1	Failure to follow the rules of the road as set out in the Traffic Safety Act and Regulations thereunder	\$200
4.1.1	Operating a Prohibited Vehicle in the Village of Carbon	\$200
4.2	Exceeding speed limits	\$200
4.3	Driving over un-lowered curb	\$200
4.4	Unauthorized driveway ramp	\$200
5.1	Failing to obey the rules for pedestrians as set out in the Traffic Safety Act and Regulations Thereunder	\$200
5.2	Crossing at an intersection where a Traffic Control Device prohibits crossing	\$200
6.1	Failure to obey parking regulation of the Traffic Safety Act and Regulations thereunder	\$200
6.2	Parking where a Traffic Control Device prohibits stopping or parking	\$200
6.3	Parking where a temporary Traffic Control Device prohibits stopping or parking	\$200
6.4	Parking along a curb marked with yellow paint	\$200
6.5	Obstructing an Alley	\$200
6.6	Unlawfully parking in an area designated for persons with disabilities	\$200
6.7	Parking on Village land	\$200
6.8	Parking an unattached trailer on Highway	\$200
6.9.1	Stopping or parking on sidewalk or Boulevard	\$200
6.9.2	Stopping or parking on crosswalk	\$200
6.9.3	Stopping or parking within an intersection	\$200
6.9.4	Stopping or parking at an intersection nearer than five meters to the projection of the later curb line of the Highway at right angles to the direction of travel of the vehicle	\$200
6.9.5	Stopping or parking within five meters on the approach to a stop or yield sign	\$200
6.9.6	Stopping or parking within five meters of a fire hydrant or point on curb nearest the hydrant	\$200
6.9.7	Stopping or parking within one and a half meters of an access to a garage, private road or driveway or vehicle crossway over a sidewalk	\$200
6.9.8	Stopping or parking within five meters of the near side of a marked crosswalk	\$200
6.9.9	Stopping or parking alongside or opposite any excavation or obstruction	\$200
6.9.10	Stopping or parking on the roadway side of a parked vehicle or stopped at the curb edge or a roadway	\$200
6.9.11	Stopping or parking any vehicle that is not registered for the current year, or are inoperative or not in roadworthy condition	\$200
6.10	Parking on unapproved surface	\$200
6.11	Improper parking	\$200
6.12	Improper parking	\$200

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6.13	Improper parking	\$200
6.14	Failing to comply with parking bans	\$200
6.15	Unlawfully parking bus	\$200
6.16	Unlawfully parking school bus	\$200
7.1	Unlawful operation of Off-Highway Vehicle	\$200
7.2	Unlawful operation of Off-Highway Vehicle	\$200
7.3	Failure of Off-Highway Vehicle to yield right of way	\$200
7.4	Operating Off-Highway Vehicle between the hours of 11:00pm and 8:00am	\$200
7.5	Operating Off-Highway Vehicle on Parks or Green Spaces	\$200
9.2	Unlawful parking of a Heavy Vehicle	\$200
9.3	Unlawful operation of a Heavy Vehicle	\$200
9.4	Operating vehicle and equipment that may damage Highway	\$200
9.5	Use of metal spikes, lugs, cleats, tracks or bands, caterpillar tracks or skids	\$200
9.6	Use of engine retarder breaks	\$200
9.8	Parking Dangerous Goods upon Highway or on residential property	\$200
9.9/9.10	Unlawful parking of Dangerous Goods	\$200
10.1	Unlawful Parade or Procession	\$200
11.1	Failing to remain on or beside horse or horse drawn vehicle	\$200
11.1.1	Failure to clean up excrement from horse	\$200
11.2	Operating a bicycle with a wheel diameter >50cm on sidewalk	\$200
11.3	Operating bicycle, roller skate, in-line skate, skateboard, longboard or scooter on sidewalk at unreasonable speed	\$200
11.4	Failure to operate a roller skate, in-line skate, skateboard, longboard or scooter on sidewalk lawfully	\$200
12.1	Loading or unloading goods or merchandise across a sidewalk or Boulevard where loading and unloading facilities have been provided	\$200
12.2	Placing an unauthorized sign mark or notice relating to the use of the Highway	\$200
12.3	Marking curb with paint or other substance	\$200
12.4	Maintaining or repairing vehicle on highway	\$200
12.5	Washing or draining any vehicle, causing mud, grease, oil, ice or other items on the Highway, Boulevard or sidewalk	\$200
12.6	Failing to comply with any traffic signal or direction from School Patrol	\$200
12.7	Allowing electrical cord to be laid on or obstructing passage of sidewalk	\$200
12.8	Driving over fire hose without consent of Fire Department Official in Command	\$200
12.9	Allowing a vehicle to prevent or impede access to a fire or other emergency. Passing beyond a point designated by a Peace Officer or Director of Emergency Management	\$200
12.10	Placing or causing to be placed any unauthorized structure or object which projects into or obstructs highway	\$200
	Failure to comply with a Remedial Order	\$250
	Subsequent Offence	\$500

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Schedule "B" Curbs

Section 4.3 of Bylaw 2019-826 states that: no person shall drive over or upon any curb, gutter or sidewalk unless that curb has been lowered to allow vehicle access (commonly described as depressed crossing, curb cut, lowered curb, lowered or sloped sidewalk).

Figure 1 – Curb lowered to allow vehicle access



Figure 2 – Lowered Curb (may drive over)

