

TOWN OF ROCKY MOUNTAIN HOUSE
BYLAW 03/21V

BEING A BYLAW OF THE TOWN OF ROCKY MOUNTAIN HOUSE, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR TRUCK ROUTES WITHIN THE TOWN LIMITS.

WHEREAS the Council of the Town of Rocky Mountain House, in the Province of Alberta, deem it necessary to set truck routes within the boundaries of the Town, and

WHEREAS Section 16(10(z) of the Highway Traffic Act, 1980, Chapter H-7, Revised Statutes of Alberta, empower the Council of the Town of Rocky Mountain House in the Province of Alberta, to pass bylaws designating truck routes.

NOW THEREFORE, the Council of the Town of Rocky Mountain House, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This bylaw may be cited as the "Truck Bylaw".
2. Definitions contained in the Highway Traffic Act, R.S. of Alberta 1980, Chapter H-7 and Regulations, as applicable; and the definitions of the Motor Transport Act R.S. of Alberta 1980, Chapter M-20 and regulations are adopted for the purpose of the interpretation and the application.
3. In this Bylaw:
 - a) "Council" Means the Council of the Town of Rocky Mountain House.
 - b) "Highway" has the same meaning as defined in the Highway Traffic Act R.S.A. 1980, Chapter H-7 and all subsequent amendments and replacements, but shall be restricted to highways within the Town.
 - c) "Town" Means the incorporated Town of Rocky Mountain House.
 - d) "Trailer" Means a vehicle that is at any time drawn on a public highway by a self-propelled vehicle; and is intended for the conveyance of goods or materials of any kind and shall be deemed to be a separate vehicle and not part of the motor vehicle by which it is drawn.
 - e) "Truck Route" Means a highway designated in Schedule "B" to this Bylaw.
 - f) "Vehicle(s)" Means Commercial vehicles, trucks with a gross vehicle weight of 6,000 kilograms or more, truck tractors, buses or trailers, attached to a truck or not.
 - g) "Bus or buses" Means a vehicle capable of transporting more than twenty (20) passengers.
4. No person in charge or operation of any subject vehicle shall operate such vehicle, or permit that vehicle to be operated on a highway, other than a truck route, except during such time the vehicle is being used in the making of a delivery or pick up of goods or materials, providing all other aspects of this Bylaw are followed.

5. No person in charge or operation of any subject vehicle shall park such vehicle, or permit that vehicle to be parked on a highway, other than a truck route, except during such time a vehicle is being used in the making of a delivery, providing all other aspects of this Bylaw are followed. This shall include truck routes where parking is prohibited.
6. The provisions of Sections 4 and 5 shall not apply to:
 - a) Vehicles of Town, Utility Departments or vehicles operated by other utility companies while being used for inspection, maintenance or repair work in respect to the company's utilities or;
 - b) Vehicles of the Town's Fire Department, or vehicles used in conjunction with fire fighting or emergency duty.
 - c) A holiday trailer or similar vehicle designated or used to provide living accommodations or; (see land use bylaw for holiday trailer requirements in Town)
 - d) Buses in the delivery or pickup of passengers.
 - e) Vehicles registered as Utility and Towing vehicles where as the person responsible for the operation of the vehicle are being kept at their residence for the purpose of being on call for emergency utility or towing services. There is an onus on the person responsible for that vehicle to prove that he/she was on call while the vehicle was parked at their residence.
 - f) Businesses that are registered within the Town that are not within truck routes who require customers vehicles to be serviced or maintained at their place of business are permitted to have vehicles travel off of truck routes providing they use the most direct route from the truck route, the onus of proof lies with the driver of the vehicle.
 - g) Buses are permitted to travel off of a truck route providing they are parking off street in an area where the bus does not obstruct the visibility of traffic. Example: private business parking lot with the permission of the owner of the lot, arena parking lot. Residential parking is not permitted, unless picking up or delivering passengers.
 - h) Persons being trained to operate vehicles are permitted to travel off of a truck route providing they are accompanied by a certified trainer.
7. The Council shall cause signs or other traffic control devices to be erected along the truck route to identify such.
8. The following shall not be deemed an offence under this Bylaw:
 - a) A delivery vehicle being operated off of a truck route in the most direct route from the truck route to a bonafide customer, the onus of proof lies with the delivery vehicle driver.
 - b) A vehicle to which a special permit has been issued.
 - c) A tow truck which is pulling a disabled vehicle or going to retrieve a disabled vehicle; and
 - d) A driver operating under the directions of a peace officer.
9. The Town of Rocky Mountain House Operations Department may issue a special permit, either verbally or in writing, which allows subject vehicles to operate on a highway other

than a truck route. Vehicles that are required to obtain local authority permits as mentioned under any act or regulation of the Motor Transport Act might also be issued a special permit. Vehicles shall follow any other act or regulation regarding provincial or federal legislation unless permitted by the Town of Rocky Mountain House.

- 9.1 A special permit issued under this Bylaw shall be issued free of charge to the applicant, provided that the conditions of the permit can be met.
- 9.2 A special permit shall be issued on a day-by-day basis and will specify times when the operator can exercise this permit.
- 9.3 Any person who:
 - a) Fails to obtain a permit as required under the Bylaw; or
 - b) Contravenes any conditions or provisions contained in any such special permit,Is guilty of an offense.
10. Truck routes listed in Schedule "B" attached to this Bylaw, shall be signed wherever Council or designate considers it necessary to indicate to drivers of trucks the highways permitted for use as truck routes.
11. The map prepared by the Town is for convenience of reference only and the omission of a truck route from it or the indication of a truck route on it, shall not be deemed, for the purpose of this Bylaw, to contradict or override the designation of truck routes as set out in this schedule to the Bylaw.
12. Notwithstanding any other provisions of this Bylaw, no sign or any other traffic control device is required on a highway, which is not a truck route.
13. No person shall park a vehicle or trailer used for the conveyance of dangerous goods, petroleum products or flammable liquids or an explosive material nearer than 15 meters to a building or group of buildings which are devoted exclusively to business operations in connection with such products or materials. All such vehicles shall clearly display the appropriate placard as per the Motor Transport Act. This will exclude vehicles or trailers delivering such products or materials.
14. No person shall leave unattended,
 - (a) a tank truck or tank on a trailer having a capacity in excess of 450, or
 - (b) a tank truck or tank on a trailer having a capacity to contain compressed gases in excess of 570 litres (water capacity)
15. **VEHICLES WITH METAL LUGS:** Unless a permit to do so has been issued by the Town Manager, no person shall operate on a highway a vehicle or trailer having metal spikes, lugs, cleats, skids, or bands projecting from the surface of the wheel, tire, or track of such vehicle. This prohibition does not apply to the use of studded tires or tires with chains.

16. No person shall apply or engage engine retarder brakes on any truck within any part of the Town Limits.
17. No provisions of this Bylaw shall relieve a person in charge or control of a subject vehicle from compliance with all other parking, traffic laws or Town of Rocky Mountain House Bylaws.
18. Any person contravening any of the provisions of this Bylaw or any other person responsible for such violations is guilty of an offense and liable to a penalty not exceeding Two Thousand Dollars (\$2,000.00) exclusive of costs, or, in the case of non-payment of fine and costs imposed, to imprisonment for a period not exceeding Thirty (30) days unless such fine and costs are paid sooner.
19. Where a Peace Officer believes that a person has contravened any provisions of this Bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offenses Procedure Act, S.A 198 P-21.5.
20. A violation ticket shall be deemed to be sufficiently served;
 - a) If served personally on the accused;
 - b) If mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
 - c) If attached to or left upon the vehicle allegedly involved in the offense.
20. (1) A Peace Officer, Member of the R.C.M.P., Bylaw Officer or person designated by the Town is hereby authorized to remove or cause to be removed an vehicle;
 - (a) operated or parked in contravention of any provision of this bylaw; or
 - (b) where emergency conditions may require such removal from a highway.
- (2) No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge 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 hereinafter provided. The Town is not responsible for impounding, towing, removal charges or any damages to a vehicle as a result of being towed.

Attachments

Schedule "A" Penalties

Schedule "B" Truck Route (map)

1. That Bylaw 03/06V is hereby rescinded.
2. This Bylaw shall come into effect upon third and final reading thereof.

TOWN OF ROCKY MOUNTAIN HOUSE
BYLAW 14/13V

A bylaw of the Town of Rocky Mountain House in the Province of Alberta to amend by-law 03/21V, for truck routes within the Town limits.

WHEREAS The Municipal Government Act Chapter M-26.1, 2000 and amendments thereto, authorizes the Council of the municipality to amend a bylaw,

AND WHEREAS the Council of the Town of Rocky Mountain House is desirous of amending Bylaw 03/21V, being a bylaw that sets truck routes within the boundaries of the Town of Rocky Mountain House per section 16(10(z) of the Highway Traffic Act, 1980, Chapter H-7, Revised Statutes of Alberta, which empowers the Council of the Town of Rocky Mountain House in the Province of Alberta, to pass bylaws designating truck routes.

NOW THEREFORE, the Council of the Town of Rocky Mountain House, in the Province of Alberta, duly assembled, hereby enacts as follows:

a) That Section 3 (f) be amended to read as follows:

“Vehicle(s)” Means Commercial vehicles, trucks with a gross vehicle weight of 10,000 kilograms or more, truck tractors, buses or trailers, attached to a truck or not.

b) that Bylaw 04/18V is hereby rescinded.

READ A FIRST TIME IN COUNCIL THIS 7th DAY OF October 2014.

READ A SECOND TIME IN COUNCIL THIS 7th DAY OF October, 2014.

READ A THIRD TIME IN COUNCIL THIS 7th DAY OF October, 2014.

Mayor

Town Manager

**BYLAW 03/21V
SCHEDULE "A"**

Penalty

1st Offence:	\$100.00 Penalty
2nd Offence:	\$200.00 Penalty
3rd Offence:	\$500.00 Penalty
Subsequent Offences:	As per Section 18 of this Bylaw

The following sections are intended on being used as a quick reference

Section 4	Operate a vehicle off of truck route.
Section 5	Park vehicle off of a truck route.
Section 9.3(a)	Fail to obtain permit
Section 9.3(b)	Fail to comply with conditions of permit
Section 13	No person shall park a vehicle or trailer used for the conveyance of petroleum products or flammable liquids or an explosive material nearer than 15 meters to a building
Section 14(a)	leave unattended a tank truck or tank on a trailer having a capacity in excess of 450 litres
Section 14(b)	leave unattended a tank truck or tank on a trailer having a capacity to contain compressed gases in excess of 570 litres (water capacity)
Section 16	Apply or engage engine retarder brakes within Town Limits

READ A FIRST TIME IN COUNCIL THIS 2ND DAY OF SEPTEMBER, 2003.

READ A SECOND TIME IN COUNCIL THIS 2ND DAY OF SEPTEMBER, 2003.

READ A THIRD TIME IN COUNCIL THIS 2ND DAY OF SEPTEMBER, 2003.

Mayor

Town Manager

TOWN OF ROCKY MOUNTAIN HOUSE
Schedule "B"
Bylaw No. 03/21V
Truck Routes

— All Truck Routes Designated in Black



NORTH
MAP NOT TO SCALE
April, 2003



