

VILLAGE OF HUGHENDEN**BEING A BYLAW OF THE COUNCIL OF THE VILLAGE OF HUGHENDEN TO PROVIDE FOR THE PURPOSE OF REGULATING ACTIONS IN PUBLIC PLACES.**

WHEREAS pursuant to the provisions of Sections 7 & 8 of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26.1, as amended, the **Council** may pass **Bylaws** for municipal purposes respecting the safety, health and welfare of people; the protection of people and property. The **Council** may also regulate actions of people, activities and things in, on or near a **Public Place** or place that is open to the public.

AND WHEREAS Council deems it desirable and expedient to regulate certain activities in a **Public Place** within the village for the health, safety and welfare of its people or property.

NOW THEREFORE the **Council** of the Village of Hughenden, duly assembled, hereby enacts as follows:

1. TITLE

1.1 This **Bylaw** shall be known as the “Public Place” **Bylaw**.

2. PLURALITY – GENDER – DEFINITIONS

For the purpose of this **Bylaw**:

2.1 When not inconsistent with the context word used in the present tense include The future, words in the plural shall include the singular and vice versa and all Words and terms are considered to be gender neutral.

2.2 The following terms are hereby defined as:

- a.** “**Act**” shall mean the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.1 and all subsequent amendments thereto;
- b.** “**Administrator**” means the Chief Administrative Officer for the Village of Hughenden and whatever subsequent title may be conferred on that Officer by Council or statute; or his/her designate;
- c.** “**Boulevard**” means that portion of the **Highway** lying between the **Curb** line of a **Highway** and the adjacent property line, whether actually painted or improved or not; excepting that portion occupied by a sidewalk. Where there is no **Curb** the **Boulevard** shall be that portion of a **Highway** ordinarily traveled by vehicles and the adjacent property line, whether actually painted or not; excepting that portion occupied by a sidewalk;
- d.** “**Bylaw**” means a rule or rules adopted for the government and regulation of the **Village**;

- e. **“Campground”** means a **Park** or portion of a **Park** that has been designated by the **Village** where overnight camping is permitted;
- f. **“Commercial Vehicle”** means a **Motor Vehicle** designated or used for the cartage of goods, wares or merchandise and includes a vehicle within the meaning of the Traffic Safety Act;
- g. **“Construction Equipment”** means a riveting machine, concrete mixer, gravel crusher, steam shovel, dragline, backhoe, air or steam compressor, jack-hammer or pneumatic drill, tractor other than a tractor used in an agricultural pursuit, bulldozer, front-end loader, motor scraper, motor grader or any other tool, device or machine of a noisy nature;
- h. **“Construction Noise”** means **Noise** caused by **Construction Equipment**;
- i. **“Council”** means the **Mayor** and **Councillors** of the **Village**, elected pursuant to the provisions of applicable legislation, whose term is not expired, who have not resigned and who continue to be eligible to hold office as such under the terms of the applicable legislation;
- j. **“Councillor”** means a member who is elected at a general election by the citizens of the **Village** to the position of **Councillor** and who is not the Chief Elected Official.
- k. **“Cul-de-sac”** means a local road which is terminated at one end, with the provision for turning vehicles;
- l. **“Curb”** means the concrete or asphalt edges of a **Highway** or the division point between the **Highway** intended for use by vehicles and the **Boulevard** or sidewalk intended for use by **Pedestrians**;
- m. **“Cycle”** means a bicycle, power bicycle, motorcycle or moped.
- n. **“Debris”** means the remains of something broken down or destroyed;
- o. **“Double Parking”** means the parking of a vehicle on a **Highway** parallel to a vehicle beside the **Curb** in a parking Area, or shall mean to the rear of any vehicle that is angle parked at the **Curb** in a parking Area;
- p. **“Excessive Period”** means 30 minutes of time longer than is normally expected to occur;
- q. **“Farm Equipment”** means any implement, equipment, engine, motor, machine, combine, tractor or attachment used or intended for use in **Farming Operations**;

- r. **“Farm Land”** means land used for **Farming Operations** but does not include land less than one acre in area on any one certificate of title;
- s. **“Farming Operations”** means
- (i) Planting, growing and sale of trees, shrubs or sod;
 - (ii) The raising or production of crops, livestock, fish, pheasants or poultry;
 - (iii) For production or beekeeping;
- t. **“Firearm”** means a weapon from which a shot is discharged by gunpowder or compressed air and shall include a revolver, rifle, shotgun, air rifle, pellet gun and paint ball gun;
- u. **“Highway”** means any thoroughfare, street, road, trail, square, avenue, parkway, driveway, lane, alley, bridge, **Boulevard**, and sidewalk within the **Village**;
- v. **“Holiday”** means and includes day defined as a **Holiday** in the Interpretation Act (Alberta) and any day or portion of a day proclaimed by the **Mayor** or the **Council** of the **Village** as a civic **Holiday**;
- w. **“Intersection”** means the whole area situated between the prolongation of the boundary lines of two or more streets which join one another at an angle and whether said streets cross each other or not;
- x. **“Loading Zone”** means a portion of a street adjacent to the **Curb** designated for the excessive use of vehicles loading or unloading passengers or materials;
- y. **“Litter”** means rubbish, refuse, garbage, waste materials, paper packages, containers, bottles, cans or other thing or item that are not normally expected in a similar premises.
- z. **“Maximum Gross Weight”** means the **MAXIMUM Gross Weight** of a **Motor Vehicle** or combination of attached **Motor Vehicle** pursuant to the regulations under the Traffic Safety Act;
- aa. **“Motor Vehicle”** means a vehicle propelled by any power other than muscular power but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or **Motor Vehicle** that runs only on rails;
- bb. **“Night”** means the period between ten o’clock in the afternoon and seven o’clock in the forenoon of the next day;

- cc.** “**Noise**” means any sound which in the opinion of an **Officer**, having regard to all circumstances, including the time of day and the nature of the activity generating the sound, is likely to reasonably annoy or disturb persons or to injure, endanger or distract from the comfort, repose, health, peace of safety of **Persons** within the boundary of the **Village**;
- dd.** “**Officer**” means a Community Peace Officer appointed by the **Village** pursuant to the **Act**, a Bylaw Officer appointed by the **Village** to enforce **Village Bylaws**, an Animal & Pest Control Officer appointed by the **Village** to enforce the **Village** Animal Control Bylaw and includes any member of the Royal Canadian Mounted Police;
- ee.** “**Off Highway Vehicle**” means any motorized vehicle, designated for cross-country travel on land, water, snow, ice, marsh or swamp land or on other natural terrain and without limiting the generality of the foregoing, includes when designated for such travel:
- (i) low pressure tire vehicles or 4-wheel drive vehicles
 - (ii) motorcycles and related 2 wheel vehicles
 - (iii) amphibious machines
 - (iv) all-terrain vehicles
 - (v) miniature **Motor Vehicles**
 - (vi) snow vehicles, and
 - (vii) any other means of transportation which is propelled by any power other than muscular power or wind.
- ff.** “**Owner**” means the **Person** shown on the land title as the registered **Owner** of a property.
- gg.** “**Park**” means land designated as **Park, Campground** or recreational area by the Land Use **Bylaw**;
- hh.** “**Parking Stall**” means a portion of a street indicated by markings as a parking space for one vehicle;
- ii.** “**Parade**” or “**Procession**” means any group of **Pedestrians** other than military or funeral **Procession** numbering more than fifty (50) and marching or walking on the **Highway** or on the sidewalk or any group of vehicles other than military or funeral **Procession** numbering ten (10) or more, or both;
- jj.** “**Pedestrian**” means a **Person** standing or walking, a foot passenger or a **Person** in a wheelchair;
- kk.** “**Person**” includes an individual, partnership, corporation, trustee, executor or administrator;
- ll.** “**Private Property**” means land that is privately owned;

- mm.** “**Public Place**” means a street, sidewalk, lane, alley, **Park**, business, facility or any public owned property within the **Village**, that the public has access as of right or by invitation, expressed or implied;
- nn.** “**Public Property**” means any publicly owned land including land owned by the **Village**;
- oo.** “**Public Works Employee**” means a **Person** employed by the **Village**, and working under the direction of the **Public Works Superintendent** or **Chief Administrative Officer**;
- pp.** “**Public Works Superintendent**” means the **Person** appointed by the **Village** to the position of **Public Works Superintendent** or his/her designate;
- qq.** “**Recreation Vehicle**” means a vehicle propelled by any power other than muscular power, and which is intended primarily to be used for recreational purposes and includes a motor home, travel **Trailer**, tent **Trailer** and truck with a camper attached;
- rr.** “**School Bus**” means a **Motor Vehicle** designed for carrying more than thirteen (13) passengers that is used or intended to be used for the transportation of people;
- ss.** “**Tank Vehicle**” means any vehicle other than railroad tank cars and boats with a cargo tank mounted thereon or built as an integral part thereof used for the transportation of liquids. **Tank Vehicles** include self-propelled vehicles, and full **Trailers** and semi-trailers without motive power and with wheels carrying either part or all of the load, and shall also include semi-tractor **Trailer** units and grain trucks;
- tt.** “**Village**” means the Municipal Corporation of the **Village** of Hughenden in the Province of Alberta or the area contained within the **Village** boundaries as the context requires;
- uu.** “**Traffic Control Device**” means any sign which provides a directive to traffic of any nature;
- vv.** “**Trailer**” means a vehicle so designated that it
- (i) may be attached to or drawn by a **Motor Vehicle** or tractor, or
 - (ii) is intended to transport property, and includes any vehicle defined by regulation as a **Trailer** but does not include a Recreational

Vehicle or machinery or equipment solely used in the construction or maintenance of **Highways**;

- ww.** “**Violation Tag**” means a tag or similar document approved by the **Village** under authority of Section 7 (i) of the Act which is payable at the **Village Administration Office**;
- xx.** “**Violation Ticket**” means a ticket issued pursuant to Part II or Part III of the Provincial Offences Procedures Act;
- xx.** “**Beyond maximum time posted**” means; a vehicle parked beyond the time indicated on the sign shall be considered as parking overtime and beyond the limit fixed and such overtime parking shall constitute an offence under this chapter.

3. CAMPGROUNDS

3.1 For the purpose of administering this **Bylaw** an **Officer** may:

- a) Enter on and inspect any land, road structure or work in a **Campground**,
- b) Order the repair, alteration, improvement, evacuation, or removal **of** or addition **to** any unauthorized structure or work in a **Campground**,
- c) Order any **Person** in a **Campground** to cease or refrain from any action, omission or conduct that is in the opinion of the **Officer** is dangerous to life or property or detrimental to the use and enjoyment of the **Campground** by other **Persons**,
- d) Require any **Person** in a **Campground** to inform an **Officer** of
 - (i) his/her name, address and
 - (ii) any fact or intention relating to the use by the **Person** of the **Campground**,
- e) Remove from a **Campground**
 - (i) any **Person** making unauthorized use of the **Campground**
 - (ii) any **Person** failing to comply with the provisions of this **Bylaw**,
 - (iii) any **Person** creating a nuisance or disturbance or committing a trespass or any undesirable act.
- f) Refuse to admit entry of any **Person** to a **Campground**.

3.2 A **Person** who enters a **Campground** shall comply with:

- (a) any lawful order and instructions made or issued pursuant to this **Bylaw**, and
- (b) the instructions, prohibitions and directions prescribed by all lawfully designated and erected signs and notices.

3.3 A **Person** using a **Campground** shall keep the land and improvements in a

condition satisfactory to an **Officer**.

- 3.4** A **Person** vacating a **Campground** shall restore the land as nearly possible to a clean and tidy condition.
- 3.5** No **Person** shall interfere with the rights of others to the quiet and peaceful enjoyment of a **Campground**.
- 3.6** No **Person** who has been removed from a **Campground** pursuant to Section 3.1 (e) of this **Bylaw** shall, within a 72-Hour period, enter or attempt to enter that **Campground**.
- 3.7** No **Person** shall light or maintain a fire in a **Campground** except in a fireplace, pit or other facility designed for that purpose.
- 3.8** No **Person** shall leave a fire unattended or allow a fire to spread.
- 3.9** The **Administrator** may authorize the issuance of individual campsites permits under this **Bylaw**.
- 3.10** Permits shall be issued on a first come first serve basis, except in that portion of the **Campground** where a reservation system is in effect.
- 3.11** Where a **Campground** is developed in individual campsites, only the following vehicles and **Recreation Vehicles** are permitted to be kept in the campsites unless an **Officer** gives permission to the contrary;
- (a) one **Motor Vehicle**;
 - (b) in addition to the **Motor Vehicle** referred to in clause (a), one **Recreation Vehicle** of any kind, including a **Recreation Vehicle** that is a **Motor Vehicle**;
 - (c) in addition to the **Motor Vehicle** referred to in clause (b), one tent
- 3.12** No **Person** in whose name an individual campsites is registered shall bring into or permit to remain on the campsites more vehicles or **Recreation Vehicles** than are permitted in clause 3.11.
- 3.13** No **Person** who is visiting shall remain in the **Campground** or day use area after 11:00 PM.
- 3.14** Not more than six (6) **Persons** shall occupy an individual campsites unless they are all members of a single-family unit.
- 3.15** No **Person** shall operate an **Off-Highway** vehicle in a **Campground**.
- 3.16** No **Person** shall remove firewood from a **Campground**.

4. NOISE

- 4.1 No **Person** shall operate or permit any other **Person** to operate a vehicle which produces **Noise**.
- 4.2 No **Person** shall operate or permit any other **Person** to operate an **Off-Highway** vehicle which produces **Noise**.
- 4.3 No **Person** shall operate a lawn mower between the hours of 10:00 PM and 07:00 AM.
- 4.4 **Construction Equipment** which may cause a **Construction Noise** shall only be:
- (a) operated during the following hours;
Monday to Saturday inclusive 07:00 AM to 10:00 PM
Sunday and **Holidays** 12:00 PM (noon) to 10:00 PM;
 - (b) is generated pursuant to work in the normal manner of that industry,
 - (c) all necessary Federal, Provincial and Municipal permits, license and approvals have been obtained and the work is not contrary to any Federal, Provincial or Municipal Bylaws or Regulations.
- 4.5 No **Person** shall cause or permit any other **Person** to cause a **Noise**.
- 4.6 Notwithstanding anything contained herein, the **Bylaw** does not apply to the performance of work by any **Person** on **Farm Land** for the purpose of carrying on a **Farming Operation** including the operation of a **Farm Implement**.
- 4.7 Notwithstanding anything contained herein, this **Bylaw** does not apply to work carried on by the **Village** or by a contractor carrying out the instructions of the **Village**.
- 4.8 Notwithstanding anything contained herein, this **Bylaw** does not apply to the performance of work by any **Person** on land zoned as an Industrial District pursuant to the **Village's** Land Use **Bylaw**.
- 4.9 The **Administrator** may issue a permit to a **Person** for the purpose of allowing such **Person** to cause a **Noise**, but such permit shall state the dates and hours during which such **Noise** may occur.

5. PUBLIC OFFENCES

- 5.1 No **Person** shall urinate or defecate in a **Public Place** or place in view of a **Public Place** other than a washroom designated for use by the public.
- 5.2 No **Person** shall participate in a fight or similar physical confrontation in any **Public Place** or any place to which the public reasonably has access with the exception of an organized sporting event.
- 5.3 No **Person** shall cause a disturbance in or near a **Public Place** by;
- (a) fighting, screaming, shouting, swearing, singing or using loud blasphemous, abusive or grossly insulting language;
 - (b) openly exposing or exhibiting an indecent act,

- (c) loitering in a **Public Place** and in any way obstructing **Persons** who are in that place,
- (d) disturbing the peace and quiet of the occupants of a dwelling house by disorderly conduct in a **Public Place**.

5.4 No **Person** shall without lawful excuse, the proof which lies on him, trespass by loitering or prowling at **Night** on **Public** or **Private Property**.

5.5 No **Person** shall cause Vandalism to **Public** or **Private Property** by removing, destroying, mutilating, defacing or climbing on any building or structure, fixture or chattel, and without restricting the foregoing, any monument, vase, fountain, wall, fence, wire, netting, vehicle, tool, gate, seat, bench, exhibit, cage or ornament therein, tamper with or in any way damage.

5.6 No **Person** shall;

- (a) assault an **Officer**, Emergency Service Worker or **Public Works Employee** or any **Person** acting in aid of that **Person**,
- (b) assault an **Officer** with intent to resist or prevent the lawful arrest or detainment of himself or another **Person**,
- (c) without consent of an **Officer**, take or attempt to take a weapon that is in possession of the **Officer** when the **Officer** is engaged in the execution of his or her duty.

5.7 No **Person** shall willfully obstruct, impede or hinder an **Officer**, Emergency Service Worker or **Public Works Employee**, while that **Person** is engaged in the execution of his or her duty.

5.8 No **Person** shall fail or refuse to comply with a lawful order or request of an **Officer**, Emergency Service Worker or **Public Works Employee**, while that **Person** is engaged in the execution of his or her duty.

6. STREETS

6.1 No **Person** shall place or leave on or across any part of a **Village** sidewalk a cord, cable or loose lose unless secured in such a manner as to not cause a tripping hazard.

6.2 Every **Owner** of a dwelling house who shall require to drive any vehicle across any sidewalk or **Boulevard** for the purposes of accessing **Private Property** shall be required to construct a driveway so designed and maintained as to be suitable for **Pedestrians** using the sidewalk and vehicles accessing the driveway.

6.3 No construction of such driveway shall commence without permission being obtained from the **Public Works Superintendent**.

- 6.4 The Property **Owner** shall be responsible for maintenance and/or replacement of the driveway when in the opinion of the **Public Works Superintendent**, such driveway requires repair or replacement.
- 6.5 The **Village** shall give written notice by single registered mail to the registered **Owner** of a property served by a **Boulevard** crossing and considered to be in disrepair indicating the remedial requirements.
- 6.6 Should the remedial requirements not be undertaken by the Property **Owner**, the **Village** may undertake to have the repairs completed and charge the costs of the remedial repairs to the taxes account of the property **Owner**.
- 6.7 The **Village** may close and fill in all unused **Boulevard** crossings, however, the **Village** shall give thirty (30) days notice in writing to the assessed **Owner** of the adjacent property of the intent to close the **Boulevard** crossing.
- 6.8 No **Person** shall in any way injure a tree, shrub, flower or grass on any plot, street or **Public Place** in the **Village**.
- 6.9 Every **Owner**, assessed **Owner**, tenant or occupier of any land adjoining any street, lane or **Public Place** in the **Village** shall cause all trees, shrubs and bushes which overhang the sidewalk of the street, lane or **Public Place** to be properly trimmed, so as:
- (a) they do not provide obstruction on the sidewalk, street, lane or **Public Place** to **Pedestrians** or vehicles; or
 - (b) they do not obstruct the view of **Pedestrians** or vehicles when they approach an **Intersection**.
- 6.10 The **Village** may give written notice by single registered mail to the registered **Owner** of a property where trees, shrubs or bushes overhang the sidewalk of a street, lane or **Public Place** that said trees, shrubs or bushes require trimming or to be cut back.
- 6.11 Should any Registered **Owner** not complete the remedial requirements when notified pursuant to 6.10 hereof, the **Village** may undertake the repairs and charge the costs of the remedial repairs to the taxes account of the registered **Owner**.
- 6.12 No **Person** shall place, abandon, throw or deposit any object, **Debris, Ice, Snow** or substance on any street, highway or public place in the **Village** whereby such object may cause danger, damage or inconveniences to **Pedestrians** or vehicles using the streets, highways or public place. The costs of and expenses of any removal which the **Village** may incur shall be invoiced to the owner, as determined, who left the debris, ice, snow or substance. Should the owner not pay the **Village** for these services they may be charged to the tax roll of the property owner to be recovered in a like manner as with other taxes.
- (a) No **Person** shall place or leave any nuisance or offensive matter or trash or waste material on public land except in a refuse container approved for use for the subject material.
- 6.13 No **Person** shall drive a vehicle on a **Village** street whereby such vehicles leaves dirt, mud or offensive material or **Debris** upon the street in a sufficient quantity that

requires removal by the **Village**. The costs of any removal shall be invoiced to the general contractor if a construction site is involved or to the **Owner** of a vehicle as determined left the dirt, mud or offensive material upon the street.

- 6.14** No **Person** shall cast, project or throw any snow, balls of snow, ice or other missiles dangerous to the public or use and bow or arrow, catapult or other such contrivance in any of the streets, lanes or **Public Places** of the **Village**.
- 6.15** No **Person** shall set fire to any shavings, chips, straw or other combustible or make or light any fire or bonfire in any street, lane, or **Public Place** of the **Village** or elsewhere on **Public Property** unless authorized by a permit pursuant to the **Bylaws** of the **Village**.
- 6.16** No encroachment or obstruction of any kind shall be made or placed by any **Person** in or upon any of the streets, lanes or **Public Places** of the **Village**, unless authority has been granted pursuant to an encroachment agreement with the **Village**.
- 6.17** Not restricting the generality of Section 6.16 no **Person** shall permit the use, in connection with a building operation, of any portion of a **Highway** in the **Village** by either placing or permitting to be placed any building materials, tools, machinery or construction device thereon, unless an agreement has been entered into between the **Village** and the **Person** to allow such use.
- 6.18** The Property **Owner** shall pay to the **Village** the entire cost and expenses which the **Village** may incur in removing the structure of any nature situated on the street or sidewalk at the time the building operation commenced and which was necessary to remove to allow the use of a portion of the street or sidewalk for the building operation.
- 6.19** No **Owner** of any house, building, shed, fence or structure of any kind shall allow the same or any part to encroach on or remain upon or over any of the streets, lanes, or other **Public Property**, vesting in or belonging to the **Village** or over which the **Village** has control.
- 6.20** No **Owner** of any premises shall allow any gate on such premises to swing or project over any street, lane or **Public Place** in the **Village**.
- 6.21** No **Person** shall break, tear or remove any planking, pavement, sidewalk, curbing, macadamizing, concrete, cement or other road surface, nor make any excavation in or under any street, lane or **Public Place** in the **Village**, except;
- (a) officials, employees or contractors of the **Village** while discharging their duties,
 - (b) community groups or individuals who have obtained permission from the **Public Works Superintendent**.
- 6.22** Every **Person** who makes an excavation or opening in any place to which the public may have access shall place protective fences or barricades around such openings or excavations, sufficiently light the same and take other precautions that may in the opinion of the **Public Works Superintendent** be necessary to ensure the protection and safety of the public.
- 6.23** No **Person** shall plough, dig up, take, carry away or in any way interfere with any earth, gravel, sand, turf, soil or grass in any street, lane or **Public Place** in the

Village, or from any vacant lot belonging to the corporation, without first having obtained permission in writing from the **Public Works Superintendent** or other official of the **Village** having authority to grant such permission.

- 6.24** Any **Person**, contractor engaged in excavating **Private Property**, shall take due care that collapse of **Village** property in the excavation does not occur.
- 6.25** All backfilling of excavations on **Village** property, remediation of accidental collapse of private excavation walls adjacent to **Village** property shall be done in accordance with the compaction specification established by the Public Works Superintendent. All necessary compaction control tests shall be paid for by the general contractor.
- 6.27** In the event that backfilling is done without the knowledge and approval of the Public Works Superintendent and it becomes necessary to re-compact the backfill to established specifications and restore the **Highway** or any part thereof to proper grade, then the Public Works Superintendent may order re-excavation, re-compaction, and rebuilding of the **Highway**. If this work is not carried out within the month of the notification by registered mail to the general contractor or **Owner** of the adjacent property, then the Public Works Superintendent may order that the works be done by **Village** forces and that all cost incurred in the connection therewith be charged to the general contractor or **Owner** of the adjacent property. If the **Village** does not receive payment of said cost within thirty days after rendering an account, then the sum so charged shall be added to the taxes of the adjacent property and be recovered in a like manner.
- 6.28** The **Village** assumes no responsibility for damage to basement walls or footings abutting **Village** property when work is being done on a **Highway**.
- 6.29** All **Village Highways** and properties which are occupied by a contractor under the authority of a permit shall be repaired or reconstructed to the satisfaction of the **Village** following the termination of such permit.
- 6.30** Within a period of forty-eight (48) hours after the end of a rainfall or snowfall that has left the streets covered with snow or ice, the **Owner** of every business premises, vacant business premises and residential property abutting a **Village** sidewalk, shall remove snow or ice and take reasonable measures to make the portion of the public sidewalk on the front and flank of his property safe for **Pedestrians**. The foregoing shall not be construed to relieve **Pedestrians** from duty of due care.
- 6.31** When an **Officer** considers that an **Owner** of a business or residence premises has failed to meet the requirements of Section 6.30 hereto, then the **Owner** shall be advised that failing immediate improvement of the sidewalk condition, the **Village** may use it's own employees or hire a contractor to remediate the situation and will charge the cost thereof to the **Owner** of the abutting property. Should the **Property Owner** not pay the **Village** for these services they may be charged to the tax roll of the **Property Owner** to re recovered in like manner as with other taxes.
- 6.32** Business premises shall mean
- (a) every property classified under the Land Use Bylaw as commercial or industrial.

(b) properties zoned otherwise than listed in subsection (a) but used as commercial ventures, not restricting the generality of the foregoing shall include parking lots, and vacant commercial lots.

- 6.33** Every occupant, and in case there is no occupant, the **Owner** of every house, shop, building, church or chapel, abutting on or erected within ten (10) feet of any street, sidewalk, lane, alley or **Public Place** shall whenever snow or ice shall accumulate on the roof or eaves of such building, to an extent that it shall be dangerous to **Persons** passing, cause the same to be removed at once, and every **Person** while removing the same shall take due and proper care and precaution for the warning and safety of **Persons** passing.
- 6.34** No **Person** shall cause any injury to any sidewalk in the **Village** by striking, picking or cutting the same with any shovel, pick, crow-bar or other metal instrument, whether such **Person** is engaged in removing snow or ice from the sidewalk or not.
- 6.35** No **Person** shall leave food or a merchandise cart on any street unattended.
- 6.36** No **Owner** or possessor of any animal which has died shall allow same to lie on any street, lane, alley or **Public Place** in the **Village**.

7. TRAFFIC

- 7.1** The **Council** may by resolution exempt any class of vehicle from such provisions of this by-law relating to parking and stopping as the **Council** may deem fit and under such conditions as the **Council** may impose, and may provide for the identification of such vehicles so exempted.
- 7.2** The **Council** may by **Bylaw** prescribe where traffic signs for controlling and regulating traffic in **Public Places** are to be located.
- 7.3** The **Council** may by resolution designate and **Highway** as one to be divided into traffic lanes.
- 7.4** In case any vehicle is parked in violation of any provisions of this by-law, or any other statute, an **Officer** may cause such vehicle to be removed to a place which the **Officer** in charge may designate.
- 7.5** The **Village** shall have authority to move vehicles from the **Village** streets, avenues and lanes when grading, maintaining or repairing the same.
- 7.6** The **Administrator** or an **Officer** may authorize the removal of any unauthorized structure or other thing which projects into or obstructs the use of any street, sidewalk, or **Boulevard**. The charges for removal and storage of any such structure or other thing shall be paid by the **Owner** or other **Person** responsible therefore, and shall be in addition to any fine or penalty imposed, or any payment in lieu of prosecution of this by-law.
- 7.7** Notwithstanding any other penalty that may be provided by law, an **Officer** is hereby authorized to impound any bicycle operated in contravention to the provisions of this **Bylaw** for a period not to exceed sixty (60) days.
- 7.8** Any expense incurred by the **Village** for the removal of any obstruction on a **Highway** placed therein in contravention of this by-law may be recovered by

distress upon the goods and chattels of the **Person** by whom, or by whose direction, any obstruction is so placed in the same manner as if such expenses were taxes levied pursuant to the **ACT** and so recoverable.

8. PEDESTRIANS

- 8.1 Where a sidewalk or footpath is located beside a roadway, a **Pedestrian** shall at all times when reasonable and practical to do so use the sidewalk or path and shall not walk or remain on the roadway.
- 8.2 Where there is no sidewalk or footpath a **Pedestrian** walking along or upon a **Highway** shall at all times when reasonable and practical to do so, walk only on the left side of the roadway or on the shoulder of the **Highway** facing traffic approaching from the opposite direction.
- 8.3 Every **Pedestrian** crossing a roadway shall cross as quickly as is reasonably possible without stopping or loitering or otherwise impeding the free movement of vehicles thereon.
- 8.4 A **pedestrian** shall not step onto a roadway or walk or run into the path of any vehicle that is so close that it is impracticable for the driver of the vehicle to yield the right of way.
- 8.5 Every **Pedestrian** crossing a roadway at any point other than within a crosswalk shall yield the right of way to vehicles upon the roadway.
- 8.6 Three or more **Persons** shall not stand in a group or so near to each other on any **Highway** as to obstruct the entrance to buildings or to obstruct or prevent other **Persons** using such **Highway** and forthwith after a request has been made by an **Officer** or other **Person** duly authorized to do so shall disperse and move away.
- 8.7 No **Person** shall stand, sit or lie on any **Highway** in such manner as to obstruct vehicular or **Pedestrian** traffic or as to annoy or incommode any other **Person** lawfully upon the **Highway**.

9. PARKING

- 9.1 Unless specifically required, permitted by other provisions of this by-law, by a **Traffic Control Device** or in the compliance with the directions of an **Officer**, no **Person** shall park or stand any vehicle:
- a) Alongside or opposite any street excavation or obstruction when stopping or parking would obstruct traffic;
 - b) On any **Highway** for a period of more than seventy two (72) hours;
 - c) In such a manner as to obstruct the access to or exit from any building being used for public gatherings.
 - d) In such a manner as to interfere with the proper operations of any vehicle used by the Fire Department or other departments of the **Village**.

- e) Upon **Private Property** without the expressed or implied consent of the **Owner** or **Person** in lawful possession or control of the property.
- f) Left of center of any **Highway** or parked in a parallel manner so that the right hand wheels of the vehicle are not more than 45 cm from the right hand **Curb** or edge of the **Highway**. This section does not apply where angle parking is permitted or required.
- g) In an alley unless he is actively engaged in:
 - i) The loading or unloading of a **Commercial Vehicle** for a period not exceeding thirty (30) minutes,
 - ii) The loading or unloading of goods or passengers from a vehicle other than a **Commercial Vehicle** for a period not exceeding ten (10) minutes.

providing the vehicle in subsections i) or ii) does not obstruct the free passage of **Pedestrian** and vehicular traffic in such alley.

- h) No **Person** shall **Park** a **Trailer** on a **Highway** unless the **Trailer** is attached to a **Motor Vehicle** by which it may be drawn. This provision does not apply to:
 - i) A **Recreational Vehicle** provided it is being loaded or unloaded and is parked for that purpose for a period not exceeding forty-eight (48) hours;
 - ii) A **Trailer** owned or controlled for a service by the **Village** while actively engaged in providing the service.
- i) No **Person** shall **leave a Commercial vehicle** parked on any **Highway** in a residential area at any time.
- j) No **Person** shall leave a **Motor Vehicle** parked in a residential area with the engine left running/idling for excessive periods where the **Noise** of the engine running/idling may disturb any other **Person** in the residential area.
- k) No **Person** who sells, repairs or services **Motor Vehicles** for compensation shall park or leave any such **Motor Vehicle** in his control on a **Highway**.
- l) No **Person** shall park a **Motor Vehicle**, together with any **Trailer** attached thereto on any **Highway** unless:
 - i) Such **Person** is actively engages in loading or unloading passengers, merchandise or person effects;
 - ii) Such parking is permitted by a sign erected pursuant to the **Traffic Control Device Bylaw**.
- m) No **Person** shall park a **Motor Vehicle** in a **Park** unless specifically authorized to do so by the **Administrator, Public Works Superintendent** and/or their designates.
- n) No **Person** shall park a **Motor Vehicle** on a **Boulevard**.
- o) No **Person** shall stand or park any **Motor Vehicle** on any street for the purpose of greasing or repairing such vehicle except for emergency repairs.

- p) No **Person** shall wash any **Motor Vehicle** on any street in such a manner as to constitute a nuisance or hazard.
- q) No **Person** shall park a **Motor Vehicle** adjacent to or alongside a **Curb** that is colored yellow.
- r) No **Person** shall occupy a **Trailer** or **Recreational Vehicle** on a **Highway** or **Public Place** that is not a **Campground**, a mobile park or trailer court as a temporary or permanent dwelling place, living abode or sleeping place.
- s) An **Owner** or operator of a **Recreation Vehicle** for which the vehicle registration show a **Village** address shall not park the **Recreational Vehicle** on a **Highway**, except in the area of the roadway immediately adjoining the **Owner** or operator's place of residence and for no more than forty eight (48) consecutive hours, following which the **Owner** or operator shall move the **Recreational Vehicle** to an off-highway location for a period of not less than forty-eight (48) consecutive hours before the **Recreational Vehicle** may be parked again in the area of roadway immediately adjoining the **Owner** or operator's place of residence.
- t) No person shall park a Motor Vehicle where prohibited by a traffic Control Device on any street or highway that has a sign, signal, marking or other device used to regulate, warn or guide traffic.

9.2 Notwithstanding any other provision of this **Bylaw**, the following classes of **Motor Vehicles** are exempt from parking prohibitions;

- (a) Emergency vehicles,
- (b) Public Utility vehicles,
- (c) Municipal or other government public works vehicles,
- (d) Towing service vehicles,
- (e) Other vehicles owned or contracted for service by the **Village** while actively engaged in providing the service and while any such service is being used in work requiring that it be stopped or parked in contravention of any such prohibition.

10. OPERATION OF VEHICLES

- 10.1** No **Person** shall drive a **Motor Vehicle** over an unprotected fire hose.
- 10.2** Unless otherwise posted the speed limit within the **Village** shall be thirty (30) kilometers per hour except the maximum speed in any alley shall be twenty (20) kilometers per hour.
- 10.3** No operator of a **Motor Vehicle** shall pass or attempt to pass another vehicle traveling in the same direction while crossing an **Intersection**.

11. PARADES/PROCESSIONS

- 11.1 A driver of a **Motor Vehicle** in the lead of a funeral **Procession** approaching an **Intersection** where a stop sign or **Traffic Control Device** is posted requiring the **Motor Vehicle** to stop, shall stop the **Motor Vehicle** as required by the Traffic Safety Act and shall not drive the **Motor Vehicle** into the **Intersection** until it is safe to do so. **Motor Vehicles** that follow in the **Funeral Procession** may then proceed through the **Intersection** without stopping subject to the direction of an **Officer**.

12. BICYCLES AND MOTORCYCLES

- 12.1 No one shall leave a two wheeled vehicle on a **Highway** other than at the **Curb** or edge of the **Highway** and other than in an upright position.
- 12.2 No **Person** shall ride or park a **Cycle** on any sidewalk except where expressly permitted to do so by this **Bylaw**. Children's bicycles or tricycles having a wheel diameter of less than forty (40) centimeters are excepted from this provision.
- 12.3 No operator of a scooted or power bicycle with an engine displacement in excess of fifty (50) cubic centimeters, shall be under the age of sixteen (16) years.
- 12.4 The operator of a **Cycle** on a **Highway** shall;
- (a) keep both hands on the handlebars of his **Cycle**, unless making a signal in accordance with the Traffic Safety Act or regulations;
 - (b) keep both feet on the pedals or footrests of his **Cycle**;
 - (c) not ride other than upon or astride the regular seat of the **Cycle**.
- 12.5 A passenger on a **Cycle** shall;
- (a) not ride on any other than upon the regular seat;
 - (b) keep both hands on the handgrips;
 - (c) keep both feet on the footrests of the **Cycle**.
- 12.6 No **Person** shall operate a **Cycle** at **Night** on a **Highway** unless that **Cycle** is equipped with a headlamp at the front and tail lamp at the rear.
- 12.7 No **Person** shall operate a mini bike or **Cycle** which has an engine displacement smaller than fifty (50) cubic centimeters on any **Highway** at any time.

13. HEAVY TRUCKS

- 13.1 For the purpose of this section:
- (a) "**Heavy Truck**" means a **Motor Vehicle** with a gross weight of five (5) metric tons or 5000 Kilograms or more, or exceeding eleven (11) meters in length.
 - (b) "**Heavy Truck Route**" means the "**Heavy Truck Route**" shown in the Traffic Bylaw.

- (c) “**Heavy Truck Area**” means the area defined in the Traffic Bylaw and designated for parking of **Heavy Trucks**.
- (d) “**Restricted Heavy Truck Route**” means the **Restricted Heavy Truck Route** as shown or designated in the Traffic Bylaw.
- 13.2** No **Person** shall operate a **Heavy Truck** on a **Highway** other than on a **Heavy** or **Restricted Truck Route**.
- 13.3** No **Person** shall park a **Heavy Truck** on **Private** or **Public Property** except in an area designated in the Traffic Bylaw.
- 13.4** No **Person** shall park a **Heavy Truck** on any **Restricted Heavy Truck Route**.
- 13.5** No **Person** shall operate a **Heavy Truck** on a **Restricted Heavy Truck Route** between the times indicated by a sign erected pursuant to the Traffic Bylaw.
- 13.6** Notwithstanding section 13.2, a **Person** shall be deemed not to have contravened the **Bylaw** if;
- (a) The **Heavy Truck** was being operated on the most direct route between two points, one point being the nearest **Heavy Truck Route** or **Restricted Truck Route** and, the other point is a location where:
- (i) goods or merchandise are being delivered or collected for a commercial purpose,
- (ii) **Heavy Trucks** are permitted to park;
- (iii) a building is being moved, provided the necessary permits have been issued by the **Village**,
- (iv) the **Person** is operating a bus or motorhome,
- (v) the **Person** is operating a **Heavy Truck** owned or contracted for the service by the **Village** while engaged in providing the service.
- 13.7** No **Person** while operating a **Heavy Truck** off of the **Heavy Truck Route** for any of the reasons in Section 13.6 shall exceed a speed of thirty (30) kilometers per hour.
- 13.8** No **Person** shall operate an Engine Retarder Brake device to slow down the speed of a vehicle within the **Village**.
- 13.9** A **Person** shall not drive or have on a **Highway** a **Motor Vehicle** or combination of attached **Motor Vehicles** with a weight in excess of that allowed by Provincial Regulations.
- 13.10** A **Person** may apply to the **Administrator** or his/her designate for a permit to allow on a **Highway** a **Motor Vehicle** or combination of attached **Motor Vehicles** with a gross weight in excess of **Maximum Gross Weight** for the **Motor Vehicle**. The **Administrator** or his/her designate may grant such permit for such periods as he/she may set out therein or refuse to grant a permit, and from any such refusal there shall be an appeal to the **Council** of the **Village**.

14. OFF-HIGHWAY VEHICLES

- 14.1 No **Person** shall operate an **Off-Highway Vehicle** or like-vehicle within the **Village**;
- (a) at a speed in excess of 15 km/h,
 - (b) between 2200 Hrs of any day and 0800 Hrs of the following day,
 - (c) on any **Highway** except;
 - (i) directly to or from the operator's or **Owner's** residence,
 - (ii) into or out of the **Village**,
 - (d) on any other properties owned or leased by the **Village**,
 - (e) that has no valid license plate displayed,
 - (f) that is un-registered,
 - (g) that is not insured,
 - (h) without an approved helmet.

15. OTHER

- 15.1 Any **Person** who shall borrow property belonging to the **Village** or affiliated organization and fails to return the property as scheduled or on request from an official of the **Village** is guilty of an offence.
- 15.2 Any **Person** who is smoking any tobacco product, in a **Village** of Hughenden facility, and which facility may be used by the Public or in a **Village** facility where there are 'No Smoking' signs posted shall be guilty of an offence.
- 15.3 No **Person**, who is not an **Officer**, shall carry any loaded **Firearm** within the **Village**.
- 15.4 No **Person** with the exception of the RCMP in the course of their duties, shall discharge a **Firearm** within the **Village** limits unless they have been approved to discharge a **Firearm** by a resolution of **Council** that specifically names the individual.

16. POWERS OF OFFICERS AND PENALTIES

- 16.1 Any **Person** who contravenes any provision of this **Bylaw** is guilty of an offence.
- 16.2 Any **Person** who is guilty of an offense under this **Bylaw** is liable to pay a fine of not less than the specified penalty for the offence and not more than \$2,000.00.
- 16.3 Where an **Officer** believes or has reasonable and probable grounds that an offense has taken place consisting of a breach or contravention of this **Bylaw**, the officer may commence proceeding by issuing either a **Violation Tag** or a summons/offence notice/**Violation Ticket** (part II or III) in accordance with the provisions of the Provincial Offences Procedures Act, R.S.A. Chapter P 21.5.
- 16.4 Notwithstanding the provision of Section 16 (3), if an **Officer** believes on reasonable and probable grounds that an offence has taken place consisting of a breach or a

contravention of this **Bylaw**, the **Officer** may issue a **Violation Tag** in such form as may be prescribed from time to time by the **Administrator**.

- 16.5** Service of the **Violation Tag** is sufficient if the **Violation Tag** is;
- (a) personally served,
 - (b) attached to the vehicle in respect of which the offense is alleged to have occurred, in which case the **Violation Tag** need not specify the name of the **Person** alleged to have committed the offence if the vehicle is described on the **Violation Tag** by the license plate number.
- 16.6** Under no circumstances shall any **Person** contravening any provision of this **Bylaw** be subject to the penalty of imprisonment.
- 16.7** Any **Person** who commits a subsequent offense under this **Bylaw** within one (1) year of committing the first offence may be issued a **Violation Ticket** or a **Violation Tag** with the Specified Penalty Option set out under for subsequent offences
- 16.8** Where a contravention of this **Bylaw** is of a continuing nature, further **Violation Tickets** or **Tags** may be issued provide however, that no **Violation Tickets** or **Tags** shall be issued for each day that the contravention continues.
- 16.9** The penalty in lieu of prosecution applicable to any contravention of this **Bylaw**, to be used when issuing a **Violation Ticket** or **Tag** shall be the same as set out in Schedule "A".
- 16.10** Any offence listed in this **Bylaw** without a specified penalty as outlined in Schedule "A", shall be \$100 for the first offence and \$250 for subsequent offences within a one (1) year period of the first offense.
- 17. SEVERABILITY**
- 17.1** Should any provision of this **Bylaw** be invalid, then such invalid provision shall be severed and the remaining **Bylaw** shall be maintained.

18. ENACTMENT AND REPEALS

18.1 This **Bylaw** shall be effective upon 3rd reading and signing.

READ A FIRST TIME THIS 17TH day of December, 2013.

READ A SECOND TIME THIS 17th day of December, 2013.

READ A THIRD TIME THIS 17th day of December, 2013.

SIGNED AND PASSED THIS 17th day of December, 2013.

CHIEF ELECTED OFFICIAL

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE 'A'

Charge Description	Section	First Offence	Subsequent Offences
CAMPGROUNDS			
Fail to provide Officer with name, address, other info	3.1(d)	\$100	\$250
Fail to comply with lawful order in Campground	3.2(a)	\$100	\$250
Fail to keep Campsite in clean, return to clean condition	3.3, 3.4	\$100	\$250
Disturb peace and quiet of other campers	3.5	\$100	\$250
Enter Campground w/l 72 hours after being evicted	3.6	\$250	\$500
Have fire in unauthorized place	3.7	\$100	\$250
Leave fire unattended	3.8	\$100	\$250
Allow more vehicles than permitted in campsite	3.12	\$100	\$250
Visitor remain in campsite after 11pm	3.13	\$100	\$250
More than 6 campers per site	3.14	\$100	\$250
Operate OHV in Campground	3.15	\$100	\$250
Remove firewood from Campground	3.16	\$100	\$250
NOISE			
Operate, permit a vehicle to cause excessive Noise	4.1	\$100	\$250
Operate, permit to operate OHV causing excessive Noise	4.2	\$100	\$250
Operate lawnmower between 10pm and 7am	4.3	\$100	\$250
Operate Construction Equipment between 10pm and 7am	4.4	\$100	\$250
Cause, permit to cause Noise	4.5	\$250	\$500
PUBLIC OFFENCES			
Urinate, defecate in Public	5.1	\$100	\$250
Fight in Public	5.2	\$250	\$500
Cause Disturbance in Public Place	5.3	\$250	\$500
Trespass at Night on Public/Private Property	5.4	\$250	\$500
Vandalize Public/Private Property	5.5	\$500	\$1000
Assault Officer , Emergency Service Worker, Public Works Employee	5.6(a)	\$500	\$1000
Assault Officer with intent to resist lawful arrest	5.6(b)	\$500	\$1000
Take, attempt to take weapon from Officer w/o consent	5.6(c)	\$500	\$1000
Obstruct, hinder, impede Officer , Emergency Service Worker, Public Works Employee	5.7	\$500	\$1000
Fail to comply with lawful order of Officer , Emergency Service Worker, Public Works Employee	5.8	\$500	\$1000
Litter	6.12(a)	\$100	\$250

STREETS			
Place, leave item(s) across sidewalk unsecured	6.1	\$100	\$250
Injure tree, shrub, flowers, grass on Public/Private Property	6.8	\$100	\$250
Place Debris on street	6.12	\$100	\$250
Drive vehicle leaving Debris on street	6.13	\$100	\$250
Throw snowballs, ice in Public Place	6.14	\$100	\$250
Set fire in street	6.15	\$100	\$250
Place, leave encroachment, obstruction on street	6.16	\$100	\$250
Fail to remove snow/ice from sidewalk w/l 48 hrs	6.30	\$100	\$250
Fail to remove snow/ice from roof	6.33	\$100	\$250
Damage/injure sidewalk	6.34	\$100	\$250
Leave dead animal in street	6.35	\$100	\$250
PEDESTRIANS			
Pedestrian fail to use sidewalk	8.1	\$100	\$250
Pedestrian fail to walk on left side of road when no sidewalk available	8.2	\$100	\$250
Pedestrian crossing road causing obstruction/impede traffic	8.3	\$100	\$250
Pedestrian fail to yield right of way when required	8.4, 8.5	\$100	\$250
Three or more Persons standing/loitering on street causing obstruction to building, other Persons	8.6(6)	\$100	\$250
Pedestrian sit/lie on Highway /sidewalk causing obstruction	8.7	\$100	\$250
PARKING			
Park MV alongside excavation/obstruction impeding traffic	9.1(a)	\$100	\$250
Park MV on street in excess of 72 hrs	9.1(b)	\$100	\$250
Park MV obstructing building entrance/exit	9.1(c)	\$100	\$250
Park MV interfering w/ Fire Dept.	9.1(d)	\$100	\$250
Park MV on Private Property w/o permission	9.1(e)	\$100	\$250
Park MV left of Centre	9.1(f)	\$100	\$250
Park MV in alley/lane	9.1(g)	\$100	\$250
Park Trailer on Highway for more than 48 hrs	9.1(h)	\$100	\$250
Park Commercial Vehicle in residential area	9.1(i)	\$100	\$250
Leave MV parked in residential area w/ engine running for excessive period	9.1(j)	\$100	\$250
Park MV on Boulevard	9.1(m)	\$100	\$250
Park MV on Public Property w/o permission	9.1(n)	\$100	\$250
Park MV alongside yellow Curb	9.1(q)	\$100	\$250
Use Trailer or Recreational Vehicle for living accommodation	9.1(r)	\$100	\$250
Park Trailer or Recreational Vehicle in excess of time limitations	9.1(s)	\$100	\$250

Park MV where Prohibited by a Traffic Control Device	9.1(t)	\$100	\$250
Exceed Two Hour Parking Maximum	9.1(u)	\$100	\$250
OPERATION OF VEHICLES			
Drive MV over fire hose	10.1	\$100	\$250
Drive MV in alley exceeding 20 Km/h	10.2(b)	\$100	\$250
Pass, attempt to pass MV in Intersection	10.3	\$100	\$250
BICYCLES AND MOTORCYCLES			
Ride Cycle on sidewalk	12.2	\$100	\$250
Person under 16 years of age operating motorcycle on Highway	12.3	\$100	\$250
Operate Cycle at Night w/o proper lights	12.6	\$100	\$250
Operate mini bike on Highway	12.7	\$100	\$250
HEAVY TRUCKS			
Operate Heavy Truck off truck route	13.2	\$250	\$500
Park Heavy Truck off truck route	13.3	\$250	\$500
Use Engine Retarder Brake in Village	13.8	\$250	\$500
Operate Heavy Truck overweight in Village	13.9	\$250	\$500
OFF HIGHWAY VEHICLES			
Operate OHV in excess of 15 Km/h	14.1(a)	\$100	\$250
Operate OHV between 10pm and 8am	14.1(b)	\$100	\$250
Operate OHV on Village property	14.1(d)	\$100	\$250
Operate OHV w/o License Plate attached	14.1(e)	\$100	\$250
Operate unregistered OHV on Highway	14.1(f)	\$250	\$500
Operate Uninsured OHV on Highway	14.1(g)	\$250	\$500
Operate OHV on Highway w/o helmet	14.1(h)	\$100	\$250
OTHER			
Failure to return Village property	15.1	\$100	\$250
Smoking in Village building	15.2	\$100	\$250
Carry loaded Firearm	15.3	\$100	\$250
Discharge Firearm	15.4	\$100	\$250