SUMMER VILLAGE OF GHOST LAKE

BYLAW 240

BEING A BYLAW OF THE SUMMER VILLAGE OF GHOST LAKE IN THE PROVINCE OF ALBERTA TO CONTROL AND REGULATE THE USE OF ROAD RIGHT OF WAYS.

WHEREAS The Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta, 2000 and amendments thereto makes provision for passage of bylaws relating to the regulation and control of vehicle, animal and pedestrian traffic; and

WHEREAS Sections 7 and 9 of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta, 2000, and amendments thereto, authorizes a municipality to pass bylaws for the safety, health and welfare of people and the protection of people and property and to regulate activities and things in, on or near a public place or place that is open to the public; and

WHEREAS The Provincial Offences Procedure Act, being Chapter P-34 of the Revised Statutes of Alberta , 2000, and amendments thereto, authorizes a municipality to issue Violation Tickets, and collect fines to enforce Municipal Bylaws.

NOW THEREFORE, the Council of the Summer Village of Ghost Lake in the Province of Alberta duly assembled enacts as follows:

1. NAME OF BYLAW

This Bylaw shall be known as the "Summer Village of Ghost Lake Boulevard Bylaw"

2. DEFINITIONS

In this Bylaw, including this Section, unless the context otherwise requires, all definitions shall be defined in Section 1 of the Traffic Safety Act, being Chapter T-6 of the Revised Statutes of Alberta, 2000, and all regulations and amendments thereto.

(a) "boat" means any marine vessel propelled on water by oars, sails, or an engine;

(b) "boat trailer" means a trailer designed for recreation use for carrying a boat and is towed by a motor vehicle;

(c) "Chief Administrative Officer" means the Chief Administrative Officer for the Summer Village of Ghost Lake and whatever subsequent title may be conferred on that officer by Council or Statue;

(d) "emergency vehicle" means an emergency vehicle as defined in the *Traffic Safety Act*;

(e) "object" means any item not usually found in the natural environment. This may include but is not limited to refuse, household items, boxes or storage bins, planters, mechanical parts or equipment, and marine equipment;

(f) "obstruction" means an encroachment, excavation, structure, object or other obstacle which interferes with, or prevents the vision, passage, maintenance or use of any public property by vehicles or pedestrians;

(g) "provincial ticket" means a ticket as defined in the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.

(h) "municipal council" means the Council of the Summer Village of Ghost lake;

(i) "municipality" means the Summer Village of Ghost Lake, a municipal corporation in the Province of Alberta and where the context so requires means the area contained within the corporate boundaries of the said municipality;

(j) "municipal ticket" means a ticket in a form as approved by the Chief Administrative Officer, issued by the Summer Village allowing for the voluntary payment of a fine established under this Bylaw

(k) "peace officer" means

(i) a member of the Royal Canadian Mounted Police;
(ii) a Bylaw Officer as appointed by the Summer Village to enforce bylaws of the Summer Village, or
(iii) a Community Peace Officer as appointed by the Solicitor General of Alberta;

(l) "person" means any individual, business, partnership, firm, corporation, occupant of a residence, or owner of a vehicle;

(m)"recreational vehicle" means a vehicle, or a portable structure designed to be either carried on a motor vehicle or towed behind a motor vehicle, the primary purpose of which is to provide temporary living accommodation for travel and/or for recreational purposes, and without restricting the generality of the foregoing includes motor homes, travel trailers, fifth wheel trailers, tent trailers, and truck campers;

(n) "road right of way" means any thoroughfare, street, road, driveway, lane, alley, causeway, or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes

i) a boulevard adjacent a roadway, and
ii) if a ditch lies adjacent to and parallel with the roadway, the ditch.

(i) "utility trailer" means a trailer designed for general use and is towed by a motor vehicle including but not limited to small box trailers, flat bed trailers, stock/horse trailers, pole trailers and van trailers. Includes both homemade and manufactured trailers;

3. PARKING RECREATION VEHICLES

1) An owner or operator of a recreational vehicle shall not park a recreational vehicle on a road right of way:
   a) except in the area of the road right of way immediately adjoining the owner or operator's place of residence, or with permission of the owner or occupant of the residence; and

b) for more than 72 consecutive hours, following which the owner or operator shall move the recreational vehicles to an off road right of way location for a period of not less than 48 consecutive hours before the recreational vehicle may be parked again in the same area of the road right of way.

2) Where any type of motor vehicle has removable camping accommodation installed on it, the operator or owner of the vehicle or any person in charge of the vehicle either permanently or temporarily, shall not leave the camping accommodation or other removable portion of the vehicle used for this purpose on any portion of a road right of way after same has been removed from the motor vehicle.

3) No owner or operator of a recreational vehicle shall park a recreational vehicle on any road right of way in such a manner as to constitute a hazard to other persons using the roadway.

4) Recreational vehicles parked on private property must not overhang the property line.

5) When a recreational vehicle is parked on a road right of way and is in violation of a provision of this Bylaw or regulation, it may be removed and impounded and the cost thereof charged against the owner and/or operator of the said vehicle.

4. PARKING BOAT AND UTILITY TRAILIERS

1) An owner or operator of a boat or utility trailer shall not park a boat or utility trailer on a road right of way during the months of November through April:
   a) except in the area of the road right of way immediately adjoining the owner or operator's place of residence, or with permission of the owner or occupant of the residence and
   b) for more than 72 consecutive hours, following which the owner or operator shall move the boat or utility trailer to an off road right of way location for a period of not less than 48 consecutive hours before the boat or utility trailer may be parked again in the same area of the road right of way.

2) No owner or operator shall park a boat or utility trailer on any road right of way in such a manner as to constitute a hazard to other persons using the roadway.

3) Boat or utility trailers parked on private property must not overhang the property line.

4) When a boat or utility trailer is parked on a road right of way and is in violation of a provision of this Bylaw or regulation, it may be removed and impounded and the cost thereof charged against the owner and/or operation of the said trailer.

5. OBSTRUCTIONS

1) Any person placing or causing to be placed any gravel, dirt, objects or other obstruction on Summer Village property, including road right of ways, without written approval from the Chief Administrative Officer or designate, shall remove or cause the removal thereof as soon as reasonably possible and, in any event no later than 7 calendar days after notification to do so by the Chief Administrative Officer or designate.

After 7 calendar days, or such time as specified by the Chief Administrative Officer or designate, the Summer Village may remove the obstruction, perform all necessary repairs and charge the costs thereof to the person causing the obstruction.

Each item removed will constitute one violation for the purposes of issuing a Violation Ticket

2) No owner of an abandoned or broken-down vehicle, or the person in charge of the vehicle, shall park or leave the vehicle on the road right of way in the municipality for a period longer than 24 hours.

6. EXEMPTIONS

1) Nothing in this Bylaw prohibits police vehicles, bylaw enforcement vehicles, ambulances, fire trucks or any other emergency vehicle as well as vehicles engaged in road repair, maintenance or inspection from being parked on the roadways by their operators in the performance of their duties.

2) All parking restrictions are lifted for 5 days during the Annual Summer Village of Ghost Lake Regatta. This includes the Thursday and Friday directly preceding the Regatta weekend and the Saturday, Sunday, and Monday of the Regatta weekend. Sections 3(3) and 4(2) continue to apply.

3) An owner or operator of a boat or utility trailer may park a boat or utility trailer on a road right of way during the months of May through October providing the area of the road right of way is immediately adjoining the owner or operator's place of residence, or with permission of the owner or occupant of the adjoining residence.

4) Notwithstanding the relaxation of restrictions to an owner or operator of a boat or utility trailer allowing for a boat or utility trailer to be parked on a road right of way during the months of May – October, Section 4(2) does still apply.

7. REMOVAL OF VEHICLES, TRAILERS, OBSTRUCTIONS

1) Any Peace Officer is hereby authorized to remove or cause to be removed any vehicle, trailer, boat, or obstruction that is in contravention of any of the provisions of this Bylaw.

8. FINES

1) A person who contravenes any provision of this Bylaw is guilty of an offence and liable upon summary conviction to a fine as prescribed in Schedule A of this Bylaw.

2) The amount of the fines shown in Schedule "A" of this Bylaw may be amended by resolution of Council from time to time.

9. MUNICIPAL AND PROVINCIAL TICKETS

1) Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw, may issue and serve:
   a) A Municipal Ticket allowing payment of the specified penalty to The Summer Village; or

b) A Provincial Ticket according to the provisions of the Provincial Offences Procedure Act, as amended.

2) Service of a Municipal or Provincial Ticket will be sufficient if it is:
   a) personally served; or
   b) attached and left upon a recreational vehicle in respect of which the offence is alleged to have been committed; or
   c) served by regular mail to the person's last known mailing address.

3) If a Provincial ticket is issued in respect of an offence, the ticket may:
   a) specify the fine amount established by this Bylaw for the offence; or
   b) require a person to appear in Court without the alternative of making a voluntary payment.

4) A person who commits an offence may:
   a) If a Provincial ticket is issued in respect of the offence; and
   b) If the Provincial ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the Provincial ticket and the specified fine to the Provincial Court Office specified on the Provincial ticket.

10. SEVERABILITY

1) If any part of this Bylaw is found to be invalid, then that part shall be severed, and the remaining Bylaw will continue to be in force.

THAT this Bylaw shall take effect on the date of the third and final reading and upon signing by the Mayor and Chief Administrative Officer.

Read a first time this 27 day of June 2020

Read a second time this 27 day of June 2020

Read a third and final time this 27 day of June 2020

Mayor

Chief Administrative Officer

SCHEDULE "A"

To Bylaw 240 – Boulevard Bylaw

SCHEDULE OF FINES

Section 3 - PARKING RECREATION VEHICLES

	Per Recreational Vehicle
First offence	**$150**
Second offence within 1 year	**$500**
Third and subsequent offences within 1 year	**$1,000**

Section 4 - PARKING BOAT AND UTILITY TRAILERS

	Per Boat or Utility Trailer
First offence	**$150**
Second offence within 1 year	**$500**
Third and subsequent offences within 1 year	**$1,000**

Section 5 - OBSTRUCTIONS

	Per Object
First offence	**$150**
Second offence within 1 year	**$500**
Third and subsequent offences within 1 year	**$1,000**