

BY-LAW NO. 928-24
OF THE
TOWN OF OYEN

PROVINCE OF ALBERTA

Being a By-Law to regulate Traffic in the Town of Oyen

WHEREAS the Council of the Town of Oyen may make bylaws not inconsistent with the *Highway Traffic Act R.S.A. 1980, c. H-7* and *Off-Highway Vehicle Act R.S.A. 1980, C. 0-4* on matters for which no provision is made in that Act, concerning highways under its direction, control and management, **and**

WHEREAS Section 17 of the *Dangerous Goods Transportation and Handling Act* R.S.A. 1999, c. D-3.5 allows a municipality to make By-Laws designating the route and time of travel of vehicles transporting dangerous goods and specifying restrictions or conditions to ensure the safe transportation in or by a means of transport, safe storage and controls necessary for public safety, **and**

WHEREAS, the Council of the Town of Oyen wish to pass such a By-Law.

NOW THEREFORE the Municipal Council of the Town of Oyen duly assembled in Council enacts as follows:

1. DEFINITIONS

- a) Terms used in this By-Law shall have the same meaning as that ascribed to them in the *Traffic Safety Act* and any amendments thereto.

2. AUTHORITY

- a) Members of the Royal Canadian Mounted Police and/or the Town of Oyen By-Law Enforcement Officer or designated officer are authorized to control and direct traffic in conformity with this By-Law.
- b) The Town of Oyen By-Law Enforcement Officers or designated officer are authorized to issue violation tickets pursuant to Parts 2 and 3 of the *Provincial Offences Procedure Act* and nothing in this By-Law shall prevent an RCMP Officer or Town of Oyen By-Law Enforcement Officer or designated officer from immediately issuing a violation ticket.
- c) Every person shall comply with any traffic signal or direction of a school patrol member.
- d) The CAO of the Town of Oyen is delegated the power to:
 - (1) control and regulate the use of all highways, sidewalks, and other public places within the Town of Oyen pursuant to Section 13 of the *Traffic Safety Act*, R.S.A. 2000, Chapter T6.

- (2) prescribe where traffic control devices are to be located, including traffic control devices restricting the speed of vehicles pursuant to Section 107(2)(a) through (c), Chapter T-6 of the *Traffic Safety Act*. Traffic control devices located by the CAO of the Town of Oyen shall be deemed to have been made by By-Law of the Town of Oyen and a record of all the locations shall be kept and shall be open to public inspection during normal business hours.

3. SPEED LIMITS

- a) In designated School Zones in the Town of Oyen no person shall drive at a speed greater than 30 kilometers per hour between the hours of 8:00 o'clock in the morning to 4:30 in the afternoon ***on any day that school is held.***
- b) In designated playground zones in the Town of Oyen, no person shall drive at a speed greater than 30 kilometers per hour between the hours of 8:30 o'clock in the morning and terminating one hour after sunset ***7 days per week.***
- c) No person shall drive at a speed greater than 20 kilometers per hour in any alley in the Town of Oyen.
- d) Except as otherwise authorized by this By-Law, no person shall drive at a speed greater than 50 kilometers per hour on any street or avenue within the Town of Oyen.

4. OPERATION OF VEHICLES (including off highway, bicycles and motorbikes)

- a) No motor vehicle shall pass or attempt to pass another moving vehicle travelling in the same direction in Town limits.
- b) No **Person** shall operate an **Off-Highway Vehicle** or like-vehicles within the **Town**;
 - (a) at a speed in excess of 15 km/h,
 - (b) between 10:00 pm of any day and 8:00 am of the following day,
 - (c) on any **Highway** except;
 - (i) directly to or from the operator's or **Owner's** residence,
 - (ii) into or out of **Town**,
 - (d) on any other properties owned or leased by the **Town**,
 - (e) that has no valid license plate displayed,
 - (f) that is un-registered,
 - (g) that is not insured,
 - (h) without an approved helmet.
- c) No one shall leave a two-wheeled vehicle on a **Highway** other than at the **Curb** or edge of the **Highway** and other than in an upright position.
- d) No **Person** shall ride or park a **Cycle** on any sidewalk except where expressly permitted to do so by this Bylaw. Children's bicycles or tricycles having a wheel diameter of less than forty (40) centimetres are exempted from this provision.
- e) No **Person** shall operate a **Cycle** at **Night** on a **Highway** unless that **Cycle** is equipped with a headlamp at the front and a tail lamp at the rear.
- f) No **Person** shall operate a:
 - 1. Moped unless:
 - i. They have a minimum class 7 license
 - ii. They are a minimum of 14 years old,
 - iii. It is registered
 - iv. It is insured, and
 - v. They are wearing a regulation helmet.
 - 2. Power Bicycle unless:
 - i. They are a minimum of 12 years old
 - ii. They are wearing a regulation helmet

3. When driving a moped or power bicycle:
 - i. You must ride on the far side of a road, unless making a left hand turn.
 - ii. If you are under the age of 16 you are prohibited from carrying a passenger.

5. **PARKING**

- a. No person shall park any truck, school bus, van, trailer or combination thereof or other vehicle exceeding the licensed gross weight of 8500 kilograms on any residential street, avenue or alley within the Town of Oyen unless written permission has first been obtained from the CAO.
- b. No person shall park a holiday trailer, a motor home, a utility trailer or any other vehicle that is designed in such a way that it may be attached to or drawn by a motor vehicle, and is intended to transport property or persons, on any street, avenue or alley for more than 48 consecutive hours unless written permission has first been obtained from the CAO.
- c. No person shall park a vehicle in any alley in a manner which will obstruct the full use of the alley by other vehicles except for loading and unloading, and then only for a period of not more than thirty (30) minutes.
- d. No person shall park a motor home, trailer, a dual wheel truck, a truck with camper or van, a bus, or any other vehicle exceeding five and eight tenths (5.8) meters (19 feet) in length, loaded or otherwise, in any area where angle parking is permitted, unless written permission has first been obtained from the CAO.
- e. No person shall park a vehicle or mobile unit on any boulevard.
- f. No person shall park anything adjacent to, or alongside a Curb that is coloured yellow.
- g. Except otherwise designated by this By-Law, no vehicle exceeding a licensed gross weight of 8500 kilograms shall park or remain stationary on Main Street.
- h. Where a sign restricts the parking of a vehicle to two hours or less, it shall be an offense to park a vehicle in excess of the time so designated and marked on the sign, unless written permission has first been obtained from the CAO.
- i. Except as required by traffic conditions, or to assist in the free movement of traffic, or at the directions of a person authorized to direct traffic, no person shall stop a vehicle on any part of a roadway other than that portion on which the vehicle may lawfully be parked.
- j. No person shall leave a vehicle unattended on any street, avenue or alley in the Town of Oyen if the vehicle has been placed on a jack or a similar device and:
 - 1) one or more wheels have been removed from the vehicle, or
 - 2) part of the vehicle is raised.
- k.
 - 1) No person shall park any trailer (whether designated for occupancy by persons or for the carrying of goods or equipment) upon any street or avenue in the Town of Oyen unless the said trailer is attached to a vehicle by which it may be propelled or drawn and when so attached the trailer shall be deemed part of the vehicle and subject to the regulation pertaining to vehicles unless otherwise authorized by the CAO.
 - 2) A recreation vehicle parked on a highway must not be used for sleeping or living quarters unless such property has been designated for use as a mobile unit park or trailer court.
 - 3) For the purpose of this Section "mobile unit" means:
 - a) any vacation trailer or house trailer or relocatable trailer,
 - b) any structure whether ordinarily equipped with wheels or not, that is constructed to be moved from one point to another by being towed or carried whether designated for occupancy by persons or for the carrying of goods or equipment, or for any other use.

- l. Notwithstanding any other provision of this Bylaw, the following classes of Motor Vehicles are exempt from parking prohibitions:
 - a) Emergency vehicles
 - b) Public utility vehicles
 - c) Municipal or other government public works vehicles
 - d) Towing services vehicles
 - e) Other vehicles owned or contracted for service by the town while actively engaged in providing the service and while any such vehicle is being used in work requiring that it be stopped or parked in contravention of any such prohibition.

6. IMPOUNDING:

- a. Any RCMP Officer, By-Law Enforcement Officer or Designated Officer may impound to a proper place in any parking area or any place set aside as an automotive compound, any vehicle which he/she may find wrongly parked, abandoned or standing in such a position as to constitute an obstruction or a danger to other vehicles or pedestrians as provided in Section 4 of this By-Law.
- b. The Town of Oyen shall have authority to move motor vehicles or mobile unit from the Town streets, avenues or lanes when grading, street sweeping, doing snow removal, maintaining or repairing is required, if 'NO PARKING' signs have been posted at least twelve (12) hours in advance, indicating street maintenance is to be done.
- c. Except as designated by this By-Law, all costs for storage of a motor vehicle or mobile unit moved or stored under Section 6a) or 6b) are a lien upon the vehicle and shall be payable by the registered owner thereof, prior to the release of the vehicle or mobile unit from the impound lot.
- d. All costs of removal, transportation charges and/or storage charges under section 6a , 6b) or 6c) left unpaid shall be transferred to taxes and shall be treated as taxes owing.

7. PEDESTRIAN'S RIGHTS AND DUTIES

- a. No pedestrian shall cross or loiter on any street or avenue in such a manner as to obstruct traffic.
- b. Whenever practicable, pedestrians shall use intersections or designated crosswalks when crossing a street or avenue.
- c.(1) Where a sidewalk or footpath, is located beside a roadway, a pedestrian shall at all times when reasonable and practicable to do so, use the sidewalk or path and shall not walk or remain on the roadway.
- c.(2) Where there is no sidewalk or footpath, a pedestrian walking along or upon a street or avenue shall at all times when reasonable and practicable to do so, walk only on the left side of the roadway or the shoulder of the street or avenue facing traffic approaching from the opposite direction.

8. SPECIAL ZONES

- a. For the purpose of regulating or prohibiting traffic, the Council may, by resolution, authorize the establishment of passenger, taxi or other zones at such locations and for such periods as deemed necessary.

9. PARADES

- a. The CAO or Council will have the authority to grant permission for any parade within the Town of Oyen and no person shall leave any vehicle on any street which has been cleared or is about to be cleared for a parade, providing sufficient warning signs have been placed at the particular street intersections at least twelve (12) hours before such parade is to take place.

10. INFLAMMABLE AND EXPLOSIVE MATERIAL

- a. No truck equipped for carrying gasoline, propane or other inflammable substance, loaded or unloaded, shall be left unattended upon any street, avenue or alley in the Town of Oyen.
- b. An RCMP Officer, Bylaw Enforcement Officer or Designated Officer may impound a vehicle in violation of Section 10(a) for twelve (12) hours and further charge the operator of same with an offense pursuant to this By-Law.

11. TRUCK ROUTE

- a. South on Fourth Street East off of 1st Avenue East, to Railway Avenue to Secondary Highway No. 895 shall be the designated truck routes in the Town of Oyen, as marked on Schedule "A" attached hereto.
- b. Except as otherwise permitted by this By-Law, no person shall operate a vehicle or combination of vehicles exceeding a gross weight of 8,500 kilograms other than on the designated truck route within the Town of Oyen, except as authorized by this By-Law.
- c. Notwithstanding Section 11.b, a Person shall be deemed not to have contravened the Bylaw if;
 - (a) The Heavy Truck was being operated on the most direct route between two points, one point being the nearest Heavy Truck Route or Restricted Truck Route and the other point is a location where:
 - (i) goods or merchandise are being delivered or collected for a commercial purpose,
 - (ii) Heavy Trucks are permitted to park;
 - (iii) A building is being moved, provided the necessary permits have been issued by the Town or their designate,
 - (iv) The Person is operating a Heavy Truck owned or contracted for service by the Town while engaged in providing the service.
- d. No Person while operating a Heavy Truck off of the Heavy Truck Route for any of the reasons in Section 11.c shall exceed a speed of thirty (30) kilometres per hour.
- e. No Person shall operate an Engine Retarder Brake device to slow down the speed of a vehicle within the Town.
- f. No person shall park a vehicle or combination of vehicles exceeding the gross vehicle weight of 8,500 kilograms on any street or avenue for the purpose of loading or unloading, or maintenance and repairs, unless it be done so in a manner which will not obstruct the full use of the street or avenue by other vehicles, except in special circumstances when a permit in writing may be issued therefore by the CAO.
- g. Nothing in this By-Law shall be construed as a permit to allow vehicles in the Town of Oyen to carry a load greater than that permitted under the *Traffic Safety Act*, being Chapter T-6 of the Revised Statutes of Alberta, 2000 and amendments thereto, except in special circumstances when a permit in writing may be issued therefore by the CAO.

12. **ENFORCEMENT**

- a. Where any RCMP Officer, By-Law Enforcement Officer, or any other person designated by the Town, believes that any person has committed infractions of any of the sections of this By-Law, they may service upon such person a violation tag as provided herein:
 - 1) Service of any such violation tag shall be sufficient if:
 - i) personally served, or
 - ii) served by registered mail, or
 - iii) attached to the vehicle in respect of which an offense has alleged to have been committed.
 - 2) upon receipt of such violation tag, *if*, within thirty (30) days from the date of service of such violation tag, the violation tag together with payment as prescribed in Schedule "B" hereto, is paid at the Town Office, an official receipt for such payment shall be issued and such payment shall be accepted in lieu of prosecution.
 - 3) if the person upon whom such violation tag served, fails to pay the said sum within the time limit, the provisions of this section no longer apply.
 - 4) nothing contained in this section shall:
 - i) prevent any person from exercising his/her right to defend himself or herself after committing a breach of any sections in Schedule "B" hereto.
 - ii) prevent any person from informing or laying a complaint against another person for committing a breach of any sections in Schedule "B" hereto.
 - iii) prevent any person from exercising any legal right, such as to inform or lay a complaint against another person, whether such other person has made a payment under the provisions of this By-Law or not, for a breach of any of the sections in Schedule "B" hereto.
- b. No person other than the owner or driver of a vehicle shall remove any violation tag placed on or affixed to such vehicles by an RCMP Officer or By-Law Enforcement Officer or designated officer in the course of his duties.

13. **PENALTIES**

- a. Any person violating any of the provisions of this By-Law or any other person responsible for such violation shall be liable on summary conviction before a Provincial Court Judge or Justice of the Peace having jurisdiction therein, to a penalty not exceeding Five Hundred Dollars (\$1000.00) exclusive of costs, or in case of non payment of fines and costs imposed, to imprisonment for any period not exceeding sixty (60) days unless such fines and costs, including the costs of committal, are paid.
 - b. If any person is in default in doing any matter or thing which by this By-Law is directed to be done, the matter or thing may be done by the Town at the expense of the person in default, and the Town may recover the expenses thereof, with cost by action in any Court of competent jurisdiction.
14. Any person who contravenes any provision of this By-Law is guilty of an offense and subject to the penalties prescribed by Schedule "B" of this By-Law.
15. Schedules "A" and "B" are deemed to be part of this By-Law.
16. Should any provision of this By-Law be invalid, then such invalid provision shall be severed and the remaining By-Law shall be maintained.


17. By-Law No. 859-17 is hereby repealed.

18. This By-Law shall come into effect on the date of final reading.


READ A FIRST TIME AND PASSED this 15 th day of April, 2025.

READ A SECOND TIME AND PASSED this 13th day of May, 2025.

READ A THIRD TIME AND FINALLY PASSED this 13th day of May, 2025.



Mayor



CAO

Town of Oyen Truck Route Map
Bylaw Number 928-24
Schedule "A"

Oyen truck Route



TOWN OF OYEN SCHEDULE "B"

The penalties for contravention of By-Law No. 928-24 for a first offense shall be as follows:

Section	Offense	Penalty
5(a)	Parking trucks in a residential area	\$ 150.00
5(b)	Parking trailers for more than 48 hours	\$ 100.00
5(c)	Parking in alley	\$ 150.00
5(d)	Parking large vehicles in an angle zone	\$ 100.00
5(e)	Parking on boulevard	\$ 100.00
5(f)	Parking adjacent to yellow line	\$ 100.00
5(g)	Parking large trucks on main street	\$ 75.00
5(h)	Two hour or less parking	\$ 75.00
5(i)	Double Parking	\$ 100.00
5(j)	Vehicle on blocks	\$ 200.00
5(k)	Parking unattached trailer	\$ 100.00
7	Pedestrian responsibilities	\$ 50.00
10	Conveying inflammable or explosive material	\$250.00 or impoundment
11	Failure to use the "Truck Route"	\$ 500.00

Second or further offenses will be double the rates listed above.