

**A BYLAW OF THE SUMMER VILLAGE OF SILVER BEACH,
IN THE PROVINCE OF ALBERTA,
RESPECTING TRAFFIC SAFETY & INFRASTRUCTURE PROTECTION**

BYLAW NO: 2018-03

WHEREAS the *Municipal Government Act* being Chapter M-26 of the *Revised Statutes of Alberta, 2000, Part 2, section 7 and 8* and amendments thereto, authorizes the Council of a municipality to pass Bylaws pertaining to the protection of people, property and transportation systems, and

WHEREAS within the corporate limits of the Summer Village of Silver Beach there are roads under the ownership, control and management of the Summer Village of Silver Beach, and

WHEREAS it is deemed desirable and expedient to provide for the control and use of these roads, and

WHEREAS the *Alberta Traffic Safety Act*, and amendments thereto, authorizes the Council of a municipality, with respect to highways under its direction, to control, manage and pass bylaws authorizing persons to operate vehicles on any portion of such highways, and

WHEREAS it is deemed necessary to place bans and restrictions on designated highways to protect the roads at various times during the year, such as “spring breakup”, because of poor road conditions and the resulting need to restrict heavy vehicle traffic on any highway within the boundaries of the Summer Village of Silver Beach, and

WHEREAS the Council of the Summer Village of Silver Beach considers it desirable and expedient to do so.

NOW THEREFORE, the Council for the Summer Village of Silver Beach, duly assembled, under the authority and provisions of the *Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6*, enacts as follows:

SECTION 1 - NAME OF BYLAW

1.1 This Bylaw shall be known as “The Traffic Safety and Infrastructure Protection Bylaw”.

SECTION 2 – PURPOSE OF THIS BYLAW

2.1 The purpose of this Bylaw is to control and regulate traffic, parking, off-highway vehicles, protect the infrastructure of the Village, specifically the roads, streets, roads and lanes, etc., and the use of highways under its control and management in a cooperative manner with residents and businesses.

SECTION 3 - DEFINITIONS

3.1 In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:

- (a) “**Act**” means the *Traffic Safety Act, RSA 2000, cT-6*.
- (b) “**Axle Weight Allowance Percentage**” means the percentage that is applied to the maximum allowable weight of the carrying axles of a public vehicle to determine the weight that the carrying axles may bear on a highway during a road ban.
- (c) “**Carrying Axle**” means any axle that is not a steering axle.
- (d) “**Chief Administrative Officer**” means a person appointed to a position under section 205 of the *Municipal Government Act, RSA 2000 CM-26*.
- (e) “**Commercial Vehicle**” means a public vehicle or vehicle operated on a highway by or on behalf of a person for the transportation of passengers, goods, or the vehicle itself, however does not include a private passenger vehicle.
- (f) “**Council**” means the Municipal Council of the Summer Village of Silver Beach.

- (g) “**Emergency Vehicle**” means an emergency vehicle as defined in the *Traffic Safety Act, RSA 2000 cT-6*.
- (h) “**Heavy Vehicle**” means a public vehicle that is properly registered to operate on a highway in Alberta having a registered gross vehicle weight in accordance with the *Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6*, of more than five thousand kilograms (5,000 kg).
- (i) “**Highway**” means any thoroughfare, street, road, lane, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- (j) “**Maximum Allowable Weight**” means the weight that may be borne by a single axle, an axle group or all the axles of a commercial vehicle as established by the Commercial Vehicle Dimension & Weight Regulation of the *Traffic Safety Act, Revised Statutes of Alberta 2000, Chapter T-6*.
- (k) “**Off-Highway Vehicle**” means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel, 4-wheel drive vehicles, low pressure tire vehicles, motorcycles and related 2-wheel vehicles, amphibious machines, all-terrain vehicles, miniature motor vehicles, snow vehicles, minibikes, and any other means of transportation that 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.
- (l) “**Overweight Vehicle**” shall mean any vehicle that exceeds the axle weight allowance percentage, or that is required to attain a “Road Use Permit” or “Special Annual Road Use Permit”.
- (m) “**Owner**” shall include the registered owner, a person in care and control, a person renting an off-highway vehicle or having the exclusive use of that vehicle under a lease or otherwise for a period of more than 30 days.
- (n) “**Peace Officer**” means a member of the Royal Canadian Mounted Police, or a Peace Officer as defined in the *Peace Officer Act, SA 2006 CP-3.5* in the employ of the Pigeon Lake Protective Services or a Bylaw Enforcement Officer appointed by the Summer Village of Silver Beach as defined in the *Municipal Government Act, RSA 2000 CM-26*.
- (o) “**Permanent Road Ban**” means a road ban in effect within the corporate limits for the entire calendar year.
- (p) “**Permitted Area**” means any area outside of the Village limits where an off-highway vehicle can be operated and within the Summer Village limits in specified areas.
- (q) “**Person**” means any individual, corporation, society, association, partnership or firm.
- (r) “**Operator**” means a person who is a holder of a valid subsisting operator’s license.
- (s) “**Resident**” means a property owner in the Summer Village of Silver Beach and his or her family.
- (t) “**RoadData**” means RoadData Services Ltd. who has an agreement with the Summer Village of Silver Beach to issue Road Use Permits and Special Annual Road Use Permits on their behalf with input and approval from the Senior Peace Officer of Pigeon Lake Protective Services.
- (u) “**Road Use Permit**” means a permit to *exceed posted axle weight allowance percentage restrictions* issued to a person or firm conducting trips in and out of the Summer Village serving a particular private project such as a new development within the Municipality.

- (v) **“Road Ban”** means the axle weight allowance restriction prescribed in respect of a highway, street, road or lane, etc.
- (w) **“Safety Helmet”** means a safety helmet as prescribed in the Act.
- (x) **“Seasonal Road Ban”** means a road ban in effect within the corporate limits during spring break up or any other time the highways are particularly vulnerable to damage.
- (y) **“Senior Peace Officer”** means the Officer in Charge of Pigeon Lake Protective Services.
- (z) **“Special Annual Road Use Permit”** means a road use agreement to *exceed posted axle weight allowance percentage restrictions* issued to a person or firm conducting regular or multiple daily trips in and out of the Summer Village *servicing the Municipality* such as vacuum trucks, garbage trucks, lawn maintenance equipment, utilities, etc.
- (aa) **“Summer Village”** means the Summer Village of Silver Beach.
- (bb) **“Traffic Control Device”** means any sign, signal, marking or device placed, marked or erected under the authority of the *Traffic Safety Act, RSA 2000 CT-6* for the purpose of regulating, warning or guiding traffic.
- (cc) **“Trailer”** means a vehicle so designed that it may be attached to or drawn by a motor vehicle or tractor, and is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.
- (dd) **“Traveled Portion”** shall mean that portion of any highway constructed for use by vehicular traffic.
- (ee) **“Vehicle”** means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.
- (ff) **“Violation Ticket”** means any summons, ticket, municipal tag, or notice, to appear that shall be written or issued because of a violation of this Bylaw.

SECTION 4 – AUTHORITY

- 4.1 Any member of Council or the Chief Administrative Officer or the Senior Peace Officer has the authority to determine appropriate road bans for the Summer Village.

SECTION 5 – POSTING OF ROADS

- 5.1 All entry roads into the Summer Village shall be posted as to the allowable road use limits, i.e. acceptable axle weight allowance percentage. Any member of Council or the Chief Administrative Officer or the Senior Peace Officer has the authority to post appropriate road bans.

SECTION 6 – PERMANENT ROAD BAN

- 6.1 A permanent road ban shall be in effect within the corporate limits of the Summer Village for the entire calendar year. The road ban shall impose up to a seventy-five percent (75%) axle weight restriction on all commercial vehicles using the Summer Village highways.

SECTION 7 – SEASONAL ROAD BANS

- 7.1 A seasonal road ban shall be in effect within the corporate limits of the Summer Village during spring break up or any other time the highways are at risk of damage. The road ban shall impose up to a fifty percent (50%) axle weight restriction on all commercial vehicles using the Summer Village highways during a seasonal road ban.

SECTION 8 - ROAD USE (OVERWEIGHT) PERMITS

- 8.1 Permits **will not be** required for the use of the roads by heavy vehicles unless the operator is making a request to exceed the posted axle weight restriction.
- 8.2 The Council of the Summer Village hereby authorizes the issuance and/or approval of such road use permits by RoaData, the Chief Administrative Officer and a peace officer having jurisdiction within the corporate limits of the Summer Village to ensure that:
- (a) No person shall operate a heavy vehicle in excess of the posted axle weight allowance percentage restriction on a highway within the Summer Village without a valid road use permit, and
 - (b) No person shall operate a heavy vehicle on a highway within the Summer Village in contravention of any special conditions or restrictions noted on the road use permit that has been issued to that person or firm, and
 - (c) Permits for 50% road bans generally do not exceed 75% of the axle weight allowance percentage and permits for 75% road bans generally do not exceed 90% of the axle weight allowance percentage.

8.3 Special Annual Road Use Permits

A person or firm may apply for a special annual road use permit *to exceed posted axle weight allowance percentage restrictions* from RoaData by calling 1-888-444-9288 under the following circumstances:

- (a) The person or firm conducts regular or multiple daily trips in and out of the Summer Village serving the Municipality and providing scheduled services such as vacuum trucks, garbage trucks, lawn maintenance equipment, utilities, etc.
- (b) The special annual road use permit will be issued on an annual basis expiring on December 31 of that calendar year.
- (c) The permit shall be issued in the form prescribed in Schedule “B” and shall set out the terms and conditions including when the permit is effective and the weight restrictions to be imposed.
- (d) The permit shall be approved by the Chief Administrative Officer or Senior Peace Officer prior to being finalized and issued by RoaData and only valid thereafter during the date and times specified.
- (e) Schedule “B” may be amended from time to time.
- (f) No person shall exceed any axle weight restrictions or permit conditions that may be imposed under a special annual road use permit. Any contravention of this section will be subject to prosecution under the Provincial *Traffic Safety Act*.
- (g) A request for a Special Annual Road Use Permit may be refused by the Chief Administrative Officer or Senior Peace Officer, if, in his or her opinion travel on Summer Village roads during certain times of the year, such as spring break-up, would cause damage to the road, or if a member of Council, Chief Administrator Officer or Senior Peace Officer deems that the roads are not fit for travel.
- (h) This Bylaw does not countermand any Provincial permitting requirements.

8.4 Road Use Permits

A person or firm may apply for a road use permit to exceed the *posted axle weight allowance percentage restrictions* from RoaData by calling 1-888-444-9288 under the following circumstances:

- (a) The person or firm conducts trips in and out of the Summer Village serving a particular private project such as a new development within the Municipality.
- (b) The road use permit shall be issued on a trip by trip or up to a weekly basis.
- (c) The permit shall be issued in the form prescribed by RoaData and shall set out the terms and conditions including when the permit is effective and the weight restrictions to be imposed.
- (d) No person shall exceed any axle weight restrictions or permit conditions that may be imposed under a road use permit. Any contravention of this section will be subject to prosecution under the Provincial *Traffic Safety Act*.
- (e) A request for a Road Use Permit may be refused by the Chief Administrative Officer or Senior Peace Officer, if, in his or her opinion travel on Summer Village roads during certain times of the year, such as spring break-up, would cause damage to the road, or if a member of Council, Chief Administrator Officer or Senior Peace Officer deems that the roads are not fit for travel.
- (f) This Bylaw does not countermand any Provincial permitting requirements.

SECTION 9 – TEMPORARY CLOSING OF HIGHWAYS

- 9.1 In any case where, by reason of an emergency or special circumstance(s) which, in the opinion of the Chief Administrative Officer, or a member of Council, or the Senior Peace Officer is necessary and is in the public interest and safety to do so may:
- (a) Temporarily close off any area or highway in whole or in part to traffic or,
 - (b) Temporarily suspend in any area of the Summer Village, parking privileges granted by this or any other Bylaw, and
 - (c) The Chief Administrative Officer or the Senior Peace Officer may, for such period of time as deemed necessary to meet such emergency or special circumstance(s), take such measures for the temporary closing of any highway or portion thereof.

SECTION 10 – DAMAGING SURFACE OF HIGHWAY

- 10.1 Vehicles with metal spikes, cleats, lugs or bands projecting from the wheel, tire or tread of such vehicle, or any vehicle having a caterpillar tread/track are prohibited from being operated or caused to be operated by a person on any highway within the Summer Village.
- 10.2 Regardless of exemptions in section 17 or permits issued, the owner of a commercial vehicle may be held liable for damages to public property, including highways, caused by the owner's vehicle(s).

SECTION 11 – SPEED LIMITS

- 11.1 The maximum speed limit on all developed highways in the Summer Village is set at 30 kilometers per hour.

SECTION 12 – OFF-HIGHWAY VEHICLES

- 12.1 An operator of an off-highway vehicle may operate the same on any highway under the control and management of the Summer Village.
- 12.2 An operator of a snow vehicle shall operate the snow vehicle off the traveled portion of any developed highway where practicable.

- 12.3 No person who is the owner or operator of an off-highway vehicle may operate or offer or permit any other person to operate the off-highway vehicle where there is not a subsisting certificate of registration issued and an insurance policy issued (pursuant to the Act) for that off-highway vehicle. Any contravention of this section will be subject to prosecution under the Provincial *Traffic Safety Act*.
- 12.4 No resident of the Summer Village shall operate an off-highway vehicle in the Summer Village except for the purpose of proceeding from their residence to a permitted area and back to their residence by the most direct and practicable route possible.
- 12.5 If it is necessary to travel on a highway, the operator and/or operators of the off-highway vehicle shall travel on the extreme right-hand side of the road and shall travel single file.
- 12.6 When a person operates an off-highway vehicle in an alley, lane or on a highway, the operator shall:
- (a) travel at a rate of speed not in excess of 30 kilometers per hour;
 - (b) obey all laws and regulations of the Summer Village and the Province of Alberta.
- 12.7 When a person is operating an off-highway vehicle in an alley or lane of the Summer Village and it is necessary to cross a street or avenue, the operator of the off-highway vehicle shall:
- (a) stop the off-highway vehicle before entering on to the highway or portion of the highway to be crossed; and
 - (b) yield right of way to all other vehicles and persons on the highway; and
 - (c) cross over the highway or portion of highway to be crossed by the most direct and shortest route of travel available to the operator.
- 12.8 No person shall operate an off-highway vehicle in the areas shown on Schedule "C" during the period from April 1 to October 31. These areas include all parks, utility lots and undeveloped land within the Summer Village corporate limits except for the purposes of installing and removing boat launches, lifts and piers.
- 12.9 No person shall operate an off-highway vehicle that is not equipped with:
- (a) an exhaust muffler
 - (b) at least one headlight
 - (c) at least one tail light
- 12.10 At any time during the night time hours or at any other time when, due to insufficient light or unfavorable atmospheric conditions, objects are not clearly discernible at a distance of 150 meters ahead, no off-highway vehicle shall be in motion unless the headlight and tail light are alight.
- 12.11 No person shall operate an off-highway vehicle unless wearing a safety helmet.
- 12.12 Notwithstanding sections 12.4, 12.5, 12.6, 12.7, and 12.8 of this Bylaw, the Council may, by resolution, or Chief Administrative Officer or Senior Peace Officer grant permission for the operation of off-highway vehicles in any designated area within the Summer Village for a designated time or event.
- 12.13 Notwithstanding any sections of this Bylaw, municipal employees may be authorized by Council to operate an off-highway vehicle in the course of their daily work schedule as prescribed in this Bylaw.
- 12.14 Any operator of an off-highway vehicle using any highway in the Summer Village does so at his or her own risk and in accordance with the Act.

SECTION 13 – PARKING

- 13.1 No person shall park any off-highway vehicle or trailer or an unattached trailer on any highway in the Summer Village.
- 13.2 Where parking is permitted, the vehicle shall not be parked on the traveled portion of any highway in the Summer Village.
- 13.3 No person shall disobey a traffic control device, which include all those devices erected permanently or on a temporary basis.
- 13.4 The following parking zones are established as shown on Schedule “A” of this Bylaw as follows;

(a) Parking Zones

Color Code RED:	No Parking Zone
Color Code GREEN:	Public Parking Zone
Color Code YELLOW:	Resident Parking Zone

(b) No Parking Zones

- (i) Parking is prohibited on the east side of Silver Beach Road from the north boundary of Lot 14A, Block 5, Plan 782 1475 (municipally known as 24 Silver Beach Road) to the south boundary of Reserve R2, Plan 613 MC.
- (ii) Parking is prohibited on the west side of Silver Beach Road from the north boundary of Lot 19, Block 1, Plan 4107 EO (municipally known as 31 Silver Beach Road) to the south boundary of Lot 4A, Block 2, Plan 613 MC (municipally known as 37 Silver Beach Road) except for the area covered by Park Reserve R in Block 1, Plan 4107 EO (municipally known as Ouimette Park).

(c) Public Parking Zones

- (i) Public parking is permitted between the boundaries of Park Reserve R, Block 1, Plan 4107 EO (municipally known as Ouimette park).
- (ii) No person shall park any motor home, recreational vehicle, heavy vehicle, heavy equipment, vehicle with attached trailer, or trailer in the public parking zone.
- (iii) Parking is not permitted between the boundaries of Park Reserve R, Block 1, Plan 4107 EO (municipally known as Ouimette Park) between the hours of 10:00 p.m. and 8:00 a.m.

(d) Resident Parking Zone

- (i) Areas of Silver Beach Road/Silver Bay Road shown in Schedule “A” as Color Code Yellow, parking is restricted to residents of the Summer Village only.
- (ii) Residents shall be permitted to park their vehicles on the untraveled portion of Silver Beach/Silver Bay Road adjacent to or in the vicinity of the land on which they reside.
- (iii) No owner of a vehicle or the person in charge of a vehicle shall park or leave the vehicle on private property or private driveways without authorization from the owner, tenant, or person in charge or control of the private property.
- (iv) On special occasions such as family reunions, weddings and other similar family events, a non-resident may be allowed to park a vehicle in the Resident Parking Zone provided that:

- The resident makes verbal application to the Chief Administrative Officer or a Peace Officer in the employ of Pigeon Lake Protective Services prior to the event requesting an exemption, and provides the Peace Officer with the estimated number of vehicles for which an exemption is requested, and
- The Chief Administrative Officer and/or Peace Officer shall have the sole discretion and power to permit or refuse any such request in the interests of safety and the availability of parking space and may request any other information as deemed appropriate such as vehicle license numbers, length of stay, etc.

SECTION 14 – OBSTRUCTING HIGHWAYS

- 14.1 A vehicle shall not be parked on a highway in a manner that blocks or obstructs:
- (a) the movement of traffic on the highway; and
 - (b) restricts or blocks access to any building or utility building.
- 14.2 A person shall not place, store, cause or permit to be placed any mud, grease, oil, ice, slush, building or landscaping material or any other materials, upon any roadway.
- 14.3 A person shall not congregate, crowd, jostle or harass any other person or do so in such a manner to interfere with the movement of traffic on a highway.

SECTION 15 – HEAVY VEHICLES

- 15.1 A heavy vehicle with a registered gross vehicle weight over five thousand kilograms (>5,000 Kg) is generally prohibited from traveling on any highway in the Summer Village unless:
- (a) the heavy vehicle is providing services to, delivering goods to, or collecting goods from a customer or resident; and
 - (b) those services or goods, outside of regular municipal services, are accompanied by valid documentation to do so, such as a bill of lading; and
 - (c) if providing such services or the delivery of goods, the heavy vehicle must not exceed the axle weight allowance percentage posted for that highway unless:
 - (i) an approved and valid road use permit or special annual road use permit is in the operator's possession and permit restrictions or conditions are followed.

SECTION 16 – HORSE-DRAWN VEHICLES

- 16.1 A horse-drawn vehicle shall not be parked or left unattended on a highway.

SECTION 17 – EXEMPTIONS

- 17.1 All emergency vehicles are exempt from the provisions of this Bylaw.
- 17.2 Public vehicles exempt from road bans shall be those identified in the *Traffic Safety Act, RSA 2000 cT-6*.
- 17.3 Highway construction and maintenance equipment is exempt from the provisions of sections 8 and 13 of this Bylaw, however apply to heavy vehicles transporting said equipment in and out of the Summer Village.

SECTION 18 – IMPOUNDING OF VEHICLES

- 18.1 Any peace officer is hereby authorized to remove or cause to be removed any vehicle that has contravened the provisions of this Bylaw.

- 18.2 No impounded vehicle shall be released to its owner or agent until the impounding and removal charges against the vehicle have been paid.
- 18.3 The impounding charge and removal charge shall be in addition to any fines or penalty imposed under this Bylaw.
- 18.4 Where a vehicle is impounded or stored pursuant to this Section and is not claimed within 30 days of its removal, it may be disposed of in accordance with the *Traffic Safety Act, Division 3, Section 13(1)*.

SECTION 19 – OWNER LIABLE

- 19.1 If a vehicle is involved in an offence referred to in any section of this Bylaw, the owner of that vehicle is guilty of an offence.
- 19.2 Section 19.1 does not apply if the owner of the vehicle satisfies the court that, at the time that the vehicle was involved in an offence referred to in this Bylaw;
- (a) the owner of the vehicle was not driving or did not park the vehicle, and
 - (b) no other person was driving or parked the vehicle with the owner's expressed or implied consent.

SECTION 20 – VICARIOUS LIABILITY

- 20.1 For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent exercising the powers of or performing duties on behalf of the person under their agency relationship.

SECTION 21 – CORPORATIONS AND PARTNERSHIPS

- 21.1 When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 21.2 If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

SECTION 22 – ENFORCEMENT, PENALTIES, ROAD USE PERMIT FEES AND FINES FOR VIOLATIONS OF THIS BYLAW

- 22.1 A person who contravenes any of the provisions of this Bylaw is guilty of an offence.
- 22.2 A person who is guilty of an offence is liable upon conviction to a fine in an amount not less than that established in Schedule "D" of this Bylaw.
- 22.3 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established in this Bylaw for each such day.
- 22.4 A person shall not obstruct or hinder any Peace Officer, Bylaw Enforcement Officer, person in the exercise or performance of the person's duties and powers pursuant to this Bylaw.
- 22.5 A person may avoid prosecution for any offence under this Bylaw by paying the amount shown in Schedule "D" of this Bylaw within the prescribed time limit as shown on the violation ticket. If the voluntary fine is not paid then prosecution may be commenced under the provisions of the *Provincial Offences Procedures Act, R.S.A. 2000 cP-34* and amendments thereto.

- 22.6 If a violation ticket is issued in respect of an offence, the violation ticket may:
- (i) specify the fine amount established in Schedule “D” for the offence; or
 - (ii) require the person charged to appear in court without the alternative of making a voluntary payment.
- 22.7 A person who commits an offence may:
- (i) if a violation ticket is issued in respect of the offence; and
 - (ii) if the violation ticket specifies the fine amount established in Schedule D for the offence;
- make a voluntary payment equal to the specified fine.
- 22.8 Road Use Permit Fees and specified fine penalties for violations of this Bylaw are set out in Schedule “D” of this Bylaw and may be amended from time to time.
- 22.9 Fees set out in Schedule “D” may be amended from time to time by a resolution of Council.
- 22.10 A Peace Officer authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act, R.S.A. 2000, Chapter M-26*, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where the tag is not paid by the offender a Part 3 violation ticket may be issued under the *Provincial Offences Procedures Act R.S.A., Chapter 2000, P-34*, to that person.

SECTION 23 – SEVERABILITY

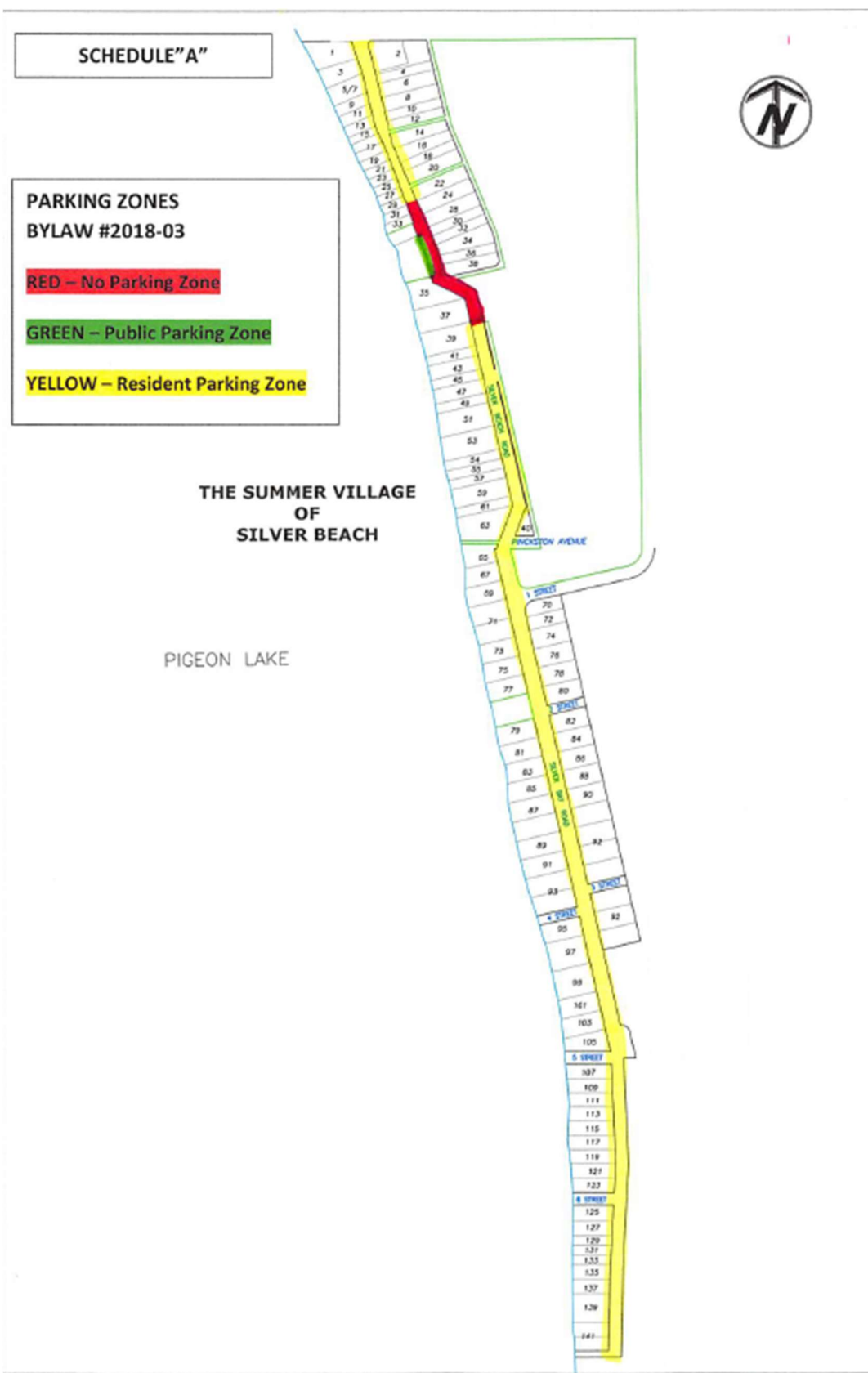
- 23.1 Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw. The Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

SECTION 24 – RESCINDING AND COMING INTO FORCE

- 24.1 Upon passing of this Bylaw, the Summer Village of Silver Beach Bylaw #213/2006 and Bylaw #200/2003 are repealed.
- 24.2 This Bylaw comes into effect on the date of the third reading;
- Read a first time this 28th day of May, 2018.
- Read a second time this 30th day of August, 2018.
- Read a third time, and finally passed, this 30th day of August, 2018.

 Allan WATT, Mayor
 Summer Village of Silver Beach

 June BOYDA, CLGM
 Chief Administrative Officer
 Summer Village of Silver Beach



SCHEDULE "B"



ROAD USE AGREEMENT

Company Name: _____

Address: _____ City: _____ Prov: _____ Postal Code: _____

Contact Person: _____ Position: _____ E-mail: _____

Phone (Office): _____ Cell: _____ Fax: _____

Location LSD: _____ Truck(s) License Plate #: _____

Combination Unit: _____

Registered Gross Vehicle Weight: _____ Number of Axles: _____

Proposed Route: _____

I hereby acknowledge I am able to act on behalf of the Company noted above and request approval for this Company to request blanket use of the **Summer Village of Silver Beach** roads. By signing this agreement the Company accepts the following conditions:

1. This agreement will be in effect from the date of authorization until December 31 of that calendar year.
2. This agreement is binding upon successors and assignees, subject to notification of any changes.
3. Use legal weights only, and notify the RoaData Services Ltd. of any overweight / over dimensional loads prior to hauling in the Municipality. In the event that permission is requested for overload weights during Road Ban Season or for travel above a posted Road Ban limit, application may be made to post a security bond.
4. Any damages or excess maintenance requirements caused by trucks or equipment operating under this agreement are the responsibility of the company. This may include but is not limited to snow plowing, dust control, grading, re-gravelling and/or road repair of any kind.
5. The applicant agrees to reimburse the Municipality for any work deemed necessary for safe public passage as a result of this activity.
6. The applicant is to obtain all required approvals from Alberta Environment, the Natural Resources Conservation Board, Alberta Transportation regarding use of the Provincial Highway System also any other agencies, to obtain any necessary approvals.
7. **The Summer Village of Silver Beach is to be advised of all major hauls (4 or more loads of 11,794 KGS or greater in a 24 hour period) or any movement of overweight equipment on Municipal roadways by way of obtaining a permit through RoaData Services Ltd. at 1-888- 830-7623.**



ROAD USE AGREEMENT

8. The Applicant shall notify all contractors or subcontractors that individual permits/road use agreements must be obtained and of the route that must be followed when transporting goods or services into the location.
9. Any major hauls or movement of overweight equipment must follow the route listed on this document, unless written permission is granted to state otherwise.
10. The **Summer Village of Silver Beach** is not responsible for any injury, loss or damages sustained by you, your employees or agents as a result of this activity.
11. In case of rain or wet conditions, the trucks are to be **stopped immediately** in order to protect the road from damage. Movement is only to take place on Dry or Frozen road surface. The applicant is responsible for checking for movement related restrictions by going online at www.roadata.com, calling 1-888-830-7623, or by signing up for the free notification system offered through RoaData Services Ltd.
12. A copy of the Road Use Agreement must be carried in the Vehicle. Road Use Agreements must be presented upon request by any Peace Officer. The **Summer Village of Silver Beach** may monitor the roads and stop the project if necessary.
13. All road use privileges may be suspended until such time as operations are in compliance with the above noted conditions.
14. Roadway Inspections may be performed on the route at the sole discretion on the Municipality. The applicant agrees to pay for such Roadway Inspections at the rate currently defined by the Municipality.

Date: _____ Name: _____ Signature: _____

Position: _____ Contact #: _____

****RETURN COMPLETED FORM TO: Pigeon Lake Protective Services Fax: 780-401-3251
Or preferably by E-mail: wkardash@plps.ca**

*****This Road Use Agreement is NOT Valid Unless Approved by the Municipality Below*****

Office Use Only

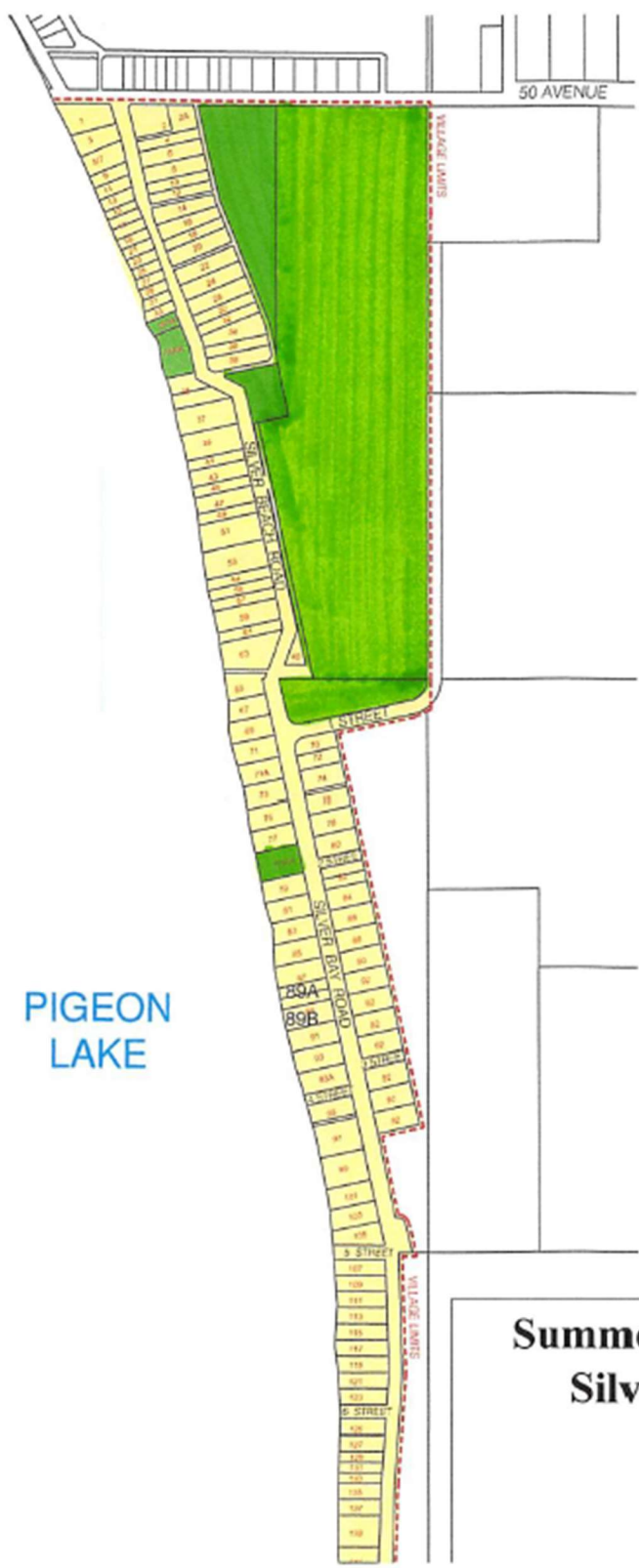
Approved: Yes ___ No ___ Effective Date: _____ Agreement #: _____

Road Ban: Yes ___ No ___ Currently Posted at: _____% Approved for: _____%

**Additional attached conditions to be followed: Yes ___ No ___ N/A ___

Municipality Contact: *W.D.(Wes) KARDASH, Senior Peace Officer, Reg# 16649* _____
The Summer Village of Silver Beach, Pigeon Lake Protective Services PH: 780-389-3927

SCHEDULE "C"



BYLAW #2018-03
OFF-HIGHWAY VEHICLE USE
PROHIBITED APRIL 1 – OCTOBER 31

**Summer Village of
Silver Beach**

SCHEDULE "D"

ROAD USE PERMIT FEES

Special Annual Road Use Permit to exceed the posted axle weight restrictions annually (50% to 75% maximum, or 75% to 90% maximum) No Charge by Summer Village

(NOTE: RoaData permit fees apply)

Road Use Permit to exceed posted axle weight restrictions for a trip by trip basis or up to one-week (50% to 75% maximum, or 75% to 90% maximum) No Charge by Summer Village

(NOTE: RoaData permit fees apply)

SPECIFIED PENALTIES FOR VIOLATIONS

SECTION 8: ROAD USE (OVERWEIGHT) PERMITS

For all offences in this section as prescribed in the *Traffic Safety Act, RSA 2000 cT-6*, and the *Provincial Offences and Procedure Act, RSA 2000 cP-34* including amendments thereto.

SECTION 9: TEMPORARY CLOSING OF HIGHWAYS

For all offences in this section, \$100.00 for each offence.

SECTION 10: DAMAGING SURFACE OF HIGHWAYS

For all offences in this section, \$150.00 for each offence.

SECTION 11: SPEED LIMITS

As prescribed in the *Provincial Offences and Procedure Act, RSA 2000 cP-34* including amendments thereto.

SECTION 12: OFF-HIGHWAY VEHICLES

For all offences in this section, unless specified for prosecution under the *Traffic Safety Act, RSA 2000 cT-6*, therefore prescribed by the *Provincial Offences and Procedure Act, RSA 2000 cP-34* including amendments thereto, \$100.00 for each offence.

SECTION 13: PARKING

For offences under section 13.3, \$75.00 for each offence, otherwise for all other offences in this section, \$50.00 for each offence.

SECTION 14: OBSTRUCTING HIGHWAYS

For all offences in this section, \$100.00 for each offence.

SECTION 15: HEAVY VEHICLES

For all offences in this section, \$250.00 for each offence.

SECTION 16: HORSE-DRAWN VEHICLES

For all offences in this section, \$50.00 for each offence.

SECTION 22: OBSTRUCTION OF PEACE OFFICER

For offences under section 22.4, \$250.00 for each offence.