

VILLAGE OF VILNA
BYLAW NO. 533-18
TRAFFIC SAFETY BYLAW

BEING A BYLAW OF THE VILLAGE OF VILNA IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF TRAFFIC SAFETY AND REGULATING AND CONTROLLING THE OPERATION OF MOTOR VEHICLES AND OFF HIGHWAY VEHICLES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF VILNA.

WHEREAS the *Traffic Safety Act*, R.S.A. 2000, c.. T-6, as amended or repealed and replaced from time to time, provides that the Council of a municipality may enact a Bylaw regulating the operation of Motor Vehicles and Off Highway Vehicles on any portion of any Highway under its direct control and management, and

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time authorizes the Council of the Village of Vilna to pass bylaws with respect to safety, health and welfare of people; the protection of people and property; activities or things done in or near public places and places open to the public; transport and transportation systems; and the enforcement of bylaws within the Village of Vilna; and

NOW THEREFORE, the Council of the Village of Vilna, duly assembled, and pursuant to the authority conferred upon it by the *Traffic Safety Act*, R.S.A. 2000 c. T-6 as amended or repealed and replaced from time to time and *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time hereby enacts the following:

1. NAME OF BYLAW

1.1. This Bylaw may be cited as the "Traffic Safety Bylaw".

2. DEFINITIONS

2.1. "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;

2.2. "Angle Parking" means when:

2.2.1. a sign indicates that Angle Parking is permitted or required;

2.2.2. parking guide lines are visible on the roadway a person may Park a Vehicle with the Vehicle's sides between and parallel to any two (2) of the guidelines;

2.2.3. if there are no guidelines visible on the roadway a person may only Park a Vehicle with the Vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the curb or edge of the roadway; or

2.3. "C.A.O." means the Chief Administrative Officer for the Village of Vilna.

2.4. "Commercial Vehicle"

2.4.1 Means a truck, trailer, or semi-trailer, except

2.4.1.1.A truck, trailer that is a public service vehicle, or

2.4.1.2 A truck, trailer or semi-trailer or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle, and

2.4.2 includes

2.4.2.1.A motor vehicle from which sales are made of goods, wares, merchandise or commodity, and

2.4.2.2.A motor vehicle by means of which delivery is made of goods, wares, merchandise, or commodity to a purchaser or consignee thereof.

2.5 "Commercial District" means an area of the Village of Vilna designated by Council in policy.

- 2.6 "Council" means the Municipal Council of the Village of Vilna;
- 2.7 "Curb" means the actual curb if there is one; if there is no curb in existence, it shall mean the division of a highway between the roadway and the sidewalk or boulevard, as the case may be.
- 2.8 "Dangerous Goods" means dangerous goods for which placards are required by the Transportation of Dangerous Goods Control Act and Regulations.
- 2.9 "Disabled Person" means a person who has some condition that markedly restricts their ability to function physically.
- 2.10 "Driver" means the person who is driving or operating or is in actual physical control of a Vehicle.
- 2.11 "Emergency Vehicle" means
- 2.11.1 a Vehicle operated by a police service as defined in the *Police Act*, R.S.A. 2000, c. P-17, as amended or repealed and replaced from time to time;
 - 2.11.2 a fire fighting or other type of Vehicle operated in the fire protection service of a municipality;
 - 2.11.3 an ambulance operated by a person or organization providing ambulance services;
 - 2.11.4 a Vehicle operated as a gas or water disconnection unit of a public utility;
 - 2.11.5 a Vehicle designated by regulation as an emergency response unit; or
 - 2.11.6 a Vehicle operated by the Peace Officer representing the Village of Vilna.
- 2.12 "Exempt Vehicles" means
- 2.12.1 Vehicles actually loading or unloading goods;
 - 2.12.2 construction equipment being used during construction or improvements of property; or
 - 2.12.3 public service Vehicles while actually performing the public service.
- 2.13 "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 them, whether public or privately owned, that the public is ordinarily entitled or permitted to use for the passage or Parking of Vehicles and includes
- 2.13.1 a sidewalk, including a boulevard adjacent to the sidewalk;
 - 2.13.2 if a ditch lies adjacent to and parallel with the roadway, the ditch; and
 - 2.13.3 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 roadway, as the case may be but does not include a place by regulation not to be a Highway.
- 2.14 "Implements of Husbandry" means
- 2.14.1 a tractor designed and used for agricultural purposes;
 - 2.14.2 a Vehicle designed and adapted exclusively for agricultural, horticultural, aquacultural or livestock raising operations.
- 2.15 "Insured Motor Vehicle" means a Motor Vehicle and an Off Highway Vehicle the owner of which
- 2.15.1 is insured in respect of that Motor Vehicle by an insurer, or

- 2.15.2 is a corporation that has provided for financial responsibility in respect of that Motor Vehicle.
- 2.16 "Licence Plate" means a Licence Plate that is issued under the *Traffic Safety Act* and includes an object that is recognized under the *Traffic Safety Act* as a Licence Plate.
- 2.17 "Loud or Unnecessary Noise" means noise which is excessive in the opinion of the Peace Officer given the location, time of day and circumstances.
- 2.18 "Motor Cycle" means a Motor Vehicle, other than a moped, that is mounted on two (2) or three (3) wheels and includes those Motor Vehicles known in the automotive trade as Motor Cycles and scooters.
- 2.19 "Motor Vehicle" means
- 2.19.1 a Vehicle propelled by any power other than muscular power;
- 2.19.2 a moped;
- but does not include a bicycle, a power bicycle, an aircraft, an Implement of Husbandry or a Motor Vehicle that runs only on rails.
- 2.20 "Off Highway Vehicle" means any motorized mode of transportation built 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 designed for such travel,
- 2.20.1 four (4) wheel drive Vehicles;
- 2.20.2 low pressure tire Vehicles;
- 2.20.3 Motor Cycles and related three (3) wheel Vehicles;
- 2.20.4 amphibious machines;
- 2.20.5 all-terrain Vehicles;
- 2.20.6 miniature Motor Vehicles;
- 2.20.7 snow Vehicles;
- 2.20.8 mini-bikes; and
- 2.20.9 any other means of transportation, which is propelled by any, power other than muscular power or wind but does not include motor boats or any other Vehicle exempted from being an Off Highway Vehicle by Regulation.
- 2.21 "Parallel Parking" means a person may only Park a Vehicle on a roadway with:
- 2.21.1 the sides of the Vehicle parallel to the curb or edge of the roadway; and
- 2.21.2 the right wheels of the Vehicle not more than 500 mm (19.63 inches) from the right curb or edge of the roadway.
- 2.22 "Park", "Parked", and "Parking" or any word or expression of similar connotation or import shall mean a Vehicle remaining stationary in one place whether or not the Vehicle is occupied, excluding Vehicles stationary in one place:
- 2.22.1 while actually engaged in loading or unloading passengers; or
- 2.22.2 in compliance with a Traffic Control Device or the direction of a Peace Officer
- 2.23 "Peace Officer" means:
- 2.23.1 a member of the Royal Canadian Mounted Police;
- 2.23.2 a Bylaw Enforcement Officer appointed by the Village of Vilna pursuant to Section 555 of the Municipal Government Act, and for the purpose of enforcement of this Bylaw, also includes a Community Peace Officer under contract with another municipality;

- 2.23.3 the CAO or designate of the Village.
- 2.23.4 a member of the Patrol Division of the Department of the Solicitor General.
- 2.24 "Pedestrian" means a person on foot or a person in or on a mobility aid, and includes those person designated by regulation as Pedestrians
- 2.25 "Playground Zone" means that portion of a Highway beginning at the point where a Traffic Control Device indicates the commencement of the Playground Zone; and ends at the point where a Traffic Control Device indicates a greater rate of speed or the end of the zone.
- 2.26 "Playground" or "Park" means any land used as a playground or recreation area and includes any park, parkway, or public area used for recreation.
- 2.27 "*Provincial Offences Procedure Act*" means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time and regulation thereunder.
- 2.27 "Recreational Vehicle" means a Vehicle or Trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use and includes duly licensed Trailers, motorized homes, slide in campers, chassis mounted campers, boats, all-terrain Vehicles, snowmobiles and tent Trailers.
- 2.28 "School Zone" means that portion of a Highway beginning at the point where a Traffic Control Device indicates the commencement of the School Zone; and ends at the point where a Traffic Control Device indicates a greater rate of speed or the end of the zone.
- 2.29 "Single Axle Vehicle" means a Vehicle that is a single unit with one rear axle and for the purposes of this Bylaw, is over one ton.
- 2.30 "Traffic Control Device" means any sign, signal, marking, or device placed marked or erected under the authority of this Bylaw for the purpose of regulating, stopping, warning or guiding traffic.2.31"*Traffic Safety Act*" or "TSA" means the *Traffic Safety Act*, R.S.A. 2000, c. T-6, as amended or repealed and replaced from time to time and regulations thereunder.
- 2.32 "Traffic Control Signal" means a Traffic Control Device, whether manually, electrically or mechanically operated, erected under the authority of this Bylaw, by which traffic is directed to stop and to proceed.
- 2.33 "Trailer" means a Vehicle so designed that:
- 2.33.1 may be attached to or drawn by a Motor Vehicle or tractor; or
- 2.33.2 is intended to transport property.
- 2.34 "U-turn" a turn that is made while driving, walking, etc., that causes you to begin going in the opposite direction.
- 2.35 "Truck Route" means a portion of a Highway designated by Council in policy where Vehicles over 4,800 kilograms or 10, 560.00 pounds, may travel.
- 2.36 "Vehicle" means a device in, on or by which a person or thing may be transported or drawn and includes a combination of Vehicles but does not include a mobility aid.
- 2.37 "Village" means the Village of Vilna, in the Province of Alberta.
- 2.38 "Violation Tag" means a tag or similar document issued by the Municipality pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended or repealed and replaced from time to time and regulations thereunder.

3. GENERAL REGULATIONS

- 3.1 No Motor Vehicle shall be driven without due care and attention within the corporate limits of the Village.
- 3.2 Every person, including pedestrians, shall comply with any traffic control device.
- 3.3 No person shall drive or stand a vehicle upon a highway in such a manner as to block, obscure, impede or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure or uncontrollable incident, the operator will not be in contravention of this section provided that measures are promptly taken to clear the obstruction from the highway.
- 3.4 No operator of any vehicle shall drive over any sidewalk or boulevard except at a permanent or temporary driveway.
- 3.5 Restrictions on making U-turn;
- 3.5.1 A person driving a vehicle shall not, at the following locations, turn the vehicle so as to travel in the opposite direction:
- 3.5.1.2. on a roadway between intersections,
- 3.5.1.3 at an alley intersection .
- 3.5.1.4 at a place where a sign prohibits making a U-turn.
- 3.6 No vehicle with steel lugs or cleats may be operated propelled on any paved or hard surfaced street, land or roadway without prior approval of the CAO or Designated Officer of the Village of Vilna.
- 3.7 Where repairs or alterations are in progress on or adjoining any roadway and such work is identified by barricades or signs or a flagman, no person shall disregard the warning given and every driver or operator shall obey any signal at the site of the work.
- 3.8 When a vehicle is engaged in such road repairs or alterations as indicated in 3.6, the provisions of this Bylaw relating to backing, stopping, and making other movements shall not apply to such vehicle.
- 3.9 A Driver shall not use a Vehicle to create any Loud or Excessive or Unnecessary Noise from a Vehicle or any part of it or from anything that the Vehicle or part of the Vehicle is connected to.
- Loud and excessive noise can be characterized as noise that becomes a nuisance to the general public, taking into consideration the nature, location, time and proximity of the source to residents and members of the public. An example of this would include a loud auto stereo or car, truck or motorcycle exhaust emitting sound to the extent it disturbs patrons at a café, nearby residents or other motorists on the roadway.*
- 3.10 A Driver shall not use a horn, a reverse signal alarm, or any other noise emitting device of a Motor Vehicle except:
- 3.10.1 for the purposes of giving notice to other Driver(s) or Pedestrian(s) on the Highway or within the vicinity of the Motor Vehicle
- 3.10.2 so that it makes more noise than is reasonably necessary to give notice to other persons that they are approaching or within the vicinity of the Motor Vehicle, or
- 3.10.3 as a security locking notification as designed and installed as a manufacturers safety feature.

Contravention of this Section (3) General Regulations shall be subject to fines or penalties as identified in Schedule "A" of this Bylaw.

4. TRACKING OR SPILLS

- 4.1 No person shall allow any fuels, solvents or other petroleum based products or other liquids, including water to be leaked, spilled, or otherwise emitted onto any highway from any vehicle or container located on or in a vehicle.
- 4.2 Any leaked, spilled or otherwise emitted fuels, solvents or other petroleum based products or other liquids, including water may be subject to clean-up by the Village if not cleaned up to the satisfaction of the CAO or Designate within 24 hours of the spill or emission. Any costs for the Clean-up or repairs of any damage caused by the spill shall be payable by the registered owner of the vehicle involved in the leak, spill or emission.
- 4.3 No occupier of any premises shall permit the unobstructed flow of water from any premises over any street, sidewalk or boulevard.
- 4.4 No person shall cause or allow any substance or material of any nature to become loose or detached or blow, drop, spill, fall or flow from any vehicle, appurtenances, or tire onto any highway or street either from a vehicle for otherwise.
- 4.5 No person shall wash a Vehicle upon a Highway or near a Highway as to result in depositing mud, or creating slush or ice upon a Highway.
- 4.6 No person shall place snow, ice, etc. from private property onto municipal Highways without prior approval from the Village
- 4.7 No person shall, without authorization from the CAO or Designate, deposit any earth, rocks, trees or other objects on any street, sidewalk, or boulevard within the Village, and if such deposits have been made without authorization and the Village removes same, the expense therefore shall be chargeable to the person responsible, which shall be in addition to any fine or penalty imposed under this Bylaw.

Contraventions of this Section (4) Tracking or Spills, will require that the contravention be cleaned to the satisfaction of the Village, or if not cleaned then the Village shall have it done with costs being charged to the contravener.

5. PARKING - GENERAL

- 5.1 No person shall park a vehicle or trailer upon any highway in such a manner that any part of the vehicle is within three (3) meters of the center line of the highway provided that the foregoing shall only apply to highways where the portion thereof intended for vehicular traffic is twelve (12) meters or more in width.
- 5.2 No person shall leave a Vehicle parked on any Highway in the Village for more than (seven) 7 days such vehicle will be deemed to have been abandoned at that location and may be removed.
- 5.3 No person shall leave a Recreational Vehicle or Trailer either attached or detached Parked on any Highway for more than seventy two (72) hours. Upon completion of seventy hours the Recreational Vehicle or Trailer must be moved to an off Highway location for a period of not less than forty eight (48) hours;
- 5.4 No person shall parallel park a vehicle in an area designated as angle parking only.
- 5.5 No person shall angle park a vehicle in an area designated as parallel parking only.
- 5.6 No person shall parallel park in the direction against traffic flow.
- 5.7 No person shall operate or park a Vehicle or Trailer on any highway in the Village with an expired License Plate;
- 5.8 No person shall operate or park a Vehicle or Trailer on any highway in the Village without a current License Plate assigned to it.
- 5.9 No person shall park a vehicle upon any portion of a highway, which is marked with a traffic control device as "No Parking" during the period of time indicated on the traffic control device.

- 5.10 No person shall stop a Vehicle on any portion of a Highway marked by a “No Stopping” sign except for a Vehicle breakdown and then:
- 5.10.1 each person shall promptly take measures to remove such Vehicle from the Highway; and
- 5.10.2 shall not leave the Vehicle unattended if the Vehicle has been placed on a jack or jacks and one or more of the wheels have been removed from it or part of the Vehicle has been raised.
- 5.11 No person shall stop or park a vehicle in a park area or playground unless in a designated vehicle parking area.
- 5.12 No person shall park a Vehicle on any street or alley in such a manner as to impede through traffic, except:
- 5.12.1 for the specific purpose of loading and unloading, and for duration not to exceed 30 minutes.
- 5.13 No person shall stop a vehicle for any period of time whatsoever in a school bus zone.
- 5.14 A person driving a vehicle shall not 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 an intersection;
 - (iv) at an intersection nearer than 5 metres to the projection of the curb or edge of the roadway;
 - (v) within 5 metres from the stop sign or yield sign;
 - (vi) within 5 metres from any fire 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; alongside or opposite any street excavation or obstruction when the parking would obstruct traffic;
 - (ix) at any place where a traffic control device prohibits parking, during the times parking is so prohibited;
 - (x) on the roadway side of a vehicle that is parked or stopped at the curb or edge of the roadway;
 - (xi) 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;
 - (xii) in an area designated for the exclusive use of persons with disabilities.
- 5.15 Notwithstanding the provisions of Sections 5.4, 5.5 or 5.6 motorcycles will angle park at all times within the Village.

A vehicle parked contrary to this section may be impounded and removed and a complaint may be laid against the owner or person in charge of the illegally parked vehicle.

6. SPEED LIMITS

- 6.1 Unless otherwise hereinafter specifically provided, the maximum rate of speed at which a Driver may operate a Motor Vehicle upon any Highway within the Village shall be forty (40) kilometres per hour except where otherwise posted.
- 6.2 On any day on which school is held the maximum rate of speed at which a Driver may operate a Motor Vehicle upon a Highway located within all School Zones shall be thirty (30) kilometres per hour at any time between:

~~Or 8:00 to 4:30~~

- 6.2.1 8:00 a.m. and 9:30 a.m.

6.2.2 11:30 a.m. and 1:30 p.m., and

6.2.3 3:00 p.m. and 4:30 p.m.

6.3 The maximum rate of speed at which a Driver may operate a Motor Vehicle upon a Highway located within all Playground Zones throughout the Village shall be thirty (30) kilometres per hour between the hours of 8:30 a.m. and one hour after sunset.

7. TRAFFIC CONTROL DEVICES

7.1 For the purposes of this section of the Bylaw, an Implement of Husbandry is to be considered a Motor Vehicle.

7.2 All persons shall comply with all traffic control devices authorized under the Alberta Traffic Safety Act, as well as this or any other Bylaw or Regulation of the Village of Vilna.

7.2.1 The C.A.O. is hereby delegated the power to prescribe where all and any type of Traffic Control Devices and Signals are to be located upon all Highways within the Village and elsewhere, wherever it is authorized by law.

7.2.2 The C.A.O. is hereby delegated the power to fix a maximum speed in respect of any part of a Highway under construction or repair or in a state of disrepair, applicable to all Motor Vehicles or to any classes of Motor Vehicles while travelling on that part of the Highway. The C.A.O. shall cause to be posted on the Highway so designated, such Traffic Control Devices and Signals as he/she deems necessary to indicate the maximum speed so fixed.

7.2.3 The C.A.O. is hereby delegated the power to post Traffic Control Devices or Signals at any location on a Highway where the technical limitations of the Highway warrant a reduction in the speed of Vehicles travelling on that portion of the Highway.

7.2.4 The CAO is hereby delegated the power to post Vehicle Weight Restrictions at any location on a Highway where the technical limitations of the Highway warrant a reduction in weight of the load being transported on that portion of the Highway.

8. OTHER INFRACTIONS

8.1 No person shall park a Vehicle in a Parking space designated for the exclusive use of Disabled Persons unless such Vehicle has clearly displayed an identification placard or has a disabled Parking Licence Plate and is at the time being operated by or transporting the person to whom the identification placard or license plate has been issued.

8.2 No person shall park a Vehicle at any time on any portion of a Highway where marked by a sign "For Emergency Vehicles Only", or similar sign indicating this intent.

8.3 Where a Traffic Control Device restricts the Parking of Vehicles during specified periods of time, the Parking of Vehicles during the posted hours is prohibited.

9. PORTABLE NO PARKING SIGNS

9.1 Notwithstanding any other provision of this Bylaw, the Village may cause portable "No Parking" signs to be placed on or near a Highway and when so placed, such signs shall take precedence over all other parking signs-

9.2 No person shall park or leave parked a Vehicle on a Highway where signs referred to in Section 9.1 have been placed and until such sign or signs have been removed.

- 9.3 Where the Village has caused portable “No Parking” signs to be placed on a Highway as referred to in Section 9.1, no Vehicle shall remain parked after 24 hours of said placement.
- 9.4 Any Vehicle found on a Highway in contravention of Section 9.2 or 9.3 may be removed in accordance with Section 11 of this Bylaw.

10. WEIGHT OF VEHICLES

- 10.1 The CAO or their delegate is hereby authorized to designate the maximum loading permitted on any and to cause the same to be posted with appropriate Traffic Control Devices.
- 10.2 Unless marked by the appropriate signage, no person shall park a Vehicle excepting a Vehicle equal to or less than what is commonly known as a “one ton” on a Village Highway. This shall include the restriction of commercial Trailers either attached or detached, construction equipment or machinery or any Implement of Husbandry, except for Exempt Vehicles as defined in this Bylaw.
- 10.3 This section does not apply to Emergency Vehicles and those known as Exempt Vehicles and Recreation Vehicles.
- 10.4 This section shall not apply where a vehicle is obliged to be parked while making deliveries.

11. USE OF ENGINE RETARDER BRAKES

- 11.1 No Vehicle shall use engine retarder brakes in the Village.

12. SCHOOL BUS ZONES

- 12.1 No person shall operate or park a School Bus, or Commercial Bus, as defined by the Traffic Safety Act, Commercial Bus Regulations and School Bus Regulations, in excess of 6.7 meters in overall length, off the Village designated truck routes except while transporting pupils or picking up or dropping off passengers, without approval received from the CAO.
- 12.2 The C.A.O. is hereby authorized to designate school bus loading and unloading zones and shall cause the same to be posted with Traffic Control Devices.

13. REMOVAL OF VEHICLES

- 13.1 Any Peace Officer or designated officer is hereby authorized to remove or cause to be removed any Vehicle or Trailer:
- 13.1.2 Parked in contravention of this Bylaw; or
- 13.1.3 Where emergency conditions may require such removal.
- 13.2 The owner or his/her authorized agent of any Vehicle removed and/or parked in contravention of this Bylaw shall be responsible for all storage and/or removal charges prior to having the Vehicle released from storage.

14. OFF HIGHWAY VEHICLES

- 14.1 No person shall operate an Off Highway Vehicle within the corporate limits of the Village unless:
- 14.1.1 they are fourteen (14) years of age or older;

- 14.1.2 they are traveling on the most direct route when going to and returning from their destination.
- 14.1.3 it is between the hours of 8:00 a.m. and 10:00 p.m.; and
- 14.1.4 the maximum rate of speed which a Driver may operate an Off Highway Vehicle within the Village shall be twenty (20) kilometres per hour.
- 14.1.5 Regulations defined and outlined in the Traffic Safety Act and Off Highway Vehicle Regulation are adhered to.
- 14.1.6 the Off Highway Vehicle has a vehicle registration.

15. TRUCK ROUTES

- 15.1 The Village of Vilna shall designate in policy, certain routes known as “Truck Routes”.
- 15.2 No Vehicle over 4,800 kilograms or 10,560 pounds shall travel off the designated Truck Routes unless authorized by the C.A.O.
- 15.3 Notwithstanding Section 14.2, Single Axle Vehicles will be permitted to travel within the Commercial District.
- 15.4 Exempt Vehicles and Single Axle Vehicles must travel on designated Truck Routes at all times, where possible.
- 15.5 Exempt Vehicles may deviate from designated Truck Routes only where their destination cannot be reached by the designated Truck Route.
- 15.6 Single Axle Vehicles may deviate from designated Truck Routes only where their destination is in the Commercial Core District.

16. DANGEROUS GOODS ROUTE

- 16.1 The Village of Vilna may establish under separate bylaw, certain routes known as “Dangerous Goods Routes”.

17. ENFORCEMENT

- 17.1 The CAO, or designated officer or a Peace Officer is hereby authorized to enforce the provisions of this Bylaw.
- 17.2 In order to determine the time over which a Vehicle has been parked in a location where parking is restricted to a specific allotment of time, a Peace Officer may place a chalk mark on the tread face of the tire of a Parked or Stopped Vehicle and/or any reasonable measure necessary to determine the specific allotment of time without the Peace Officer or the Village incurring any liability relating thereto.

18. OFFENCES & PENALTIES

- 18.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction, to a specified penalty for that offence as set out in Schedule “A” to this Bylaw.
- 18.2 Notwithstanding section 18.1 of this Bylaw, any person who commits a second or subsequent offence under this Bylaw within ONE (1) year of committing a first offence under this Bylaw, is liable upon summary conviction to double the fine as set out in Schedule “A” of this Bylaw, for that offence.
- 18.3 Under no circumstances shall a person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

- 18.4 Upon conviction of a person for an offence under this Bylaw, a Court may, in addition to any fine imposed for the offence, impose a separate penalty, payable to the Village within a time limit to be established by the Court, for any fee, costs, rate, toll or charge incurred by the Village as a result of the conduct giving rise to the offence.
- 18.5 Amounts recoverable under subsection 18.4 shall include, but are not limited to:
- 18.5.1 Towing charges;
 - 18.5.2 Costs or repair or replacement of damaged municipal property;
 - 18.5.3 Storage costs; and
 - 18.5.4 Costs of any searches or inquiries, or for the hiring of specialized equipment, necessary for the determination of whether an offence was committed, the cause of the action giving rise to the offence, or to identify the person responsible for the offence.

19. **VIOLATION TAGS**

- 19.1 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 19.2 A Violation Tag may be issued to such Person:
- 19.2.1 either personally; or
 - 19.2.2 by attaching it to the Vehicle in respect to which an offence is alleged to have been committed; or
 - 19.2.3 by mailing a copy to such Person at his or her last-known post office address.
- 19.3 Where a Violation Tag has been attached to a Vehicle, no Person other than the Owner or Operator of that Vehicle shall remove the Violation Tag so affixed to the Vehicle.
- 19.4 A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the C.A.O. and shall state:
- 19.4.1 the name of the Person;
 - 19.4.2 the offence;
 - 19.4.3 the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - 19.4.4 the time period in which the specified penalty must be paid in order to avoid prosecution for the alleged offence; and
 - 19.4.5 any other information as may be required by the C.A.O.
- 19.5 Where a Violation Tag has been issued pursuant to this Bylaw, the person to whom the Violation Tag has been issued shall pay to the Village, the penalty specified on the Violation Tag.

Notwithstanding the foregoing provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Tag pursuant to either Part II or Part III of the Provincial Offences Procedure Act, to any Person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

19.6 Ticket: A Violation Tag issued with respect to a contravention of this Bylaw shall be served on the person responsible for the contravention in accordance with the Provincial Offences Procedure Act.

19.7 The person to whom the Violation Tag has been issued may plead guilty by making a voluntary payment in respect of the Summons by delivering to the Village of Vilna, Schedule "A" of this Bylaw.

20. SEVERABILITY PROVISION

20.1 It is the intention of the Village Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Village Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

21. REPEAL OF BYLAWS

21.1 Bylaw #9 and any amendments are hereby repealed upon the final passing of this bylaw.

22. COMING INTO FORCE

22.1 This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

READ a first time in Council the 17th day of September 2018.

Bylaw #533-18 considered by Council September 18, 2018 to be a protective services bylaw and therefore resolved to use the Direct Decision engagement process, as described in the Public Participation Policy #109-18.

READ a second time in Council the 15th day of October 2018.

READ a third and final time in Council the 15th day of October 2018.

Mayor

SEAL

Chief Administrative Officer